



Single Equalities Policy

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Aims

The ultimate aim of this policy is to provide the safeguarding of children as defined by the Academy's policy statement on safeguarding children

- This policy will underpin all other policies within our academy
- This policy should be read in conjunction with the local offers for each school in the academy

1. Background Information

The Equality Act 2010, which came into force on 1 October 2010, replaces the existing anti-discrimination laws with a single Act. This policy therefore brings together our previous policies on Equal Opportunities, Race and Disability, and now protects children, staff and parent/carers from discrimination, harassment and victimisation based on all Protected Characteristics (Race, Disability, Sex, Religion or belief, Sexual orientation and Gender reassignment)

NB: Age is now also a protected characteristic but does not apply to children in the Academy. It does however still apply to staff and parent/carers.

2. Legal Definitions

Unlawful Discrimination

Unlawful discrimination is defined in the Act as:

- Direct discrimination – treating a person less favourably on prohibited grounds (gender, gender identity, race, disability, sexual orientation, religion or belief, age, socio-economic status) than another would be treated in comparable circumstances, where the treatment cannot be objectively justified (e.g. by a genuine occupational requirement) Example:

Failing to offer a man a job because he is gay

- Indirect discrimination – when a rule, condition or requirement, which applies equally to everyone, has a disproportionately adverse effect on people from a particular group (i.e. due to race, religion or belief, sexual orientation, age, gender, marital status, gender identity), and there is no objective justification for the rule. (Example: requiring job applicants to have a set number of years' experience may indirectly discriminate against women who have taken a career break)
- Discrimination arising from disability – This occurs when a disabled person is treated unfavourably because of something connected with their disability and this unfavourable

treatment cannot be justified. Treatment can be justified if it can be shown that it is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown then the treatment will be lawful. (Example: A person, who has an assistance dog, is not allowed to enter his local mobile library because staff say there is not enough room for his dog.) This may be discrimination arising from disability unless it can be justified. (e.g. the dog poses a genuine health and safety risk as opposed to merely being inconvenient for staff). This form of discrimination can occur only if the service provider knows or can reasonably be expected to know that the disabled person is disabled

- Failure to make reasonable adjustments (for disabled people)
- Discrimination by association or perception – the 2010 Act extends the scope of the legislation to protect people who ‘associate’ with others with the protected characteristics, for instance people who are related to or who care for someone who is disabled. Protection includes perception (e.g. discrimination based on the belief that someone is gay, disabled or has a particular belief)

Harassment

Harassment is defined in the Act as:

Any unwanted conduct that violates people’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This definition is limited to anti-discrimination legislation and therefore only applies to harassment on grounds of sex, race, disability, sexual orientation, religion, belief or age.

Victimisation

Victimisation is defined in the Act as: Treating people less favourably because they have made a complaint or intend to make a complaint about discrimination or harassment, or have given evidence or intend to give evidence relating to a complaint about discrimination or Harassment

Burden of Proof

The Act states that once an individual can show that there is an issue of potential discrimination, the burden of proof shifts to the employer to defend the case and show that the reason for difference in treatment is justifiable and not discriminatory.

Vicarious Liability

The Act states that employers are responsible for the discriminatory actions of their employees where such actions have been carried out during the course of their duties. The only defence for employers is to show that they have done everything reasonably practicable to prevent an employee committing an unlawful act.

In practice, Courts and tribunals have regarded the following as 'reasonable steps':

- Publishing a comprehensive equality policy
- Clearly communicating the policy to all staff
- Providing awareness training on the potential for, and implications of, discrimination
- Training staff in good practice relevant to their jobs (e.g. recruitment, record keeping, monitoring etc)

Personal Liability

The act states that where an employer can show that appropriate steps have been taken to avoid discrimination, it is likely that the discriminator will be personally liable in the law.

