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## EQUALITY POLICY

*adopted by*

**St John's C of E Middle School**

2021 – 2022



This policy is reviewed/updated by A Salsano and is approved by the Trust and adopted by the Trust's schools

Reviewed: December 2021

Next Review: December 2022



## **Mission Statement**

At the Spire Church of England Learning Trust we believe that we are all equal before God and are committed to ensuring equality of education and opportunity for all students, staff, parents/carers, irrespective of race, gender, disability, religion and belief, or socio-economic background. We aim to develop a culture of inclusion, acceptance and diversity in which all those connected to the school feel proud of their identity and able to participate fully in school life.

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

## **1. INTRODUCTION**

This policy outlines The Spire Church of England Learning Trust's (the Trust) approach to ensuring equality for all, under one umbrella, to ensure that those with protected characteristics are not discriminated against and are given equality of opportunity.

A protected characteristic under the Act covers the groups listed below:

- Age (for employees not for service provision)
- Disability (Please see Appendix 2)
- Race
- Sex (including issues of transgender)
- Gender reassignment
- Maternity and pregnancy
- Religion and belief
- Sexual orientation
- Marriage and Civil Partnership (for employees)

## **2. LEGAL DUTIES**

As a Trust we welcome our duties under the Equality Act 2010. These duties are to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.

- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The Equality Act 2010 replaces all previous, separate equality laws including the Disability Discrimination Act, Race Relations Act and others. It simplifies the law by removing anomalies and inconsistencies, and extends protection against discrimination in certain areas. The Act covers all aspects of school life with how its Children and Young People (C&YP), prospective C&YP, parents, carers and members of the local community are treated.

Equality means treating people fairly, with respect, having regard for rights and wishes. We understand the principal of the act and the work needed to ensure that those with protected characteristics are not discriminated against and are given equality of opportunity.

In order to meet our general duties, listed above, the law requires us to carry out some specific duties to demonstrate how we these are met. These are as follows:

- Publish equality information – to demonstrate compliance with the general duty across its functions (We will not publish any information that can specifically identify any child).
- Prepare and publish equality objectives.

To do this we will collect data related to the protected characteristics above and analyse this data to determine our focus for our equality objectives. The data will be assessed across our core provisions as a Trust and will include:

- Teaching and Learning
- Admissions
- Attendance
- Attainment
- Exclusions
- Prejudice related incidents

Our objectives will detail how we will promote equality in some or all of these areas. However, where we find evidence of significant inequalities for any particular group in other areas, we may include objectives to address these.

We also welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.

We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

In fulfilling our legal obligations, we will:

- Recognise and respect diversity.
- Foster positive attitudes and relationships, and a shared sense of belonging.
- Observe good equalities practice, including staff recruitment, retention and development.
- Aim to reduce and remove existing inequalities and barriers.
- Consult and involve widely.
- Strive to ensure that society will benefit.
- Give due regard to non-statutory advice, including that found in the DfE departmental advice.
- for school leaders on the Equality Act.

#### **4. MAINSTREAMING EQUALITY INTO POLICY AND PRACTICE**

As well as the specific actions set out beneath this plan, the school operates equality of opportunity in its day to day practice in the following ways:

##### **4.1. Teaching and Learning**

We aim to provide all our pupils with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, we will:

- Use contextual data to improve the ways in which we provide support to individuals and groups of pupils.
- Monitor achievement data by ethnicity, gender and disability and action any gaps.
- Take account of the achievement of all pupils when planning for future learning and setting challenging targets.
- Ensure equality of access for all pupils and prepare them for life in a diverse society.
- 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 racist and other discriminatory behaviour or prejudice.
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures.
- Seek to involve all parents in supporting their child's education.
- Encouraging classroom and staffroom discussion of equality issues which reflect on social stereotypes, expectations and the impact on learning.

- Including teaching and classroom-based approaches appropriate for the whole academy population, which are inclusive and reflective of our pupils.

## 4.2. Admissions and Exclusions

The admissions arrangements in each Trust academy are expected to be fair and transparent, without discriminating on race, gender, disability, Special Educational Needs or socio-economic factors.

Exclusions are expected to be based on the academy's Behaviour Policy. We expect Trust academies to closely monitor exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

## 5. EQUAL OPPORTUNITIES FOR STAFF

This section deals with aspects of equal opportunities relating to staff in Trust academies. The Trust is 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 school reflects the diversity of our community.

### 5.1. Employer Duties

As an employer, the Trust is committed to ensuring the elimination of discrimination and harassment in our employment practice and to actively promoting equality across all groups within our workforce.

