

Employee Equality Policy

Agreed by SLT: June 2020

Agreed by Committee: September 2020

Review: September 2023

Signed by:





Vison and Mission

Think differently

to inspire young people to overcome all barriers and achieve their dreams

- Delivering a pupil-centered, holistic curriculum which prepares young people to overcome barriers for life
- Creating an inclusive environment that embraces and celebrates our differences
- Ensuring that all pupils and staff are safe by leading a transparent and ethically driven organisation
- Creating an innovative, optimistic and skilled workforce
- Playing a leading role in the community to promote an inclusive approach to young people unable to access education due to their medical, SEMH needs and other neurodiverse conditions

Our Core Values

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- T**hrive
We create a positive environment where we thrive and succeed
 - H**igh aspirations
We have high aspirations for ourselves and others
 - I**nclusion
We are inclusive in all we do and celebrate our differences
 - N**urture
We educate our young people and staff to nurture their emotional health and wellbeing
 - K**eeep safe
We ensure that keeping safe and the safety of others is paramount
- Differently**



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1. Policy statement

- 1.1 James Brindley is committed to promoting equality of opportunity for all employees and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. James Brindley are committed to the principles of [ethical leadership](#) in implementing this policy, and this includes all employees respecting the rights of our young people as set out in the UNICEF Charter.
- 1.2 We do not discriminate against employees on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (**protected characteristics**). Amended in line with the Equality Act 2010.
- 1.3 The principles of non-discrimination and equality of opportunity also apply to the way in which employees treat students, parents, governors, third party organisations and former employees.
- 1.4 All employees have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other employees, regardless of their status.
- 1.5 This policy does not form part of any employee's contract of employment and may be amended at any time.

2. Who is covered by the policy?

- 2.1 This policy covers all individuals working at all levels and grades, including members of the senior leadership team, teachers, teaching assistants, pastoral staff, support staff, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as **employees** in this policy).

3. Who is responsible for this policy?

- 3.1 The Governing Board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the Head of Human Resources.
- 3.2 All members of the senior leadership team within the academy must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The Head of Human Resources has overall responsibility for equality training.
- 3.3. If you are involved in management or recruitment, or if you have any questions about the content or application of this policy, you should contact the Head of Human Resources.



4. Scope and purpose of the policy

- 4.1 This policy applies to all aspects of our relationship with employees and to relations between employees at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment.

We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Please see the [Special Leave Policy](#).

5. Forms of discrimination

- 5.1 Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. For example; using an 'occupational requirement' when recruiting to a post. Employees must refer to the HR Team in the first instance for advice.
- 5.2 Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 5.3 Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.
- 5.4 Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be a proportionate means of achieving a legitimate aim.
- 5.5 Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- 5.6 Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint. See the [Staff Anti-Harassment and bullying policy](#)

6. Recruitment and selection

- 6.1 We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Short listing of applicants will be done by more than one person wherever possible.



- 6.2 Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. We take steps to ensure that our vacancies are advertised to a diverse labour market.
- 6.3 Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the HR's approval. For example:
- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - Positive action to recruit disabled persons.
 - Equality monitoring (which will not form part of the decision-making process).
- 6.4 Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of the HR Manager (who will first consider whether such matters are relevant and may lawfully be taken into account).
- 6.5 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.
- 6.6 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an applicant's chances of recruitment or any other decision related to their employment. The information is removed from applications before short listing, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity. [See Recruitment Policy.](#)

7. Employees training and promotion and conditions of service

- 7.1 Employees training needs will be identified through regular employees appraisals. All employees will be given appropriate access to training to enable them to progress within the academy and all promotion decisions will be made on the basis of merit.
- 7.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the academy. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.



7.3 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they equal opportunities for all.

8. Termination of employment

8.1 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

8.2 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

9. Disability discrimination

9.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you appropriately.

9.2 If you experience difficulties at work because of your disability, you may wish to contact your Centre Leader / Line Manager or Human Resources to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your Centre Leader / Line Manager or a member of the HR team may refer you to Occupational Health about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

9.3 We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other employees. Where reasonable, we will take steps to improve access for disabled employees and service users.

10. Causal, Fixed-term employees and agency workers

10.1 We monitor our use of zero hours and fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

11. Part-time work

11.1 We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under our [Flexible Working Policy](#).



12. Breaches of this policy

- 12.1. If you believe that you may have been discriminated against you are encouraged to raise the matter through our [Grievance Policy](#). If you believe that you may have been subject to harassment you are encouraged to raise the matter with your Centre Leader / Line Manager and / or a member of the HR team. See [Staff Anti-Harassment and Bullying Policy](#).
- 12.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our [Disciplinary Policy](#).
- 12.3 Any employee who is found to have breached this policy may be subject the Disciplinary Policy which may constitute gross misconduct and, as such, may result in summary dismissal.

13. Monitoring and review of the policy

This policy is reviewed by the Head of HR in conjunction with the Governing Board

- 13.1 We will continue to review the effectiveness of this policy every three years or sooner if there is a change to the protected characteristic list, to ensure it is achieving its objectives. As part of this process we monitor the composition of job applicants and the benefits and career progression of our staff.