

# United Learning Equality Guidelines

## Scope

The guidance set out in this document applies to all United Church Schools Trust (“UCST”) and United Learning Trust (“ULT”) employees; including teaching, non-teaching, fixed-term, part-time, full-time, permanent and temporary staff. The two companies (UCST and ULT) are referred to in this policy by their trading name, ‘United Learning’.

Where this policy refers to ‘School’ or ‘Head Teacher’, within Central Office this should be interpreted to refer to the department where a member of staff works and their Head of Department.

As a values-led organisation our values of ambition, confidence, creativity, respect, enthusiasm and determination are key to our purpose and underpin all that we do.

## 1. Our Commitment

- 1.1 United Learning is committed to avoiding all forms of discrimination (see Appendix 1 for definitions of discrimination). In accordance with the Equality Act 2010, it is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".
- 1.2 United Learning will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by United Learning.
- 1.3 Employees should ensure they do not discriminate against or harass a member of the public in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability.
- 1.4 Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

## 2. Equality in Employment

- 2.1 United Learning will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.
- 2.2 Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.



- 2.3 United Learning will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if United Learning considers it has good reasons, unrelated to any protected characteristic, for doing so. United Learning will comply with its obligations in relation to statutory requests for contract variations. United Learning will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.
- 2.4 United Learning will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

### **3. Awareness**

- 3.1 All employees will have access to these guidelines via the United Hub. Your school or Central Office department is responsible for ensuring you are aware of your responsibilities in accordance with these guidelines.
- 3.2 United Learning is committed to making training opportunities accessible to all its employees and will undertake regular monitoring of those who is and is not selected for training events.

### **4. Your Responsibilities**

- 4.1 Every employee is required to assist United Learning to meet its commitment to provide equality in employment and avoid unlawful discrimination.
- 4.2 Employees can be held personally liable as well as, or instead of, United Learning for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.
- 4.3 Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under United Learning's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

### **5. Grievances**

- 5.1 If you consider that you may have been unlawfully discriminated against, you may use United Learning's grievance procedure to make a complaint. Alternatively, if you feel that you have been subject to harassment and bullying, you should refer to United Learning's Harassment and Bullying policy.
- 5.2 United Learning will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.



## 6. Monitoring and Review

- 6.1 This policy will be reviewed on a regular basis to ensure consistency, fairness and effectiveness, and in light of any changes in employment legislation.

## Appendix 1 - Definitions of Discrimination

**Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

**Indirect discrimination** is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Harassment** is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

**Associative discrimination** is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and Acas) pregnancy and maternity).

**Perceptive discrimination** is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

**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 clients or customers. For an employer to be liable:



- The harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- It must be aware that the previous harassment has taken place; and
- It must have failed to take reasonable steps to prevent harassment from happening again.

**Victimisation** occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare his/her treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

**Failure to make reasonable adjustments** is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

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## Appendix 1: United Learning Equal Opportunities Statement

United Church Schools Trust and United Learning Trust (“United Learning”) have an Equality Guidelines document, which has been agreed by United Learning Trust’s recognised trade unions.

Below is United Learning’s Equal Opportunities Statement. If you would like to see the complete Policy, it can be accessed on the United Hub or by contacting your school.

**To ensure that United Learning develops and maintains a working environment in which each individual has complete equality of opportunities.**

**To ensure that individuals do not suffer discrimination directly or indirectly as a result of their employment with United Learning or deny their application for a position within United Learning.**

