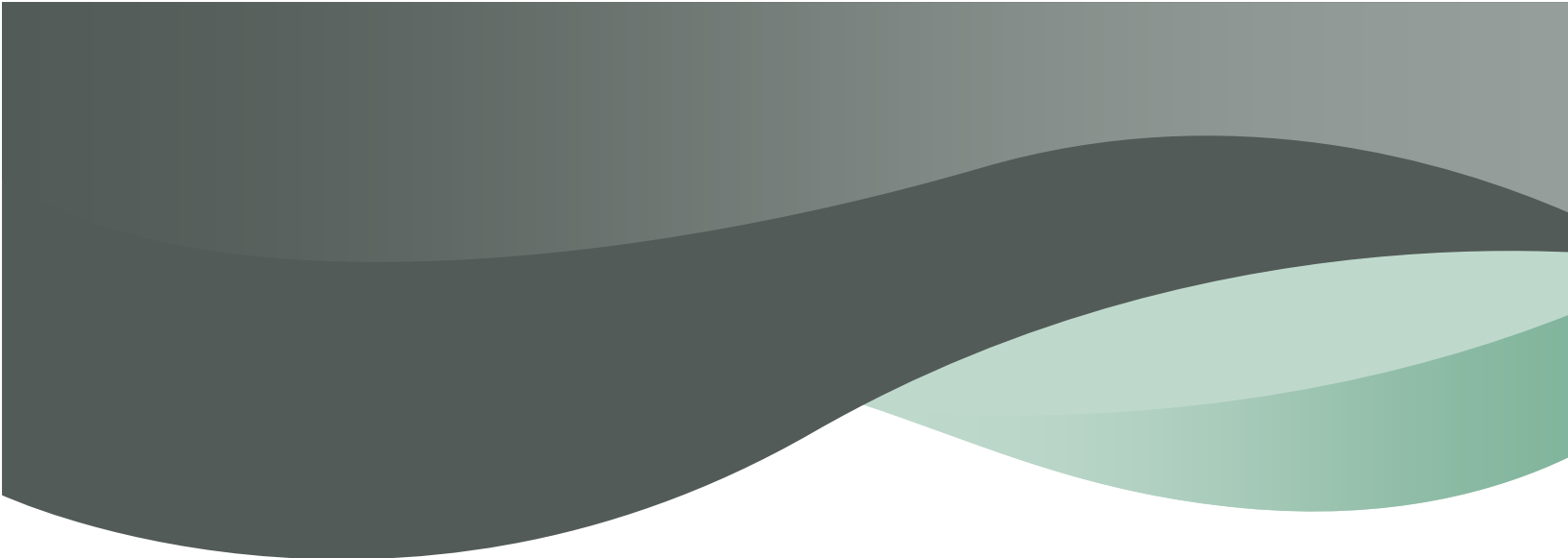




EDI Policy for Staff

Updated for:	September 2025
Next review:	September 2026

James Montgomery Academy Trust



Staff Equality, Diversity and Inclusion Policy

1. Introduction

James Montgomery Academy Trust and its schools are child-centred, inclusive and distinctive, delivering excellence in education, sharing best practice and building aspiration. We are committed to achieving a working and learning environment which provides equality of opportunity and freedom from unlawful discrimination.

2. Aims

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 are committed to supporting our staff and applicants to be their authentic selves in the workplace without judgement and ensuring that diverse communities are celebrated.

We do not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex, or sexual orientation (the protected characteristics), amended in line with the Equality Act 2010. More detail on each of the protected characteristics can be found in **Appendix 1**.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status. The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat pupils, parents, advisory board members, third party organisations and former staff members.

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

3. Scope and purpose of the policy

This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes 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.

This policy covers all individuals working at all levels and grades, including members of the SLT, teachers, TAs, pastoral and inclusion staff, learning mentors, support staff, trainees, part-time and fixed-term employees, volunteers, advisory board members and agency staff (collectively referred to as 'staff' in this policy).

4. Responsibilities

All employees, contractors, partners and learners are required to act in a way that does not subject anyone to direct or indirect discrimination, harassment or victimisation on the grounds of protected characteristics

The co-operation of all employees is essential for the success of this policy. School leaders and advisory board members have a significant role in creating and maintaining an inclusive organisation where everyone can work, learn and reach their full potential.

The Trust may hold employees independently and individually liable for their discriminatory action against others and in some circumstances an Employment Tribunal may order the employee to pay compensation to the person who has suffered as a result of their discriminatory action.

