

Trust Single Equality Policy



EQUALITY STATEMENT

Inspire Trust (“the Trust”) is proud to welcome a diverse population of both pupils/students and staff and we know that diversity is one of our greatest strengths. We commit to taking steps to ensure that every pupil/student and staff member feels that they belong and that they are a valued member of our learning community. We will actively seek out and encourage diverse ideas and will work hard to establish an inclusive environment that respects and embraces diversity. Our commitment to equality lies at the heart of all that we do and in order to promote and develop diversity, equity and inclusion we will:

- communicate our vision with all members of our learning community;
- provide training for all staff members in order to raise awareness and confidence;
- celebrate our diverse community in a variety of ways throughout the Trust year;
- clarify the procedure for reporting and recording alleged incidences of discrimination; and
- tackle all incidences of discrimination in an appropriate and swift manner.

We will not unlawfully discriminate against any staff member, student/pupil or job applicant on the basis of any ‘protected characteristic’, namely:

1. age;
2. disability;
3. gender reassignment;
4. marital or civil partner status;
5. pregnancy or maternity;
6. race (including colour, nationality and ethnic or national origin);
7. religion or belief;
8. sex; or
9. sexual orientation

Legal Duties

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Human Rights Act 1998
- Equality Act 2010;
- The Equality Act 2010 (Specific Duties) Regulations 2011;
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Protection from Harassment Act 1997

This policy operates in conjunction with the following Trust policies:

- Grievance Policy;
- Complaints Policy;
- Whistleblowing Policy;
- Dignity at Work Policy Statement and Procedures (this sits as an appendix to this policy, as the two policies are so intertwined);
- Disciplinary Policy and Procedure;
- Code of Conduct for Staff;
- Safer Recruitment Policy (and Guidance for Managers);
- Onboarding, Induction and Probationary Policy;
- Appraisal Policy; and
- Diversity, Equality and Inclusivity Policy for staff members

In addition, there are academy specific guides for pupils / students on behaviour and conduct that contain expectations on equality.

As a Trust we welcome our duties under the Equality Act 2010. The Act introduced a single Public Sector Equality Duty (“PSED”) which applies to the Trust.

The PSED means that, in carrying out our functions, we are required to have due regard for what is known as “General Duties” which are duties to:

- eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not share it
- foster good relations across all characteristics between people who share a protected characteristic and those who do not share it.

What “due regard” means in practice has been defined in case law as giving relevant and proportionate consideration to the duty.

The Trust also has “Specific Duties” as part of its PSED, which are duties to:

- Publish at intervals of no more than one year after the last publication date (either directly or through our statutory returns which are open to public scrutiny) information that shows how we meet the PSED.

- Publish at intervals of no more than four years after the last publication date at least one Equality Objective.

We will collect and assess data related to the protected characteristics defined above in a manner that is compliant with our obligations under UK GDPR and the Data Protection Act 2018 in order to determine our focus for our Equality Objectives. When complying with our PSED, we will not publish any information that can specifically identify any student/pupil, parent, carer, staff member or job applicant. The data will be assessed across all our core provision as a Trust. The data will include but is not limited to the following functions:

- Admissions.
- Attendance.
- Progress.
- Attainment.
- Exclusions.
- Prejudice related incidents.
- Recruitment.

Our Equality Objectives will usually detail how we will ensure equality is applied to the functions listed above, however, where we find evidence that other functions have a significant impact on any particular group we will include work in this area.

We understand our duties under the Equality Act 2010 and the work needed to ensure that those with protected characteristics are not unlawfully discriminated against and are given equality of opportunity.

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; and
- Strive to ensure that society will benefit from practices and behaviours embodied by the Trust.

Our Ethos

With a strong emphasis on respect for all, we forge effective and supportive relationships with both pupils and adults in our learning community. Together we maximise every opportunity to achieve success for all, inspiring pupils to achieve excellent academic progress.

Our Equality Ethos

Equality does not mean treating everyone the same, it means treating people fairly, with respect, having regard for their rights and wishes. Sometimes this means giving people extra help so they have the same chances.

Addressing Prejudice Related Incidents

The Trust is opposed to all forms of prejudice and we recognise that children and young people who experience any form of prejudice related discrimination may fair less well in the education system. We provide both our pupils and staff with an awareness of the impact of prejudice in order to prevent any incidents. If incidents still occur we address them immediately.

