



Equal Opportunities Policy

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Introduction

Mulberry Academy Woodside is committed to promoting and achieving equality of opportunity for all students, parents, staff, Governors, visitors and job applicants.

This policy *reflects the School's current practices and* applies to every individual working for the School irrespective of their status, level or grade. It therefore includes, the Headteacher, Heads of Department, members of the Senior Leadership Team, directors, trustees, employees, consultants, contractors, trainees, volunteers, home-workers, part-time or fixed-term employees, casual and agency staff (collectively referred to as "Staff" in this policy) *who are advised to familiarise themselves with its content.*

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at Mulberry Academy Woodside who are required to familiarise themselves and comply, with its contents. The School reserves the right to amend this policy at any time.

Aim of this Policy

Mulberry Academy Woodside 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.

Mulberry Academy Woodside does not discriminate against Staff on the basis of their sex, sexual orientation, marital or civil partner, pregnancy or maternity, gender reassignment, race (which covers colour, nationality, ethnic or national origin), religion or belief, disability or age (the protected characteristics).

We will meet our statutory obligations under relevant legislation including the Equality Act 2010, which prohibits discrimination, harassment and victimisation in employment. This policy conforms to the Equality Act 2010 and is monitored to ensure compliance with the requirements of the relevant legislation in force from time to time. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, visitors, suppliers and former staff members.

Scope and Purpose of this Policy

All Staff are required to support this policy to ensure that discrimination does not occur in the workplace. All Staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not discriminate against or harass other colleagues, regardless of their status. Your attention is drawn to our separate Anti-Harassment and Bullying Policy.

All Staff must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to this policy and promote the School's aims and objectives with regard to equal opportunities and

diversity. Staff will be given appropriate training on equal opportunities awareness and equal opportunities for recruitment and selection best practice.

Any questions about the content or application of this policy should be referred to the HR department/Business manager in the first instance.

This policy applies to all aspects of the School'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;
- capability, disciplinary and grievance procedures; and
- termination of employment.

The School will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities.

Public Sector Equality Duty

The Public Sector Equality Duty is made up of a general equality duty and two specific duties. The general duty requires us to have due regard for the need to:

- a) eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- b) advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- c) foster good relations between people who share a relevant protected characteristic and those who do not share it.

The Act defines protected characteristics as:

- age*
- disability • gender reassignment
- marriage and civil partnership
- pregnancy and maternity

- race
- religion and belief
- sex
- sexual orientation

It is unlawful for the school to discriminate against a student or prospective student, staff member or prospective staff member, by treating them less favourably because of one or more of these characteristics.

The Act's two specific duties require us to:

- a) publish information to show compliance with the Equality Duty;
- b) publish Equality Objectives at least every 4 years which are specific and measurable.

*A person's age is a protected characteristic for adults in relation to employment. It does not apply to school students

Forms of Discrimination

Discrimination by or against a member of Staff is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

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 sex or race because they would not "fit in" would be direct discrimination.

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.

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 School's Anti-Harassment and Bullying Policy.

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.

Recruitment and Selection

Mulberry Academy Woodside aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics as mentioned above. The School's 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.

Job advertisements will avoid using wording that may discourage particular groups from applying. A short policy statement on equal opportunities and a copy of this policy shall be sent on request to those who enquire about vacancies.

The School will take steps to ensure that its vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented at Mulberry Academy Woodside.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which the School may use, 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; and
- equal opportunities monitoring (which will not form part of the decision-making process).

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 first considering whether such matters are relevant and may lawfully be taken into account.

Mulberry Academy Woodside is required by law to ensure that all members of Staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective members of Staff, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. A list of acceptable documents is available from HR.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in Mulberry Academy Woodside, Mulberry Academy Woodside will 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 individual's chances of recruitment or any other decision related to their employment. The information will be removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us to take appropriate steps to avoid discrimination and improve equality and diversity.

Recruitment of ex-offenders

Mulberry Academy Woodside is an organisation that uses the Disclosure and Barring Service (DBS) to assess candidates' suitability for positions of trust working in an environment with children or vulnerable adults. The School fully complies with the DBS Code of Practice and undertakes to treat all candidates fairly.

The School endeavours not to discriminate unlawfully against any candidate who is required to provide information (a check) through this process. Having a criminal record will not necessarily prevent a candidate from working with at Mulberry Academy Woodside. Whether or not it does will depend on the nature of the position and the circumstances and background of the offence(s).

