



**Twyford**  
**C of E**  
Academies Trust

<b>Document Title</b>	<b>Equality Policy</b>
<b>Committee Responsible for Policy</b>	<b>Board of Directors</b>
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<b>Policy Author</b>	<b>Director of Finance &amp; Operations</b>

## Assessment of the Impact of a Policy on Equality & Diversity

<b>Policy:</b> Equality Policy	
<b>Impact assessed by:</b> R Lane	<b>Date:</b> 27/4/2017
<p><b>1. What is the potential for this policy impacting a person or group with a protected characteristic differently (favourably or unfavourably) from everyone else?</b></p> <p>Significant insofar as the policy governs how other policies are written – so a failure of another policy may indicate a failure of this policy. The policy helps ensure protected groups receive equal treatment from policies in general.</p>	
<p><b>2. How would this be evidenced?</b></p> <p>Through complaints or feedback from members of our community or members of the public.</p>	
<p><b>3. Is there evidence that the operation of the current policy might impact a person or group with a protected characteristic differently from everyone else?</b></p> <p>No.</p>	
<p><b>4. If the answer to 3 is 'Yes', please provide details and evidence.</b></p>	
<p><b>5. How might the new policy change this?</b></p>	
<p><b>6. Are there any other changes to the policy which might impact a group with a protected characteristic differently from everyone else?</b></p> <p>No.</p>	
<p><b>7. If the answer to 6 is 'Yes', please provide details and evidence.</b></p>	
<p><b>8. Policies are required to reduce or eliminate inequality and disadvantage and promote diversity. Does this assessment indicate that the Policy passes or fails this test?</b></p> <p>Pass</p>	

# Equality Policy

## **1 Introduction: Statement of Principle and Commitment**

The Directors of the Trust have developed this Equality Policy in the light of the Trust's ethos, aims and mission statement, national legislation and guidance.

The Directors recognise and celebrate that we live in a diverse society. Furthermore, Directors are committed to ensuring that equality considerations extend to all members of the school community, throughout all the Trust's activities and policies and permeate its ethos: to celebrate our common humanity and our shared values; to promote our vision of a just and peaceful society. Directors are also committed to promoting 'Community cohesion' (a requirement introduced in the 'Education and Inspections Act 2006.)

At each Trust School, we are committed to maintaining an inclusive community which recognises and values the inherent worth and dignity of every person. We aim to foster tolerance, sensitivity, understanding and mutual respect among its members. We encourage each individual to strive to reach his or her own potential. In pursuit of our goal of excellence, the Trust seeks to develop and nurture diversity. The Trust believes that diversity among its many members strengthens the institution, stimulates creativity, promotes the exchange of ideas and enriches school life.

We aim to promote equality of opportunity for our diverse community: multi-faith, multi-ethnic, with many abilities, skills and talents and with different needs.

We oppose all forms of discrimination based on protected characteristics: race, disability, gender, age, sexual orientation, religion and belief, gender reassignment and with reference to employment duties only: pregnancy /maternity and marriage/civil partnerships.

*Linked policies and curricular programmes: Admissions Policy, Curriculum Policy, Employment Policies, SMSC Policy, Anti-Bullying and Behaviour Policies, Uniform Policy. Note that this Policy now incorporates the Race Equality Policy.*

## **2 Policy Aims**

- The Directors aim to ensure that all actual or potential staff, students, parents and other stakeholders have equality of opportunity, regardless of age, disability, family responsibility, marital status, race, colour, ethnicity, nationality, religion or belief, gender, gender reassignment, sexual orientation, trade union activity, unrelated criminal convictions or other irrelevant criteria.
- The Directors believe that all forms of prejudice and discrimination are unacceptable and aim to ensure that inequality, prejudice and discrimination are challenged.
- The Directors aim to carry out in spirit and in practice the statutory requirements of the relevant legislation (summarised in section 3 below and detailed in Appendix 1)

