



**THE BISHOP FRASER TRUST**  
A CHURCH OF ENGLAND MULTI-ACADEMY TRUST

# EQUALITY AND DIVERSITY POLICY

|                                 |                           |
|---------------------------------|---------------------------|
| Date policy adopted by Trustees | 2 <sup>nd</sup> July 2026 |
| Date of Next Review             | Summer 2029               |

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## Summary of Key Changes for Trustee Review

### 1. Data Protection Update

- Section 1.6 updated to confirm compliance with UK GDPR and Data Protection Act 2018

### 2. Gender Pay Gap Clarification

- Section 1.5 amended to clarify reporting applies only where statutory thresholds are met

### 3. Sexual Harassment Duty (New Legal Duty)

- Section 4.4 updated to reflect Worker Protection (Amendment of Equality Act 2010) Act 2023
- Introduces proactive duty to take reasonable steps to prevent sexual harassment, including from third parties

### 4. Third-Party Harassment Strengthening

- Section 4.4 and 4.8 updated to reflect employer responsibility to take reasonable preventative steps

## **5. Recruitment Law Clarification**

- Section 5.5 updated to explicitly reference Section 60 Equality Act 2010 restrictions on health questions

## **6. Religious Occupational Requirements**

- Section 5.7 clarified to align with Schedule 9 Equality Act 2010 requirements

## **7. Disability Confident Scheme Alignment**

- Section 8.5 updated to ensure accurate wording of guaranteed interview commitment

## **8. Strengthened Monitoring of Workforce Equity**

- Section 6.4 enhanced to require monitoring of training, promotion and progression outcomes

## **9. Modernised Equality Language**

- Improved emphasis on proactive prevention of discrimination and inclusion throughout

## 1.0 Introduction

- 1.1 The Trust is committed to providing high quality teaching and learning for our pupils. We recognise that by valuing and promoting equal opportunities in employment 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.
- 1.2 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.
- 1.3 We will ensure that we do not discriminate against employees on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation (the protected characteristics).
- 1.4 The principles of non-discrimination also apply to how we expect our employees to treat colleagues, pupils, parents and carers, visitors, clients, customers, suppliers and former employees regardless of whether the legal protection of having a protected characteristic applies.
- 1.5 This policy complies with the requirements of the Equality Act 2010. Under the general public sector equality duty of the Equality Act 2010, our schools must have due regard to the need to:
  - 1.5.1 eliminate discrimination, harassment and victimisation;
  - 1.5.2 advance equality of opportunity between people who share a protected characteristic and those who do not; and
  - 1.5.3 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. As part of our duty we publish gender pay gap reporting in line with statutory requirements where applicable.
- 1.6 As part of the application of this policy, the school may collect, process and store personal data and special categories of data in accordance with our data protection policy. We will comply with Data Protection Legislation, being the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018, in relation to how we collect, hold and share personal data.
- 1.7 This policy has been compiled following consultation with Trade Unions. It has been formally adopted by the Trust Board.
- 1.8 This policy does not form part of any employee's contract of employment and may be amended at any time.

## **2.0 Scope and purpose**

- 2.1 This policy covers all individuals working at all levels and grades in the Trust, including trustees, governors, CEO, central teams, headteachers, senior leadership, employees, consultants, contractors, trainees, part-time and fixed-term employees, volunteers, casual workers and agency staff (collectively referred to as employees in this policy).
- 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, appraisals, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures, and termination of employment. It also applies to former employees for example in the provision of employment references. This policy focuses on employment and does not cover the provision of services to our pupils/students.
- 2.3 The purpose of this policy is to set out our approach to equal opportunities, how we will tackle discrimination and how we will put our commitment into action and comply with the law, to ensure that equality and diversity is promoted in the workplace and our employees are not subject to and do not commit unlawful acts of discrimination.

## **3.0 Roles and responsibilities**

- 3.1 Our Trustees have overall responsibility for the effective operation of this policy and for ensuring compliance with equality legislation. Day-to-day operational responsibility for this policy, including regular review of this policy, has been delegated to the Headteacher.
- 3.2 All senior leaders must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities.
- 3.3 All employees must be aware of this policy and have a duty to act in accordance with this policy and not to discriminate against or harass other people including employees, former employees and job applicants, 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.
- 3.4 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 central HR team to request training or further information.

## **4.0 Forms 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 above. In limited circumstances, employers can directly discriminate against an individual where there is an 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 applies to everyone but 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 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. Pregnancy and maternity, and marriage and civil partnership are not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to sex, and harassment related to civil partnership would amount to harassment related to sexual orientation. Harassment is dealt with further in our Anti-Bullying and Harassment Policy. The Trust also recognises its proactive duty to take reasonable steps to prevent sexual harassment, including from third parties such as parents, visitors and contractors.
- 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 Discrimination by perception 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, clients or customers. The Trust will take reasonable steps to prevent and address such behaviour.
- 4.9 Part-time and fixed-term staff should be treated the same as comparable fulltime or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

## **5.0 Applying our policy to recruitment and selection**

- 5.1 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 Recruitment Privacy Notice.
- 5.2 Job selection criteria will be regularly reviewed to ensure relevance. Shortlisting will be objective and, where possible, undertaken by more than one person.
- 5.3 Job advertisements should avoid stereotyping or discriminatory wording.
- 5.4 We will ensure vacancies are accessible to a diverse labour market.
- 5.5 Applicants will not be asked about health or disability before a job offer is made, other than where permitted under Section 60 of the Equality Act 2010, including to assess intrinsic job requirements or reasonable adjustments. Job offers will comply with safeguarding requirements including fitness to work standards.

- 5.6 Applicants will not be asked about pregnancy, intentions relating to pregnancy, or irrelevant protected characteristics.
- 5.7 As a Trust with a religious character we may apply occupational requirements when recruiting teaching staff (including Headteachers) where permitted under Schedule 9 of the Equality Act 2010 and where proportionate.
- 5.8 We are required to ensure employees have the right to work in the UK.
- 5.9 Diversity monitoring will be undertaken in anonymised form and used solely to improve equality outcomes.

## **6.0 Applying our policy to training, promotion, pay decisions and conditions of service**

- 6.1 Employees will be provided with a Workforce Privacy Notice in line with UK GDPR.
- 6.2 Training needs will be identified through appraisal and provided fairly to support progression.
- 6.3 Pay and promotion decisions will be based on merit, performance and relevant criteria as set out in the Pay Policy.
- 6.4 The Trust will monitor access to training, promotion and progression opportunities to identify and address any disparities.
- 6.5 Conditions of service will comply with equal opportunities requirements.

## **7.0 Applying our policy when terminating employment**

- 7.1 Redundancy criteria and procedures will be fair and objective.
- 7.2 Disciplinary procedures will be applied consistently and without discrimination.

## **8.0 Disability discrimination**

- 8.1 Disability discrimination includes failure to make reasonable adjustments
- 8.2 Employees are encouraged to disclose disabilities to enable support.
- 8.3 Reasonable adjustments will be considered in consultation with employees and medical advisers where appropriate.
- 8.4 Workplace accessibility will be reviewed and improved where reasonable.
- 8.5 The Trust is committed to the principles of the Disability Confident scheme, including offering interviews to disabled applicants who meet the essential criteria for the job.

## **9.0 Breaches of this policy**

- 9.1 Concerns should be raised via the Grievance or Anti-Bullying Policy.
- 9.2 Allegations will be investigated confidentially.

9.3 Discrimination or harassment may constitute gross misconduct.

## **10.0 Review of policy**

This policy is reviewed every three years in consultation with trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.