Equality aspects, such as gender, race, disability, sexual orientation, gender re-assignment and faith or religion are considered when appointing staff and particularly when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, to ensure decisions are free of discrimination.

Actions to ensure this commitment is met, can include:

- Monitoring recruitment and retention.
- Monitoring bullying and harassment of staff.
- Monitoring the gender pay gap.
- Continued professional development opportunities for all staff.
- Senior Leadership Team support to ensure equality of opportunity for all.

All protected characteristics, including age, are covered by the employment provisions of the Act.

The Trust and its schools, as the employer, is under the same duty to make reasonable adjustments in relation to disability for its employees, as with Children & Young People (C&YP)

The Trust and its schools may not enquire about the health of an applicant for a job, until the offer of the job has been made, unless the questions are specifically related to an intrinsic function of the work. The Trust and its schools must comply with both the Health Standards Regulations and Section 60 of the Equality Act.

## 6. ROLES AND RESPONSIBILITIES

We believe that promoting equality is the responsibility of the Trust and its schools as a whole.

Community	Responsibility
Board of Directors	Evaluate how well the Trust is already achieving the three aims of general duty. Develop, monitor and review this Equality Policy.
Executive Headteacher (CEO)	Responsible for updating policy and ensuring all academies within the Trust adhere to this. Resolve any breaches of this policy as soon as they come to light. Report to the Board where appropriate.
Local Governing Body	Evaluate how well the individual academy is already achieving the three aims of general duty. Monitor the implementation of this Equality Policy. Report to the Board of Directors through the Headteacher/Executive Headteacher(CEO)
Headteacher / Head of School	As above including: Promoting key messages to staff, parents, C&YP about equality and what is expected of them and can be expected from the academy in carrying out its day to day duties. Ensuring that the academy community receives appropriate training to meet the need of delivering equality, including student awareness. Ensure that all staff are aware of their responsibility to report and record prejudice related incidents.

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Leadership Team	To support the Headteacher as above. Ensure fair treatment and access to services and opportunities. Ensure that all staff are aware of their responsibility to report and record prejudice related incidents.
Teaching Staff	Help in delivering the right outcomes for C&YP. Design and deliver an inclusive curriculum. Uphold the commitment made by the Headteacher on how C&YP, parents / carers, staff and the wider community can be expected to be treated. Support colleagues within the academy. Be aware of the responsibility to report and record prejudice related incidents.
Support Staff	Support the academy, Local Governing Body and Board of Directors in delivering a fair and equitable service to all stakeholders. Uphold the commitment made by the Headteacher on how C&YP, parents / carers, staff and the wider community can be expected to be treated. Support colleagues within the academy. Be aware of the responsibility to report and record prejudice related incidents.
Parents	Take an active part in identifying barriers for the academy community and in informing the Local Governing Body of actions that can be taken to eradicate these. Take an active role in supporting and challenging the academy to achieve the commitment made in tackling inequality and achieving equality of opportunity for all.
C&YP	Supporting the academy to achieve the commitment made to tackling inequality. Uphold the commitment made by the Headteacher on how C&YP, parents / carers, staff and the wider community can be expected to be treated.
Local Community	Take an active part in identifying barriers for the academy community and in informing the Local Governing Body of actions that can be taken to eradicate these. Take an active role in supporting and challenging the academy to achieve the commitment made in tackling inequality and achieving equality of opportunity for all.

## 7. ADDRESSING PREJUDICE RELATED INCIDENTS

The Trust and its academies are opposed to all forms of prejudice and we recognise that Children and Young People (C&YP) who experience any form of prejudice related discrimination may fair less well in the education system. The Trust Whistleblowing Policy provides guidance on reporting concerns that may arise and this includes acts of prejudice towards any pupil, student or member of staff. If incidents occur we address them immediately, record and report them appropriately.

## 8. TACKLING DISCRIMINATION

Harassment on account of race, gender, disability or sexual orientation is unacceptable and is not tolerated within the school 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 pupil's individual circumstances.

Racist and homophobic incidents and other incidents of harassment or bullying should be addressed by the member of staff present, escalating to a class teacher / Headteacher where necessary. All incidents should be immediately reported to the Headteacher and racist incidents are reported to the Local Governing Body on a termly basis.

### 8.1. What is a Discriminatory Incident?

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socioeconomic status, can take many forms including verbal or physical abuse, name calling, exclusion from groups and games, unwanted looks or comments, jokes and graffiti.

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'.

### 8.2. 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;
- 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 school;
- 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.

### 8.3. Responding to and Reporting Incidents

It should be clear to pupils and staff how they report incidents. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.

