



Cabot
Learning
Federation



Equality Policy: The Equality Duty

Version 1.0	May 2017
Review Date	October 2016
Version 2.0	May 2018
Review Date	May 2022

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1 Rationale

In response to The Equality Act 2010 and The Equality Duty, this policy takes many of the principles and practices outlined in Bristol Metropolitan Academy's previous Staff and Students' Disability Policy, Equal Opportunities Policy and Race Equality Policy, adding to them additional principles and practices that demonstrate a fuller understanding of equalities duties as a public sector organisation. In the spirit of The Equality Duty, this policy's aim is to provide a focused, intelligent and balanced approach to ensuring equality for all within our organisation. The Equality Duty is a duty on public bodies and others carrying out public functions. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, in delivering services, and in relation to their own employees.

The new Equality Duty supports good decision-making – it encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of our activities on different people, and how inclusive public services can support and open up people's opportunities, Bristol Metropolitan Academy is better placed to deliver policies and services that are efficient and effective.

In some circumstances this will require positive action and this will be applied fairly, though not necessarily equally. The Equality Duty does not require public bodies to treat everyone the same; rather it requires us to think about people's different needs and how these might be met. Neither does it require us to make services homogeneous or to try to ignore differences between people; the focus is upon making informed, intelligent decisions that allow diversity to be accommodated and celebrated, allowing individuals equality of opportunity and, where possible, of experience.

The new Equality Duty replaces the three previous public sector equality duties – for race, disability and gender. The new Equality Duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – this includes lack of belief
- sex
- sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

The new Equality Duty is designed to reduce bureaucracy while ensuring public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It requires Bristol Metropolitan Academy to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies – such as in how they act as employers; how

they develop, evaluate and review policy; how they design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics;
- meet the needs of people with protected characteristics; and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

2 Aims

At Bristol Metropolitan Academy we are committed to tackling discrimination, promoting equality of opportunity and good race relations and to providing an environment which encourages all students and staff to develop her or his talents and abilities to the full regardless of race, age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality) religion or belief (including lack of belief), sex or sexual orientation.

The aims of the Academy are the same for ALL students and staff.

We aim to provide a rich education for all students and take pride in and celebrate their success. We recognise the need to celebrate cultural diversity. Our approach is inclusive, recognising it as every student's right to a broad and balanced curriculum and to have access to the opportunities provided by the Academy. The same also applies to the professional and career development opportunities for staff.

Incidents of discrimination will be dealt with via the Academy's Sanctions and disciplinary policies outlined in the Behaviour Management guidelines.

3 Principles

The Academy is an inclusive learning community, which celebrates the diversity of all members and actively promotes learning together, empowerment and community. The Academy's core values are harmonious with the vision embodied in the The Equality Duty.

Compliance with the DDA is also consistent with the Academy's aims.

4 Definition of Disability

Disability is defined by the Equality Act 2010

A person has a disability if he or she has a physical or mental impairment that has a 'substantial' and 'long-term' adverse effect on his/her ability to carry out normal day to day activities. Substantial is more than minor and trivial (e.g. it takes longer than it usually would to complete a daily task like getting dressed). Long time means 12 months or more (e.g. a breathing condition that develops as a result of a lung infection. There are special rules about recurring or fluctuating conditions e.g. arthritis. A progressive condition is one that gets worse over time. People with progressive conditions can be classed as disabled.

However, you automatically meet the disability definition under the Equality Act 2010 from the day you're diagnosed with HIV infection, cancer or multiple sclerosis)

The Academy understands that the definition of disability has widened to include those with any long term (12 months or more) and substantial difficulty in these areas:

- physical and sensory impairments
- neurological impairments such as learning difficulties, dyslexia, autism, speech and language disorders
- mental health difficulties, behavioural difficulties
- **The involvement of disabled people**
- Disabled people will help use to develop this scheme in the following ways:
 - being in an access and equalities steering group
 - being part of student voice
 - in discrete groups according to need

The Academy has chosen to monitor all students as individuals, providing personalised intervention as appropriate. In addition the Academy has chosen to monitor progress of students entering school at level 2 or below in all three core subjects (general learning difficulties) or just English (specific learning difficulties) who are not EAL; progress of students not in this category who have *Educational Healthcare Plans (EHCPs)* or received support, previously known as *School Action Plus*; adults who are employed by the school who declare themselves disabled.

The Academy recognises its duty under the Equality Act (as amended by the SENDA):

- not to discriminate against disabled pupils in their admissions and exclusions, and provision of education and associated services;
- not to treat disabled pupils less favourably
- to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage;
- to publish an Accessibility Plan
- to value parents' knowledge of their child's disability and its effect on her/his ability to carry out normal activities;
- to respect the parent's and the child's right to confidentiality;
- to provide all pupils with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual pupils and their preferred learning styles and to endorse the key principles in the National Curriculum framework, which underpin the development of a more inclusive curriculum. In so doing, setting suitable learning challenges by:
 - responding to pupils' diverse learning needs;
 - overcoming potential barriers to learning and assessment for individuals and groups of pupils

Duties under Part 5a of the Disability Discrimination Act (1995) require the Academy Council to promote equality of opportunity for people with significant and long term additional support needs (disabled); students, staff, parents, carers and visitors.

