



THE
LOUGHBOROUGH
Schools Foundation

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Diversity, Equity and Inclusion Policy

1. Introduction

- 1.2 The Loughborough Schools Foundation (henceforth 'the Foundation') is committed to encouraging diversity, equity and inclusion (DEI) throughout the organisation, and to eliminate unlawful discrimination. The Foundation aims to realise a diverse workforce where each employee feels respected and valued by the organisation and to foster a workplace encouraging diversity, equity and inclusion.

This can help to:

- attract and keep good staff
- improve idea generation and problem-solving
- keep employees happy and motivated
- make it more successful
- prevent serious or legal issues arising, such as bullying, harassment and discrimination
- to better serve a diverse range of stakeholders

- 1.3 The Foundation's vision is to provide the best all round education to enable our young people to excel and to take a leading place in tomorrow's inter-connected world. Our DEI Policy supports the Foundation's core values of;

- Curiosity
- Integrity
- Resilience
- Responsibility
- Striving for excellence

This policy applies to all employees, trustees, apprentices, consultants, officers, contractors, interns, volunteers, job applicants, agency, and casual workers.

- 1.4 If you are an employee, this policy does not form part of your contract of employment and we may amend the DEI policy at any time.
- 1.5 The Foundation, in providing goods and/or services and/or facilities, is also committed against unlawful discrimination of customers or the public.
- 1.6 This policy should be read in conjunction with other Foundation policies and procedures, including Harassment and Bullying, Recruitment and Selection, Grievance, and Disciplinary.

2. Purpose

This policy aims to:

- 2.1 Provide an approach to realise diversity, equality, equity, fairness, and respect for all the Foundation's employees regardless of their status or background.
- 2.2 Support efforts to prevent disadvantage and unlawful discrimination associated with the Equality Act 2010 protected characteristics:
- age
 - disability
 - gender reassignment
 - marriage or civil partnership
 - pregnancy and maternity
 - race (including colour, nationality, and ethnic or national origin)
 - religion or belief
 - sex
 - sexual orientation
- 2.3 Provide a reference point to challenge and oppose unlawful discrimination in Foundation policies and processes. This includes (but is not limited to):
- appraisals
 - dealing with grievances and discipline
 - ending employment
 - giving references
 - how visitors are treated
 - how clients, suppliers and any other business contacts and associates are treated
 - leave for parents
 - pay and benefits
 - promotion
 - recruitment
 - requests for flexible working
 - selection for training or other developmental opportunities
 - terms and conditions of employment

3. Commitment and ethos

The Foundation commits to:

- 3.1 Promoting diversity, equity and inclusion in the workplace as a moral imperative, and because doing so is good practice and makes business sense.

- 3.2 Creating a working environment that promotes dignity and respect for all, and where individual differences and the contributions of all staff are recognised. This working environment should also be free of bullying, harassment, victimisation, and unlawful discrimination.

This commitment includes training managers and all other employees about their rights and responsibilities under the Foundation's DEI Policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, equitable outcomes, and prevent bullying, harassment, victimisation, and unlawful discrimination.

- 3.3 Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

Such acts will be dealt with as misconduct under the organisation's grievance or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, 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.

This commitment includes never victimising anyone who makes a legitimate complaint to the Foundation about harassment or discrimination, or who supports a colleague in their complaint.

- 3.4 Making reasonable adjustments to minimise disadvantages suffered by a disabled employee (or job applicant).

- 3.5 Making decisions concerning recruitment, promotion and other types of selection procedures using objective criteria and on the basis of merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010)

- 3.6 Making opportunities for training, development, and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.

- 3.7 A bi-annual review of employment practices, policies, and procedures to ensure fairness, and updating them to take account of changes in the law. Decisions about transfers and internal promotions will be made, so far as possible, in a transparent way using objective criteria.

- 3.8 Monitoring the make-up of the workforce regarding information on the above-mentioned protected characteristics, individually and intersectionally. This is to meet the aims and commitments as set out in this DEI Policy and adhere to Equality Act 2010 regulations.

Monitoring will also include 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. This monitoring will only involve data for which the Foundation has obtained consent.

