

# TEACH TRUST Equality Policy

## 2021-2022



This single policy reflects the legal duties set out in the Equality Act 2010 and the Public Sector Equality Duty which came in to force in April 2011 (s.149 of the Equality Act 2010). Public authorities like the Ministry of Justice are now required, in carrying out their functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The first part of the document sets out the school's aims to promote equality of opportunity and comply with the Act.

The second part of the document sets out the legal duties, which are referred to throughout the whole document.

## **Good Practice**

1. We strive to achieve a cohesive community and expect that children respect one another and behave appropriately with one another, and that their parents feel fully engaged in the school.
2. We aim to enhance a wider sense of community locally, as well as in the context of the UK and the World communities.
3. As Rights' Respecting schools we respect the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, the Human Rights Act 1998, and the Equality Act 2010.
4. Through our policies and actions, we undertake to ensure that every child and young person is healthy, safe, is able to enjoy and achieve in their learning experience, and is able to contribute to the wider community.
5. We consider it prudent and sensible to maintain the practice of logging discriminatory incidents. We monitor and log incidents that discriminate against children and young people or adults in our school with any protected characteristics.
6. We receive support and training through Stonewall educational membership to help us apply best primary practice in celebrating difference and tackling homophobia, biphobia and transphobia.

## **Guiding principles**

In fulfilling the legal obligations and establishing our school ethos, we are guided by the following principles:

**Principle 1: All learners are of equal value.**

**Principle 2: We recognise, respect and celebrate difference.**

**Principle 3: We foster positive attitudes and relationships and a shared sense of cohesion and belonging.**

**Principle 4: We observe good equalities practice in staff recruitment, SCITT recruitment, retention and development.**

**Principle 5: We aim to reduce and remove inequalities and barriers that already exist.**

**Principle 6: We consult and involve widely.**

**Principle 7: We address prejudice and prejudice related bullying.**

**Principle 8: Society as a whole should benefit.**

The TEACH Trust schools and SCITT are opposed to all forms of prejudice that could act as a barrier to achieving our legal duties and a cohesive community. These include:

- sex,
- race,
- disability,
- religion or belief
- sexual orientation
- gender reassignment,
- pregnancy or maternity  
Marriage or civil partnership
- Age (gender)
- SEN
- Vulnerable or otherwise disadvantaged
- Traveller, migrant, refugees and people seeking asylum
- EAL

The primary aim of TEACH Trust is to enable all pupils to take part as fully as possible in every part of school life by developing each child's self-confidence, recognising their strengths and encouraging them to achieve their full potential.

All TEACH Trust schools and SCITT will take steps to advance equality of opportunity, foster good relations and eliminate discrimination or harassment across all the protected characteristics within the school community.

This means:

- We will take reasonable and necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments for pupils with any protected characteristics, enabling our pupils to take as full a part as possible in all the activities of the school. We will make reasonable adjustments to ensure the school environment and its activities are as accessible and welcoming as possible for pupils, staff and visitors to the school. We are also committed to ensuring staff with any protected characteristics have equality of opportunity.
- We will actively encourage positive attitudes towards pupils and staff and expect everyone to treat others with dignity and respect.
- We will regularly consider the ways in which the taught and wider curricula will help to promote awareness of the rights of individuals and develop the skills of participation and responsible action.
- We will regularly consider the ways in which our teaching and the curriculum provision will support high standards of attainment, promote common values, and help students understand and celebrate the diversity that surrounds them, and challenge prejudice and stereotyping.

