Policy Name: Equal Opportunities

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Author: Director of HR

Owner: Director of HR

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☒ Trust Policy

☐ Trust policy tailored by School

☐ School Policy

Approval:

☐ School

☐ LAB

☒ Board

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Our Four Critical Questions

Why do we exist?

To improve outcomes, transform lives and enable social mobility.

How do we behave?

Trust • Kindness • Endeavour

What do we do?

We create a strong network of schools which transform the lives of students by enabling them to achieve high educational and personal goals, regardless of their background.

How do we succeed?

Through a clear backbone, strong culture, academic rigour and smart systems.

1. The purpose of this policy is to set out the Trust's approach to diversity, equity and inclusion. This policy does not form part of a contract of employment and the Trust may amend it at any time.
2. The Trust's position: Orion Education is committed to promoting diversity, equity and inclusion and promoting a culture that actively values difference and recognises that people from different backgrounds and experiences can bring valuable insights to the workplace and enhance the way we work. The Trust aims to be an inclusive organisation, where diversity is valued, respected and built-upon, with the ability to recruit and retain a diverse workforce that reflects the communities it serves.

3. As part of our zero-tolerance approach to discrimination in any form, the Trust is committed to creating an inclusive working environment to maximise the potential of all staff, providing equal opportunities in all aspects of employment and avoiding unlawful discrimination at work. Orion Education will not tolerate discrimination, harassment, bullying or victimisation of employees or third parties including, such behaviour by those who undertake work on the Trust's behalf.

4. The Trust supports the principle of equal opportunities and opposes unlawful discrimination, on the basis of age, sex, marriage and civil partnership, gender reassignment, race, disability, sexual orientation, religion or belief, pregnancy and maternity (defined as Protected Characteristics) as set out in the Equalities Act 2010.

5. Being a committed equal opportunities employer, the aim of the Trust is to take every possible step to ensure that employees, workers and volunteers are treated equally and fairly and in accordance with the Equalities Act 2010 and other relevant legislation. All policies and practices will conform with the principle of equal opportunities in terms of recruitment, selection, training, promotion, career development, discipline, redundancy, and dismissal.
6. We will take all reasonable steps to:

- Promote awareness and provide training to all staff and all managers on all aspects of equality and diversity in the workplace.
- Apply the principles of equity to all staff and all job applicants so that there is equality of opportunity. Our aim is that no individual is denied employment opportunities for reasons unrelated to ability.
- Establish programmes and processes that ensure a diversity of candidates at all career stages beginning with recruitment, including the development and promotion of talent through to the appointment of senior leadership.

- Implement all internal policies and procedures (on a fair and impartial basis).
- Create an inclusive working environment that is sensitive to the needs of staff of differing cultures, religions and beliefs. For example, in connection with festivals, religious observance and dress.
- Make reasonable adjustments to enable employees with disabilities to function effectively and to their full potential.
- Ensure that all work environments are free from all forms of discrimination, harassment, intimidation or bullying.
- Monitor how this policy is working in practice.

7. Scope – to whom does this policy apply?

This policy applies to all workers; employees, agency workers, consultants and those in voluntary positions such as Trustees or members of Local Advisory Bodies.

8. This policy does not relate to the provision of services for which the Trust and academies have separate policies.

9. Employees, workers and volunteers have a duty to treat others with dignity and respect at all times. They should not discriminate against others (employees, workers, volunteers). The Trust may be at risk of being held responsible for the acts of individual members of staff (or those working or undertaking voluntary responsibilities) for the Trust.

10. The Trust will not tolerate any unlawful discriminatory practices or behaviour.

Compliance with relevant equality legislation

11. Orion Education is committed to compliance with relevant equality legislation.

• The Equality Act 2010

• The Public Sector Equality Duty (PSED) 2012, which places responsibilities on all public authorities including Academies. This includes having due regard to the need to:

Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by or under this Act.

Advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it.