Single Equality Duty

The 2010 Act introduces a new 'single' equality duty which brings together the three existing duties (race, disability and gender) and extends the duty to gender reassignment, age, sexual orientation and religion or belief. This new duty requires all public bodies to have 'due regard' to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited
- Advance equality of opportunity between persons who share a relevant 'protected characteristic' and persons who do not share it
- Foster good relations between persons who share a relevant 'protected characteristic' and persons who do not share it

Disability

This section should be read in conjunction with the local offers for each school, available on the websites.

Definition of disability

- The 2010 Act abandons the previous list of capacities and defines a disabled person as someone who has ‘a physical or mental impairment which has a substantial or long-term adverse effect on his or her ability to carry out normal day-to-day activities’.
- The Act allows disabled pupils to be treated more favourably than nondisabled pupils and in some cases requires this to be done, by making reasonable adjustments to put pupils on a level footing with those without a disability

3. Vision and Principles

At the Eden Academy we are committed to ensuring equality of education and opportunity for all children, staff and to parent/carers receiving services from the Academy , irrespective of:

- Gender
- Sexuality
- Race, colour, ethnic or national origins, faith, religion or those who need support to learn English as an additional language
- Disability/health/medical or special educational needs
- Age
- Attainment
- Socio-economic background
- Being in public care
- Attendance concerns
- At risk of disaffection or exclusion
- Vulnerability
- Changing schools frequently

We aim to develop a culture of inclusion and diversity in which all those connected to the academy feel proud of their identity and able to participate fully in academy life. The

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

In our Academy, the teaching and learning, achievements, attitudes and well-being of every child are important. We follow the necessary regulations to ensure that we take the experiences and needs of all our children into account when planning for teaching, learning and pastoral support. At the Eden Academy, we do not take educational inclusion and equality for granted. We constantly identify those children who may be missing out, difficult to engage, or feeling in some way to be apart from what we seek to provide. This practice also allows us to promote tolerance and understanding in a diverse society. This approach can only add to the Academy's overall aim of raising standards and meeting individual needs

4. Objectives

- To face equality issues openly, positively and effectively
- To promote attitudes and values that will ensure there is no discriminatory behaviour, prejudice or harassment
- To promote the principles of fairness and justice for all
- To build a harmonious society where community cohesion is underpinned by mutual respect, tolerance and good relationships
- To enable all to succeed and to overcome the barriers that get in the way
- To encourage all to see themselves and others as equal citizens
- To encourage self-confidence and self-esteem
- To ensure that teaching and learning promotes equality, celebrates diversity and promotes community cohesion
- To ensure appropriate training opportunities
- To ensure that within the Academy budget appropriate funding is provided to underpin this policy

5. Roles and Responsibilities

Promoting equality and raising the achievement of all children is the responsibility

of the whole Academy . This policy outlines the roles and responsibilities of everyone involved and connected with the Academy so that everyone knows what is expected of them.

The role of Trustees

- The Board of Trustees has set out its commitment to equal opportunities and it will continue to do all it can to ensure that the academy is fully inclusive to children, and responsive to their needs based on race, gender and disability
- The Board of Trustees seeks to ensure that people are not discriminated against when applying for jobs at our academy on grounds of race, gender or disability
- The trustees take all reasonable steps to ensure that the academy environment gives access to people with disabilities, and also strive to make academy communications as inclusive as possible for parents/carers and children
- The trustees welcome all applications to join the academy, whatever a child's socio-economic background, race, gender or disability
- The Board of Trustees ensures that no child is discriminated against whilst in our academy on account of their race, sex or disability

The role of the directors and senior leaders responsible for Equality

- It is the directors and senior leaders' roles to implement the Academy Equality Plan and to be supported by the Board of Directors in doing so
- It is the directors and senior leaders' roles to ensure that all staff are aware of the Equality Policy, and that staff apply these guidelines fairly in all situations
- The directors and senior leaders ensure that all recruitment selection panels give due regard to this policy, so that no-one is discriminated against when it comes to employment or training opportunities
- The directors and senior leaders 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 Academy life
- The directors and senior leaders 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

