




INVICTUS



Education Trust



Equality, Diversity and Inclusion Policy



LEARN WITH US - WORK WITH US - BELONG WITH US

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Our Mission, Vision and Values



Mission

'Excellence every day, unlimited ambition and transforming lives'



Vision

'To create a community of inclusive schools where people choose to learn with us, work with us and belong with us, so that everyone succeeds'



Values

- Respect
- Resilience
- Relationships

I. Introduction

- I.1. Invictus Education Trust (hereafter referred to as 'the Trust') is committed to providing high quality teaching and learning for our students. We recognise that by valuing and promoting equality and diversity for all employees and job applicants and avoiding unlawful discrimination in employment and delivery of services, we will be able to deliver first class education.
- I.2. We aim 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. We also value diversity and recognise the varied contributions that a diverse workforce brings to an organisation; we are committed to drawing on different perspectives and experiences of individuals which will add value to what we do.
- I.3. Our policy and practice align with the Equality Act 2010 and other relevant UK legislation and ensures that no employee or applicant is discriminated against based on the following protected characteristics:
 - Disability
 - Sexual orientation
 - Gender reassignment
 - Race (including colour, nationality, and ethnic or national origin)
 - Sex
 - Religion or belief
 - Age
 - Marriage or civil partnership
 - Pregnancy or maternity
- I.4. The principles of non-discrimination also apply to how we expect our employees to treat our employees, pupils, parents and carers, visitors, clients, customers, suppliers and former employees regardless of whether the legal protection of having a protected characteristic applies.
- I.5. The Public Sector Equality Duty (PSED), introduced by the Equality Act 2010, applies to all public bodies including Educational Trusts. The duty requires us to:
 - a. eliminate discrimination, harassment and victimisation
 - b. advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - c. foster good relations between people who share a protected characteristic and those who do not.

The duty covers the protected characteristics of race, disability, sex, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. The first part of the duty - the duty to eliminate discrimination, harassment and victimisation - also applies to the protected characteristic of marriage and civil partnership.

- 1.6. This policy does not form part of any employee's contract of employment and may be amended at any time.

2. Scope and Purpose

- 2.1. This policy applies to all individuals working at all levels and grades in the Trust (past – for the purposes of providing references, present and future – job applicants), all workers, contractors and sub-contractors, consultants, agency workers, employees seconded to the Trust from other Employers, AAB members, volunteers, Trustees and Members, pupils of our schools and their parents/carers and other members of the communities we serve.
- 2.2. This policy applies to all aspects of the employment relationship and covers 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.
- 2.3. The purpose of this policy is to set out how we will put our commitment into action and comply with the law, to ensure that equality, diversity and inclusion is promoted in the workplace, and our employees are not subject to and do not commit unlawful acts of discrimination.

3. Roles and Responsibilities

- 3.1. Our Executive Leadership Team has overall responsibility for the effective operation of this policy and for ensuring compliance with equality legislation. Day-to-day operational responsibility, has been delegated to the Trust Senior Leaders as delegated by the Trust Executive Leadership Team.
- 3.2. All senior leaders must set an appropriate standard of behaviour, to lead by example, and ensure that those they manage adhere to the policy. Senior leaders will be given appropriate training on equal opportunities awareness, and recruitment and selection best practice.
- 3.3. All employees have a duty to act in accordance with this policy and not to discriminate against or harass other employees, treating them with dignity at all times. They should also apply this to how they treat members of the public in the provision of services and should support the Trust in meeting its commitment to provide equal opportunities for all and promoting diversity in the workplace.

4. Types 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 as set out in 2.4. 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. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim. It will only be exceptional circumstances that this will apply in our Trust.
- 4.3. **Indirect discrimination** occurs where someone is disadvantaged by a provision, criterion or practice that also puts people with a protected characteristic at a particular disadvantage. Such a requirement will need to be objectively justified.
- 4.4. **Harassment** related to any of the protected characteristics is prohibited. Harassment, which includes sexual 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.
- 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.