The Trust will:

- The Trust takes responsibility for achieving the objectives of this policy and endeavours to ensure compliance with relevant legislation and codes of practice. The Trust will ensure that appropriate policies are in place, effectively implemented, monitored and reviewed to ensure they remain relevant and up to date.
- Promote equality of opportunity and celebrate diversity.
- Not discriminate on the grounds of any protected characteristic (**Appendix 1**) in any aspect of its work. Listen to the voice of employees and learners and make improvements which support inclusion and drive equality forward.

5. Legal duties

Under the Equality Act 2010, the categories of age, disability, race, religion or belief, sex, sexual orientation, gender reassignment, marriage and civil partnership and pregnancy and maternity are now known as 'protected characteristics'.

Some new definitions of unlawful treatment were introduced by the Equality Act 2010, especially in relation to association discrimination, perceptive discrimination and victimisation.

It is unlawful to discriminate directly or indirectly in recruitment or employment because of any of the 'protected characteristics'. No employee, prospective employee or learner should receive unfair or unlawful treatment due to their protected characteristic(s). The Trust will seek to identify and act upon any unfair or unlawful discrimination which denies individual opportunities due to these criteria.

The Equality Act 2010 makes it unlawful for employees to discriminate, directly or indirectly, or harass others because of the protected characteristics in the provision of our services.

Reasonable adjustments will be provided for employees, learners and contractors who may be experiencing barriers due to disability, including alternative formats for other relevant protected characteristics.

The recruitment, retention and achievement of employees and learners will be monitored by protected characteristics, where possible, to determine trends and enable the Trust to provide focused support where it may be needed to ensure success.

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Human Rights Act 1998
- Equality Act 2010
- Data Protection Act 2018
- General Data Protection Regulation (GDPR)
- Protection from Harassment Act 1997

6. Public Sector Equality Duty (PSED)

The Equality Act 2010 introduced a single Public Sector Equality Duty that applies to public bodies, including Academies, and which extends to all protected characteristics. It has three main elements which public bodies are required to have due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations across all characteristics between people who share a protected characteristic and people who do not share it.

Relevant and proportionate consideration to the duty must be given, meaning that:

- Decision makers must be aware of the duty to have 'due regard' when making a decision or taking action and must assess whether it may have implications for people with particular protected characteristics.
- The Trust should consider equality implications before, and at the time, that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis.
- The Public Sector Equality Duty must be integrated into the carrying out of the Academies functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind
- Academies cannot delegate responsibility for carrying out the duty to anyone else.

The specific duties regulations places emphasis on transparency, allowing the Academies' local community to see how they are advancing equality in line with the Public Sector Equality Duty and how they are ensuring this happens. Academies are therefore required to:

- Publish information to demonstrate how they are complying with the Public Sector Equality Duty (updated at least annually).
- Prepare and publish equality objectives (published at least once every four years).

The Trust will publish this information on its main website, reflecting the details for the organisation as a whole. In addition, local information specific to each school will be published on the individual school websites.

The Trust will ensure:

- Equality objectives for the organisation are prepared and published once every four years
- Information demonstrating compliance with the specific duties of the Equality Duty is published annually.
- Information relating to our employees, and others affected by our policies, and procedures will be published. This information will cover areas of recruitment and promotion, pay and remuneration, training, appraisals, disciplinary actions, dismissals and other reasons for leaving.
- Partner organisations that exercise functions also have due regard to this specific equality duty.

This policy applies to all aspects of the school's relationship with staff and to relations between staff members at all levels. This includes 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.

The JMAT and its staff are committed to observing good equalities practice in staff recruitment, retention and development, and to ensure that all policies and procedures benefit all employees and

potential employees regardless of any protected characteristic, and with full respect for legal rights relating to pregnancy and maternity.

Instances of bullying, harassment, victimisation and unlawful discrimination will be dealt with as misconduct, in line with JMAT's Grievance Policy and/or Disciplinary Policy and Procedure, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. Harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

7. Who is responsible for this policy?

The **Trust** is responsible for:

- The effective operation of this policy.
- Ensuring compliance with discrimination law.
- Monitoring the composition of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability.
- Monitoring how the composition of the workforce encourages equality, equity, diversity and inclusion, and meets the aims and commitments set out in this policy.
- Assessing how this policy, and any supporting action plans, are working in practice, reviewing them annually, and considering and taking action to address any issues.