- All staff will ensure that all children are treated fairly, equally and with respect, and will maintain awareness of the Academy's Single Equalities Policy
- All staff will strive to provide material that gives positive images based on race, gender and disability, and challenges stereotypical images
- All staff will challenge any incidents of prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the directors and senior leaders

The role of children

- Children will contribute as far as is possible to the development of the Single Equalities Policy and Plan and be made aware how it applies to them. They will be encouraged to treat each other with respect

The role of Parents/Carers

- Parents/carers will be consulted on the development of the Single Equalities Policy

6. Strategies to implement our Vision:

Teaching and learning

We will:

- Ensure all learners have equal access to a rich, broad, balanced, inclusive and relevant curriculum that allows for a range of different learning styles
- Use contextual data to improve the ways in which we provide support to individuals and groups of children
- Monitor achievement data by gender, ethnicity, educational needs, disability, free academy meals etc. and action any gaps
- Take account of the achievement of all children when planning for future learning and setting challenging targets
- Ensure all children take a full and active role in academy life, including the full range of extra curricular activities in order to prepare them for life in a diverse society
- Use materials that reflect the diversity of the academy population and community in terms of race, gender and disability, without stereotyping
- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice and promote the principles of fairness and justice for all

- Seek to involve all parent/carers in supporting their child's education
- Have high expectations of all the academy community and help them fulfil their aspirations
- Provide opportunities for children to appreciate their own culture and celebrate the diversity of other cultures
- Recognise and value bilingualism
- Encourage classroom and staffroom discussion of equality issues which reflect on social stereotypes, expectations and the impact on learning;
- Include teaching and classroom-based approaches appropriate for the whole academy population, which are inclusive and reflective of our pupils

Training

The Academy supports inclusive practice by ensuring equality is an ongoing focus for staff and local advisory board training

Funding

- The Academy will allocate funding from the Academy budget to support inclusion and equality
- The Academy will deploy funding to support a range of pre-school , after school clubs in the Academy and parent/carer training and facilities to enhance inclusion and equality

Admissions and exclusions

- Our admissions arrangements are fair and transparent, and do not discriminate on race, gender, disability or socio-economic factors

Equal opportunities for staff

- We ensure that all recruitment, employment, promotion and training systems are fair to all, and provide opportunities for everyone to achieve
- 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 academy reflects the diversity of our community

- Equality aspects such as gender, race, disability, sexual orientation, gender re-assignment and faith or religion are considered when appointing staff, to ensure decisions are free of discrimination

7. Tackling discrimination

- All staff are expected to deal with any discriminatory incidents that may occur. They are expected to know how to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a child's individual circumstances
- Incidents of discrimination, harassment or bullying are dealt with by the member of staff present, escalating to a class teacher or member of Leadership Team as required
- All racist incidents are reported to the directors and senior leaders who report them to the local authority on a termly basis. (A racist incident is defined by The Stephen Lawrence Inquiry Report (1999) as: 'any incident which is perceived to be racist by the victim or any other person')

Types of incident

Types of discriminatory, harassment or bullying incidents that can occur are:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender
- Use of derogatory names, insults and jokes
- Racist, sexist, homophobic or discriminatory graffiti
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia
- Bringing discriminatory material into the academy
- 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

8. Monitoring

The Academy's pupil tracking system will be used to track the progress and attainment of children and groups of children to obtain information on whether our equalities policy and practice is effective. It is the responsibility of our Board of Trustees to monitor the effectiveness of the plan by

- monitoring the progress of children of minority groups and comparing it to the progress made by other children in the Academy
- monitoring the staff appointment process, so that no-one applying for a post at this Academy is discriminated against
- monitoring the Academy behaviour and exclusions policy, so those children from minority groups are not unfairly treated
- taking into serious consideration any complaints regarding equal opportunity issues from parent/carers, staff or children

9. Monitoring and evaluation

Staff and trustees, on a three yearly basis, will review this policy unless circumstances demand an earlier review.