Responsibility

We believe that promoting Equality is the responsibility of everyone involved in the Trust:

Trust Community	Responsibility
Members, Trustees and Governors	<ul style="list-style-type: none"> ● Involving and engaging the whole school/college and Trust community in identifying and understanding equality barriers and in the setting of objectives to address these. ● Monitoring progress towards achieving equality objectives. ● Publishing data and publishing equality objectives
Headteacher / Principal	<p>In addition to the responsibilities of members, trustees and governors:</p> <ul style="list-style-type: none"> ● Promote key messages to staff, parents and pupils/students about equality and what is expected of them and can be expected from the school/college in carrying out its day to day duties. ● Ensure that all involved in the Trust receive adequate training or guidance to meet the need of delivering equality, including pupil awareness. ● Ensure that all staff are aware of their responsibility to record and report prejudice related incidents.
Senior Leadership Team	<p>In addition to supporting the Headteacher/Principal with their responsibilities:</p> <ul style="list-style-type: none"> ● Ensure fair treatment and access to services and opportunities. ● Ensure that all staff are aware of their responsibility to record and report prejudice related incidents.
Teaching Staff	<ul style="list-style-type: none"> ● Help in delivering the right outcomes for pupils/students. ● Uphold the commitment made to pupils/students and parents/carers on how they can be expected to be treated. ● Design and deliver an inclusive curriculum that recognises and respects diversity and fosters positive attitudes and relationships, and a shared sense of belonging. ● Ensure that you are aware of your responsibility to record and report prejudice related incidents.
Professional Support Staff	<ul style="list-style-type: none"> ● Support the school/college, Trust and the governing body in delivering a fair and equitable service to all stakeholders. ● Uphold the commitment made by the Headteacher/Principal on how pupils/students and parents/carers can be expected to be treated. ● Behave in a way that recognises and respects diversity and fosters positive attitudes and relationships, and a shared sense of belonging. ● Support colleagues within the school/college community. ● Ensure that you are aware of your responsibility to record and report prejudice related incidents.
Parents	<ul style="list-style-type: none"> ● Take an active part in identifying barriers for the Trust community and in informing the governing body of actions that can be taken to eradicate these barriers. ● Take an active role in supporting and challenging the Trust to achieve the commitment given to the community in tackling inequality and achieving equality of opportunity for all.
Pupils/Students.	<ul style="list-style-type: none"> ● Supporting the school/college and Trust to achieve the commitment made to tackling inequality. ● Uphold the commitment made by the Headteacher/Principal on how pupils/students and parents/carers, staff and the wider community can be expected to be treated.

Local Community Members	<ul style="list-style-type: none">• Take an active part in identifying barriers for the Trust community and in informing the governing body of actions that can be taken to eradicate these. Take an active role in supporting and challenging the Trust to achieve the commitment made to the community in tackling inequality and achieving equality of opportunity for all.
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We will ensure that the whole Trust community is aware of the Single Equality Policy and our published equality information and equality objectives by including them in all inductions: Pupils – Staff, Governor and other workers, volunteers and trainees and publishing them on our website.

Breaches

Breaches to this statement will be dealt with in the same ways that breaches of other Trust or School/College policies are dealt with, as determined by the Headteacher/Principal and Trust or Local Governing Body.

Equality briefings for governors, employees and other workers (Appendix 1) and for school/college council, pupils, parents and carers (Appendix 2) are provided as appendices to this policy.

Monitor and Review

Every three years, we will review our objectives in relation to any changes in our Trust profile. Our objectives will sit in our overall school/college improvement plans and therefore will be reviewed as part of this process.

Appendix 1

Equality Act 2010 Briefing – For Governors, Employees and Other Workers

What is the Equality Act 2010?

The Equality Act 2010 (“the Act”) is legislation which protects people from unlawful discrimination. It consolidated and updated previous, separate equality laws including the Disability Discrimination Act, Race Relations Act and many others.

Equality: does not mean treating everyone the same, it means treating people fairly, with respect, having regard for their rights and wishes. Sometimes this means providing additional assistance for people so they have the same chances.

Public Sector Equality Duty

Previous equality duties involved schools/colleges producing separate policies and action plans for race, disability and gender. The Act introduced a single equality duty for all public sector organisations including schools/colleges, this is known as the Public Sector Equality Duty (“PSED”).

The PSED requires all schools/colleges to show how they are meeting the aims of the Act by giving ‘due regard’ to the need to:

- **Eliminate Unlawful Discrimination**, harassment, victimisation and any other conduct prohibited by the Act.
- **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.

Schools and colleges can also have as part of their PSED, specific duties to:

- Publish at intervals of no more than one year after the last publication date information that shows how they meet their PSED.
- Publish at intervals of no more than four years after the last publication date equality objectives.

Protected Characteristics?

Colleges and schools cannot unlawfully discriminate against any employee, worker or job applicant because of any ‘protected characteristic’ namely:

- Age;
- Disability;
- Race (including colour, nationality and ethnic or national origin) =
- Sex;
- Gender reassignment;
- Maternity and pregnancy;
- Religion or belief;
- Sexual orientation; or
- Marriage and civil partnership status .

The protected characteristic of ‘Age’ applies to schools/colleges as employers and prospective employers, but not with regard to the treatment of pupils or prospective pupils.

What does this mean for Trust and governors?

The Act covers all aspects of school/college life which are to do with how it treats its pupils and prospective pupils, and their parents and carers; how it treats its employees and job applicants; and how it treats members of the local community.

