

# **Equality and Diversity Policy**

## **Document Control**

**This document is issued, controlled and impact assessed by the Senior Leadership Team.**

**The latest version of the procedure will be maintained on the School Website.**

## Scope

This policy applies to all those connected with Endeavour Academy including attention to the employment practices of the school. This includes but is not restricted to employees, contractors, visitors and students, sub-contractors, stakeholders and any others that work for Endeavour Academy or visit our premises e.g. community representatives. All those connected with Endeavour Academy have a responsibility to ensure equality of opportunity and human rights are promoted, to create a culture of mutual respect in which all contributions to society as a whole and this organisation are valued.

## Purpose

### Equality & Belief Statement

Endeavour Academy is committed to a policy and the practice of equality of opportunity. This commitment applies to all aspects of Endeavour Academy's work and to all members of Endeavour Academy community regardless of any protected characteristics as defined by the Equality Act 2010, or any other identifiable discriminating cause, and any other characteristic which may not be covered by legislation that Endeavour Academy deem to be inappropriate.

Endeavour Academy promotes positive behaviour and tolerance by all of Endeavour Academy community and stakeholders. For example, ensuring that our customers and suppliers who are sub-contractors, also promote diversity by responding to students and staff needs.

## Comment

This policy should be read in conjunction with the Endeavour Academy's Bullying & Harassment; Recruitment and Selection; Discipline; Grievance; and Dignity at Work policies. (I can not find any Bullying and Harassment Policy or Recruitment and Selection Policy in HR File)

### Definitions

Equal Opportunities is concerned with the prevention of less favourable treatment of individuals or a group of people. Discrimination can be direct, indirect, intentional or unintentional. Below are the legal definitions of discrimination.

### Direct Discrimination

This is where an employee or prospective employee is unjustifiably less favourably treated because of any protected characteristics as defined by the Equality Act 2010. Racist abuse and sexual harassment are forms of direct discrimination. The absence of a motive is irrelevant if the discriminator in fact commits an act of discrimination.

## Indirect Discrimination

This is the application of a requirements, condition or procedure which has a disproportionately adverse impact on a particular group. This normally occurs where the condition or practice can be met by a considerably smaller proportion of one group and therefore creates a detriment to that group, which cannot otherwise be justified.

## Disability Discrimination

It is discriminatory for an employer to fail to make reasonable adjustments to ensure that disabled persons are not substantially disadvantaged or to fail to make their services reasonably accessible to disabled people.

## Victimisation

This occurs if someone is treated less favourably because they have complained about discrimination or supported someone else who has complained.

## Policy Statement

### Aims

The aims of this policy are:

- To comply with all relevant legislation, which includes:
  - The nine protected Characteristics of the Equality Act (2010) include: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
  - Endeavour Academy upholds its Public Sector Equality Duty (2011) which replaces the existing race, disability and gender duties and extends to cover all of the protected characteristics by:
    - ❖ Eliminating discrimination, harassment, victimisation and any other prohibited conduct;
    - ❖ Advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - ❖ Fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.
  - Promoting equality regardless of any protected characteristics as defined by the Equality Act 2010 or any other group definition in our society by having a due regard to “advance equality of opportunity, and fostering good relationships” by:
    - ❖ Removing or minimising disadvantages

- ❖ Taking steps to meet the needs of individuals
  - ❖ Tackling prejudice
  - ❖ Promoting understanding
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- To ensure an environment free from harassment, unfair or unlawful discrimination.
  - To develop the ethos of equality of opportunity and to take positive steps to promote it.

## Objectives

The objectives of this policy are:

- To review regularly the policy and procedures that promote and protect equality of opportunity.
- To make all employees aware of their personal obligations to avoid discrimination in accordance with this Equal Opportunities Policy.
- To organise or access opportunities that foster a culture of quality on both staff and students.
- To discourage and/or actively oppose any unfair or unlawful discrimination.
- To monitor procedures and activities to ensure effectiveness.
- To take account of needs, particularly those that create barriers to participation.
- To take positive action to redress unjustified disparities in education and/or employment.
- To tackle inappropriate behaviour from staff and students.

Endeavour Academy may be required at inspection or audit to demonstrate their communication of the content of this policy to their wider audience.

## The Strategy

The Endeavour Academy regards the promotion and maintenance of equality of opportunity as essential.

The strategy to ensure equality of opportunity will have a number of areas:

- The curriculum
- Any documentation
- Recruitment and selection
- Behaviour
- Marketing
- Services
- Access

Each of these aspects is underpinned by the understanding that each and every individual has responsibility for equal opportunities.

