

Single Equality Policy 2016/17



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Legal Background

Equality Act (2010)

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Schools are now required to ensure that pupils are protected from discrimination and harassment based on '**protected characteristics**' which are:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

Schools are prohibited from discriminating against, harassing or victimising:

- Prospective pupils
- Pupils at the school
- In some limited circumstances, former pupils

Positive action

The Act contains provisions which enable schools to take proportionate action to tackle particular disadvantage, different needs or disproportionately low participation of a particular group. This is not the same as positive discrimination, which means providing preferential treatment that exceeds positive action conditions. However, in the case of disabled pupils, it is never unlawful to positively discriminate in their favour.

The Act establishes three principles intended to focus on outcomes judged against local rather than imposed priorities:

- Setting of equality objectives based on local data;
- Schools to be judged on outcomes related to their identified equality objectives not on processes or action plans;
- Greater transparency in allowing public access to data.

The 2010 Equality Act also enshrines existing duties already established in law as follows:

- Disability General Duty
- Gender General Duty
- Race General Duty
- Community Cohesion Duty
- Sexual Orientation

Our action plan will outline the steps we will take to meet the general duties of the legislation

Our Vision and Values

At the TBAP Trust we are committed to ensuring equality of education and opportunity for all pupils, staff, parents and carers receiving services from the school, irrespective of race, gender, disability, faith or religion or socio-economic background. We aim to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity, able to participate fully in school life and feel valued, cared for and listened to. The development of a positive self-image, self-advocacy, respect for others and an awareness of the value of each individual's contribution to the school community is an integral part of our ethos.

The achievement of pupils will be monitored by race, gender and disability and we will use this data to support pupils, raise standards and ensure inclusive teaching. We will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment which champions respect for all. We believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit here.

Equality in Policy and Practice

The school operates equality of opportunity in day to day practice in the following ways:

Teaching and learning

We aim to provide all our pupils with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, we:

- Provide a curriculum that is accessible and relevant to the needs of each individual pupil through a range of activities, technologies and opportunities which ensure that learning is fun
- Use whatever specialist techniques and teaching approaches which may motivate support the needs, or improve access of any individual pupil.
- Create a total communication environment that features signs, symbols, tactile and object clues as required by individual need
- Ensure pupils have the time needed for them to acquire, develop, practise and apply skills.
- Use contextual data to improve the ways in which we provide support to individuals and groups of pupils;
- Monitor achievement data by ethnicity, gender and disability and take action to address any gaps;
- Take account of the achievement of all pupils when planning for future learning and setting challenging targets;
- Ensure equality of access for all pupils and prepare them for life in a diverse society;
- Use materials and activities that reflect the diversity of the school, population and local community in terms of race, gender and disability, without stereotyping;

- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice;
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures;
- Ensure pastoral support takes into account religious and ethnic differences and the experiences and needs of particular groups of pupils, including refugees and asylum seekers
- Seek to involve all parents and carers in supporting their child's education;
- Encourage staffroom discussion of equality issues which reflect on social stereotypes, expectations and the impact on learning;
- Ensure teaching and classroom-based approaches are appropriate to meet the individual needs of pupils
- Challenge any behaviour (verbal or written, e.g. graffiti, literature/propaganda) that differentiates, degrades or isolates an individual or group due to race, religion, language or culture;

This includes:

- Racist comments or name calling;
- Comments about appearance;
- Rejection by colour;
- Mocking language or accent;
- Denigrating religious observances or cultural traditions.

Admissions, Behaviour and Exclusions

Our admissions arrangements are fair and transparent. Exclusions will always be based on the school's Behaviour Policy. Strategies are always put in place to meet the needs of any child who may be at risk of frequent sanctions or possible exclusion. We monitor behaviour management plans to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

Equal Opportunities for Staff

We are committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment.

All staff appointments and promotions are made on the basis of merit and ability and in compliance with the law. However we are concerned to ensure wherever possible that the staffing of the school reflects the diversity of our community.

Employer duties

As an employer we need to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within our workforce.

Equality aspects such as gender, race, disability, sexual orientation, gender re-assignment, full respect for legal rights relating to pregnancy and maternity, and faith or religion are considered when appointing staff and particularly when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, to ensure decisions are free of discrimination.

Actions to ensure this commitment is met include:

- Monitoring recruitment and retention including bullying and harassment of staff;
- Continued professional development opportunities for all staff;
- Senior Leadership Team support to ensure equality of opportunity for all.