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

• The General Data Protection Legislation (EU 2016/679) and Data Protection Act 2018. The Trust may collect process and store personal data and special categories of data in accordance with the Data Protection Policy.

• The Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 as amended.

• Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

• The Agency Workers Regulations 2010.

Roles and Responsibilities

12. Overall responsibility: The Chief Executive Officer and the Trustees have overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework promoting equality of opportunity and prohibiting discrimination. The Executive Team and the Trustees have delegated the day to day responsibility for operating the policy and ensuring its maintenance and review to the Director of HR.

13. Management: Those who work at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to ensure that those they manage adhere to the policy and promote the aims and objectives of the Trust with regard to equal opportunities. To facilitate this process, managers will be given training on equal opportunities awareness and best practice with respect to equal opportunities within the recruitment and selection.

14. All: All employees, workers and volunteers have a responsibility for the effectiveness of this policy. They must ensure that they are familiar with the requirements of the policy and act in accordance with its aims.

15. 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 Director of HR.

Diversity and inclusion training

16. Managers will be given appropriate training on recognising and avoiding discrimination, harassment, victimisation, unconscious bias and promoting equality of opportunity and

diversity in the areas of recruitment, development and promotion. The HR Director has overall responsibility for equality training for staff and managers, as appropriate.

17. We will provide regular training to ensure that everyone is aware of and understands the contents of this policy, the Dignity at Work policy and the Sexual Harassment policy. Following the training, individuals will be required to confirm that they have read, understand and will comply with this policy, the Dignity at Work policy and the Sexual Harassment policy. The Trust will also provide equality and diversity training and unconscious bias training regularly.

What is unlawful Discrimination?

18. The Trust has a zero tolerance approach to unlawful discrimination or harassment. This applies in the workplace, outside the workplace (when dealing with work-related contacts), and on work-related trips or events including social events.

19. The following forms of discrimination are prohibited under this policy and are unlawful under the Equality Act 2010:

Direct discrimination: when someone is treated less favourably than another person because of a protected characteristic. Direct discrimination is not justifiable.

Indirect discrimination: when a condition, rule, criterion policy or practice applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Associative discrimination: where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination: where an individual is directly discriminated against or harassed based on a perception by others that they have a protected characteristic even if they don't.

Discrimination arising from disability: where an individual has been treated unfavourably because of something connected with their disability (so does not have to be the disability itself).

Harassment: 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 for that individual. It does not matter whether this effect was intended by the person responsible for the conduct.

Victimisation: when an employee is treated badly and subjected to detriment because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

Reasonable Adjustments: The Equality Act also makes it unlawful to fail to make reasonable adjustments to overcome barriers in employment or to using services as a result of a disability .

Occupational Requirement: in limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is a genuine occupational requirement. For example, the requirement for the job holder to be a man or a woman, to belong to a specified racial or religious group where the possession of a specified characteristic is a key element of the job in question.

Recruitment and Selection

20. The Trust aims to ensure that the recruitment and selection process is undertaken with due regard to equalities legislation. No job applicant should receive less favourable treatment because of a Protected Characteristic. The Trust will review its recruitment procedures regularly to ensure that individuals are recruited and selected on the basis of their relevant merits and abilities and that sufficiently diverse sectors of the community are reached through advertising media. Job selection criteria will be reviewed from time to time to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.
21. The Trust is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should 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 HR Department or UK Visas and Immigration.
22. 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, nationality, gender, gender identity, 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 and in accordance with data protection legislation.

Training, promotion, terms and conditions of service

23. Training needs for employees will be identified through appraisals. Employees will be provided with equal opportunity to access training to enable them to develop their skills and knowledge and progress within the organisation. All promotion decisions shall be made on the basis of merit.

24. Terms and Conditions of Service. The Trust's terms and conditions of service, benefits and facilities will be reviewed and consulted upon with recognised trade unions from time to time to ensure that they are available to all employees and agency workers who should have access to them and that there are no unlawful obstacles to accessing them.

