

Equality, Diversity, and Inclusion policy

1 Introduction and principles

The Heart of Mercia Multi-Academy Trusts' (HoM) mission is to provide a safe and supportive learning environment in which all students within its academies achieve outstanding academic outcomes and personal development to equip them to progress to the college, university, employment, or an apprenticeship of their choice.

1.1 HoM actively promotes equality in both the delivery of its services and the employment of its staff. In order to promote this positive culture, the Trust and its academies aim to:

- Promote equality – treat each member of our community fairly and appropriately, according to their individual needs;
- Celebrate diversity – recognise, value, and celebrate differences;
- Enable inclusion – remove barriers and ensure equal access to facilities and opportunities;
- Raise awareness - create a culture in which all negative discrimination, including unconscious bias, is challenged.

1.2 We are proud to be an inclusive organisation where individual differences are accepted and valued and where, everyone can fulfil their potential in a welcoming, safe, and non-threatening environment.

1.3 The Trust and its academies uphold the legal duty to ensure that unlawful discrimination does not take place and are committed to fulfilling our obligations under Equality and Diversity legislation. The Trust and its academies are mindful that the Equality Act 2010 requires us to have due regard of the need to:

- Eliminate unlawful discrimination, harassment, and victimisation;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

This commitment covers the nine protected areas of the Equality Act 2010 (see Point 3.3 and Appendix 1). Our commitment to equality extends to other areas, including socio-economic disadvantage, student carers and looked-after learners.

1.4 The Trust will continue to develop, implement, and publicise policies and procedures which promote equality and diversity for all members of the Trust and its academies and to foster good relationships between groups.

Note: This policy is available via the Trust website and for HoM staff via the Canvas platform.

Note: The Policy needs to be read in conjunction with the Trust's Strategic Plan, Staff Code of Conduct, the Anti Bullying and Harassment and Policy, and the Student Conduct policies of each HoM academy, including their guidance on bullying.

2 Purpose and aims

2.1 The purpose of the HoM Equality, Diversity and Inclusion Policy is to set out the Trust and its academies response to the Equality Act 2010.

The aims of the policy are to:

- Demonstrate the Trust's and its academies commitment to equality.
- Draw attention to the breadth of the responsibility.
- Provide access to key definitions.
- Outline how the duties shall be met.
- Outline the monitoring that exists.
- Inform all members of the Trust and its academies about their rights and responsibilities.
- Promote a welcoming, safe, and non-threatening working environment.

3 Scope

3.1 This policy applies to the following:

- All students/pupils
- All employees, governors, and trustees
- All volunteers
- All trainees
- All contractors and service providers working for and in the Trust and its Academies
- All visitors

3.2 The main legislation which the Equality, Diversity and Inclusion Policy responds to is the Equality Act 2010.

3.3 The Act, and therefore our policy, protects people from discrimination based on 'protected characteristics,' definitions of which can be found in Appendix 1. These are the following distinguishing qualities of individuals:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion and belief

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- Sex
- Sexual orientation.

For further information about EDI legislation and the Equality Act 2010, please refer to the Equality and Human Rights Commission website:

<https://www.equalityhumanrights.com/en>

3.4 The Act, and therefore our policy, defines ‘prohibited conduct.’ Definitions of these can be found in Appendix 2. These are the following prohibited types of behaviour:

- Direct discrimination including discrimination by perception or by association
- Indirect discrimination
- Harassment
- Victimisation

3.5 The Act also makes provision for positive action. Details are in Appendix 3

3.6 The HoM Anti Bullying and Harassment Policy outlines examples of the kinds of acts which might occur in incidents of harassment.

4 The Equality Duty

4.1 The Equality Duty consists of general duties in the Act and specific duties which will be imposed through regulation.

4.2 The general duty on the Trust and its academies is that we must have ‘due regard’ to the need to:

- eliminate unlawful discrimination, harassment, and victimisation;
- advance equality of opportunity between different groups;
- and foster good relations between different groups

4.3 Specific duties for the Trust and its academies as public bodies are that we are required to:

- prepare and publish one or more equality objectives;
- publish information which demonstrates compliance with the general duty.

5 Roles and Responsibilities

The following responsibilities are held:

5.1 The Trust Board are responsible for ensuring that HoM and its academies stay within the law, meet all their duties and that there is a commitment to equality across the Trust. They ensure that no individual is discriminated against whilst a member of the HoM community.

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5.2 The Trust Board designates the Chief Executive as having overall responsibility for equality issues and he/she is supported by the Trustees in the oversight of the implementation of this policy. The Chief Executive will produce an Equality Annual Report for the Trustees.

5.3 The Chief Executive designates the Principal/Headteacher of a HoM academy as having overall responsibility for equality issues within their academy. The Principal/Headteacher gives a high-profile lead on equality issues, promotes the Equality, Diversity, and Inclusion Policy, and ensures it is implemented and reported on.

Academy Local Governing Bodies work with the Principal/Headteacher in the promotion and monitoring of the Equality, Diversity, and Inclusion policy.