The **Senior Leadership Team** is responsible for:

- Setting an appropriate standard of behaviour and leading by example.
- Ensuring that those they manage adhere to this policy and promote the school's aims and objectives with regard to equal opportunities.
- Taking appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities
- Making opportunities for training, development and progress available to all staff.
- Ensuring staff are helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Making staff progression decisions based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010).
- Reviewing employment practices and procedures where necessary to ensure fairness.
- Participating in appropriate training on equal opportunities awareness and equal opportunities recruitment and selection good practice.

Staff will:

- Conduct themselves appropriately to help the school provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

- Understand that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against their colleagues, customers, suppliers, visitors and the public.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by their colleagues, customers, suppliers, visitors, the public and any others in the course of the school's work activities.

8. Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourable than others are, or would be treated in the same of similar circumstances on the grounds of a protected characteristic

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.

8.1 Direct discrimination occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of a protected characteristic.

8.2 Association discrimination occurs when a person is treated less favourably because of their association with another person who has a protected characteristic.

8.3 Perceptive discrimination occurs when a person directly discriminates against another person because the person thinks they possess a particular protected characteristic. This applies even if the person being discriminated against does not have the protected characteristic.

8.4 Indirect discrimination is the application of a policy, criterion or practice which is applied to all employees, but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person that it is applied to represents.
- The organisation cannot justify the need for the application of the policy on a neutral basis.
- The person to whom the organisation is applying it suffers detriment as a result.

8.5 Harassment as defined in the Equality Act 2010, is 'unwanted conduct, related to a relevant protected characteristic which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.' This covers unpleasant bullying behaviour, but potentially extends to actions, which whether intentional or unintentional, cause offence to a person because of a protected characteristic.

8.6 Victimisation occurs when a person is treated less favourably because they have brought or intend to bring proceedings, or they have given or intend to give evidence. As well as it being unlawful to victimise a person who does a protected act, a learner must not be victimised because of something done by their parent or a sibling in relation to the Act.

9. Disability

Under the Equality Act 2010, an individual is disabled if they have a 'physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities'. Some specified medical conditions (e.g. HIV, multiple sclerosis and cancer) are considered as disabilities, regardless of their effect. Provisions relating to disability discrimination may lead to the need to treat a disabled individual more favourably than a person who is not disabled and changes to practices may be required to ensure, as far as reasonably possible, that a disabled individual can benefit from what is on offer to the same extent that an individual without that disability can.

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

9.1 Reasonable adjustments

The Trust has a duty to make reasonable adjustments to facilitate the employment of a disabled person and the ability for a disabled learner to receive access to the same education as non-disabled learners. These may include:

- Making adjustments to premises
- Consideration of re-allocating some of a disabled employee's duties
- Transferring a disabled employee to a role better suited to their disability
- Relocating a disabled employee to a more suitable office
- Giving a disabled employee/learner time off work/school for medical treatment or rehabilitation
- Providing training or mentoring for a disabled employee
- Supplying or modifying equipment, instruction and training/learning materials for disabled employees/learners
- Any other adjustments that the Trust considers reasonable and necessary providing such adjustments are within the financial means of the organisation

If an employee/learner has a disability and feels that any adjustments could be made by the Trust, they should raise this with the Manager.

10. Recruitment and selection

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our 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. Short listing of applicants will be done by more than one person wherever possible.

Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. We take steps to ensure that our vacancies are advertised to a diverse labour market.

Applicants will not be asked about health or disability before a job offer is made. Pre-employment health related checks – up to a point of an individual being offered a job – health related questions can only be asked to;

- Decide whether any reasonable adjustments need to be made for the person to participate in the selection process.
- Decide whether an applicant can carry out a function that is essential ("intrinsic") to the job.
- Monitor diversity amongst people making applications for jobs.
- Take positive action to assist disabled people.

Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of a HR Advisor (who will first consider whether such matters are relevant and may lawfully be taken into account).

We are required by law to ensure that all staff 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, will be expected to produce original documents (such as a

passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we 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 applicant's chances of recruitment or any other decision related to their employment. The information is removed from applications before short listing, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

11. Staff training and promotion and conditions of service

Staff training needs will be identified through regular staff appraisals. All staff 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.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups.

Our conditions of service, benefits and facilities are reviewed regularly to ensure that they offer equal opportunities for all.

