

# *Equalities Policy*

*2020/2021*

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This policy subsumes and replaces all previous policies pertaining to equality, e.g. Racial Equality, Disability and Race Equality Schemes

It applies equally, where applicable, to adults<sup>1</sup> and learners in The JCB Academy

## 1. Legal framework

1.1 The Governing Board recognises its responsibilities as outlined in the Equality Act 2010 (the 'Act') to ensure that people are treated fairly and equally. It will seek to ensure that discrimination does not take place against anyone on the grounds of their gender reassignment, sexual orientation, age, disability, pregnancy and maternity, sex, race, religion or belief. This policy describes how the academy is meeting these statutory duties and is in line with national guidance. It includes information about how the academy is complying with the Public Sector Equality Duty (PSED) and also provides guidance to staff and outside visitors about our approach to promoting equality. When developing the policy, account was taken of the Department for Education's guidance on the Act and also the Ofsted inspection framework which place a strong focus on improving the learning and progress of different groups and on closing gaps in standards of achievement.

### 1.2 Policy

The Act was introduced to ensure protection from discrimination, harassment and victimisation on the grounds of specific characteristics (referred to as protected characteristics). This means that schools cannot discriminate against learners or treat them less favourably because of their sex, race, disability, religion or belief, gender reassignment, or pregnancy or maternity. In addition, the academy includes economic disadvantage within this policy, recognising that this has one of the most significant impacts on the achievement of children and young people. The Act replaces and supersedes all existing equality legislation including the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It provides a single, consolidated source of discrimination law. The Act replaces the Race Equality Duty, the Disability Equality Duty and the Gender Equality Duty. The overriding principle of all equality legislation is generally one of equal treatment for all peoples.

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<sup>1</sup> Adults in any capacity working in school: paid staff, governors, volunteers and parents, visitors



### 1.3 Implementing the policy

The Act requires all public organisations, including schools, to comply with the PSED and two specific duties:

- The PSED or “**general duty**”  
This requires all public organisations, including schools to:
  - eliminate unlawful discrimination, harassment and victimisation;
  - advance equality of opportunity between different groups;
  - foster good relations between different groups.
  
- **Two “specific duties”**  
This requires all public organisations, including schools to:
  - publish information to show compliance with the Equality Duty by 6 April 2012;
  - publish equality objectives at least every four years which are specific and measurable by 6 April 2012.

## 2. Guiding principles

2.1 In fulfilling the legal obligations cited above, the academy is guided by nine principles.

- Principle 1: All learners are of equal value  
All learners and potential learners, and their parents<sup>2</sup>, are seen as of equal value:
  - whether or not they are disabled;
  - whatever their ethnicity, culture, national origin or national status;
  - whatever their gender and gender identity;
  - whatever their religious or non-religious affiliation or faith background;
  - whatever their sexual identity;
  - whatever their economic or social background.

The academy therefore acts to ensure that each and every member of the school community:

- experiences equality of opportunity;
- feels a full and respected member of the school community;
- has high expectations of themselves, their peers, staff, and others with regard to fair treatment;

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<sup>2</sup> Within this document, the term *parent* refers to those with parental responsibility for a learner



- develops an understanding of race, ethnicity and multiculturalism alongside an appreciation of their importance in Britain today;
- develops an understanding and appreciation of disability and the contribution of disabled people in the community and UK;
- develops an awareness of conscious and unwitting racism alongside the skills and confidence to challenge instances of racist behaviour, language and attitudes;
- develops an awareness that disability can be both seen or unseen and that people with learning and other disabilities (e.g. Autism, Asperger's Syndrome) have the same rights to reasonable and appropriate adjustments as those with more obvious needs.

- Principle 2: Recognising and respecting difference

The academy is set in a predominantly White British community. However, it has higher than national learners identified as SEND (Special Educational Needs and Disability) and/or with an Education and Health Care Plan (EHCP). Socio economic deprivation indices show the academy to be by comparison below national, but there is a definite narrowing of the gap between school and national data.

Treating people equally does not necessarily involve treating them all the same. The academy's policies, procedures and activities must not discriminate, but must nevertheless take account of differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made;
  - ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised;
  - gender, so that the different needs and experiences of girls and boys, and women and men, are recognised;
  - religion, belief or faith background;
  - sexual identity;
  - economic or social disadvantage.
- Principle 3: Fostering positive attitudes and relationships, and sharing a sense of cohesion and belonging

The academy intends that its policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between disabled and non-disabled people, and an absence of harassment of disabled people;



- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice-related bullying and incidents;
  - mutual respect and good relations between boys and girls, and women and men, and an absence of sexual and homophobic harassment.
- Principle 4: Observing good equalities practice in staff recruitment, retention and development

The academy ensures that policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled;
  - whatever their ethnicity, culture, religious affiliation, national origin or national status;
  - whatever their gender and sexual identity, and with full respect for legal rights relating to pregnancy and maternity.
- Principle 5: Reducing and removing inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts of academy policies, opportunities are taken to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people;
  - people of different ethnic, cultural, social and religious backgrounds;
  - girls and boys, women and men.
- Principle 6: Consulting and involving widely

The academy endeavours to engage with a range of groups and individuals to ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones.