5.4 The implementation of this policy will be monitored and evaluated by the Senior Leadership Team in each of the academies of the Trust.

5.5 An Equality Annual Report is produced in the academy of the Trust and reported to the academy Local Governing Body.

5.6 All managers and Senior Leaders in academies of the Trust are responsible for ensuring that they, and their staff, are familiar with the Equality, Diversity and Inclusion Policy and that review, and monitoring of their work takes full regard of our duties.

5.7 Equality, diversity, and inclusion form an integral part of the annual review and self-assessment cycle and reports for both individual academies and the Trust.

5.8 It is the responsibility of all staff and students in HoM academies to uphold the policy and to participate in training/awareness raising as required.

5.9 All HoM staff will ensure that all students are treated fairly, equally and with respect, and will maintain awareness of the Equality, Diversity and Inclusion Policy and objectives. They will strive to provide material that gives positive images based on race, gender and disability, and challenges stereotyping.

All staff will challenge any incidents of prejudice, sexism, racism, homophobia, transphobia, classism, and/or ageism and record any serious incidents, drawing them to the attention of the academy Principal/Headteacher or Chief Executive as appropriate.

6 Meeting our General Duties - Putting the Equality Duty into practice.

As well as the duties, roles and responsibilities set out in sections 4 and 5 of this policy, academies of the Trust deliver equality in their day-to-day practice and provision.

i. Teaching and learning

Academies of the Trust aim to provide all of our students with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, they use:

- Use data to improve the ways in which they provide support to individuals and groups of students;
- Monitor attainment and achievement data by ethnicity, gender, disability and other socio-economic factors, and action any gaps;
- Take account of the attainment and achievement of all students when planning for future learning and setting challenging targets;
- Ensure equality of access for all students and prepare them for life in a diverse society;
- Use materials that reflect the diversity of the academy, population, and local community in terms of ethnicity, gender, and disability, without stereotyping;
- Promote attitudes and values that will challenge racist, sexist, homophobic, transphobic, and other discriminatory behaviour, or prejudice;
- Provide opportunities for students to appreciate their own culture and celebrate the diversity of other cultures;
- Seek to involve all parents/carers in supporting their child's education;
- Encouraging discussion of equality issues which reflect on social stereotypes, expectations, and their impact on learning;
- Including teaching and classroom-based approaches appropriate for the whole academy population, which are inclusive and reflective of our students' background and needs.

ii. Admissions and exclusions

Admissions arrangements for academies of the Trust are fair and transparent and do not discriminate on grounds of ethnicity, gender, disability, or other socio-economic factors. These can be found on the websites of individual academies of the Trust and are available on request.

Exclusions will always be based on the Exclusions Policy of the academy. The Trust and its academies will closely monitor exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

iii. Recruitment and Selection

The Trust is fully committed to advancing equality of opportunity and fostering good relations between different groups for the benefit of all people who work and study at its academies and recognises and adheres to the legislative requirements.

The Trust will ensure that its statutory obligations with regard to equal treatment as established in the Equality Act (2010) and other relevant statutes, as well as the equality policies of individual HoM academies are adhered to.

The Trust and its academies are committed to applying their equality policies at all stages of recruitment and selection. Shortlisting, interviewing and selection will always be carried out without regard to age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or trade union

membership. Any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having considered reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of his/her disability.

Interview panels for recruitment will ensure that the questions that they ask job applicants are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the needs of the job and skills needed to perform it effectively.

The Trust and its academies will monitor each vacancy and the documentation relevant to it in accordance with its procedure.

All applicants are requested to complete an Equal Opportunities Monitoring form, which is removed by the HR section and is not part of the selection process. Statistical information on the main stages of the recruitment exercise (application and appointment) will be collated to inform the academy and the Trust Executive of performance against the Equality, Diversity, and Inclusion policy.

Further detail can be found in the HoM Recruitment and Selection policy and the recruitment and selection policies of individual academies of the Trust.

7 Meeting our Specific Duties

The Equality Act (2010) gives the Trust specific duties to do two things. These are outlined below:

7.1 'To prepare and publish at least one equality objective.'

In order to meet this duty, the Trust will establish priorities via self-assessment processes and will ensure that at least one equality objective is contained within the Trust's Strategic aims, which are available via the Trust website.

To ensure that actions are planned and monitored, and outcomes reviewed, this objective will also form part of the Strategic Plan of each academy of the Trust.

There is also a separate Equality Improvement Plan produced by the Trust.

7.2 "To publish information which demonstrates compliance with the general duty."

Detail from the Trust Equality Annual Report mentioned earlier in the policy will be made available on the Trust's website.

Detail from the academy Equality Annual Report to Local Governing Bodies mentioned earlier in the policy will be made available on the academy's website.

In addition, details from the academy's self-assessment will be made available via the academy website.