12. Termination of employment

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

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

13. Fixed-term employees and supply/agency staff

We monitor our use of fixed-term employees and supply/agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

14. Part-time work

We 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. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Conditions and in consideration of contract of employment.

15. Breaches of this policy

Behaviour or actions found to be contrary to this policy and the general spirit of the laws on which it is based will be considered to be serious disciplinary matters. In the most severe of cases, the employee responsible may face dismissal. Such matters will be dealt with in accordance with the Trust's Disciplinary Policy and Procedure. Discrimination leads to an unpleasant and non-productive environment. No employee has the right to discriminate against another. If an employee is executing the Trust's policy that may be indirectly discriminatory, the Trust will not normally hold the employee responsible for any negative effects of that policy. Employees should inform their line manager, headteacher or member of the Trust if they become aware of any discriminatory effects that a policy may have. If a grievance is received by the Trust that cites the actions of an employee have been

discriminatory against another employee, contractor or learner, the Trust will deal with the breach of the policy through the Trust's Disciplinary Policy and Procedure.

16. Pay

Equal pay – the pay of staff should be granted on their skills and abilities and not based on a particular characteristic.

16.1 Gender Pay Gap

JMAT will ensure as far as possible that pay is equal between employees; particularly that it is equal between males and females. It will publish the table of statistics in accordance with Government guidance and Gender Pay Gap Reporting.

16.2 Pay secrecy

JMAT will not prevent or restrict employees from having a discussion to establish if differences in pay exist that are related to protected characteristics.

17. Publishing information

The Trust will publish information to demonstrate its compliance with the Equality Act.

- The Equality Strategy Statement is published on each schools' website and on the Trust website.
- The Equality Strategy Statement will be reflected in the individual school plans.
- Its implementation will be monitored within the Trust's self-evaluation and other review processes.
- Each school is committed to reviewing, publishing and updating their own action plans, which are published on their school website.
- Paper copies and translations will be available from the office upon request.

18. Monitoring and Review

JMAT will regularly review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process, JMAT schools will monitor the composition of job applicants and the benefits and career progression of staff. Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Trust via info@jmat.org.uk or by speaking with a member of the central team.

Any changes made to this policy by the above will be communicated to all members of staff. The policy is available for public view on the JMAT website. All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

Advice and guidance can be found in **Appendix 2**.

19. Document history

Previous versions now deleted from system

Issue	Author/ Owner	Date Reviewed	Reviewed by	Approved by A&R Committee (date)	Comments/ Changes
V1	JMAT	July 2025	PRG	08/07/25	Minor wording changes – re the advisory board members

Key:

PRG – Policy Review Group

A & R Committee – Audit and Risk Committee

Appendix 1

Equality Act 2010 Protected Characteristics

The definitions used in this appendix are based on the Equality Act 2010, the full text of which is available [here](#).

Age: The Act protects people of all ages; however, differential treatment because of age is not unlawful direct or indirect discrimination if it can be justified, i.e. if you can demonstrate that it is a proportionate means of achieving a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.

Disability: The Act protects people who are disabled; the Act defines this as someone who has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Gender reassignment: The Act protects transgender people. The Act no longer requires a person to be under medical supervision to be protected, so a person who does not undergo any medical procedures would be covered by these protections.

Marriage and civil partnership: The Act protects people who are married or in a civil partnership against discrimination. Single people are not protected.

Pregnancy and maternity: The Act protects people against discrimination on the grounds of pregnancy and maternity during the period of their pregnancy and any statutory maternity leave to which they are entitled.

Race: The Act protects people of all races; the Act's definition of race includes colour, nationality, and ethnic or national origins.

Religion or belief: The Act protects people of any religion, including specific denominations or sects, as well as a lack of religion, i.e. employees or jobseekers who do not follow a certain religion or do not follow any religion are protected. The Act protects people of any belief; this is defined as any religious or philosophical belief, or a lack of such belief, that is a weighty and substantial aspect of human life and behaviour.

Sex: The Act protects men and women.

Sexual orientation: The Act protects lesbian, gay, bisexual and heterosexual staff.

Appendix 2

Advice and support

Employees may contact their trade union representative for further advice and support regarding discrimination, harassment or victimisation.

Equality and Human Rights Commission 0845 604 6610 www.equalityhumanrights.com

Citizens Advice Bureau <http://www.citizensadvice.org.uk/>

Community Legal Services Direct 0845 345 4 345 <http://www.communitylegaladvice.org.uk/>