Disability Discrimination

25. Informing the Trust: If you are disabled or become disabled in the course of your employment you are encouraged to tell us about your condition. This is to enable us to support you as much as possible and to ensure that you are not treated less favourably because of something related to your disability.

26. Reasonable adjustments: You may also wish to advise your line manager/Business Manager/Principal/Head of School of any reasonable adjustments to your working conditions or the duties of your job which you consider to be necessary or which would assist you in the performance of your duties. This may involve the provision of an additional piece of equipment or assistance in helping you to perform your work, or an adjustment to your working pattern. The school/Trust may wish to seek further advice from Occupational Health about potential reasonable adjustments and meet with you to consult on how such reasonable adjustments may be implemented in practice. The Trust will seek to respond positively to all such reasonable adjustments.

27. Physical features: The Trust will monitor the physical features of its premises to consider whether it can make changes to remove any disadvantages which may exist for disabled users. Where possible and proportionate, the Trust will take steps to improve access for disabled users of the premises.

Fixed Term Employees

28. The Trust will monitor the use of fixed-term contracts and the terms and conditions of service, to ensure that employees working on a fixed-term contracts are offered appropriate access to benefits, training, promotion and permanent employment opportunities. Where relevant, the Trust will monitor the progress of such employees to provide assurance that fixed-term employees are accessing permanent vacancies.

Part-Time Employees

29. The Trust notes the provisions of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000. The Trust will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered equitable access training, promotion and benefits. The Trust will also ensure that requests for changes to working hours are dealt with appropriately under the Flexible Working Policy.

Agency Workers

30. The Trust will monitor agency workers to ensure that they are treated not less favourably than a comparable worker in relation to accessing collective facilities and amenities at the Trust. The Trust will take action to ensure that Agency Workers are advised of permanent job opportunities and have the opportunity for direct employment and are treated no less favourably than a comparable employee in terms of access to employment and promotion.

31. The Trust will also monitor the use of temporary work agencies and subject to the exceptions set out in the Agency Workers Regulations 2010, will ensure that all agency workers have the same basic working conditions they would have been entitled to had they been recruited by the Trust directly into a comparable role.

Termination of employment

32. The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

33. 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.

Breaches of this Policy

34. Complaints: If you believe that you may have been disadvantaged or suffered discrimination because of a Protected Characteristic, you are encouraged to raise the matter through the Trust's Grievance Procedure. If you believe you have been harassed or bullied because of a Protected Characteristic, you are encouraged to raise the matter through the Trust's Dignity at Work policy. If you believe you have witnessed harassment, bullying or discrimination happening to someone else in the workplace you should raise this through the Dignity at Work policy. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure.

35. False Allegations: The Trust encourages the reporting of all types of potential discrimination as this assists us in ensuring that diversity, equity and inclusion principles are adhered to in the workplace. These procedures apply during and after termination of your employment. Employees and Workers who believe they may have been disadvantaged because of a Protected Characteristic who make such allegations in 'good faith' will not be victimised or treated less favourably as a result. False allegations of a breach in this policy which are found to have been made in 'bad faith' will, however, be dealt with under the Trust's Disciplinary Procedure.

36. Disciplinary action: Any allegations of discriminatory actions will be investigated in accordance with the Orion Education Disciplinary Procedure. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal.

Monitoring

37. The Trust will collect and analyse DEI data. Data will be reported on annually to the Trust Board, via the People, Performance and Pay committee, and shared with the JCNC. Appropriate actions and improvements will be undertaken to support the aims of this policy.

38. The Trust will monitor the effectiveness of our policies and procedures in meeting our diversity, equity and inclusion objectives.

39. The Trust will also monitor the treatment and outcomes of any complaints of discrimination, harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural clashes are identified and resolved and workforce training is targeted where needed.

Related policies

40. This policy is supported by other policies and procedures:

- Dignity at work
- Sexual Harassment
- Code of conduct
- Social media
- Dress code
- Data Protection Policy
- Grievance Procedure
- Disciplinary Procedure

Policy consulted with JCNC	February 2025
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