## Code of Practice

All members of Endeavour Academy Community have a responsibility to ensure that all students and staff are free from any form of harassment. Discriminatory, belittling or insulting comments are not acceptable, even if intended by the person making the comments to be friendly or humorous.

Conduct or remarks which have the effect of interfering with an individual's work or education, or which create an intimidating, hostile or offensive atmosphere are not acceptable.

All staff should monitor their conduct and language to eliminate discriminatory remarks or practices and should actively challenge such behaviour amongst students. Students must never be given the impression that discriminatory attitudes and practices are acceptable.

Where any particular group is in a minority staff should be alert to any power structures or tension that may infringe equality of opportunity. Students should be made aware of the Endeavour Academy Rule that they should refrain from any remark or action which may be offensive to another person due to any protected characteristics as defined by the Equality Act 2010, or any other identifiable discriminatory cause.

All students and staff should be aware of the procedure for complaints about breaches of equality of opportunity, such as harassment. Teaching staff should make these procedures clear to students. Management must ensure that all complaints of personal harassment are dealt with in a consistent manner. Such complaints must be treated seriously and not resolved at the expense of the person subjected to harassment. The objectives are to end the harassment promptly and provide protection from further distress. All complaints raised in relation to equality of opportunity must be investigated and resolved.

## Performance Indicators

1. Endeavour Academy has an effective monitoring system that measures progress towards its equality of opportunity objectives
2. Staff can demonstrate good understanding of the main equal opportunities issues and have clear responsibilities from implementing Endeavour Academy's Policy
3. Student surveys demonstrate good student understanding of Endeavour Academy's policy and procedures
4. External surveys show good awareness of Endeavour Academy's commitment to equality of opportunity, and the relevant policies
5. Endeavour Academy's services cater for both genders and all ethnic groups in the Endeavour Academy Community
6. Publicity and marketing materials demonstrate Endeavour Academy's commitment to equality of opportunity
7. Where appropriate and permissible by law, under-represented and minority groups are specifically targeted and recruited
8. Employers who work with us are required to show commitment to equality of opportunity

9. Grievances and complaints, including those relating to equality of opportunity and those from the nine protected characteristics are monitored by HR and evaluated to ensure they consistently decrease
10. Services exist to support individuals with specific difficulties including those from under-represented or disadvantaged groups and include assistance with admissions procedures
11. Resources, including human, which support under-represented or disadvantaged groups consistently extend
12. Monitoring of the ethnic groups, age and sex of candidates and leaving employees is undertaken through the Endeavour Academy's application form and exit interviews

## **Human Resource Management and Development**

The Endeavour Academy will seek to promote good equal opportunities practice within the area of Human Resources Management and Development. This involves all the activities related to recruiting, selecting, motivating, retaining and training staff.

Good equality opportunities practice in this area constitutes:

### **Recruitment and Selection**

At every one of the stages in the recruitment and selection process, it is necessary to monitor procedures which seek to eliminate discrimination, and to train and issue guidelines to all those involved in the process.

These stages are:

#### **a) Advertisements**

- Wherever possible, all vacant posts should be advertised externally and/or internally. Wherever possible casual posts should also be widely advertised
- Advertisements should state a commitment to Equal Opportunities and encourage applications from as wide a range of candidates as possible
- A careful examination of the placing of advertisements is also necessary to ensure a wide range of candidates
- Wording should be examined to ensure that the advertisement does not exclude or discourage applications from certain minority groups or directly or indirectly discriminate by any means whatsoever
- Appropriate and lawful applications from under-represented groups will be encouraged
- All advertisements should be framed to conform to the Equality Act.

#### **b) Application Forms and References**

The main application form (Part B) should:

- Not require candidates to indicate marital status, family responsibilities or disabilities
- Where certain qualifications are necessary it will be made clear that equivalent qualifications gained outside the United Kingdom are acceptable
- Invite candidates to supply details of any unpaid or voluntary work which might be relevant to their applications, and of any experience gained outside the United Kingdom
- Not require candidates to supply the names of more than three referees
- Make it clear that, where a candidate is not currently in paid employment, a first reference from a source other than the candidate's 'present employer' is acceptable
- All references must be in writing and should not be obtained by telephone

## c) Job Descriptions

Job descriptions should:

- Be drawn up for each post
- Set out the content of the job including the purpose of the role
- Detail the reporting lines of the post, i.e. who the post reports to and which posts it has responsibility for

## d) Person Specification

Person specifications should:

- Be drawn up for each post
- Distinguish between necessary and desirable qualities in a candidate
- Use particular care when specifying age and length of experience necessary so as not to discriminate in terms of age. It is important to look for future potential and not simply at past performance
- Be drawn up with care to avoid other forms of indirect discrimination
- Be capable of being checked against evidence

## e) Shortlisting

Those shortlisting should:

- Shortlist based on the information submitted by the candidate on the application form using the essential and desirable criteria held on the Person Specification
- Seek evidence of potential in a candidate rather than simply looking at past experience

## Guidance and Counselling

To enable staff to reach their maximum potential Endeavour Academy make the wisest use of staff supportive guidance and counselling system is made available.