8 Monitor and review

- 8.1** The Equality, Diversity and Inclusion Policy is monitored by the Chief Executive and reported annually to the Trust Board in the Equality Annual Report. This monitoring will consider staff and student data from the Trust and its academies with the aim of actively reducing any identified gaps or limitations in provision.
- 8.2** In addition to the monitoring above and in previous sections, the policy itself will be reviewed annually by the HoM Policy Co-ordinator and HoM HR Director on behalf of the Chief Executive.

9 Complaints and Breaches of the policy

- 9.1** The HoM Complaints policy and those of individual academies of the Trust exist for the use by and protection of all members of the HoM community and are an appropriate way of raising and dealing with complaints relating to any breach of this policy.
- 9.2** Breaches of this policy, including direct and indirect acts of discrimination, harassment, victimisation, bullying and abuse will be treated as serious disciplinary offence.
- 9.3** For staff, the Trust's disciplinary; grievance; and anti-bullying and harassment procedures will apply.
- 9.4** For students, the student disciplinary procedures of individual academies of the Trust will apply.
- 9.5** The Trust and its academies will make sure that all HoM staff and students know the procedures for dealing with incidents relating to discrimination.
- 9.6** In addition, the Trust and its academies will not work with contractors or service providers who fail to comply with its Equality, Diversity, and Inclusion Policy.
- 9.7** The Trust and its academies will seek to create a positive and open culture that challenges inappropriate behaviour.
- 9.8** The Trust and its academies will investigate claims of discrimination or harassment promptly in order to take appropriate action.
- 9.9** The Trust and its academies will provide a supportive environment for those who make claims of discrimination or harassment.

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10 Equality Impact

The Trust's responsibilities towards promoting equality, diversity and inclusion have been considered when drafting this policy.

Date of review	Date agreed	LGBs	MAT Board	Review date	Comments
08/06/23	08/06/23	Autumn 2023	22/06/23	June 2024	

Appendix 1: Protected characteristics - definitions

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g., 32-year-olds) or range of ages (e.g., 18 - 30-year-olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

Marriage is defined as a 'union between two people'. This can be between a same sex couple or between a woman and a man. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it, but belief includes; religious and philosophical beliefs, including lack of belief (e.g., Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, a different sex or to both sexes.

Appendix 2 - Prohibited conduct - definitions

Direct discrimination

Less favourable treatment of a person compared with another person because of a protected characteristic:

- **By association**

Where a victim of discrimination does not have a protected characteristic but is discriminated against because of their association with someone who does e.g., the parent of a disabled child.

- **By perception**

Under the Act, the belief that someone has a protected characteristic, whether or not they do have it.

Indirect discrimination

The use of an apparently neutral provision, criterion or practice which puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and applying the provision, criterion or practice cannot be objectively justified.

Harassment

Unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating, or offensive environment.

Victimisation

Subjecting a person to a detriment because they have carried out a protected act or there is a belief that they have carried out a protected act i.e. bringing proceedings under the Act; giving evidence or information in connection with proceedings under the Act; doing any other thing for the purposes or in connection with the Act; making an allegation that a person has contravened the Act.

Appendix 3: Positive action – circumstances

Positive action

Refers to a range of lawful actions that seek to overcome or minimise disadvantages (e.g., in employment opportunities) that people who share a protected characteristic have experienced, or to meet their different needs.

In employment (taken from SFCA Employer’s bulleting 02/11)

Positive Action provision makes it lawful for employers on a case-by-case basis to select a candidate from a disadvantaged or under- represented group, where two candidates are both “as qualified” for the relevant role.

Positive action can be used as a tie breaker between candidates of equal merit. (Government Equalities office).

In education

Students with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains provisions which enable the Trust and its academies to take action to tackle the particular disadvantage, diverse needs, or disproportionately low participation of a particular student group, provided certain conditions are met.

These are known as the positive action provisions and allow (but do not require) the Trust and its academies to take proportionate action to address the disadvantage faced by particular groups of students. Such action could include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged student group.

Positive action is intended to be a measure that will allow institutions to provide additional benefits to some students to address disadvantage and is different from positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged student group that exceeded the positive action conditions.

It is never unlawful to treat disabled students (or applicants) more favourably than non-disabled students (or applicants) in pursuit of equality of opportunity, access, and inclusion.

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Making reasonable adjustments

In most circumstances, service providers must make reasonable adjustments to remove any barriers – physical or otherwise – that could make it difficult or impossible for disabled customers to use their services.

In employment (taken from Direct.Gov) the employer has a duty to make reasonable adjustments for disabled applicants and employee. Adjustments should be made to avoid a disabled member of staff being put at a disadvantage compared to a non-disabled member of staff. Reasonable adjustments can apply to the working arrangements or any physical aspect of the workplace or necessary equipment.

Duty to make reasonable adjustments.

Where a disabled person is at a substantial disadvantage in comparison with people who are not disabled, there is a duty to take reasonable steps to remove that disadvantage by (i) changing provisions, criteria, or practices, (ii) altering, removing or providing a reasonable alternative means of avoiding physical features and (iii) providing auxiliary aids.

Definitions taken from the Equality and Human Rights Commission unless in italics and other source stated.