### **3 The Legal Position**

- The Equality Act 2010. This Act replaced nine major Acts of Parliament and almost a hundred sets of regulations which had been introduced over several decades. It provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It requires publically funded bodies – including Academies – to comply with certain Equality Duties. It provides some exemptions to schools – particularly faith schools.
- Human Rights Act 1998. This Act incorporates European human rights legislation into English law and enables individuals to take out human rights cases in domestic courts. It sets out the fundamental rights and freedoms that individuals in the UK have access to. They include: the right to life, freedom from torture, right to liberty and security, freedom from slavery, right to a fair trial, no punishment without law, respect for your private and family life, freedom of thought, belief and religion, freedom of expression, freedom of assembly and association, right to marry and start a family, protection from discrimination in respect of these rights and freedoms, right to education, right to vote.
- The Education and Inspections Act 2006 introduced a duty on all maintained schools in England to promote community cohesion.

Further details of the legislative requirements are found in Appendix 1 to this document.

### **4 Responsibilities**

Directors and Governors are responsible for ensuring that:

- The membership of the Board and Governing Bodies and staff profile reflect the diversity of the communities served by the Trust.
- The Trust's strategic plan includes strategic equality and diversity objectives
- They are aware of their statutory responsibilities in relation to equalities legislation and receive appropriate training
- They approve the Equality Policy and strategy which details how objectives will be met
- They receive and respond to the equality and diversity monitoring information on learners and staff,
- Equality and diversity impact is demonstrably taken into account when policies are adopted and decisions made.

The Senior Leadership Team is responsible for ensuring that:

- They are aware of the Trust's statutory duties in relation to equalities legislation

- Information is published to demonstrate how the Trust is complying with the equality duty.
- One or more specific and measurable equality objectives are published.
- Monitoring information is collected and analysed by all managers. Reports are made to SLT and action taken as appropriate
- Internal verification procedures include scrutiny of equality issues
- Differences in pupil attainment and behaviour of different groups is assessed and action taken to address imbalances.
- Differences in the recruitment, retention of staff of different groups is assessed and action taken to address imbalances.
- Publicity materials present appropriate and positive messages and promote social cohesion
- Lesson observations check that materials and methods are appropriate for all pupils and promote social cohesion and that support needs are met.
- All staff are trained on equality and diversity
- Parents and pupils are invited to feedback on how Trust schools could be more responsive to individual and collective equality and diversity matters
- Any issues raised are reported and investigated with the aim of ensure that any unfair treatment or offending behaviour stops, that there are no reprisals for having made the complaint in good faith and where disadvantage has occurred the situation is redressed as far as possible to the complainant's satisfaction.

Staff are responsible for ensuring that:

- They are aware of the Trust's statutory duties in relation to equality and diversity
- They ensure that pupils are aware of their own responsibilities
- Their schemes of work, lesson content and teaching resources demonstrate sensitivity to issues of diversity and promote inclusion
- All pupils have access to appropriate support and facilities including additional learning support and specialist equipment for pupils with special needs
- They challenge inappropriate behaviour
- They promote positive attitudes to diversity
- They attend training on equality and diversity

Suppliers, contractors and visitors:

- The Trust will take all reasonable steps to ensure that those who provide services to, or visit Trust sites are aware of and observe the Equality Policy of the Trust. It is the responsibility of the relevant internal contractor or host to ensure that providers/visitors behave appropriately towards all members of the school community, and that no discrimination takes place.

## **5 Communicating this Policy**

We will be active in communicating our vision, policy and standards to staff, students, parents, stakeholders, contractors and visitors. We will do this through:

- Induction for staff, students, governors and directors
- Staff development
- Student tutorials and lessons
- Visual communication around buildings
- Events and activities within and outside school
- Websites and the VLE.

## **6 Implementing this Policy**

This policy will be implemented through the formulation and publication of Equality and Diversity objectives and action plan (see Appendix 2). The objectives are updated when the policy is reviewed and the progress towards the objectives recorded on the action plan is updated annually.