The aim is to consult and involve:

- disabled people as well as non-disabled;
- people from a range of ethnic, cultural, social and religious backgrounds;
- both women and men, and girls and boys;
- people in heterosexual and same sex relationships.



- Principle 7: Society as a whole should benefit

The intention is that academy policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled;
- people of a wide range of ethnic, cultural, social and religious backgrounds;
- both women and men, girls and boys;
- people in heterosexual and same sex relationships.

- Principle 8: Basing practices on sound evidence

The academy maintains and publishes quantitative and qualitative information showing its compliance with the PSED set out in clause 149 of the Act.

- Principle 9: Objectives

Specific and measurable objectives are formulated and published, based on the evidence collected and published (Principle 8) and the engagement in which the academy has been involved (Principle 7).

The objectives identified take into account national and local priorities and issues, as appropriate.

Equality objectives are kept under review and progress towards achieving them is reported annually.

### **3. Definitions**

#### **3.1 Race**

This includes colour, nationality and ethnic or national origins.

#### **3.2 Disability**

3.2.1 The Act defines disability as a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities

3.2.2 Some impairments are automatically treated as a disability::

- cancer (including skin growths that need removing before they become cancerous);
- a visual impairment (certified as blind, severely sight impaired, sight impaired or partially sighted);



- multiple sclerosis;
- an HIV infection (even if there are no symptoms);
- a severe, long-term disfigurement (e.g. severe facial scarring or a skin disease).

### 3.3 Sex

Learners and employees of one sex must not be singled out for different or less favourable treatment. Gender equality must still be promoted. The Act makes an exception to single sex sporting activities, when a judgement should be made as to the physical disadvantages of particular groups of learners.

### 3.4 Religion or belief

This is defined by the Act as being any religion or belief including philosophical belief. The lack of religion or belief is also a protected characteristic. Religions include all major faith groups and denominations or sects. Belief includes non-religious world views such as humanism but not political beliefs such as communism.

### 3.5 Sexual orientation

This refers not only to learners' and employees' sexual orientation, but also to the children and partners of gay, lesbian or bi-sexual parents. It is recognised that many people's views on sexual orientation and sexual activity are grounded in their religious beliefs, but this is not accepted as an excuse for allowing discrimination to continue.

### 3.6 Pregnancy and maternity

The Act applies to learners and is a new area of equality legislation.

### 3.7 Gender reassignment

This is a new provision for learners. It is acknowledged that it is relatively rare for learners to be in a programme for gender reassignment, but when a learner does choose to go along this route, it is acknowledged that a number of issues will arise which will need to be sensitively handled.

### 3.8 Protected characteristics

This term refers to the categories to which the law applies, e.g. sexual orientation.



### 3.9 Direct discrimination

This occurs when one person treats another less favourably, because of a protected characteristic, than they treat, or would treat, other people. This describes the most clear-cut and obvious examples of discrimination, e.g. if a school were to refuse to let a learner be a prefect because she is a lesbian.

## 4. Roles and Responsibilities

- 4.1 The Governing Board is responsible for ensuring that the academy complies with legislation, and that this policy and its related procedures and action plans are implemented.
- 4.2 Legal & HR Link Governors have a watching brief regarding the implementation of this policy.
- 4.3 The Principal is responsible for implementing the policy, for ensuring that all staff are aware of their responsibilities and are given appropriate training and support, and for taking appropriate action in any cases of unlawful discrimination.
- 4.4 Team Leaders have day-to-day responsibility for co-ordinating implementation of the policy.
- 4.5 The Senior Leadership Team is responsible for:
  - coordinating equality work within staff teams;
  - dealing with reported incidents of racism or harassment and reporting these in detail to the Principal;
  - monitoring the progress of minority group children, including those on free school meals and from less economically affluent families;
  - allocating resources fairly and equitably, including recognising that some children may require more than others for an equal and fair chance to enjoy and achieve.
- 4.6 Due regard and all decision makers have a general responsibility to have “due regard” when making a decision or taking an action and must assess whether it may have particular implications for people with particular protected characteristics.





#### 4.7 All staff are expected to:

- promote an inclusive and collaborative ethos in their classroom;
- deal with any prejudice-related incidents that may occur;
- plan and deliver curricula and lessons that reflect the principles in section 2 above;
- support learners in their class for whom English is an additional language;
- keep up-to-date with equalities legislation relevant to their work.

