

Equal Opportunities and Diversity Policy (Employment)

This policy is prescribed by The Good Shepherd Trust and all reference to 'the Trust' includes all Trust schools, the central team and subsidiary organisations.

Date adopted:	12/06/2023	Last reviewed:	07/2026
Review cycle:	Every 3 years or earlier	Is this policy statutory?	No
Approval:	PARC	Author:	Head of HR
Next Review Date:	07/2029		

Revision record

Minor revisions should be recorded here when the policy is amended in light of changes to legislation or to correct errors. Significant changes or at the point of review should be recorded below and approved at the level indicated above.

Revision No.	Date	Revised by	Approved date	Comments
1	March 2023	D Bird	June 2023	Reviewed and minor updates. Combined existing gender reassignment policy. Removed wording on rehabilitation of offenders – already covered in a separate policy.
2	June 2026	D Bird		Full policy review. Updated to reflect current legislation and best practice, modernised language, strengthened equality and reasonable adjustment provisions, aligned with the Public Sector Equality Duty Statement, and updated gender reassignment guidance

1. Introduction

It is the intention of the Trust that this policy reflects our vision of “Flourishing Together” and our values of kindness, integrity and resilience.

The Good Shepherd Trust and all its schools are committed to promoting and achieving equality of opportunity for all pupils, parents, carers, employees, trustees, governors, volunteers, visitors and job applicants. In living out our values, we seek to create an environment where every individual is treated with dignity and respect, where decisions are made fairly and consistently, and where everyone is supported to realise their potential and flourish.

The Trust aims to create a working environment in which all individuals are able to make the best use of their skills and talents, free from discrimination, harassment or victimisation, and in which all decisions are based on merit, capability and objective criteria.

The Trust does not discriminate against employees on the basis of their sex, sexual orientation, marital or civil partner status, pregnancy or maternity, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age – the protected characteristics.

The Trust is committed to meeting its obligations under the Equality Act 2010, including the Public Sector Equality Duty, by having due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

The Trust publishes Equality Objectives in accordance with the Public Sector Equality Duty. These objectives are reviewed and updated periodically and should be read alongside this policy. Progress against the objectives is monitored through the Trust's governance arrangements and reported as required under the Equality Act 2010.

References to employees in this policy shall, where appropriate, also apply to volunteers, governors, trustees and agency workers.

2. Forms of Discrimination

The Trust is committed to fostering a culture of dignity, fairness and inclusion and will not tolerate unlawful discrimination, harassment or victimisation.

Discrimination by or against an employee is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics. For example, rejecting an applicant on the grounds of their 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 may place women at a particular disadvantage because they generally have greater childcare responsibilities than men. Such a requirement would 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. Harassment is addressed further in the Trust's Anti-Harassment and Bullying Policy.

The Trust will take reasonable steps to protect employees from harassment by pupils, parents, contractors, visitors and other third parties where such behaviour becomes known to the Trust.

Victimisation is also prohibited. This occurs where an individual is subjected to a detriment because they have made, supported or given evidence in relation to a complaint of discrimination or harassment, or are suspected of doing so.

3. Recruitment and Selection

The Trust aims to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. The Trust'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 Trust will take steps to ensure that its vacancies are advertised to a diverse labour market and, where relevant, to particular that are under-represented within the workforce.

Applicants will not be asked questions about their health or disability before a conditional offer of employment is made, except where permitted by law.

There are limited exceptions which the Trust 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 measures aimed at increasing applications from disabled people.
- Equal opportunities monitoring (which will not form part of the decision-making process).

Applicants will not be asked about current or future family, childcare or pregnancy-related plans unless there is a lawful and objectively justifiable reason for doing so.

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.

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. Details of acceptable right to work documentation are available from HR and the UK Government's right to work guidance.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the Trust, the Trust 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 the Trust identify potential barriers to recruitment, monitor the effectiveness of its equality objectives and take appropriate steps to promote equality of opportunity.