This includes:

- A package of staff development tailored to the needs of the individual or developed to act as compensatory action appropriate to the needs of a group
- Opportunities for specific discussions about career development and progression with a senior member of staff
- Support for individual staff in receiving and evaluating personal development
- Training for all staff responsible for Human Resources management in the specific skills necessary to implement such a programme, e.g., sensitivity training, Equal Opportunities awareness training.

## f) Flexible Working Patterns

In order to make the optimum use of human resources, Endeavour Academy should seek to implement such arrangements as:

- Job sharing
- Associate lectureships
- Provision for the negotiated planning of a career break, to include:
  - Regular contact with Endeavour Academy
  - The updating of skills
- Paternity leave / adoption leave
- Enhanced maternity leave
- Provision of disability awareness training

## g) Disability and Rehabilitation

Endeavour Academy will ensure it makes any reasonable adjustments in relation to any candidates or employees who qualify under the requirements of the Equality Act 2010.

## Monitoring

This involves collecting information and data, of both a quantitative and qualitative nature, to review the progress made in implementing equal opportunities.

Good practice in this area constitutes:

- Student enrolment by course:
  - Gender
  - Age profiles
  - Ethnic minorities

- Number of disabled staff / students
- General total student percentages in terms of:
  - Age
  - Sex
  - Race
- % of staff teaching/working in certain areas in terms of:
  - Sex
  - Race
- Report on action plans and questionnaire results regarding effectiveness of action planning/implementation process for that given period
- Average salary distributions by group
- Recruitment monitoring information for staff and students

## Compliance

Endeavour Academy will seek to ensure that its policy is implemented efficiently and effectively. Compliance involves ensuring that the Equal Opportunities policy is implemented and that there are clear procedures for dealing with incidents of discrimination and harassment on grounds of any protected characteristics as defined by the Equality Act 2010, or any other identifiable discriminating cause.

### a) Failure to Implement Policy

- It is the responsibility of each member of Endeavour Academy staff in his/her role, where failure to implement the policy is considered to have occurred, to take action to rectify the matter
- Where appropriate action does not lie within the designated role of the member of staff concerned, the matter should be taken to the member of Endeavour Academy staff whose role involves responsibility for such a matter
- If such action does not bring about a satisfactory result the matter should be referred to the appropriate sub-committee of the Academic Board.

## General Incidents

General incidents of a discriminatory nature would include those related to any protected characteristics as defined by the Equality Act 2010, e.g. producing insulting graffiti or other written material.

- Attempting to recruit students to any organisations that promote discriminatory behaviour or beliefs, or bringing material produced by such organisations, (e.g. leaflets, badges, comics) into Endeavour Academy
- Derogatory remarks directed against particular minority or disadvantaged groups' e.g. racist or sexist jokes, insulting references to people with disabilities. Where discrimination has been carried out by a student the incident should be dealt with by the member of staff observing it or having it referred to them. Members of staff with pastoral responsibilities for the student(s) involved should also play a part in the process of dealing with the incident or remark.

Where this procedure is felt to be insufficient or ineffective, the matter should be referred to the appropriate role holder.

Where the discrimination has been carried out by a member of staff, the incident or remark should be confronted by the member of staff observing it or where the observer is a student having it reported to them.

Where this procedure is felt to be insufficient or ineffective, the matter should be referred to the appropriate Line Manager.

## **b) Instances of Harassment**

- Harassment consists of any unwanted behaviour that has the effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- Harassment can take many forms and occur for a variety of reasons. It may be related to any protected characteristics as defined by the Equality Act 2010, or indeed any personal characteristic of an individual.
- It may be directed at one person or many people. Often, it takes place when there are no observers who can witness the behaviour, but not always. It can be persistent behaviour over a period of time, however, a one-off act, providing it is serious, may also amount to harassment (Dignity at Work Policy).
- Endeavour Academy considers such harassment of staff, students or members of the public to be a serious offence and will not tolerate such behaviour from any member of its staff or from any of its students.

**Breach of this policy may lead to action being taken under Endeavour Academy's formal Disciplinary Procedure. Any employee, who feels they have been treated in a manner contrary to the spirit of this policy, should seek recourse in accordance with the Endeavour Academy's Grievance or Dignity at Work procedures.**

## **Documents and Records**

- Dignity at Work Policy
- Grievance Procedure
- Discipline Policy