

Tauheedul Education Trust

This policy is in line with the Mission Statement of the Trust

*To create outstanding organisations that promote educational excellence,
character development and service to communities.*

EQUAL OPPORTUNITIES POLICY



Tauheedul
Education Trust

Document control

This policy has been approved for operation within all Tauheedul Education Trust Establishments.

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1 Scope and Purpose

- 1.1 The Trust is committed to promoting equality of opportunity for all staff and job applicants. It aims 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.
- 1.2 The Trust does not unlawfully discriminate against staff 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).
- 1.3 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat pupils, parents of pupils, visitors, clients, customers, suppliers and former staff members.
- 1.4 All staff 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 members of staff, regardless of their status. Attention is drawn to the Trust's separate Anti-harassment and Bullying Policy.
- 1.5 This Equal Opportunities Policy applies to all aspects of the Trust's relationship with staff and to relations between staff members 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.
- 1.6 The Trust will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.
- 1.7 This policy does not form part of any employee's contract of employment and may be amended at any time [after consultation with our recognised Trade Unions](#).
- 1.8 In this policy references to personnel/bodies are to the personnel/bodies present within the establishment at which the particular employee reviewing the policy is engaged.

2 Who is Covered by the Policy?

- 2.1 This policy covers all individuals working at all levels and grades, including the Head of Establishments, teachers, non-teaching staff, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, Trustees, volunteers, interns, casual workers and agency staff (collectively referred to as **staff** in this policy).

3 Who is Responsible for this Policy?

- 3.1 The Board of Trustees has delegated its authority in accordance with the rules of this policy. The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility has been delegated to the Trust Central Team and Head of each Trust establishment.
- 3.2 All staff on the Senior Leadership Team must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote the Trust's aims and objectives with regard to equal opportunities. Staff on the Senior Leadership Team will be given appropriate training on equal opportunities awareness and equal opportunities

recruitment and selection best practice. The Head of Establishment has overall responsibility for equal opportunities training within their establishment.

- 3.3 If staff are involved in management or recruitment, or if they have any questions about the content or application of this policy, they should contact the Head of Establishment to request training or further information.
- 3.1 The Chief Executive of the Trust will be responsible for administering the policy in relation to the Head of Establishment (where the policy is applied to the Head of Establishment, all references to Head of Establishment should be replaced with Chief Executive of the Trust).
- 3.2 The Board of Trustees will be responsible for administering the policy in relation to the Chief Executive of the Trust (where the policy is applied to the Chief Executive of the Trust, all references to Head of Establishment should be replaced with Board of Trustees).

4 Forms of Discrimination

- 4.1 Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.
- 4.2 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.
- 4.3 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 objectively justified.
- 4.4 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. Harassment is dealt with further in the Trust's Anti-harassment and Bullying Policy.
- 4.5 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.

5 Recruitment and Selection

- 5.1 The Trust aims to ensure that no job applicant suffers unlawful discrimination because of any of the protected characteristics above. Its 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.
- 5.2 Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. They will include an appropriate short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.

- 5.3 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 Head of Establishment's approval. For example:
- 5.3.1 questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments);
 - 5.3.2 questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment;
 - 5.3.3 positive action to recruit disabled persons;
 - 5.3.4 equal opportunities monitoring (which will not form part of the decision-making process).
- 5.4 Once a job offer has been made, questions about the applicants health must be made in accordance with The Education (Health Standards) (England) Regulations 2003.
- 5.5 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, sexual orientation, or gender reassignment without the approval of the Head of Establishment (who will first consider whether such matters are relevant and may lawfully be taken into account).
- 5.6 The Trust is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status must not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able 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 Establishment or the UK Border Agency.
- 5.7 To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, the Trust monitors 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 individual's chances of recruitment or any other decision related to their employment. The information is removed from applications before shortlisting, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps the Trust take appropriate steps to avoid discrimination and improve equality and diversity.

6 Staff Training and Promotion and Conditions of Service

- 6.1 Staff training needs will be identified through regular staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 6.2 Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.
- 6.3 The Trust's conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

7 Termination of Employment

- 7.1 The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 7.2 The Trust will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

8 Disability Discrimination

- 8.1 If a member of staff is disabled or becomes disabled, the Trust encourages the member of staff to tell it about the condition so that the Establishment can support the member of staff as appropriate.
- 8.2 If a member of staff experiences difficulties at work because of their disability, they may wish to contact their manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The member of staff's supervisor may wish to consult with them and their medical adviser(s) about possible adjustments. The Establishment will consider the matter carefully and try to accommodate the member of staff's needs within reason. If the Trust considers a particular adjustment would not be reasonable it will explain its reasons and try to find an alternative solution where possible.
- 8.3 The Establishment will monitor the physical features of its premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, the Establishment will take steps to improve access for disabled staff and service users.

9 Fixed-Term Employees and Agency Workers

- 9.1 The Trust monitors its use of 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. The Trust will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

10 Part-Time Work

- 10.1 The Trust monitors 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. The Trust will ensure requests to alter working hours are dealt with appropriately.

11 Breaches of this Policy

- 11.1 If staff believe that they may have been unlawfully discriminated against then employees are encouraged to raise the matter through the Trust's Grievance Policy. Other parties may write to the Head of Establishment. If staff believe that they may have been subject to harassment, they are encouraged to raise the matter through the Trust's Anti-harassment and Bullying Policy. If a member of staff is uncertain which applies or needs advice on how to proceed, they should speak to the Head of Establishment.

- 11.2 Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant policy or procedure. Staff 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 the Trust's Disciplinary Policy.
- 11.3 Any member of staff who is found to have committed an act of unlawful discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust takes a strict approach to serious breaches of this policy.

12 Monitoring, Evaluation and Review

- 12.1 The policy will be promoted and implemented throughout all Trust establishments.
- 12.2 The Trust will monitor the operation and effectiveness of arrangements referred to in this policy at each Trust establishment.
- 12.3 The Trust will review this policy every two years in consultation with each Trust establishment.