- 4.6. **Discrimination by association** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.
- 4.7. **Perspective discrimination** is where an individual is directly discriminated against or harassed based on a perception that a person has a particular protected characteristic irrespective of whether they do have that protected characteristic (this does not include marriage and civil partnership and pregnancy and maternity).
- 4.8. **Third-party harassment** occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents and carers, clients or customers.
- 4.9. **Disability discrimination** occurs where an employee is treated less favourably because of the effects of a disability and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

5. Unconscious Bias

- 5.1. Unconscious bias refers to biases that influence our thoughts and behaviours without our awareness but if the bias is against a protected characteristic it could lead to illegal discrimination. It can affect recruitment, progression, recognition and much more. Types of unconscious bias are:
 - Affinity bias – tendency to favour people who share similar interests, backgrounds and experiences with us.
 - Halo bias – tendency to let one positive trait influence our overall impression of a person.
 - Horns bias – tendency to let one negative trait influence our overall impression of a person (opposite of halo bias).

6. Recruitment and Selection

- 6.1. We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant skills and abilities. All applicants will be provided with a copy of our Privacy Notice which sets out how we will gather, process and hold personal data of individuals during the recruitment process.
- 6.2. Job advertisements should avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying.
- 6.3. We will take reasonable steps to ensure that our vacancies are advertised to a diverse labour market.
- 6.4. Applicants will not be asked about health or disability before a job offer is made, other than where it is necessary to:
 - a. Establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - b. Establish if any reasonable adjustments need to be made to enable an applicant to have a fair interview or assessment.
 - c. Carry out equal opportunities monitoring (which will not form part of the decision-making process).
- 6.5. Applicants will not be asked about matters concerning any of the nine protected characteristics as outlined within the Equality Act 2010.
- 6.6. We are 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, name or apparent nationality. All

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prospective employees, regardless of nationality, must be able to produce original specified documents before employment starts to satisfy current immigration legislation.

- 6.7. To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our Trust, we monitor diversity data as part of the recruitment process. Provision of this information is voluntary and it will not adversely affect an individual's success at recruitment or any other decision related to their employment. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

7. Training, Promotion, Pay Decisions and Conditions of Service

- 7.1. As part of our ongoing commitment, we will ensure that managers and staff are fully informed of their rights and responsibilities under the Equality, Diversity and Inclusion Policy. All employees will complete equality, diversity and inclusion training during their induction and continue to receive refresher training at regular intervals. This will include access to relevant training modules provided through the Trust's online learning platform, ensuring staff are equipped with the knowledge and skills required to meet expectations in their roles.
- 7.2. Training completion records will be maintained electronically via our learning platform and on staff files.
- 7.3. Pay and recruitment decisions will be based on an employee's performance (where relevant), skills and experience as detailed in our Pay Policy and our nationally agreed conditions of service for Teaching (Burgundy Book) and Professional Services Staff (NJC Green Book).

8. Terminating Employment

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

9. Disability Discrimination

- 9.1. Where employees are disabled or become disabled, we encourage them to tell us about their condition so that we can identify appropriate support and reasonable adjustments..
- 9.2. If an employee experiences difficulties at work because of a disability, they may wish to contact the Headteacher or appropriate senior leader to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Headteacher may wish to consult with the employee and their medical advisor(s) about possible adjustments and an occupational health assessment should be considered where appropriate. The Trust will always consider these matters carefully and try to accommodate employees needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.
- 9.3. We will monitor the physical features of our premises to consider whether they place disabled employees or job applicants at a substantial disadvantage compared to other employees. Where reasonable, we will take steps to improve access for employees who have a disability.

10. Breaches of this Policy

- 10.1. Where employees believe they may have been discriminated against or been subject to harassment, they are encouraged to raise the matter through the Trust's Grievance Policy.
- 10.2. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Employees who make such allegations in good faith will not be

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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 our Disciplinary Procedure.

- 10.3. Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

11. Data protection and record keeping

- 11.1. Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation. The Trust's Data Protection Policy explains what information we collect and why we collect it.