

MAIDEN ERLEGH TRUST

Equality Policy

Including local arrangements for

Maiden Erlegh School in Reading



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| INITIAL APPROVAL | May 2015 |
| REVIEW DATE | May 2018 |

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SCOPE

The Equality Act came into effect from autumn 2010 (amendment order 2012) which placed a new Single Equality duty on all public bodies which includes academies. Maiden Erlegh Trust has developed this policy to ensure it meets its statutory duty to consider needs of students and their families, employees and contracted service providers in terms of:

- Race, Gender and Disability Equality
- Community Cohesion
- Site / Asset Management and Health & Safety

This document sets out how students, employees and visitors to Trust schools with the following protected characteristics will be protected in our academy from harassment and/or discrimination:

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

This document also extends to cover all aspects of vulnerability, including those associated with socio-economic factors where known (e.g. students qualifying for free meals).

Maiden Erlegh Trust is committed to being a good employer and this policy also outlines how we meet our varied duties in terms of recruitment and employment practices. As such, this scheme sets out how we will work to overcome any discrimination related to the other protected characteristics:

- age;
- being married or in a civil partnership;

This policy will be evaluated with findings reported to the Board of Trustees annually. A full review will be conducted every three years.

PRINCIPLES

In fulfilling the legal obligations outlined later in this policy, the Trust is guided by the following principles:

Principle 1: all members of the Trust and the wider community are of equal value

Principle 2: we recognise and respect diversity

Treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated as appropriate.

Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging.

We intend that our policies, procedures and activities should promote:

- Positive attitudes towards disabled people and good relations between disabled and non-disabled people;

- Positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or socio-economic circumstances, and an absence of prejudice-related bullying and incidents;
- Mutual respect and good relations between boys and girls, women and men and an absence of sexual harassment;
- Positive intergenerational attitudes and relationships.

Principle 4: We will ensure that the recruitment, retention and ongoing development of staff are undertaken in a fair and equitable manner to support our academy's vision and values.

Principle 5: We aim to reduce and remove inequalities and barriers that already exist.

Principle 6: Students, their families, staff and the wider community as a whole should benefit.

The Curriculum

We review the curriculum (including the enrichment curriculum) annually order to ensure that teaching, learning and assessment the seven principles outlined above.*

**The content of the curriculum is excluded from discrimination law following the Equality Act 2010. The Act does, however, explicitly include the delivery of the curriculum i.e. the way in which education is provided. Schools will need to ensure that the way in which issues are taught does not subject individual students to discrimination. Further that it would not be unlawful for a teacher in any school to express personal views on sexual orientation provided that it is done in an appropriate manner and context. (Draft guidance from the DfE cited in Equality Act 2010).*

Admissions and exclusions

Across the Trust, admissions arrangements are fair and transparent, and do not discriminate on race, gender, disability or socio-economic factors.

When deemed necessary the decision to exclude a student always considers need and Behaviour Policy. We closely monitor exclusions to avoid any potential adverse impact.

Equal Opportunities for Staff

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. Whilst we try to ensure that the staffing of the academy reflects the diversity of our community, all staff appointments and promotions are made on the basis of merit and ability and in compliance with the law.

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

As an employer the Trust, and the academies within it, recognise the need to ensure that we eliminate discrimination and harassment and actively promote equality across all groups within our workforce.

Actions to ensure this commitment is met include:

- Monitoring recruitment and retention (including bullying and harassment of staff);
- Continued professional development opportunities for all staff;
- Senior Leadership Team support to ensure equality of opportunity for all;
- School policies such as Recruitment Policy, Whistleblowing Policy.

Addressing Prejudice and Prejudice-related bullying

The academy is opposed to all forms of prejudice which stand in the way of fulfilling legal duties for all aspects of equality such as:

- Prejudices around disability and special educational needs;
- Prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example anti-Semitism and Islamophobia, and those that are directed against Travellers, refugees and people seeking asylum;
- Prejudices reflecting sexism and homophobia.

The Trust Anti-bullying Policy describes how prejudice-related incidents should be identified, assessed, recorded and dealt with. Each academy reports numbers, types and seriousness of prejudice-related incidents to the Trust on a half-termly basis. The data is available for the Local Authority but they currently have informed schools that they do not collect it.

ROLES AND RESPONSIBILITIES

Local Advisory Board (LAB)

Maiden Erlegh School in Reading

The designated member of the Local Advisory Board is: Alison Awuku

The LAB for each academy will:

- Ensure that the academy complies with all relevant equalities legislation;
- Recommend all governors receive up to date training in all the equalities duties;
- Ensure the Equality Action Plan are linked to the School Improvement Plan;
- Support the Headteacher(s) in implementing any actions necessary;
- informed about the impact of any actions;
- Review the policy at least every three years;
- Conduct on-going and a full annual evaluation of the action plan;
- Seek to ensure that people are not discriminated against when applying for employment or promotion;
- 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 and students;
- Welcome all applications for admission to the academy, whatever a student - economic background, race, gender or disability;
- Ensure that no student is discriminated against on account of their race, gender or disability.

