

**Trust Equality and
Diversity Protection
Policy**



St Francis of Assisi
CATHOLIC ACADEMY TRUST

St. Francis of Assisi Catholic Academy Trust

Signed off by: Trust Board

Date from: November 2024

Review Date: November 2025

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1. Our Policy Statement

- 1.1. St Francis of Assisi Catholic Academy Trust (The Trust”) is fully committed to providing equal opportunities for all employees, workers job applicants and pupils, and to eliminating unlawful and unfair discrimination. It aims to create a culture that encourages and values diversity, and that appoints, rewards and promotes staff based on merit. The Trust is passionate about creating an open and transparent environment where staff and pupils feel able to input and contribute to the way in which the Trust can efficiently promote equal opportunities and diversity.
- 1.2. Equally, the Trust will not treat any employee, worker or job applicant less favourably because:
 - they are (or are not) a trade union member
 - they work part-time or on a fixed-term basis
 - they have caring responsibilities.

2. Our commitment

- 2.1. The Trust is committed to operating academies which embrace diversity and promote equality of opportunity. It is committed to a policy of treating all pupils, workers, employees and potential employees equally and with dignity and respect.
- 2.2. The Trust's goal is to ensure that these commitments, reinforced by the Trust's values, strategy and purpose, are embedded in the daily working practices with all of its colleagues and pupils.
- 2.3. All members of staff should take responsibility to support and uphold this policy, and the Trust will not tolerate discrimination of any pupil, worker, employee or potential employee. Nor shall any person receive less favourable treatment or consideration on the grounds of their Race (including colour, nationality and ethnic or national origin), Disability, Sex, Age, Sexual Orientation, Religion or Belief, Pregnancy or maternity, gender reassignment, marriage or civil partnership status (Protected Characteristics). It is extremely important that all members of staff ensure that decisions made in relation to recruitment, selection, promotion and training are considered carefully based on merit and recorded in writing in sufficient detail so as to enable others to understand the basis on which such decisions have been made where appropriate.
- 2.4. The Trust will demonstrate its commitment by ensuring that all workers and employees of the Trust are instructed that:
 - There should be no discrimination of any Protected Characteristics and everyone should be treating all pupils and colleagues fairly and with respect.

- Employees will be appointed, trained, developed and promoted lawfully on the basis of merit and ability alongside building a workforce which reflects the Trust's policy statement and commitments.
- Employees all have personal responsibility for the practical application of this policy.
- Special responsibility for the practical application of this Policy falls upon any person involved in the recruitment, selection, promotion and training of employees and in all dealings with pupils.
- The Trust operates a separate Grievance Procedure which is available to any employee who believes they may have been the subject of any unfair discrimination.
- Disciplinary action will be taken, in accordance with the separate Disciplinary Policy, against any employee who is found to have committed an act of unfair discrimination.
- In the case of any doubt or concern about the application of the Policy in any particular instance, any pupil, employee or potential employee should consult with their line manager in the first instance or the Designated Safeguarding Lead (DSL) for pupils.

2.5. The Trust's Chief Financial Officer is responsible for this policy, its implementation, monitoring and review. If anyone has any doubt or concern about this policy, or how it should be applied in any particular instance or situation, they should contact The Chief Financial Officer as soon as possible.

2.6. If an employee believes they have been unfairly treated in breach of this policy, they should follow the Grievance Procedure. Employees will not be victimised in any way for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and as soon as possible.

3. Recruitment and selection

3.1. As set out above, recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting will be done by more than one person and with the involvement of HR advice, where possible. The Trust's recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

3.2. Vacancies will generally be advertised to a diverse section of the labour market. Advertisements will avoid stereotyping or using wording that may discourage particular groups from applying.

3.3. Where appropriate, the Trust may approve the use of lawful exemptions to recruit someone with a particular Protected Characteristic, for example, the Trust may apply religious criteria when recruiting or dismissing any member of the teaching staff. In recruitment, remuneration and promotion, although the Trust seeks to appoint the person most suitable for the post, in certain circumstances it may give preference to persons:

- Whose religious opinions are in accordance with the Catholic faith
- Who attends religious worship
- Who give, or are willing to give religious education

3.4. Job applicants will not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants will not be asked whether they are pregnant or planning to have children.

3.5. Job applicants will not be asked about health or disability before a job offer is made. There are limited exceptions including the following:

- 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.
- Equal opportunities monitoring (which will not form part of the selection or decision-making process).

Where necessary, job offers may be made conditional on a satisfactory medical check.

3.6. The Trust is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status will 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 UK Visas and Immigration.

4. Training and promotion and conditions of service

4.1. Training needs will be identified through appraisals. Employees 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.

- 4.2. The composition of the Trust's workforce and its promotion decisions will be monitored on an ongoing basis to ensure equality of opportunity at all levels within the Trust. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups
- 4.3. The Trust's conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all who should have access to them and that there are no unlawful obstacles to accessing them.

5. Termination of employment

5.1. The Trust will ensure that:

- redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action and that the rationale for disciplinary decisions is clearly explained and recorded.

5.2. In considering dismissals, the Trust and local governing boards may have regard to any conduct that is incompatible with the precepts of the Church or fails to uphold its tenets.

6. Disabilities

- 6.1. If an employee is disabled or becomes disabled, the Trust encourages them to tell the Trust about their condition so that it can support them as appropriate.
- 6.2. If an employee experiences difficulties at work because of their disability, they may wish to contact their line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The employee's line manager may wish to consult with them and their medical adviser about possible adjustments. The Trust will consider the matter carefully and try to accommodate their needs within reason. If the Trust considers a particular adjustment would not be reasonable it will explain the reasons and try to find an alternative solution where possible.
- 6.3. The Trust will monitor the physical features of its premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, the Trust will take reasonable steps to improve access.

7. Ofsted Requirement

7.1 Academies must also comply with Ofsted, because treatment of the different diversity groups is covered throughout the inspector's evaluation schedule and particularly in the 'Effectiveness of Leadership and Management' section.

8. Equality Data

8.1. The Trust is required to publish information annually to demonstrate compliance with the general equality duty. This information should relate to people with Protected Characteristics who are: 1) employees; and 2) affected by the Diocese of Westminster's policies and practices (primarily pupils, but could include parents and the wider community).

9. Monitoring and Review

9.1. The Trust will regularly monitor the effectiveness of this policy to ensure that it is working in practice and that the aims set out in the policy statement are being met. Monitoring will include the key areas of:

- recruitment and promotion, including the range of people applying for work;
- pay and benefits;
- training;
- appraisals;
- disciplinary and grievance matters;
- dismissals and reasons for resigning.

9.2. The Trust will report back to managers, staff and worker representatives on progress, and whether the objectives of this policy are being achieved.

9.3. In order to monitor diversity in these areas, the Trust will need to process personal data and special category data (formerly known as 'sensitive personal data') in accordance with its data protection policy and data protection privacy notice.

9.4. The Trust will review this policy and related procedures and practices on equality and diversity regularly.