- We will monitor the progress and achievement of pupils by the relevant and appropriate protected characteristics. This information will help the school to ensure that individual pupils are achieving their potential, the school is being inclusive in practice, and trends are identified which inform the setting of our equality objectives.
- We will collect and analyse information about protected characteristics in relation to staff recruitment, SCITT recruitment, retention, training opportunities and promotions to ensure all staff have equality of opportunity. We will not ask health-related questions to job applicants before offering a job, unless it relates to an intrinsic function of the work they do. However, the Trust reserves the right to ask prospective employees to complete a short health questionnaire which is reviewed before any job offer is confirmed. A longer health questionnaire may also be requested if responses to the short questionnaire gives ground for concern that the prospective employee may not be able to carry out the role for which they have applied. We will make reasonable adjustments such as providing auxiliary aids for our staff with disabilities.
- We will ensure the curriculum is accessible to all pupils with special educational needs and disabilities (SEND) or those for whom English is not their first language. Auxiliary aids and services will be provided for them, where reasonable adjustments are required. By planning ahead, we will ensure that all pupils are able to take part in extra-curricular activities and residential visits, and we will monitor the uptake of these to ensure no one is disadvantaged on the grounds of a protected characteristic or other barriers.
- We will seek the views of advisory staff and outside agencies and partnerships with other schools where this is needed. In planning the curriculum and resources, we will take every opportunity to promote and advance equality, including through the provision of a diverse range of literature.
- Bullying and prejudice related Incidents will be carefully monitored and dealt with effectively. Regular training will be given to both existing and new staff to ensure that they are aware of the process for reporting and following up incidents of prejudice-related bullying.
- We expect that all staff will be role-models for equal opportunities, deal with bullying and discriminatory incidents and be able to identify and challenge prejudice and stereotyping.
- Throughout the year, we will plan on-going events to raise awareness and celebrate equality and diversity. This may include a focus on disability, respect for other cultures, religions and beliefs, LGBTQI+ Pride, gender equality, developing community cohesion and an understanding of the effects of discrimination.
- We will regularly seek the views of pupils, parents, advisory staff and visitors to the school, to ensure that the school environment is as safe and accessible as possible to all school users. We will regularly review our accessibility plans.
- We welcome a diverse range of candidates and encourage those who are currently under-represented to join.
- We will ensure that all staff are aware of their legal duties under the Equality Act 2010, the different forms of discrimination and what 'reasonable adjustments' mean in practice.
- We will maintain and update an equality page on the school website to show how it we are complying with the Public Sector Equality Duty (PSED) in the Equality Act 2010 and advancing equality of opportunity.
- When drawing up policies, we will refer to an equality impact assessment (Appendix 1) to ensure a policy does not, even inadvertently, disadvantage groups of pupils or adults with protected characteristics. We will consider to what extent a new/revised policy, practice or plan meets the Public Sector Equality Duties (eliminates discrimination, advances equality and fosters good relations for all the protected characteristics) and recommend changes/mitigations where necessary.

## **Our Legal Duties**

Legislation relating to equality and discrimination is laid out in the Equality Act 2010.

This legislation covers employment (work), the provision of services and public functions, and education.

Employers (schools) are liable for discriminatory acts of their employee if they did not take reasonable steps to prevent such acts. Employees can be liable for acts (where an employer took reasonable steps to prevent such acts).

### The 'Protected Characteristics' within equality law are:

- **Age** - A person of a particular age (e.g. 32-year-old) or a range of ages (e.g. 18 - 30 year olds). Age discrimination does not apply to the provision of education, but it does apply to work.
- **Disability** - A person has a disability if s/he has, or has had, 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. It includes discrimination arising from something connected with their disability such as use of aids or medical conditions. HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.
- **Gender reassignment** - A person (usually with 'gender dysphoria') who is proposing to undergo, is undergoing or has undergone gender reassignment (the process of changing physiological or other attributes of sex, therefore changing from male to female, or female to male). 'Trans' is an umbrella term to describe people with this 'Gender Identity'. 'Intersex' or 'Third Sex' is not covered by the Act but the school will treat Intersex children with the same degree of equality as children with gender dysphoria. Children as young as five may begin to show signs of gender dysphoria and therefore it is relevant in any school environment. (The Intercom Trust in Devon supports schools in supporting children undergoing gender reassignment).
- **Marriage and civil partnership** – Marriage and civil partnership discrimination does not apply to the provision of education, but it does apply to work.
- **Pregnancy and maternity** - Maternity refers to the period of 26 weeks after the birth (including still births), which reflects the period of a woman's Ordinary Maternity Leave entitlement in the employment context. In employment, it also covers (where eligible) the period up to the end of her Additional Maternity Leave.
- **Race** - A person's colour, nationality, ethnic or national origin. It includes Travellers and Gypsies as well as White British people.
- **Religion and belief** - Religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. Religion and belief discrimination does not prevent a school from carrying out collective worship or other curriculum-based activities, but pupils may withdraw from acts of collective worship.
- **Sex** - A man or a woman.
- **Sexual orientation** - A person's sexual orientation towards the same sex (lesbian or gay), the opposite sex (heterosexual) or to both sexes (bisexual). Although children may not identify as gay or lesbian when very young, promotion of sexual orientation equality is as relevant in a primary school environment as it is in a secondary school. For example, a child may have an older sibling or parent who is gay.
- It is also unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the pupil is associated. So, for example, a school must not discriminate by refusing to admit a pupil because his parents are gay men or lesbians. It would be race discrimination to treat a white pupil less favourably because she has a black boyfriend.