In addition the policy will be implemented through specific policies about different aspects of school life. The Equality and Diversity impact of all policies will routinely be assessed when the policies are reviewed. The key policies with an Equality and Diversity Impact are:

The Admissions Policy (ensures that different groups are treated equally in the admissions process – except as permitted by the Equalities Act exemption – see Appendix 1);

The Assessment Policy (this applies to all assessments and examinations)

The Curriculum policy (ensures that the curriculum is sensitive to equality and diversity within the limits and exemptions in the Equalities Act);

The SMSC Policy (ensures that SMSC activities are sensitive to equality and diversity within the limits and exemptions in the Equalities Act);

The SEN Policy (ensures disabled pupils are well supported in compliance with the Equalities Act);

The Charging Policy (ensures particular groups of pupils or parents are not unfairly disadvantaged by our charges);

The Anti-Bullying and Behaviour Policies (sets out how the Trust tackles prejudice or bullying against protected groups and ensures a fair system of sanctions);

The Uniform Policy (ensures that uniform rules do not unfairly disadvantage any protected group by imposing a higher cost on them or infringing on their rights in some other way);

The Building Strategy (ensures appropriate priority is given to building projects improving accessibility);

Staff recruitment, induction, appraisal, development, pay, performance management and other employment policies (ensures staff from protected groups are treated equally within the limits and exemptions of the Equalities Act),

## **7 Monitoring the operation of this Policy**

The Directors, will monitor this policy through:

- Three-yearly review of this policy and the Equality Objectives and annual review of the Action Plan – including information on progress against targets – prior to publication on the website.
- Review of the Equality and Diversity impact assessment of all policies.
- Admissions panel report to Student Committees
- Post-admissions ethnicity, gender and SEN/disability data
- School, LA (Local Authority) and DfE (Department for Education) data on ethnicity, gender and SEN for student groups within the curriculum
- DfE, LA and school achievement data, including ethnicity, gender, age, SEN, FSM (free school meals) reports to the Curriculum Committees
- DfE, LA and school behaviour and attendance data
- A termly report to Governors on racist incidents and how they have been dealt with
- Participation information: students: school clubs, out-of-school- hours activities, school teams etc
- Participation information: parents and carers: attendance at school events and consultation evenings
- Review of data on student rewards and disciplinary action
- Review of data on staff diversity

The effectiveness of the Equality Policy will also be monitored and evaluated through:

- School and Trust Development Plans
- Related data analysis
- School Self-Evaluation processes for Ofsted
- The school's performance management processes
- The School Council

- Governors' school visits
- The Disability Equality Scheme and Accessibility Plan.

## **8 Breaches of the Policy**

Breaches of this policy will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the Executive Headteacher and Directors and in accordance with the Behaviour Policy and Staff Disciplinary Policy.

## **Appendix 1: Details of Legislation**

### **Overview of the Equality Act 2010**

The Equality and Human Rights Commission has published detailed guidance for schools on [its website](#). Here are some extracts (in italics):

#### ***What is the equality duty?***

*Previously public bodies were bound by three sets of duties to promote disability, race and gender equality. In April 2011 these were replaced by a single public sector equality duty (known as the PSED or the equality duty).*

*This new duty extends to all the aspects of a person's identity – known as 'protected characteristics' – that are protected under the Equality Act 2010. These are race, disability, sex, age<sup>1</sup>, religion or belief, sexual orientation<sup>2</sup>, pregnancy and maternity and gender reassignment.*

*The equality duty has two main parts: the 'general' equality duty and 'specific duties'.*

*The general equality duty sets out the equality matters that schools need to consider when making decisions that affect pupils or staff with different protected characteristics. This duty has three elements. In carrying out their functions public bodies are required to have 'due regard' when making decisions and developing policies, to the need to:*

- 1. Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.*
- 2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.*
- 3. Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.*

*Having due regard to the need to advance equality of opportunity is defined further in the Equality Act 2010 as having due regard to the need to:*

- 1. Remove or minimise disadvantages*
- 2. Take steps to meet different needs*
- 3. Encourage participation when it is disproportionately low.*

*In order to help schools in England meet the general equality duty, there are two specific duties that they are required to carry out. These are:*

- 1. To publish information to demonstrate how they are complying with the equality duty.*

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<sup>1</sup> For schools, age is not a protected characteristic in the equality duty in relation to education or the provision of services, it is included however in relation to staff.

<sup>2</sup> Marriage and civil partnership are also protected characteristics but only in relation to employment.