### 5. **Admissions**

The academy's admissions arrangements are fair and transparent and do not discriminate against learners by treating them less favourably on the grounds of their sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity.

### 6. **Behaviour, exclusions and attendance**

The academy's Behaviour Management Policy takes full account of the new duties under the Act. The academy is aware of the reasonable adjustment duty for disabled learners which is designed to improve access and participation to the level of non-disabled learners and stop disabled children being placed at a disadvantage compared to their non-disabled peers. Reasonable, appropriate and flexible adjustment is made for learners with a disability. Data on exclusions and absence from school is monitored closely for evidence of over-representation of different groups and action is taken promptly to address concerns.

### 7. **The curriculum**

As part of its work to promote equality, the academy aims to ensure that within its educational provision young people are offered opportunities to:

- understand and celebrate equality and diversity in all its forms;
- learn about racial equality in a variety of curriculum areas;
- develop an understanding of global citizenship; understand the power of language particularly relating to verbal abuse due to race, disability, sexual orientation or social standing;
- develop an understanding of their rights, the rights of others, and their responsibilities to each other;
- develop an understanding and appreciation of other religious beliefs and cultures;



- recognise and challenge prejudice and discriminating attitudes and behaviour;
- develop emotionally and intellectually with the personal qualities and attributes required to make a successful life in a diverse society.

## **8. Examination access arrangements and reasonable adjustments**

The academy has a designated Learner Support Team who, along with the Data & Examinations Officer, ensure that all learners requiring an examination arrangement are catered for. Guidance is taken from the JCQ booklet *Adjustments for Candidates with Disabilities and Learning Difficulties*.

## **9. Addressing prejudice and prejudice related bullying**

9.1 The academy is opposed to all forms of prejudice which stand in the way of fulfilling the legal duties referred to in section 1:

- prejudices around SEND;
- prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example anti-Semitism and Islamophobia, and those that are directed against Travellers, migrants, refugees and people seeking asylum;
- prejudices reflecting sexism and homophobia.

9.2 A record is kept of prejudice-related incidents and, if requested, a report is provided to the local authority about the numbers, types and seriousness of prejudice-related incidents at the academy and how they are dealt with.

## **10. Disability Access Plan**

The Disability Access Plan is designed to increase the extent to which learners with a disability can participate in the curriculum and to improve the physical environment and the availability of accessible information to disabled learners. The academy will supply auxiliary aids and services as reasonable adjustments where these are not supplied through Education, Health and Care Plans.

## **11. Staff recruitment and career development**

The Principal ensures that all appointment panels give due regard to this policy so that no one is discriminated against when it comes to employment, promotion or training opportunities. All staff, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.



## **12. Breaches of the Equalities Policy**

Where possible, breaches of this policy will be dealt with in a manner appropriate to the level of the breach, and with the intention of bringing about the relevant changes. More serious breaches of this policy will be dealt with in accordance with relevant procedures for learners and staff. Where safeguarding issues come to the attention of the academy these will be dealt with according to child protection procedures.

## **13. Equality impact assessment**

The academy takes seriously the need to consider the equality implications when developing and reviewing any policy or procedure and when making significant decisions about the day today life of the academy.

## **14. Equality Objectives**

The objectives which are identified represent the academy's priorities and are the outcome of a careful review of and analysis of data and other evidence. They also take into account national and local priorities and issues.

The Equality Objectives for 2020/21 are to:

- (a) Raise attainment of learners in receipt of Pupil Premium.
- (b) Increase the number of female learners applying to attend the academy).
- (c) Run PSHEE sessions relating to race and culture.
- (d) Deliver staff training in relation to ASD to promote further integration of these learners.

## **15. Monitoring, evaluation and review**

- 15.1 The academy collects, studies and uses quantitative and qualitative data relating to the implementation of this policy, and makes adjustments as appropriate.
- 15.2. In particular, the academy collects, analyses and uses data in relation to achievement, broken down as appropriate according to free school meals, disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin and national status; and gender.
- 15.3 The Governing Board will endeavour to ensure that all relevant policies reflect the academy's commitment to the principles of equality and that this commitment is reflected clearly in all its work.



- 15.4 All policies, functions and strategies are regularly monitored, reviewed and evaluated for their effectiveness in promoting equality.
- 15.5 As further equality requirements come into force, policies, functions and strategies will be monitored, reviewed and evaluated for their effectiveness in fulfilling the requirements of new legislation.
- 15.6 Outcomes of monitoring and assessment will be reported to the Governing Board and other key partners. Members of the academy community will be kept informed of equality and diversity initiatives being undertaken.

**Related policies/procedures:**

Anti Bullying Policy; British Values/PSHE/SMSC Policy; Disability Access Plan; SEND Policy

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