The governing body expects all members of the school community to be committed to this policy, and that visitors will comply with it. It accepts responsibility for ensuring that this policy is implemented in every aspect of school life. If there is a breach of the policy, the school will take appropriate action. This may include the following.

In the case of students breaching the policy:

- staff dealing with the incident will complete an incident report form
- the perpetrator will be dealt with in accordance with the Behaviour Policy
- the consequences of any further breach of conduct will be clearly stated with the ultimate sanction of exclusion.

In the case of staff breaching the policy the relevant procedures outlined in the 'Staff discipline, conduct and grievance Policy' will be instigated.

In the case of parents/carers, visitors or contractors breaching the policy they will be reminded of the school's commitment to equality and asked to desist, and further incidents may lead to individuals being requested to leave school premises.

Serious breaches constitute criminal offences and will be reported to the relevant authorities.

## 9. REVIEW OF PROGRESS AND IMPACT

The Plan has been agreed by the Trust Board of Directors. All policies are reviewed on a rolling programme in line with legislative requirements, we will review progress against our Equality Plan annually and review the entire plan and accompanying action plan on a three year cycle.

We make regular assessments of pupils' learning and use this information to track pupil progress. As part of this process, we regularly monitor achievement by ethnicity, gender and disability, to ensure that all groups of pupils are making the best possible progress, and take appropriate action to address any gaps.

## 10. PUBLISHING THE PLAN

In order to meet our statutory duty, this Plan will be published on the Trust website and shared with each academy within the Trust.

## 11. ACTION PLAN

Equality Strand	Action	How will the impact of the action be monitored?	Who is responsible for implementing?	What are the time frames?	Early success indicators
All	<p>Publish and promote the Equality Plan through the Trust website.</p> <p>Each academy to publish the Equality Plan on their academy website.</p>	Noting staff and parent awareness of principles of the Equality Plan	Executive Headteacher(CEO)/ Headteacher / Designated Member of staff	Ongoing	<p>Staff are familiar with the principles of the Equality Plan and use them when planning lessons, creating class room displays.</p> <p>Parents are aware of the Equality Plan.</p>
All	Monitor and analyse pupil achievement by race, gender and disability and act on any trends or patterns in the data	Achievement data analysed by race, gender and disability.	Headteacher / Governing Body	Termly progress reviews	Analysis of teacher assessments / annual data demonstrates the gap is narrowing for equality groups.
	that require additional support for pupils.				
All	Ensure that the curriculum promotes role models and heroes that young people positively	Increase in pupils' participation, confidence and	Headteacher / SLT	September 2019 onwards	Curriculum reflects principles of the Equality Plan

	identify with, which reflects the school's diversity in terms of race, gender and disability.	achievement levels			
Equality Strand	Action	How will the impact of the action be monitored?	Who is responsible for implementing?	What are the time frames?	Early success indicators
All	Ensure that displays in classrooms and corridors promote diversity in terms of race, gender and ethnicity.	Increase in pupil participation, confidence and positive identity monitor through PSHE	Headteacher	September 2019 onwards	More diversity reflected in school displays across all year groups
All	Ensure all pupils are given the opportunity to make a positive contribution to the life of the school e.g. through involvement in the School Council by election or cooption), class assemblies, fund raising, pot of fairness, etc.	School council representation monitored by race, gender, disability	Member of staff leading on school council	September 2019	Key school roles are shared fairly among pupils
All	Ensure reward systems for Behaviour , attendance, effort and achievement do not discriminate on any covered by the protected characteristics or on grounds	Review of award systems / celebration events.	Executive Headteacher(CEO) / Headteachers / Designated Member of Staff	Ongoing	Reward systems are fair and proportionate and do not discriminate on any covered by the protected characteristics or on grounds of ill

	of ill health				health
Equality Strand	Action	How will the impact of the action be monitored?	Who is responsible for implementing?	What are the time frames?	Early success indicators
Race Equality Duty	Identify, respond and report racist incidents as outlined in the Plan. Report the figures to the Local Governing body / Local Authority on a termly basis.	The Headteacher / Local Governing body will use the data to assess the impact of the school's response to incidents i.e. have whole school / year group approaches led to a decrease in incidents, can repeat perpetrators be identified, are pupils and parents satisfied with the response?	Headteacher / Local Governing body	Ongoing	Teaching staff are aware of and respond to racist incidents  Consistent nil reporting is challenged by the Governing Body
Gender Equality Duty	Introduce initiative to encourage girls to take up sport outside the curriculum requirements, and boys to take up dance to make	Noticeable participation of girls and boys in sports clubs and out of	Member of staff leading on Sports / PE	Ongoing	More girls and boys take up after-school sports clubs