4. Responsibilities and duties

- 4.1 The ethos and expectations covered by this policy can only be achieved and maintained through individual and collective responsibility. All those mentioned in point 1.2 above have a moral and legal responsibility to support and comply with this policy, regardless of their seniority, as they may be personally liable for unlawful discrimination if they breach its terms.

All staff should understand 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 fellow employees, customers, suppliers and the public.

- 4.2 Responsibility for the effective implementation and operation of the policy lies with the senior management, notably the Foundation's Executive. Everyone working at managerial level is expected to act in full accordance with this policy, lead by example, and attain and maintain appropriate standards of behaviour within the teams they manage. The Foundation also expects any actual or potential breaches of this policy to be brought to management's attention.
- 4.3 An individual who breaches this policy may also make the Foundation liable for their actions, and the individual and Foundation may both have to pay compensation to anyone who claims against them.
- 4.4 We also encourage everyone who works for the Foundation to help promote equal opportunities and fair treatment. Please contact the HR Team if you have any ideas about how we could do this better, or you would like to be more involved in achieving this policy's aims.

5. Compliance and breaches

- 5.1 Anyone who believes they have been harassed, victimised or discriminated against should follow the guidance provided in the Foundation's policies and procedures on Harassment and Bullying, Grievance, and Disciplinary. Such acts will be dealt with as misconduct under the Foundation's grievance and/or disciplinary procedures, and appropriate action will be taken. Complaints could amount to gross misconduct and lead to dismissal without notice.
- 5.2 Making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with using the Foundation's Disciplinary Procedure.

Appendix 1

The following list gives you a general description of the types of acts that may both breach this policy and be unlawful. Sometimes actions can be intentional, and sometimes unintentional. Examples of both types of acts are included below:

- **Direct discrimination:** this is when somebody is treated less favourably because of a protected characteristic than somebody else has been, or would have been, in identical circumstances.

Examples: rejecting a job applicant because of their race or refusing to promote someone because they are pregnant.

- **Indirect discrimination:** this is when a group of people with one of the protected characteristics (subject to a couple of exceptions) is put at a disadvantage by a provision, criterion or practice applied to all staff unless the treatment is justified for a good business reason.

Examples: refusing a request to work part-time without a good business reason (which indirectly discriminates against women, who are more likely to have childcare responsibilities); insisting all staff work Saturdays without a good business reason (which indirectly discriminates against Jewish employees, who may not be able to work on the Jewish Sabbath).

- **Associative discrimination:** this is where somebody is treated less favourably because of the personal characteristics of somebody else.

Example: treating an employee less favourably because their parents are Jehovah's Witnesses.

- **Perceived discrimination:** this occurs where someone is treated less favourably because someone wrongly believes they have a particular protected characteristic.

Example: treating an employee less favourably because someone thinks they are gay, when in fact the person is not gay.

- **Harassment:** this is when a hostile, humiliating, degrading, intimidating or similarly offensive environment is created in relation to a protected characteristic. We also consider it harassment for a worker to be subjected to uninvited conduct related to a protected characteristic that — as an intended or unintended consequence — violates their dignity.

Examples: name calling, lewd comments, excluding colleagues, making insensitive jokes, and displaying pornographic material are all examples of harassment. We deal in detail with this under our separate policy on Harassment and Bullying.

- **Victimisation:** in a legal context, 'victimisation' has a much more restricted meaning than in real life. It happens when a worker has complained about harassment or discrimination, or has supported a colleague in their complaint, and is then treated less favourably as a result.

Examples: an employee who is 'sent to Coventry' (i.e., ostracised) because they spoke up on behalf of one of their colleagues in a harassment investigation, or an employee who is dismissed under a pretext because they have complained of discrimination.

There are other actions which can be unlawful under the Equality Act 2010

Examples include:

- failure to make reasonable adjustments to minimise certain disadvantages suffered by a disabled employee (or job applicant).
- instructing another person (or applying pressure on them) to discriminate.
- knowingly assisting somebody else when they carry out a discriminatory act.
- discriminating against somebody believed to have a protected characteristic, whether or not they actually do, or because they associate with a third party who does.