Mulberry Academy Woodside policy on the recruitment of ex-offenders will be made available to all candidates at the outset of the recruitment process. The School will ensure that it makes any candidate who is subject to a check aware of the DBS Code of Practice and will provide a copy of the Code on request.

As a DBS check is part of the Mulberry Academy Woodside recruitment process, the School encourages all candidates called to interview to provide details of any criminal record (except cautions and convictions which are "protected" (as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and 2020) at an early stage of the application process. The School requests that this information is sent under separate, confidential, cover to a designated person within Mulberry Academy Woodside who may vary depending on the nature of the post being recruited. Mulberry Academy Woodside guarantees that only those who need to see this information as part of the recruitment process will see it.

Mulberry Academy Woodside will ensure that it discusses with the candidate the relevance of any offence to the job in question. A candidate's failure to reveal information directly relevant to the job may result in an offer of employment being withdrawn.

Staff Training, Promotions and Conditions of Service

Staff training needs will be identified through informal and formal staff appraisals.

All Staff will be given appropriate access to training to enable them to progress within the School and all promotion decisions will be on the basis of merit.

The composition and movement of Staff at different levels will be reviewed from time to time to ensure equality of opportunity at all levels within Mulberry Academy Woodside .

Where appropriate Mulberry Academy Woodside will take steps to identify and remove unnecessary or unjustifiable barriers and provide appropriate facilities and conditions of service to meet the special needs of disadvantaged or under-represented groups.

Mulberry Academy Woodside's conditions of service, benefits and facilities will be reviewed from time to time 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.

Termination of Employment

Mulberry Academy Woodside will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

The School will also ensure that absence, capability and disciplinary procedures and penalties are applied without discrimination, and are carried out fairly and uniformly for all Staff, whether they result in formal warnings, dismissal or other action.

Disability Discrimination

If a member of Staff is disabled, or becomes disabled, in the course of their employment with Mulberry Academy Woodside they are encouraged to tell us about their condition. This is to enable the School to support the member of Staff appropriately.

If a member of Staff experiences difficulties at work because of their disability, they may wish to contact their Line Manager/Head of Department to discuss any reasonable adjustments to their working conditions or duties which they consider to be reasonable and necessary or which would assist in the performance of their duties.

The Line Manager/Head of Department may wish to consult with the member of Staff and their medical adviser(s) about possible adjustments. Careful consideration will be given to any such proposals and they will be accommodated where reasonable, practicable and proportionate in all the circumstances of the case.

Nevertheless, there may be circumstances where it would not be reasonable for the School to accommodate a particular adjustment and in such circumstances, it will ensure that it provides the member of Staff with its reasons and will try to find an alternative solution where possible.

Mulberry Academy Woodside will monitor the physical features of its premises to consider whether they place disabled Staff, job applicants or service users at a substantial disadvantage compared to other Staff.

Where reasonably practicable and proportionate the School will take steps to improve access for disabled Staff and service users.

Fixed-Term Employees and Agency/Temporary Workers

Mulberry Academy Woodside will monitor its use of fixed-term employees and agency workers, and their conditions of service to ensure they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. The School will also, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

Part-Time Workers

The Academy will 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. The Academy will also ensure that requests to alter working hours are dealt with appropriately under Flexible Working Policy.

Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics

The Academy will treat all complaints of discrimination, harassment or victimisation related or connected to any of the protected characteristics made by its staff, students or third parties seriously and will take action where appropriate.

Any member of Staff who considers that they may have been unlawfully discriminated against, victimised or harassed within the meaning of this policy should discuss the matter in the first instance with their Line Manager/Head of Department or, if they do not consider this to be appropriate, with the Headteacher. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.

If a member of Staff wishes to make a formal complaint, they should raise the matter through the Mulberry Academy Woodside, Grievance Policy and Procedure.

Allegations regarding potential breaches of this policy will be treated in confidence and will be investigated in accordance with the relevant procedure and the member of Staff will be given the opportunity to respond to the allegation and provide an explanation for their actions.

Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. If the School of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The school takes a strict approach to serious breaches of this policy.

Responsibility

We expect all members of the school community and all visitors to support our commitment to equality and meeting the requirements of the Equality Act. We provide training, guidance and information to enable them to do this.

The Trust Board is responsible for ensuring that the school complies with legislation, and that this policy and its related procedures and action plans are implemented. The Trust's Committees keep relevant aspects of the school's commitment to the Equality Duty under review. The Trust Board biennially reviews this Policy and its impact.

