



# Equality Guidance

The Samuel Whitbread Academy Equality guidance has been written in line with the Bedfordshire Schools Trust (BEST) Equality policy.

## 1. Guidance relating to school policies

### Admissions and Exclusions

Bedfordshire Schools Trust (BEST) admissions arrangements are fair and transparent, and do not discriminate on protected characteristics<sup>1</sup>.

Exclusions always follow SWA's Behaviour Policy. SWA closely monitors exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

### Teaching and Learning

SWA aims to provide all students with the opportunity to achieve and excel, and reach their potential. 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 address 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, sexuality and disability, without stereotyping in our teaching resources, promotional materials, including the website and prospectus.
- Taking positive steps to decolonise the curriculum (so ALL of our students see themselves represented in the curriculum via deliberate representation).
- Promote attitudes and values that will challenge discriminatory behaviour or prejudice in assemblies and tutor time activities, as well as our notice board, displays and social media.
- 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, diversity and inclusion issues which reflect on social stereotypes through our curriculum delivery.
- Include teaching and classroom-based approaches appropriate for the whole academy population, which are inclusive and reflective of all our students.
- Use contextual data to improve the ways in which support is provided to individuals and groups of students.

### Race Equality

The definition of race includes colour, nationality and ethnic or national origins<sup>2</sup>.

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<sup>1</sup> As defined by s149 of the Equality Act, 2010

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

## **Disability**

This section should be read in conjunction with SWA's Special Educational Needs Policy and Accessibility Plan.

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**

The Equality Act 2010 states that sex discrimination is when a person is treated differently because of their sex. Direct discrimination happens when, because of one's sex, someone treats them worse than someone of the opposite sex who is in a similar situation for example: boys' sports teams receiving rewards and praise of a higher value and status to that of girls' sports teams. Indirect discrimination happens when an organisation (school) has a particular policy or way of working that puts a person at a disadvantage because of their sex. For example: field and court space being designated to football and rugby which may indirectly benefit boys' sports over girls.

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 / Religion or belief**

The Equality Act 2010 made provision for regulations to be introduced to extend protection against discrimination on grounds of religion or belief to sexual orientation.

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.

Individuals, in relation to religious belief, or lack thereof, will not be discriminated against.

SWA will actively seek to:

- Promote understanding of religions and belief
- Recognise the positive contribution that religion / belief can make to our school community

### **Fostering and Adoption**

Students who are undertaking the Foster to Adopt and/or adoption process within school will be made to feel safe and secure in their own identity and the identity of their family. Staff will acknowledge that family is created via different means and will not exclude or make a student feel uncomfortable/ insecure through the implication of ‘real’ family deriving from ‘birth’. Staff will be sensitive when dealing with change of status of carer to parent and with change in name upon completion of adoption. Absence due to contact will be dealt with sensitively.

### **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”.

Harassment is the same for all the protected characteristics. It is when someone makes a person feel humiliated or degraded. Sexual harassment is when a person is humiliated or degraded because they have been treated in a sexual way. This is known as ‘unwanted conduct of a sexual nature’ and covers verbal and physical treatment such as sexual comments or jokes, touching, sending communication of a sexual nature or posting pornographic images. It also includes when someone is treated unfairly because they refused to put up with sexual harassment.

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, sex 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;
- sexual harassment: unwanted sexual conduct including sexual comments, jokes, touching, sending images of a sexual nature
- Bringing discriminatory material into school;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully due to victim’s race, disability, sex, 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.

## **2. Guidance relating to 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.

## 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 and non-gender specific.

## 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.



## Monitoring of incidents

All logged incidents will be monitored and reviewed via SWA school systems and the data will be used to inform how to improve practices and or policy.

## Publishing of Objectives

SWA will monitor objectives and share all progress made annually. The LGB will review the objectives and progress made annually, and the progress will be published in the form of update on the SWA school website.

## 3. Author and Date

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Date ratified by Principal - July 2021

Next review date – June 2022