2. *To prepare and publish one or more specific and measurable equality objectives.*

*Schools need to comply with these duties from 6 April 2012 and update yearly.*

### **What does this mean for schools?**

*For a school, having 'due regard' means:*

- *When making a decision or taking an action a school must assess whether it may have implications for people with particular protected characteristics.*
- *It should consider equality implications before and at the time that it develops policy and takes decisions; not as an afterthought, and it needs to keep them under review.*
- *The equality duty has to be integrated into the carrying out of a school's functions. The analysis necessary to comply with the duty should be carried out rigorously and with an open mind – it is not a question of just ticking boxes.*
- *Schools need to do this themselves and cannot delegate responsibility for carrying out the duty to anyone else.*

The EHRC document includes information on a number of issues which may affect schools and examples of how these should be dealt with.

The DfE has also published detailed advice for schools on the application of the Equality Act 2010 on [its website](#). Here is an extract detailing the main changes from previous legislation:

#### **KEY POINTS**

- *The Equality Act 2010 provides a single, consolidated source of discrimination law. It simplifies the law and it extends protection from discrimination in some areas.*
- *As far as schools are concerned, for the most part, the effect of the new law is the same as it has been in the past – meaning that schools cannot unlawfully discriminate against pupils because of their sex, race, disability, religion or belief or sexual orientation.*
- *The exceptions to the discrimination provisions for schools are all replicated in the new act – such as the content of the curriculum, collective worship and admissions to single sex schools and schools of a religious character.*
- *Schools that were already complying with previous equality legislation should not find major differences in what they need to do. However, there are some changes that will have an impact on schools as follows:*

#### **New Protection in Schools**

*Protection against discrimination is now extended to pupils who are pregnant or have recently given birth, or who are undergoing gender reassignment.*

### Health Related Questions for Job Applicants

*It is now unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that schools should no longer, as a matter of course, require job applicants to complete a generic health questionnaire as part of the application procedure. There are potential implications in relation to establishing teachers' fitness and ability to teach (as required by the Health Standards (England) Regulations 2003). Schools are advised to review their existing practices to ensure they are complying with both the Health Standards Regulations and Section 60 of the Equality Act. Schools may decide to ask necessary health questions after job offer. In any case, they should ensure that any health-related questions are targeted, necessary and relevant to the job applied for.*

### Positive Action

*New Positive Action provisions allow schools to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim. Previously a school providing – for example - special catch-up classes for Roma children or a project to engage specifically with alienated Asian boys might have been discriminating unlawfully by excluding children who didn't belong to these groups.*

### Victimisation

*It is now unlawful to victimise a child for anything done in relation to the Act by their parent or sibling.*

### Auxiliary Aids

*The Act extends the reasonable adjustment duty to require schools to provide auxiliary aids and services to disabled pupils. Following consultation on implementation and approach, the duty came into force on 1 September 2012.*

### Equality Duties

*The three existing general and specific equality duties on schools (race, disability and gender) to eliminate discrimination and advance equality of opportunity have been combined into a single, less bureaucratic and more outcome-focused duty extending to all of the protected characteristics. The new duty is explained in chapter 5 of this advice.*

The document also details advice on exceptions for schools in general and faith schools in particular:

- *Single sex schools are still able to refuse to admit pupils of the opposite sex [or make different provision for the small number of the opposite sex who are admitted].*
- *Schools with a religious character (commonly known as faith schools) have certain exceptions to the religion or belief provisions which allow them to discriminate because of religion or belief in relation to admissions [provided*

the school doesn't have unfilled places] *and in access to any benefit, facility or service* [for example there is no obligation to provide equivalent chaplaincy provision for pupils of other faiths. Faith schools can't discriminate because of a change in faith or another protected characteristic].

