



## Equality Policy

### 1. Rationale and Aim

Samuel Whitbread Academy (SWA) is committed to ensuring equality of education and opportunity for all of its students, their staff, parents and carers, irrespective of race, gender, disability, religion and belief, or socio-economic background. SWA aims to develop a culture of inclusion and diversity in which all those connected to the Academy feel proud of their identity and are able to participate fully in Academy life.

SWA aims to tackle discrimination by the positive promotion of equality, challenging bullying and discrimination, and placing equality at the heart of its values. SWA also aims to make diversity a strength, which should be respected and celebrated by all those who learn, teach and visit the Academy.

### 2. Policy

SWA operates equality of opportunity in its day-to-day practice bound by the following legislation.

#### Equality and the law

The Disability Equality Duty (2005), Equality Act (2006) and the Equality Act (2010) place duties on school that must be met.

#### Public Sector Equality Duty

The Equality Act 2010<sup>1</sup> introduced a single Public Sector Equality Duty, which applies to public bodies, school including both LA maintained and Academies. The school must have due regard of the need to:

- Eliminate discrimination and other conduct that is prohibited by the act;
- Advance equality and opportunity between people who share a protected characteristic and people who do not share it;
- Foster good relationships across all characteristics, between people who share a protected characteristic and people who do not share it.

Annual objectives are set in the accessibility plan and also recorded in the SEND Information Report., which can be found on the school website.

Under the Equality Act 2010, it is unlawful to discriminate against someone by treating them less favourably on the basis of a 'protected characteristic.' The protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2010/15/part/11/chapter/1>

A person's age is a protected characteristic in relation to employment, and in regard to the provision for goods and services. However, this does not apply to students within their education establishment. Therefore, SWA is free to arrange students in classes based on their age group with materials appropriate to them.

Having due regard in this context means that SWA will:

- remove or minimise any disadvantage suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- tackle prejudice, and
- promote understanding

Compliance with the duties may involve treating some persons more favourably than others; but not to the extent that it would permit conduct that would otherwise be prohibited under the Equalities Act.

### **Admissions and exclusions**

Bedfordshire Schools' Trust (BEST) admissions arrangements are fair and transparent, and do not discriminate on protected characteristics<sup>2</sup>. These arrangements can be found on the BEST website.

Exclusions always follow SWA's Behaviour Policy. SWA closely monitors exclusions to avoid any potential indirect bias

### **Teaching and learning**

SWA aims to provide all students with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, the Academy will:

- Ensure equality of access for all students and prepare them for life in a diverse society;
- Have high expectations and aspirations for all students.
- Monitor achievement data by ethnicity, gender and disability and action any gaps in achievement and progress
- Take account of the achievement of all students when planning for future learning and setting challenging targets;
- Use materials that reflect the diversity of the Academy, population and local community in terms of race, gender and disability, without stereotyping;
- Promote attitudes and values that will challenge discriminatory behaviour or prejudice;
- Provide opportunities for students to appreciate their own culture and celebrate the diversity of other cultures;
- Seek to involve all parents in supporting their child's education;
- Encourage discussion of equality issues which reflect on social stereotypes
- Include teaching and classroom-based approaches appropriate for the whole academy population, which are inclusive and reflective of students.
- Use contextual data to improve the ways in which support is provided to individuals and groups of students;

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<sup>2</sup> As defined by s149 of the Equality Act, 2010

## **Race Equality**

The definition of race includes colour, nationality and ethnic or national origins<sup>3</sup>.

## **Disability**

This section should be read in conjunction with SWA's Special Educational Needs Policy and Accessibility Plan, which can be found on the school website.

The Equality Act 2010 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'.

## **Gender Identity**

Gender Equality Duty 2006 places a general and specific duty on schools to eliminate unlawful discrimination and harassment on the grounds of gender and to promote equality of opportunity between female and male students and between women and men, including transgender people. A Transgender person has a gender identity or gender expression that differs from their assigned or biological sex.

SWA will actively seek to

- Promote equality between genders.
- Eliminate unlawful discrimination and harassment on grounds of sex and gender reassignment;

## **Sex Discrimination (Gender Reassignment) Regulations 1999**

Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, school and vocational training.

Less favourable treatment relating to absences arising from gender reassignment is unlawful if:

- the treatment is less favourable than if it had been due to sickness or injury
- the treatment is less favourable than if it had been due to some other cause and, having regard to the circumstances of the case, it is reasonable not to be treated less favourably.

Less favourable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

## **Discrimination**

The Equality Act 2010 states that a school must not discriminate against a student because of their Transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible school uniform rule which offers no "unisex" options such as trousers for girls, and which would therefore create a particular difficulty for a female to male student.

## **Sexual Orientation**

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.

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<sup>3</sup> As defined by part 2, ch1, s9, Equality Act, 2010

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 students and treatment of students.

### **Consultation and involvement**

It is a requirement that the development of this policy has been informed by the input of staff, students and parents/carers. SWA have achieved this by using the following:

- Feedback from the parent questionnaires, parents' evening, parent forum meetings;
- Input from staff surveys or through staff meetings / INSET;
- Feedback from the school leadership group, lessons, whole school student wellbeing surveys
- Feedback at Governing Body Meetings.

### **Roles and Responsibilities**

#### **The role of Governors**

The Local Governing Body have set out their commitment to equal opportunities and will continue to do all they can to ensure that the academy is fully inclusive to students, and responsive to their needs based on the protected characteristics.

The Governing Body seek to ensure that people are not discriminated against when applying for jobs on grounds of the protected characteristics – refer to HR Equal Opportunities Policy which can be obtained by contacting the school HR office. The Governors 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 students.