	participation rates more reflective of the school population.	school sport activities			
Equality Strand	Action	How will the impact of the action be monitored?	Who is responsible for implementing?	What are the time frames?	Early success indicators
Disability Equality Duty	Children with disabilities can take part in all aspects of the curriculum, including educational visits and journeys; lunchtime activities; PE and dance and assemblies	Monitoring involvement of children with disabilities	SEND Coordinator	Ongoing	Children with disabilities clearly taking part in all aspects of school life
Community cohesion	Celebrate cultural events throughout the year to increase pupil awareness and understanding of different communities e.g. Diwali, Eid, Christmas.	PSHE assessments	Member of staff leading on PSHE	Ongoing	Increased awareness of different communities shown in PSHE assessments

## APPENDIX 1 – DEFINITIONS

**Direct discrimination** – occurs when a person treat another person differently than they would treat another person because of a “protected characteristic”.

**Indirect discrimination** – can occur when a school applies a “provision, criterion or practice” e.g. what is felt to be a general policy or practice (which puts C&YP sharing a protected characteristic at a particular disadvantage.

**Harassment** – the legal definition within the Act is “unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”.

**Victimisation** – occurs when a person is treated less favourably than they would otherwise have been because of something they have done (“a protected act”) in connection with the Act.

**Protected Act** – might involve making an allegation of discrimination, or bringing a case under the Act, or supporting another person’s complaint. The person is protected against retaliation, unless they were acting in bad faith.

**Protected Characteristics** - people from the groups listed below are known to experience discrimination more often than other people in society. They are now protected in law from being treated unfairly:

- **Age** - in relation to employment, but not in relation to C&YP
- **Disability** – a person who has physical or mental impairment which affects their ability to carry out normal day-to-day activities.
- **Race** – a group of people defined by their race, colour, nationality, ethnic or national origins.
- **Sex** – male or female, including issues of transgender
- **Gender reassignment** – the process of changing from one gender to another.
- **Maternity and pregnancy** – being pregnant or expecting a baby; maternity refers to the period after the birth.
- **Religion and belief** – belief includes religious and philosophical beliefs including lack of belief.
- **Sexual orientation** – whether a person’s sexual attraction is towards their own sex, the opposite sex, or both sexes.
- **Marriage and Civil Partnership (for employees only)**

**Positive Action** – new Positive Action provisions allow a school to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, C&YP with protected characteristics.

**Curriculum** – the content of the curriculum is explicitly excluded from discrimination law, but the delivery of the curriculum is explicitly included.

## APPENDIX 2 – DISABILITIES

Definition of Disability – the Act defines disability as when a person has a “physical or mental impairment which has a substantial and long term adverse effect on that person’s ability to carry out normal day to day activities”. Some specified medical conditions are considered as disabilities regardless of their effect.

### Reasonable adjustments and when they have to be made

The duty to provide reasonable adjustments applies only to disabled people and is summarised as follows:

- Where something an academy does places a disabled C&YP at a disadvantage compared to other C&YP, then the academy must take reasonable steps to try to avoid that disadvantage.
- An academy will be expected to provide an auxiliary aid or service for a disabled C&YP when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage (N.B. – the duty to provide auxiliary aids will not be introduced until a later date).

If an adjustment is reasonable, then it should be made, and there can be no justification for why it is not made. A school will not be expected to make adjustments that are not reasonable.

The Act does not set out what constitutes a reasonable adjustment, however, based on the circumstances of each case, a school may consider the financial, or other resources required for the adjustment, its effect on other C&YP, health and safety requirements and whether aids have been made available through the SEN route.

Special provisions for Disability – the law on disability discrimination is different from the Act in several ways. In particular, it works in only one direction. A school is allowed to treat disabled people more favourably than non-disabled C&YP by making reasonable adjustments to equalise their chances with non-disabled C&YP. The disability provisions in the Equality Act mainly replicate those in the former DDA. There are some differences:

- The Equality Act does not list the types of day to day activities which a disabled person must demonstrate that they cannot carry out.
- Failure to make reasonable adjustment can no longer be defended as justified.
- Direct discrimination against a disabled person can no longer be defended as justified.
- An academy is under a duty to provide auxiliary aids and services as reasonable adjustments where these are not supplied through SEN statements.

All academies within the Trusts must implement an Accessibility Plan and review it regularly.

Approved by the Board of Directors of The Spire CE Learning Trust for adoption by the LGBs

Chair of Trust : .....  
Mrs R. Shorter

Date: .....

Executive Headteacher(CEO): .....  
Mr. Geraint Roberts

Date: .....