- *The content of the school curriculum has never been caught by discrimination law, and this Act now states explicitly that it is excluded. However the way in which a school provides education – the delivery of the curriculum – is explicitly included.*
- *There is a general exception, which applies to all schools, to the religion or belief provisions which allows all schools to have acts of worship [or celebrate religious festivals].*
- *There are some specific exceptions to the religion or belief provisions of the Equality Act for employment by schools designated as having a religious character. Voluntary Aided schools [and faith school academies] may apply religious criteria when recruiting or dismissing any member of their teaching staff. In recruitment, remuneration and promotion they may give preference to persons:*
  - *whose religious opinions are in accordance with the tenets of the religion of the school;*
  - *who attend religious worship in accordance with those tenets; or*
  - *who give, or are willing to give, religious education in accordance with those tenets.*

*In considering dismissals, the governing body may have regard to any conduct that is incompatible with the precepts, or with the upholding of the tenets, of the religion of the school. A teacher appointed to teach RE may be dismissed by the governing body without the consent of the local authority if he fails to give such education efficiently and suitably. Religious criteria may not be applied to any other posts in a VA school unless there is a genuine occupational requirement. This would need to be justified but might, for example, apply to a member of staff required to give pastoral care to pupils.*

## **Overview of the Race Relations Act 2001 (now incorporated into the Equalities Act 2010)**

### The General Duty

This is a statutory duty to promote race equality. It applies to all public authorities listed in Schedule 1A of the Act. This includes schools, further and higher education.

It requires them:

- To eliminate unlawful discrimination

- To promote equality of opportunity between persons of different racial groups and
- To promote good relations between persons of different racial groups.

Schools, like other public authorities, have specific duties. These are:

- To have a written Race Equality Policy
- To follow the guidelines for the employment duty.

## **Overview of the Equality Act 2007 (now incorporated into the Equalities Act 2010)**

### The Gender Equality Duty

This requires public authorities to

- To eliminate unlawful discrimination and harassment
- To promote equality of opportunity between men and women

Instead of relying on individuals making complaints about sex discrimination, the duty places the legal responsibility on public authorities to demonstrate that they treat men and women fairly.

## **Overview of the Disability Discrimination Act 2002 (now incorporated into the Equalities Act 2010)**

The DCSF guidance for schools, 'Doing the Duty', is attached to this appendix. It was revised in June 2006

### The Disability Equality Act 2006

[www.drc-gb.org](http://www.drc-gb.org)

The Disability Equality Duty came into force in December 2006.

The new legal duty requires all public authorities actively to

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled person that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life
- Take steps to take account of disabled persons' disabilities even when that involves treating disabled persons more favourably than other persons

All public authorities covered by the specific duties must also produce a Disability Equality Scheme.

Schools were required to produce a Disability Equality Scheme by December 2006.

The guidelines for this scheme and a summary of the guidelines for schools are available from the website.

### **The Education and Inspections Act 2006**

This Act introduced a duty on all maintained schools in England to promote community cohesion.

## Appendix 2: Equality & Diversity Objectives and Action Plan

Objective	Trust/School	Annual Progress Review [date]
Raise the attainment of low-performing groups to the level of their peers.	Twyford CofE High School	
	William Perkin CofE High School	
Pupils and parents from under-represented groups' participation in school activities increases.	Twyford CofE High School	
	William Perkin CofE High School	
Annual publication of key E&D monitoring information established.	Trust	
The process by which Directors review this action plan annually is established	Trust	
E&D impact assessment for all policies established	Trust	
All staff are aware of the main provisions of the 2010 Equalities Act	Trust	
Staff, Directors and Governors better reflect the diversity of the community	Trust	
	Twyford CofE High School	
	William Perkin CofE High School	

### **Appendix 3: Assessment of the Impact of a Policy on Equality & Diversity**

**Policy:**

**Impact assessed by:**

**Date:**

**1. What is the potential for this policy impacting a person or group with a protected characteristic differently (favourably or unfavourably) from everyone else?**

**2. How would this be evidenced?**

**3. Is there evidence that the operation of the current policy might impact a person or group with a protected characteristic differently from everyone else?**

YES/NO

**4. If the answer to 3 is 'Yes', please provide details and evidence.**

**5. How might the new policy change this?**

**6. Are there any other changes to the policy which might impact a group with a protected characteristic differently from everyone else?**

YES/NO

**7. If the answer to 6 is 'Yes', please provide details and evidence.**

**8. Policies are required to reduce or eliminate inequality and disadvantage and promote diversity. Does this assessment indicate that the Policy passes or fails this test?**

PASS/FAIL