

# **Equality and Diversity Policy**

## **2020-2021**

**Adopted by the Governing Board:  
To be reviewed by Governors:**

**SLT: Neil Copsey  
Governor link: Lisa Dionne Morris**

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## **Definition:**

UTC Leeds has adopted the Equalities Review 2007 definition of an equal society which strengthens our approach to equality and diversity. The definition is:

**‘An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises different people’s different needs, situations and goals and removes the barriers that limit what people can do and can be’**

This Policy covers the provisions of the Equality Act which became law in October 2010. As an employer, our obligations remain largely the same. The Act harmonises and replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency to make the workplace a fair environment and to comply with the law.

UTC Leeds has completed an Equality Impact Assessment in relation to this Policy.

## **Introduction**

UTC Leeds is committed to providing an environment free from discrimination, bullying, harassment and victimisation where all members of its community are treated with respect and dignity. UTC Leeds aims to create a culture of diversity within its community, providing a dynamic working and learning environment, where all members are valued for their contribution.

Our aim is to ensure that these commitments, reinforced by our values, are embedded in our day to day working practices with UTC Leeds community.

UTC Leeds is committed to providing equality of opportunity for all irrespective of:

- Age
- Disability
- Race
- Religion or belief
- Sex
- Marriage and civil partnership
- Gender reassignment
- Pregnancy and maternity
- Sexual orientation.

Under the Equality Act, no one protected characteristic as listed above has a higher priority than any other.

Discrimination claims can be made on the grounds of:

1. a single protected characteristic - for example, because an employee is female
2. a number of single, but unrelated, characteristics – for example because an employee is female and also because she is of a particular age (in these situations, each characteristic would be considered separately).

Our aims are to promote equality of opportunity for all in line with the Public Sector Equality Duty, in line with Equality Act 2014 (Section 149):

- Complying with its legal obligation
- All our existing and potential service users are treated with dignity and respect
- Our partnership and contract arrangements promote equality of opportunity
- We will work with and between communities to help develop and strengthen relationships
- Our workforce will be reflective of all sections of society
- Ensuring that both existing staff and students, as well as those who seek to apply to work or study with us, are treated fairly and that individuals are judged solely on merit and by reference to their skills, abilities, qualifications, aptitude and potential
- Ensuring that all contractors and service providers operating on behalf of UTC Leeds are aware of this Policy and expected to adhere to it.

### **Direct discrimination**

Direct discrimination occurs when an individual receives less favourable treatment than another person in similar circumstances. This includes discrimination based on factual information, or the perception or assumptions relating to any of the above categories. Examples of direct discrimination include:

- Failure to short-list any BME applicants even though they meet the relevant criteria.
- Refusing a woman a promotion because you are concerned that she might want to take time off to start a family in the future.
- Choosing not to give a female teacher a pay rise because she is pregnant
- Unfavourable treatment of an individual because they are suffering from cancer or are HIV positive.

### **Indirect discrimination**

Indirect discrimination occurs when there's a practice, Policy or rule which applies to everyone in the same way, places a group who share a characteristic at a particular disadvantage. Examples of indirect discrimination include:

- Stipulating that people must speak clear fluent English where the job does not require verbal communication.
- Refusal to consider part time working hours.

### **Discrimination by association**

Associative discrimination occurs when someone discriminates against someone because they associate with another person who possesses a protected characteristic.

- Unfavourable treatment because a person has homosexual friends or relations or because a person is married to someone of a particular religion.

### **Genuine occupational requirements**

Indirect discrimination may on rare occasions be justifiable by law if it relates to a specific requirement of a job where race, sexual orientation, religion, belief or gender is a genuine occupational requirement for the job. For example, an advertisement for the post of Head Teacher at a Catholic school could reasonably state that candidates must

be practicing Catholics.

If such a requirement cannot be justified by an organisation, it may be deemed unlawful. An employment tribunal may deem a finding of unlawful discrimination even though an employer has no intention to discriminate.

### **Application of the Policy Recruitment and Selection**

- Recruitment advertising will encourage applications from all sectors of the community reflecting UTC Leeds's commitment to equality and diversity;
- Recruitment advertising will appear in publications appropriate to the audience capable of producing the best candidates
- Job descriptions, person specifications and recruitment advertisements will be written on the basis of the essential and justifiable requirements of the position;
- Shortlisting, appointment and rejection decisions will be transparent and justifiable and will be supported by written comments.

### **Staff Development**

- All staff will have equal access to induction, personal and career development opportunities and facilities.

### **Appraisal**

- Probation and appraisal procedures will be clear and transparent and will be applied fairly across all staff.
- Pay decisions will be in line with the Pay Policy and decisions made will be applied fairly across all Teaching staff including those on maternity leave..