### Prohibited Conduct' (acts that are unlawful):

- **Direct discrimination** - Less favourable treatment because of a protected characteristic.
- **Indirect discrimination** - A provision, criteria or practice that puts a person at a particular disadvantage and is not a proportionate means of achieving a legitimate aim.

- **Harassment** - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It includes harassment by a third party (e.g. customer or contractor) in the employment context.
- **Victimisation** - Subjecting a person to a detriment because of their involvement with proceedings (a complaint) brought in connection with this Act.
- **Discrimination arising from disability** - Treating someone unfavourably because of something connected with their disability (such as periods of absence from work or medical conditions) **and failure to make reasonable adjustments.**
- **Gender re-assignment discrimination** - Not allowing reasonable absence from work for the purpose of gender-reassignment in line with normal provision, such as sick leave.
- **Pregnancy/maternity related discrimination** - Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman or girl because she is breastfeeding.
- **Discrimination by association or perception** - For example, discriminating against someone because they “look gay”, or because they have a gay brother; discriminating against someone because they care for a disabled relative.

Schools are allowed to treat pupils with protected characteristics more favourably than other pupils without a disability, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils with protected characteristics.

### **Public Sector Duties (applies to schools):**

A school must, in the exercise of its functions, give due regard to the need to (in relation to protected characteristics above):

1. Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
2. Advance equality of opportunity (remove or minimise disadvantage; meet people’s needs; take account of disabilities; encourage participation in public life).
3. Foster good relations between people (tackle prejudice and promote understanding).

In practice, ‘due regard’ means giving relevant and proportionate consideration to the duty, so decision makers in schools must have due regard when making a decision, developing a policy or taking an action as to whether it may have implications for people because of their protected characteristics.

### **Reasonable Adjustments and Accessibility Plans**

Schools are required to:

- Take reasonable steps to avoid disadvantage caused by a provision, criteria or practice or a physical feature that puts a person with a disability at a substantial disadvantage compared to a person without a disability. This involves removing or avoiding a physical feature, for example steps and lifts.
- Take reasonable steps to provide auxiliary aids/services.
- Provide information in an accessible format.
- Develop and implement (by allocating appropriate resources) Accessibility Plans which will increase pupils’ with a disability access to the school curriculum.
- Improve the physical environment.
- Improve provision of information.
- Provide facilities for those with protected characteristics.

The duty is an anticipatory and continuing one that schools owe to pupils and adults with a protected characteristic, regardless of whether the school knows that a particular person has a protected characteristic. The school will need to plan ahead for the reasonable adjustments that it may need to make, working with the **relevant admissions authority** as appropriate.

### **For more information download guidance from the DfE:**

<http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010>

and **Equality Human Rights website:**

<http://www.equalityhumanrights.com> which includes the guidance for education providers (schools).

The Education and Inspections Act 2006 introduced a duty on all maintained schools in England to promote community cohesion. Aspects of educational legislation have also promoted equal opportunities, for example the Education Act includes a duty for Local Authorities to educate children with special educational needs in mainstream schools wherever possible.

Trustees at TEACH Poole understand their responsibility under the Equality Act, as well as the role the board plays in ensuring our Trust has an inclusive culture and learning environment.

### **Policy Review**

This policy will be reviewed annually by the TEACH Trustees, as part of its monitoring cycle.

Reviewed July 2021

Date of next review July 2022

**Appendix 1  
Equality Impact Assessment form**

Question	Response	
Which relevant groups and stakeholders have been consulted with in relation to this policy?		<b>Please tick</b>
	Pupils	
	Trustees	
	Staff	
	Parents	
	Local Authority	
	Trade Unions	
	Other Advisors (give details)	
What are the arrangements for monitoring and reviewing the actual impact of the policy?	Termly	
	Annually	
	When applied	
	If legislation changes	
	If a formal complaint	

Characteristic Group	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address potential positive/negative impact (e.g. adjustment to the policy)
Disability			
Gender reassignment			
Marriage or civil partnership			
Pregnancy and maternity			
Race			
Religion or belief			
Sexual orientation			
Sex (gender)			
Age			
SEN			
Vulnerable			
Traveller, migrant, refugees and people seeking asylum			
EAL			