The Governors welcome all applications to join the academy, whatever a student's socio-economic background, race, gender or disability.

The Governing Body ensures that no student is discriminated against whilst in the academy because of their race, sex or disability, gender, religion and belief or the fact that they are pregnant or are undergoing gender reassignment.

#### **The role of the Principal (or senior leader responsible for Equalities)**

The Principal promotes 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 Principal treats 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 students are treated fairly, equally and with respect, and will maintain awareness of the Academy's Equality 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 any prejudice and discrimination, including, but not limited to, racism, transphobia, disability discrimination or homophobia, and record any serious incidents, drawing them to the attention of the Principal.

Teachers support the work of support staff and encourage them to intervene in a positive way against any discriminatory incidents.

### **Tackling discrimination**

Harassment or victimisation because of any of the protected characteristics is unacceptable and is not tolerated within the Academy environment.

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 student's individual circumstances.

Staff and Governors should be aware of both direct and indirect discrimination and understand the differences:

- Direct discrimination occurs when one person treats another less favourably because of a protected characteristic.
- Indirect discrimination occurs when a 'provision, criterion or practice' is applied generally but has the effect of putting people with a particular characteristic at a disadvantage.

Racist and homophobic incidents and other incidents of harassment or bullying are dealt with by the member of staff present, escalating to a senior member of staff where necessary. All incidents are reported to the Principal and racist incidents are reported to the Governing Body and Local Authority on a termly basis.

### **What is a discriminatory incident?**

Harassment is defined in the Equality Act 2010 as "unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person's dignity or an intimidating, hostile, degrading, humiliating or offensive environment for that person".

Victimisation occurs when a person is treated less favourably, than they otherwise would have been because of something they have done ("a prohibited act") in connection with the Act e.g. making an allegation of discrimination.

### **Types of discriminatory incident**

Types of discriminatory incidents that can occur are:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender identity;
- Use of derogatory names, insults and jokes;
- Racist, sexist, homophobic, transphobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic, transphobic 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 identity 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 identity, disability or sexual orientation.

### 3. Procedure

#### Changing/Toilet Facilities

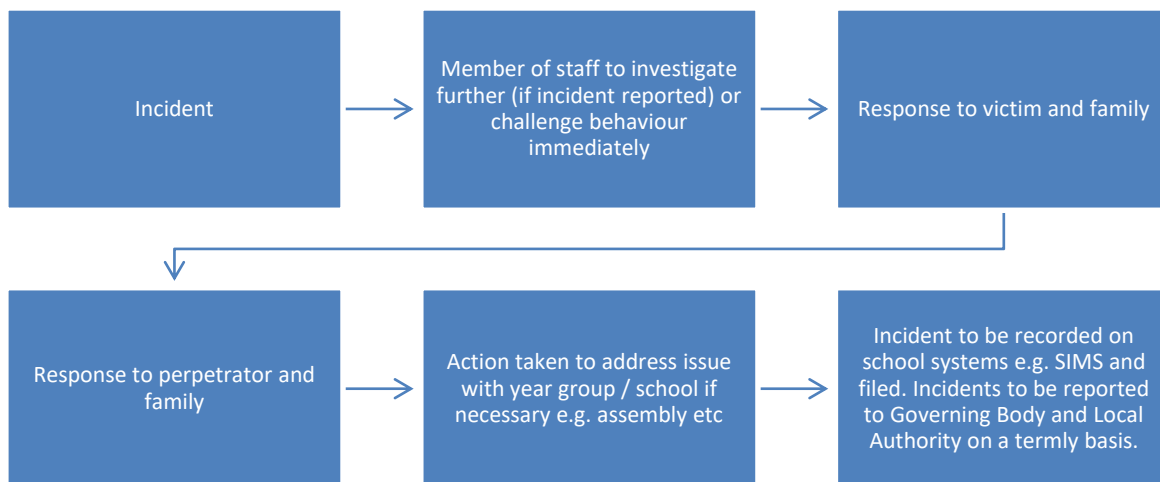
There is provision at the Academy for unisex toilets. Students will be able to use these facilities, which have been labelled sensitively and appropriately. The academy has conducted an audit of the appropriateness of the facilities which is available upon request.

#### Academy Uniform

All students will be expected to follow the Academy Uniform Policy, which covers uniform, make-up and jewellery. There is a generally broad range of uniform available for all genders.

#### Responding to and reporting incidents

It should be clear to students and staff how they report incidents. Any incident can be reported to any member of staff, and staff are expected to follow the steps outlined in the behaviour and/or safeguarding policy with regards to passing the information on to relevant senior leadership. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole academy.



### 4. Links to Other Policies

Behaviour Policy  
Safeguarding Policy  
SEND Policy  
Uniform Policy  
Equal Opportunities Policy for HR and recruitment.

### 5. Monitoring and Evaluation

The Academy makes regular assessments of students' learning and use this information to track student progress. As part of this process, achievement by ethnicity, gender and disability are regularly monitored to ensure that all groups of students are making the best possible progress, and take appropriate action to address any gaps.

### 6. Implementation and Review

The information that demonstrates how the Academy is complying will need to be published at least annually. Publication of information in future years should include evidence of the progress

made. The information released does not simply have to be statistical data but can for example include minutes from Governing Body Meetings that demonstrates progress.

This policy will be made known to all staff, parents/carers and governors, and published on the Academy website. Copies are also available upon request from the academy office.

**7. Author and Date**

Thomas Rowell (Assistant Principal) / Mark Gibbs (Associate Principal) – February 2016

Updated BEMAT SEND – June 2016

Updated (TR) – November 2018