4. Training, promotions and conditions of service

Employee training needs will be identified through informal and formal appraisals.

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

The composition and movement of employees at different levels will be reviewed from time to time to ensure equality of opportunity at all levels of the organisation.

Where appropriate the Trust 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.

The Trust's conditions of service, benefits and facilities will be reviewed from time to time to ensure that they are available to all employees who should have access to them and that there are no unlawful obstacles to accessing them.

5. Termination of employment

The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

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

6. Disability Discrimination

If an employee is disabled, or becomes disabled, in the course of their employment with the Trust, they are encouraged to tell us about their condition. This is to enable us to support the employee as much as possible.

If an employee experiences difficulties at work because of their disability, they may wish to contact their line manager / principal school leader 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 Trust recognises its duty to make reasonable adjustments under the Equality Act 2010.

The line manager / principal school leader may wish to consult with the employee 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 Trust to accommodate a particular adjustment and in such circumstances it will ensure that it provides the employee with its reasons and try to find an alternative solution where possible.

The Trust will monitor the physical features of its premises to consider whether they place disabled employees, job applicants or service users at a substantial disadvantage compared to other employees. Where reasonably practicable and proportionate the Trust will take steps to improve access for disabled employees and service users.

7. Fixed-Term Employees and Agency/Temporary Workers

The Trust 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 Trust will also, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

8. Part-Time Workers

The Trust 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. It will also ensure that requests to alter working hours are dealt with appropriately under the Trust's Flexible Working Policy.

9. Complaints of Discrimination, Victimisation and Harassment on the Protected Characteristics

The Trust will treat seriously and will take action where appropriate concerning all complaints of discrimination, harassment or victimisation on any of the protected characteristics made by any of its employees, students or other third parties.

Any employee 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 / principal school leader or, if inappropriate under the circumstances of the case, HR. In some cases, it may be possible to resolve the matter informally and reach a satisfactory resolution.

If an employee wishes to make a formal complaint then they should follow the Trust's Grievance Policy and Procedure.

If an employee is accused of unlawful discrimination, victimisation or harassment, the Trust will investigate the matter fully. In the course of the investigation the employee will be given the opportunity to respond to the allegation and provide an explanation for their actions.

Where a complaint is found to have been made knowingly and maliciously, disciplinary action may be considered.

If on the other hand the Trust concludes that the employee's action amounts to unlawful discrimination, victimisation or harassment they may be subject to disciplinary action under the Trust's Disciplinary Policy and Procedure, up to and including summary dismissal for gross misconduct.

10. Gender Reassignment

The Trust will support employees who are proposing to undergo, are undergoing, or have undergone gender reassignment and will consider reasonable adjustments and support measures on an individual basis.

The Trust is committed to providing a working environment in which all employees are treated with dignity, respect and fairness. Employees who are proposing to undergo, are undergoing, or have undergone gender reassignment will be supported sensitively and appropriately, in accordance with the Equality Act 2010.

The Trust recognises that gender reassignment is a protected characteristic and will not tolerate discrimination, harassment, victimisation or bullying related to an individual's gender identity or gender reassignment. Any concerns raised will be dealt with promptly and in accordance with the Trust's relevant policies and procedures.

The Trust will work with the employee, on an individual basis, to consider any reasonable support measures that may assist during a period of transition. This may include, where appropriate, discussions regarding time off for medical appointments, changes to employment records, communication with colleagues, adjustments to facilities, and any other practical arrangements necessary to support the employee at work.

Information relating to an employee's gender identity, gender reassignment or medical history will be treated sensitively and confidentially and will only be shared where there is a legitimate business need and, wherever possible, with the employee's agreement.

The Trust expects all employees, pupils, governors, trustees, volunteers, contractors and visitors to treat individuals with dignity and respect, including using their adopted name and correct pronouns where appropriate. Any form of inappropriate behaviour, harassment or discriminatory treatment will be treated seriously and may result in disciplinary action.