The Academy Council of the Academy aims to support the creation of an environment that will:

- i. eliminate unlawful, direct and indirect discrimination and promote equality of opportunity;
- ii. ensure that no employee or job applicant receives less favourable treatment on grounds of ethnic origin, colour, disability, creed, marital status, nationality, race, religion, culture, gender, gender recognition or sexual orientation;
- iii. have regard to equal terms for men and women in employment
- iv. have regard to gender reassignment regulations which prevent discrimination against transsexual people in employment and vocational training;
- v. eradicate racial, religious or sexual harassment or discrimination; and discrimination on the basis of disability and sexual orientation and;
- vi. value, celebrate and learn from the cultural diversity of its staff and students.

5 The Workforce

The Academy will ensure that no employee receives less favourable treatment and that appropriate support is provided so that all employees attain their full potential to the benefit of the Academy and themselves.

The Academy wishes to achieve an ability-based workforce which is in line with the working population mix in the relevant labour market.

The cooperation of all employees is essential for the success of this policy. However, the Academy Council has lead responsibility for achieving the aims of the policy and for ensuring compliance with The Equality Duty. Behaviour or action against the spirit or the letter of the aims on which this policy is based will be considered a serious disciplinary matter and may lead to dismissal.

6 Positive Action

Under represented groups should be encouraged to apply for training and employment opportunities within the Academy. Recruitment to all jobs should be strictly on merit.

Wherever necessary, use should be made of lawful exemption to recruit suitably qualified people to cater for the special needs of particular groups.

Efforts should be made to identify and remove unnecessary and unjustifiable barriers and to provide appropriate facilities and conditions of service to meet the needs of under represented groups.

7 Vacancy Advertising

The Academy Council shall put in place arrangements to determine which vacancies must be advertised both internally and externally simultaneously. It is anticipated that senior posts would always be advertised externally.

Steps should be taken to ensure that knowledge of vacancies reaches under-represented groups internally and, where appropriate, externally.

Wherever appropriate, vacancies should be notified to job centres, careers offices and colleges as well as to minority press, media and organisations.

All vacancy advertisements should include a short statement on equal opportunities.

8 Selection and Recruitment

Selection criteria, including job descriptions and post holder specifications, should be kept under review to ensure that they are justifiable on non-discriminatory grounds as being essential for the effective performance of the job.

Always more than one person should be involved in the short listing and the selection interview.

The possible involvement of women, minorities and disabled persons in the short listing and interviewing process shall always be considered.

Reasons for selection and rejection of applicants for vacancies must be recorded.

9 Personnel Records

Employees are able to check and correct their own records of personal details. Otherwise, access to personal records is restricted in accordance with the provisions of the Data Protection Act.

10 Roles and Responsibilities

It will be the responsibility of the Academy Leaders to ensure that all members of staff are aware of the policy and the implications if the policy is not followed.

It will be the responsibility of tutors and all staff, to ensure that all students are made aware of the policy and the implications if the policy and the implications if the policy is not followed.

It will be the responsibility of all staff to tackle incidents of negative discrimination and to report these to an appropriate line manager.

The PSHE programme will include units relating to Equalities. It will seek to educate students about people of different groups, equal opportunities, elimination of discrimination and fostering good relations. In RE and other areas of the curriculum there will be opportunities to promote Equalities.

11 Parent/Carer Involvement

It is Academy policy to work very closely with parents in order to help pupils to achieve their potential.

The Academy recognises the importance of a partnership with parents which includes:

- arrangements for recording and acting on parental concerns
- procedures for involving parents and carers when a concern is first expressed in school
- arrangements for incorporating parents' views

The Academy staff is always available for support and to reassure parents and carers that the school has their child's interest and welfare at heart.

The Academy has an open door policy to encourage parents to visit. Parents and carers are seen as essential partners with staff in creating a rewarding and stimulating environment for children. Parents and carers are, however, asked to make an appointment if they wish to discuss any issue with teachers in order to ensure their availability.

We aim to address these concerns through good communication between school and home.

12 Professional Development

The Academy recognises that training is vital to implementation of this policy. The Principal and Academy Councillors support and encourage in-service training for all staff to ensure their understanding of The Equality Duty and the part they can play in tackling discrimination and promoting equality of opportunity and foster good relations. The purpose of training will be to:

- raise staff awareness of issues surrounding The Equality Duty
- equip them with strategies for tackling discrimination
- equip them to promote equality and foster good relations
- equip them to make decisions in an effective way with regard to The Equality Duty

13 Breach of the Policy

In the event of an incident of negative discrimination appropriate action according to the Academy's Behaviour Management Guidelines or Staff Disciplinary code, will be taken.

14 How the Academy monitors the effectiveness of this policy

All development, planning and decision making will be made in the context of The Equality Duty where appropriate. This policy and its effectiveness will be reviewed by the Senior Leadership Team and Academy Council working together, who will also maintain documentation of pupils' progress and achievements which will be updated regularly. This whole Academy policy will be regularly monitored and reviewed and it will undergo major review every three years.

The school's success in meeting the needs of all of its students is evaluated using the following indicators:

1. Records of individual pupil progress
2. Levels of progress information
3. Staff appraisal
4. Pupils' comments
5. Parents' comments
6. Examination results
7. Feedback from subject departments and class teachers
8. OfSTED inspection reports
9. RaiseOnline reports
10. Successful Transition to the next stage of education (for example NEET figures)

The impact on attainment of students of different racial groups will be assessed as part of this whole Academy process.

Student attainment, including behaviour and sanctions, is recorded and monitored by the following Academy processes:

1. End of year reports
2. Rewards database
3. Parents' evenings
4. Modular tests, end of year internal or national examinations
5. Detentions database
6. Student contract
7. Parental interview