### **Disciplinary and Grievance**

- Disciplinary and grievance procedures will be applied fairly and transparently for all staff;
- Allegations of discrimination, harassment or inappropriate behaviour will be dealt with under the appropriate disciplinary procedures for staff.

### **Implementation**

The Policy will apply to all staff employed in UTC Leeds.

The Policy will also apply to all Trust Board members, governors, volunteers, contractors, job applicants, student placements, trainees and people holding honorary contracts with UTC Leeds.

In the implementation of this Policy UTC Leeds will aim to:

- develop and promote a culture of equality and diversity throughout UTC Leeds;
- develop and promote a culture of dignity, courtesy and respect;
- support all staff and students, including provision of relevant support relating to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
- work to prevent all forms of unlawful discrimination;
- deal with all forms of discrimination consistently and effectively;
- ensure that the Equality and Diversity Policy influences and informs the culture of

UTC Leeds including the employment policies adopted and implemented by UTC Leeds.

## **Roles and Responsibilities**

We all have a right to be treated fairly and with dignity and respect. Everyone has a responsibility for working together to promote a harmonious environment which eliminates discrimination and harassment.

### **Role of UTC Leeds**

- UTC Leeds has responsibility for ensuring all UTC Leeds policies promote and sustain equality and diversity in employment practices and in the provision of the service.
- UTC Leeds Board will ensure there are effective policies in place for managing recruitment and selection, appraisal, bullying and harassment and grievances and complaints.

### **Role of HR**

- HR will be responsible for advising UTC Leeds Board, on all aspects of the Policy.
- HR will provide support to Principals where discrimination is alleged, and/or bullying and harassment and grievances and complaints are raised.
- HR will ensure that the Policy is up to date with current legislation and guidance.
- HR will ensure that all other HR Policies are in line with current legislation and guidance.

### **Role of the Principal**

- To promote equality and diversity throughout the college and ensure that colleagues are aware of their responsibilities and expectations with regard to their conduct. They will recognise the need for continuous professional development on issues of equality and diversity.
- To ensure that all customs and practices within the college adhere to the principles stated within this Policy
- To inform HR if they have where discrimination is alleged, and/or bullying and harassment and grievances and complaints are raised.
- To ensure that this Policy is implemented effectively and that any contravention will be dealt with under UTC Leeds's Grievance and Bullying and Harassment Policy, Disciplinary Policy and Complaints Policy as appropriate.
- Ensure staff know how to report discrimination, bullying and harassment and ensuring that reporting incident do not result in victimisation.
- In conjunction with HR to effectively manage and deal promptly with investigating issues relating to potential discrimination including complaints against employees.

### **Role of the line manager**

- Set a good example by treating all members of the college with dignity and respect.
- Address unacceptable behaviour and ensuring that all staff act in accordance with the equality and diversity Policy providing necessary support and direction,
- Deal with complaints fairly, thoroughly, quickly and confidentially in line with the UTC's Complaint Policy
- Ensure that due consideration is given to equality and diversity within their sphere of influence.

### **Role of the employee**

- Every employee, irrespective of their job or position within UTC Leeds, has an individual responsibility to treat others in a fair and non-judgemental manner and to promote positive attitudes and relationships.
- Not harass, abuse, intimidate others and victimise anyone as a result of them having complained about, reported or provided evidence of discrimination.
- Individual employees will be held accountable for their actions if they contravene UTC Leeds's commitment to act as an equal opportunities employer and service provider. Any employee found guilty of unlawful discrimination or harassment will be subject to disciplinary action, including where appropriate, dismissal for gross misconduct.

### **Review**

This Policy will be subject to review in line with changes in employment law and related policies and procedures.

### **Complaints**

Any allegations of harassment, discrimination, bullying or victimisation will be taken very seriously by UTC Leeds. [Staff[1][2], students and contractors who make a complaint of discrimination have the right to do so without fear of victimisation and UTC Leeds will make every effort to ensure victimisation does not occur and that complaints are dealt with promptly and fairly.

Where an individual believes that they have been treated unfairly in accordance with this Policy, they have the right of complaint through the appropriate [procedures[3] which are available on the UTC website:

- Where an individual employed by UTC Leeds feels they have been discriminated against by an employee, manager or governor of the school, they should refer to the Grievance and Bullying and Harassment Policy
- Where an individual is not employed by UTC Leeds feels that they have been discriminated against by an employee, manager or governor/Board Member of the college or Trust, they should refer to UTC Leeds's Complaints Policy This is also the case for parents.[4]

In both cases, advice should be sought from HR.