Examples of areas where a school or college could unlawfully discriminate against a pupil/student can include (but is not limited to):

- Admissions.
- Provision of education.
- Access to any benefit, facility or service.
- Exclusions.

Types of Discrimination

Discrimination and Indirect Discrimination

Direct Discrimination occurs when a person treats another person differently than they treat or would treat another person because of a 'protected characteristic'.

Discrimination arising from disability can happen if a person is treated unfairly because of something that results from or is connected with their disability.

Example: A pupil with cerebral palsy who is a wheelchair user is told she will be unable to attend a school trip to a local theatre which is showing a play that she is currently studying in English. This is because the building is not wheelchair accessible. The pupil and her parents are aware that the play is also on at a theatre in a nearby city which is accessible but the school does not look into this option. This is likely to be discrimination arising from a disability.

Unlike all other protected characteristics, treating a disabled person more favourably than a non- disabled person, because of their disability, is allowed under the act.

¹Example: A school provides extra lessons to a disabled pupil who has missed lessons because of attendance at medical appointments relating to their disability.

Further Examples of Direct discrimination

Example 1: A teacher at a school lets children know that there will be football trials for the school football team. The teacher states that the trials will only be open to male pupils. A female pupil wishes to take part in the trials but is told that she cannot. This is the only football team in the school.

The teachers' actions mean that the female pupil has been treated less favourably because of the protected characteristic 'sex', and as a result this is unlawful direct discrimination.

Example 2: A pupil is unsuccessful in gaining a place at a Catholic primary school because his parents are a gay couple. This is direct 'sexual orientation' discrimination by association because of the boy's association with his parents.

Indirect Discrimination

Indirect discrimination can occur when a school applies what is felt to be a general policy or practice which puts pupils sharing a protected characteristic at a particular disadvantage.

Example of Indirect Discrimination: A school instigates a policy that no jewellery should be worn. A young woman of the Sikh religion is asked to remove her Kara bangle in line with this policy, although the young woman explains that she is required by her religion to wear the bangle. This could be unlawful indirect discrimination on the grounds of religion and belief.

Victimisation

Victimisation is treating someone less unfavorably because they have alleged discrimination or asserted their right not to be discriminated against because of a protected characteristic.

Harassment

Harassment is unwanted conduct related to a protected characteristic, which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for someone or violating their dignity. Harassment may also be of a sexual nature. It may also occur where someone harasses the victim, the victim either rejects or submits to the harassment and, because of that rejection or submission, that person then treats the victim less favourably.

Discrimination arising from disability

This is the unfavourable treatment of a person who is considered to have a disability under the Act because of something arising in consequence of their disability. Such treatment is unlawful unless it can be objectively justified.

Duty to make reasonable adjustments

If a person has a disability under the Act, there is a duty to make reasonable adjustments, this duty comprises three requirements, each of which arises where a disabled person is at a substantial disadvantage in relation to a 'relevant matter':

1. the first is a requirement, where a provision, criterion or practice puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage;

2. the second is a requirement, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage; and
3. the third is a requirement, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.

Briefing for School Councils, Parents/Carers and Pupils

What is the Equality Act 2010?

The Equality Act 2010 protects people who have a Protected Characteristic (as defined below) from unlawful discrimination.

Equality: does not mean treating everyone the same, it means treating people fairly, with respect, having regard for their rights and wishes. Sometimes this means providing additional assistance for people so they have the same chances.

Public Sector Equality Duty

Public authorities and some other bodies have a duty under the Equality Act 2010 called 'Public Equality Sector Duty'. This includes schools and colleges.

Public Sector Organisations: These are organisations which provide a service to the public and include: local councils, schools, colleges, police, fire and rescue, hospitals and many more.

The Public Sector Equality Duty requires all relevant bodies including schools and colleges to have due regard to:

- Eliminate Unlawful Discrimination (**stop people being treated unfairly**)
- Advance Equality of Opportunity (**help to make society a fairer place for everyone**)
- Foster Good Relations (**learn about, share and celebrate other people's differences**)

All schools will be expected to show how they engage with different groups of people, in particular people from the following groups who are known in law as those with 'Protected Characteristics':

- Age;
- Disability;
- Race (including colour, nationality and ethnic or national origin);
- Sex;
- Gender reassignment;
- Maternity and pregnancy;
- Religion or belief;
- Sexual orientation; or
- Marriage and civil partnership status.

Protected characteristics: People from the groups listed above are known to experience discrimination more often than other people in society. We use the words 'protected characteristics' to make it clear that people from these groups are protected in law from being treated unfairly.

As a school/college council, pupil, parent or carer, you can take an active part in supporting the school/college in meeting their public sector duty and ensuring that your school/college benefits all pupils and the school community fairly and equally.

Should you require any further help, or would like to talk to someone further about the information contained within this briefing or the questions then please feel free to contact: Lawrence Youel, Trust Head of HR at l.youel@inspiretrust.uk