Consultation and involvement

It is a requirement that the development of the Equality Plan and the actions within are informed by the input of staff, pupils and parents and carers. We will achieve this by using the following to shape the plan:

- Feedback from the annual parent questionnaire, parent/teacher meeting
- Input from staff surveys or through staff meetings / Professional Development Training
- Issues raised in annual reviews
- Plans/Personalised Provision Maps,
- Feedback at Board meetings.

Roles and Responsibilities

The role of the Board is to:

The Board are responsible for:

- Making sure the school complies with relevant legislation;
- Making sure the Equality Policy and its procedures are appropriate and up-to-date;
- Evaluating outcomes relating to equalities, drawing on monitoring information, reports, consultation findings and attainment data provided by the head teacher and other staff.
- Implementing the Equalities Plan through the head teacher and staff;

The role of the Executive Headteacher is to:

- Implement the school's Equality Plan and is supported by the Board in doing so
- Ensure that all staff is aware of the Equality Plan, and that guidelines are applied fairly in all situations.
- Devise effective processes of development, consultation, review and revision of policies and procedures relating to equalities.
- Establish timescales for reviewing and reporting actions by staff relating to the Equality Plan.
- Lay out a timescale for review and impact assessment at least annually.
- Ensure that the findings of the review and impact assessment, with information about how this has informed practice and planning for the future, are published.
- Ensure that all appointments panels give due regard to this plan, so that no-one is discriminated against when it comes to employment or training opportunities.
- Promote the principle of equal opportunity when developing the curriculum, and promotes respect for other people and equal opportunities to participate in all aspects of school life.
- Treat all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

The role of all staff, teaching and non-teaching is to:

- Ensure that all pupils are treated fairly, equally and with respect, and to maintain awareness of the school's Equality Plan
- Implement the Equalities Plan;
- Deal with racist and other discriminatory incidents, and recognize and tackle racial bias and stereotyping;

- Promote equal opportunities and good race relations, and avoiding discrimination against anyone for reasons of race, colour, nationality, ethnic, religious, cultural or linguistic reasons;
- Promote understanding of different disabilities and avoiding discrimination against anyone for reasons of disability;
- Support the Equality Impact Assessment processes
- Keep up to date with changes in the law on discrimination as set out in the school's Equality Policy.
- Provide material that gives positive images based on race, gender and disability, and challenges stereotypical images.
- Challenge any incidents of prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the Head of School/ Executive Headteacher.

Tackling discrimination

Harassment on account of race, gender, religion, disability or sexual orientation is unacceptable and will not be tolerated within the school environment.

All staff are expected to deal with any discriminatory incidents that may occur. They are expected to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a pupil's individual circumstances.

Racist and homophobic incidents and other incidents of harassment or bullying will be dealt with by the member of staff present, escalating to a class teacher /Senior Leadership team/Head of school/Executive Headteacher where necessary. All incidents are reported to the Executive Headteacher and racist incidents are reported to the Board and local authority each term.

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic status, can take many forms including:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender;
- Exclusion from groups and games;
- Use of derogatory names, insults and jokes;
- Unwanted looks or comments;
- Racist, sexist, homophobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia;
- Bringing discriminatory material into school;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully due to victim's race, disability, gender or sexual orientation;
- Discriminatory comments in the course of discussion;
- Attempts to recruit others to discriminatory organisations and groups;
- Ridicule of an individual for difference e.g. food, music, religion, dress etc;
- Refusal to co-operate with other people on grounds of race, gender, disability or sexual orientation.

Responding to and reporting incidents

All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.

Review of progress and impact

We have a rolling programme for reviewing our school policies and their impact. In line with legislative requirements, we will review progress against our Equality Plan annually and review the entire plan and accompanying action plan on a three year cycle.

We make regular assessments of pupils' learning and use this information to track pupil progress and take appropriate action to address any gaps.

We collect and analyse the following equality information for our pupils/students:

- The performance of boys and girls against National expectations for students with learning difficulties.
- The progress of children from ethnic backgrounds.
- The performance of children who are Looked After.
- Constant monitoring of attendance
- Monitoring of both Individual Education Plans and Targets set in the Annual Review.

We have identified the following issues:

- There is no significant difference in achievement between boys and girls, although the cohort of girls is considerably smaller
- The recent strong focus on attendance has improved the attendance levels of particular pupils.
- There are no specific concerns over race, gender or Looked after Children and the progress they make compared to other groups of children. This will continue to be monitored and analyzed annually.