The school's Principal are responsible for maintaining an ethos in the school that upholds this policy and the Equality Duty. They are also responsible for ensuring this policy is understood and implemented by all staff and for making students and staff aware of its commitments and expectations.

Leadership Team members are responsible for addressing the policy actively within their areas of responsibility and for collating and analysing relevant monitoring evidence.

All staff are responsible for acting on this policy consistently in their day-to-day professional responsibilities and for supporting students and their families to share the school's commitment to equality.

Equality Objectives

The Equality Act 2010 requires schools to publish equality objectives at least every 4 years which are specific and measurable. Mulberry Schools Trust has determined four over-arching equality objectives (see Appendix A).

The school's specific targets under these objectives, are drawn from evaluation of our work in relation to equalities and community cohesion and are identified each year in the school Improvement Plan (SIP). In addition, we publish 3 to 5 equalities targets yearly that are specific to the current context and data of Mulberry Academy Woodside (see Appendix B). Actions, monitoring arrangements and evaluation mechanisms are identified both in Appendix B and within the SIP and are taken forward as part of the annual school improvement cycle.

Dissemination of the Policy

The school is committed to ensuring that all members of the school community are aware of and understand our commitment to equality. This commitment is communicated through all relevant policies, practices, interactions and communications.

This Equality Policy, including Equality Objectives and equality data, is published on the school website and included in the staff handbook. Its principles, expectations and commitments are embedded within the

curriculum, extra-curricular activities for students, and ongoing professional development for staff throughout the year.

Monitoring the Impact of the Policy

Monitoring Impact on Students

As part of the school's Self-Evaluation processes, the following information is routinely collected and reviewed:

- attainment and progress data
- attendance data
- exclusions
- sanctions and rewards
- participation in extended learning opportunities, including careers education
- involvement in intervention programmes
- option choices
- parental engagement
- progression from Year 7 and Year 11

Senior leaders with responsibility for these areas analyse the data from an equality perspective, considering the following characteristics:

- eligibility for Pupil Premium (as a measure of disadvantage)
- ethnicity
- prior attainment
- special educational needs and disability (SEND)
- sex
- English as an additional language (EAL)
- looked-after and previously looked-after status

Following each attainment and progress data collection, analysis informs short-term actions to adapt teaching, learning and targeted support or intervention. Analysis of end-of-year outcomes identifies priorities for whole-school development, which are incorporated into the School Improvement Plan.

Analysis of wider datasets enables the school to identify patterns of difference between groups and any over- or under-representation. Where issues are identified, the school reviews potential causes and agrees appropriate actions, which may be short-term or form part of longer-term school improvement planning.

Incidents of prejudice-related bullying or harassment involving students are monitored in line with the Anti-Bullying Policy.

The school also engages in focused discussion with students, parents and staff to understand students' experiences in relation to religion or belief, sexual orientation and gender identity.

Monitoring Impact on Staff

In line with the Public Sector Equality Duty and employment legislation, the school collects equality information relating to:

- applicants for employment
- staff in post, including pay scales, grades and leadership levels
- participation in training and professional development
- pay progression
- internal promotion
- access to flexible working

The HR department routinely analyses this data with reference to the following protected characteristics:

- age
- disability
- ethnicity
- marriage and civil partnership
- religion or belief
- sex
- sexual orientation

This analysis enables the school to identify and address under-representation, remove barriers to opportunity, and eliminate potentially discriminatory practices.

The school also seeks feedback from, and facilitates focused discussion with, staff regarding their experiences in relation to sexual orientation, gender identity and pregnancy or maternity.

Incidents of prejudice-related bullying or harassment affecting staff are monitored in accordance with the Dignity at Work and Grievance Policies.

Equality Objectives

The Trust Equality Objectives (Appendix A) and the Academy Equality Objectives (Appendix B) are incorporated into the School Improvement Plan. Monitoring and evaluation arrangements are detailed within that plan.

Reporting

The Senior Leadership Team reviews equality data and evaluates progress against equality action plans at least twice each year.

Review of the Policy

This Equality Policy will be reviewed by the MAW Local Governing Body after one year initially, and every two years thereafter. The equality monitoring report will inform each review.

The school operates a rolling programme of policy review. As part of this process, the following questions are used to assess the potential impact of policies on equality and diversity:

- To what extent does the policy affect service users, employees or the wider community, and how significant is the impact?
- Is the policy likely to affect individuals with particular protected characteristics differently?
- Does the policy relate to functions identified through engagement as important to people with particular protected characteristics?
- Does the policy relate to areas where inequalities are known to exist?
- Does the policy support and align with the school's equality objectives?