



Southend East Community Academy Trust

“Strong Partnerships, Strong Community, Strong Schools”

Equal Opportunities Policy

1st September 2016

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Signed by Chair :



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Equal Opportunities Policy

1. Introduction

SECAT and all its members are committed to providing equal opportunities in employment and to avoiding unlawful discrimination. This policy is intended to outline SECATs commitment to equal opportunity for all stakeholders. Each SECAT Academy has a policy in place that encompasses this commitment, and is individualised to meet the needs of their unique environment. Each SECAT Academy will continue to review these, alongside this overarching policy.

Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

Associated policies in SECAT Academies:

- *Hinguar Primary School & Nursery – Equality Diversity & Inclusion (Approved by Governors September 2015)*
- *Thorpedene Primary School – Equal Opportunities Policy (reviewed June 2016)*
- *Bournes Green Infant School - Equal Opportunities Policy (reviewed annually).*
- *Shoeburyness High School – Equal Opportunities Policy (combining gender, race and disability – reviewed May 2016).*

2. Legislation/conditions of service

Equality Act 2010

The Equality Act 2010 came into force on 1 October 2010. The purpose of the Equality Act 2010 is to simplify discrimination legislation and create a more consistent and effective framework, while at the same time extending discrimination protection.

The Act defines direct discrimination as less favourable treatment because of a protected characteristic. The protected characteristics under the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

Indirect discrimination against individuals because they have a relevant protected characteristic is also covered, although pregnancy and maternity does not come under the indirect discrimination provisions in the Equality Act 2010.

Employers will be liable for acts of unlawful discrimination committed by their employees against other employees or stakeholders in the course of their employment unless they can show that they took such steps as were reasonably practicable to prevent those acts. There is no limit on compensation for unlawful discrimination, which includes compensation for injury to feelings and personal injury. The Equality Act 2010 makes it unlawful to discriminate directly or indirectly, or harass service users or clients because of the protected characteristics of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision goods and services.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics". Discrimination after employment may also be unlawful, refusing to give a reference for a reason related to one of the protected characteristics.

Staff should not discriminate against or harass service users or a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability

3. Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic.

Harassment is where there is unwanted conduct, related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment.

4. Equal opportunities in employment

SECAT will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

SECAT will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if SECAT considers it has good reasons, unrelated to any protected characteristic, for doing so. SECAT will comply with its obligations in relation to statutory requests for contract variations. SECAT will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability. SECAT will monitor the outcome of investigations where allegations of discrimination are made.

SECAT will monitor the ethnic, gender, disability, sexual orientation, religion or belief, carer status and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

5. Dignity at work

Academies within SECAT have a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

6. Training

SECAT will provide training in equal opportunities for managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise, as appropriate.

SECAT will provide training for all existing and new employees and others engaged to work at SECAT to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment, as appropriate. SECAT will provide additional training for managers to enable them to deal more effectively with complaints of bullying and harassment, as appropriate.

7. Employee responsibilities

Every employee is required to assist SECAT to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees can be held personally liable as well as, or instead of, SECAT for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against any stakeholder are disciplinary offences and will be dealt with under SECAT's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

8. Conclusion

Harassment of any kind is an upsetting and humiliating experience. When harassment does occur at work, it can seriously affect the confidence of employees and consequently how well they do their jobs. SECAT wishes to promote a culture where everybody feels a personal responsibility to ensure that the dignity of colleagues, clients, parents and students is not abused, ensuring a support mechanism is in place, when required, to advise and guide all parties involved.

SECAT Academies will provide training to their respective employees to help them understand their rights and responsibilities under this policy and what they can do to help create a working environment free of bullying and harassment, as appropriate.

SECAT may also periodically monitor how successful it is in providing equal opportunities in employment by other means which may include an Equality Impact Assessment, confidential staff surveys, staff turnover, absence levels and employee leaver's questionnaires