

TrinityLearning Equality Policy

Policy Statement

TrinityLearning, is committed to providing equal opportunities and a safe and inclusive work place for employees and volunteers. We aim to ensure the work environment is free of harassment and bullying and that everyone is treated with dignity and respect.

At TrinityLearning, we value our volunteers – without them, we quite simply would not exist. Whilst much of this policy refers to employees, TrinityLearning Volunteers are also entitled to a volunteering environment where everybody is treated with dignity and respect.

Purpose

The purpose of this policy is to prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010 (“the Act”) and to ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of: race; sex; pregnancy and maternity; marital or civil partnership status; gender reassignment; disability; religion or beliefs; age; or sexual orientation. These nine “protected characteristics” are identified in the Act. Discrimination may be direct or indirect, and includes discrimination by perception and association.

Types of Discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.

Indirect discrimination means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.

Harassment is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone’s dignity or which creates a 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 the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does, e.g., the parent of a disabled child.

Perceptive discrimination is where the individual discriminated against or harassed does not have a protected characteristic but they are perceived to have a protected characteristic.

Third-party harassment occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.

Victimisation is treating someone unfavourably because they have taken some form of action relating to the Equality Act, i.e., because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic 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.

Equal opportunities in employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Job descriptions will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on objective criteria. We will consider making reasonable adjustments in recruitment as well as in day-to-day employment.

Employment rights of part-time workers

Part-time workers have the same statutory employment rights as any other employee. An employee does not have to work a minimum number of hours to qualify for employment rights.

Part-time workers have the right to:

- receive the same rights of pay as full-time employees
- not be excluded from training simply because they work part-time
- receive holiday entitlement pro rata to comparable full-time workers
- have any career break schemes, contractual and parental leave made available to them in the same way as for full-time workers
- not be treated less favourably when workers are selected for redundancy

Employment rights of Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000.

Protection against less favourable treatment - Fixed Term Employees

Employers must not treat fixed-term employees less favourably than permanent employees doing the same, or largely the same, job unless there is good reason to do so.

Fixed-term employees have the right to:

- the same pay and conditions
- the same or equivalent benefits package

- where provided to permanent employees, access to an occupational (company) pension scheme (except perhaps where the fixed-term contract is for less than two years)
- be informed about permanent employment opportunities in the organisation
- protection against redundancy or dismissal because they are fixed-term

Awards of compensation can be made against employing bodies who are found by an Employment Tribunal to have discriminated on any of these grounds. In most cases of discrimination there is no limit on the level of the fine.

The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002

Review and revise all fixed term contracts and ensure new fixed term contracts are compliant with legislation.

Additional information on this legislation can be accessed via

<http://www.equalityhumanrights.com>

Statement of Intent

The Trustees of TrinityLearning seek to eradicate less favourable treatment in these areas by endeavouring to:

- Build inclusive communities where all will be treated with dignity and respect and have equality of opportunity to contribute their gifts to the common life;
- Provide information and guidance to those involved in recruitment or other decision-making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.
- Identify and remove barriers to participation in employment, training, promotion, leadership and representation on church committees and in the attitudes and actions of every congregation;
- Take positive action to counter attitudes and practices contrary to this statement of intent;
- Monitor progress in fulfilling these requirements.

Responsibility

The Trustees of TrinityLearning take responsibility for achieving the objectives of this Policy, and endeavour to ensure compliance with relevant Legislation and Codes of Practice.

All staff are responsible to support TrinityLearning to meet its commitment and avoid unlawful discrimination.

Employees may be held independently and individually liable by the Trustees of TrinityLearning for their discriminatory acts and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts. For employees of TrinityLearning, failure to comply with this Policy may result in disciplinary action up to and including dismissal for gross misconduct.

Dealing with complaints

If you believe that you have been discriminated against you should report this to the Education Development Officer. If the complaint is about the Education Development Officer, then you should report to the Chair of Trustees as explained in the grievance procedure. We take any complaints seriously and 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.

If you witness what you believe to be discrimination you should report this to the Education Development Officer or the Trustees as soon as possible.

Revised and amended June 2021