Publishing the plan

In order to meet the statutory requirements we will:

- Publish our objectives on the school website;
- Raise awareness of the plan through the school newsletter, assemblies, staff meetings and other communications;
- Make sure hard copies are available.

This policy was agreed June 2016 and will be reviewed annually by the TBAP Trust Board

Date of next review: March 2017

Appendix

Categories of Discrimination

The Equality Act 2010 states that there are seven categories of discrimination:

- **Direct discrimination:** treating a person less favourably than others in comparable circumstances because of a 'protected characteristic' such as sex, race or a disability is unlawful.
- **Associative discrimination:** direct discrimination against a person who associates with another person with a protected characteristic.
- **Indirect discrimination:** it is unlawful when a provision, criterion or practice is applied equally to all but have a different impact on a person with a protected characteristic. (NB indirect discrimination is only lawful if it can be justified for reasons unrelated to the characteristic in question).
- **Victimisation:** treating a person less favourably because they have taken action in respect of discrimination e.g. by bringing a complaint or giving evidence for a colleague, is unlawful.
- **Harassment:** unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, on grounds of one of the relevant characteristics such as sex or race – is also unlawful in many of the situations covered by discrimination law.
- **Harassment by a third party:** harassment by people not employed by the school e.g. contractors.
- **Discrimination by perception:** discrimination against someone because others think they have a protected characteristic (even if they don't).

What is required by law in employing staff?

- According to law, schools must not discriminate in the employment of staff on grounds of gender, gender reassignment, race, disability, sexual orientation (including perceived orientation), religion or belief, age, marriage and civil partnership and pregnancy and maternity. Employers are no longer allowed to ask candidates about their sickness record in an interview unless they can prove that this is to check whether they can complete an essential task e.g. heavy lifting.
- With regard to disability, schools must make such reasonable adjustments as are necessary to prevent a disabled person being at a substantial disadvantage in comparison with people who are not disabled.
- The requirement to avoid discrimination relates to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

What is required by law in relation to pupils?

- Schools must not discriminate against children seeking admission or with regard to how pupils are treated, on grounds of sex, race, disability, religion or belief. They must not discriminate against pupils or potential pupils on the grounds of their sexual orientation or that of their parents, carers or other associates. Pupils or potential pupils must not be discriminated against on the grounds of the marital status or gender reassignment of parents, carers or other associates.

- This includes discrimination in provision of teaching or allocating the pupil to certain classes, applying different standards of behaviour, dress and appearance, excluding pupils or subjecting them to any other detriment, and conferring benefits, facilities or services.
- With regard to disability, schools must make such reasonable adjustments as are necessary to prevent disabled pupils being at a substantial disadvantage in comparison with people who are not disabled, even if it means treating them more favourably.
- Age discrimination legislation does not apply to the treatment of pupils or the delivery of education.

The TBAP Trust

Statement of Understanding of the Single Equality Plan: The statutory duties

Legal Background

The TBAP Trust is committed to meeting its duties under the Equality Act.

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Disability General Duty (Disability Discrimination Act 2005)

We have a statutory duty to carry out our functions with due regard to the need to:

- Promote equality of opportunity
- Eliminate unlawful discrimination
- Eliminate disability-related harassment
- Promote positive attitudes towards disabled people
- Encourage disabled people's participation in public life
- Take steps to take into account people's disabilities

Gender General Duty (Sex Discrimination Act as amended by the Equality Act 2006)

We have a statutory duty to promote gender equality with due regard to the need to:

- Eliminate unlawful sex discrimination
- Promote equality of opportunity and good relations between women and men, girls and boys

Race General Duty (Race Relations Amendment Act 2000)

We have a statutory duty to promote race equality with due regard to the need to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between people of different racial groups

Community Cohesion Duty (Education and Inspections Act 2006)

Schools also have a statutory duty to promote community cohesion, which is closely linked to equalities legislation.

We will also take into account the additional protected characteristics in our equalities policy and plans.

Sexual Orientation (Equality Act 2006)

The Equality Act 2006 made provision for regulations to be introduced to extend protection against discrimination on grounds of religion or belief to sexual orientation.

The Equality Act (Sexual Orientation) Regulations 2007 came into force on 30 April 2007, and they make discrimination unlawful in the area of goods, facilities and services on grounds of sexual orientation. For schools this means admissions, benefits and services for pupils and treatment of pupils.