Headteacher(s)

- Ensure that all staff, volunteers and parents are aware of the Single Equality Policy and that there is a collective responsibility to apply these guidelines fairly in all situations;
- Ensure that the policy is implemented effectively (supported by the Local Advisory Board);
- Manage any day to day issues arising from the policy whether for students or for the academy as an employer and treat all incidents with due seriousness;
- Ensure staff have access to training which helps to implement the policy;
- Liaise with external agencies so that each practice;
- Monitor the effectiveness of the policy and report to the Local Advisory Board annually;
- Ensure that senior leaders are kept up to date with any development affecting the policy;
- Provide appropriate support and monitoring for all students and specifically target students to whom the policy/action plan has a more direct relevance;
- Ensure that all appointments panels give due regard to this policy to ensure there is no discrimination in employment or training opportunities;
- Promote the principle of equal opportunity when developing the curriculum; promote respect for other people and equal opportunities to participate in all aspects of academy life.

Senior Leaders will:

- Supporting other staff in implementing this policy;
- Lead in the dissemination of information relating to the policy;
- Identify good quality resources and CPD opportunities to support the policy;
- Under the direction of the Headteacher(s), provide advice/support in dealing with any incidents/issues;
- Assist in implementing reviews as detailed in the Equalities Action Plan and School Improvement Plan.

Academy Staff will:

- Accept that implementing the policy and promoting equality is their responsibility and support the implementation of the policy and action plan;
- Read the policy and action plan and take on board how it relates to them;
- Highlight any queries or training requirements;
- Deal with incidents in line with our Behaviour and Anti-Bulling Policies and our Code of Conduct for Staff;
- Identify and challenge any incidents of bias, stereotyping, bullying, harassment, prejudice, racism or homophobia, and report them in line with our Anti-Bulling Policies and our Code of Conduct for Staff;
- Work together in a positive way to promote equality and deal with discriminatory incidents;
- Not discriminate on racial, disability, gender or other grounds;
- Keep themselves up to date with relevant legislation and attend training and information events organised by the Trust or Academy;
- Ensure that all students are treated fairly, equally and with respect;
- Ensure that students from all groups are included in all activities and have full access to the curriculum;
- Provide material that gives positive images based on race, gender and disability, and challenges stereotypical images;
- Promote equality and diversity through relations with students, staff, parents, and the wider community;
- Monitor and, where necessary, guide the practice of volunteers, visitors or contractors working in the academy.
- Report any concerns to the Headteacher(s) of their Trust academy.

Students will:

- Be made aware of any relevant part of the policy, appropriate to age and ability;
- Be expected to act in accordance with any relevant part of the policy;
- Understand the importance of reporting discriminatory bullying and racially motivated incidents;
- Ensure any peer support programme within the academy promotes understanding and supports students who are experiencing discrimination.

Parents, Guardians & Carers will:

- Have access to the policy;
- Be encouraged to support the policy;
- Have the right to be informed of any incident related to this policy which could directly affect their child.

All visitors, volunteers and contractors are responsible for complying with the academy's Single Equality Policy – non-compliance will be dealt with in the first instance by the Headteacher(s).

PUBLISHING THE SINGLE EQUALITY POLICY AND ACTION PLAN

In order to meet statutory requirements each academy will:

- Publish the policy and Action Plan on the academy website;
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system;
- Raise awareness of the policy through assemblies, staff meetings and other communications;
- Ensure paper copies are made available on request;
- Ensure support is offered to students and parents where English is not their primary language to assist

Appendix 1 Equality and the law

This policy is designed to meet the duties and legislative requirements for race, disability, gender, religion / belief and sexual orientation as stated in the Equality Act 2010 (and amendment order 2012) and act upon the government progress report findings (2012). The act supersedes or strengthens the following acts and regulations:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- Race Relations (Amendment) Act (2000)
- The Disability Discrimination Act 2005, 1995
- Disability Equality Duty 2005
- The Employment Equality (Religion & Belief and Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006
- The Equality Act 2006 Part 2
- The Equality Act (Sexual Orientation) Regulations 2007

statutes of law such as:

- *Prevent Duty* Guidance for England and Wales 2015
- SEND Code of Practice 2015
- Keeping Children Safe in Education 2014
- The Education Act 2011
- The Inspections Act 2006.

The Trust and its academies recognise there is also a need to address bullying and discriminatory incidents, as these issues are prevalent in race, disability, gender, and homophobic incidents. Therefore this policy should be read in conjunction with the Anti-Bullying policy.

Appendix 2 Discrimination- Guidance

Harassment on account of race, gender, disability or sexual orientation is unacceptable and is not tolerated within the Trust.

All staff are expected to deal with any discriminatory incidents in line with academy policies. 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

Racist and homophobic incidents and other incidents of harassment or bullying will be initially managed by the member of staff present, escalating to Head of Year/Head of Department or member o

All incidents however will be reported to the Headteacher(s).

All racist incidents will be reported to the Board of Trustees.

What is a discriminatory incident?

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic 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:

Maiden Erlegh School will embed the principals of this definition.

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 the academy;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully a victim because of their 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.

Types of Discrimination

Direct discrimination

Direct discrimination occurs when a person is treated less favourably than you treat (or would treat) another person because of a protected characteristic.

In order for someone to show that they have been directly discriminated against, they must compare what has happened to them to the treatment a person without their protected characteristic is receiving or would receive. A person does not need to find an actual person to compare their treatment with but can rely on a hypothetical person if they can show there is evidence that such a person would be treated differently.

There is no need for someone claiming direct discrimination because of racial segregation or pregnancy or maternity to find a person to compare them self to:

- Racial segregation is deliberately separating people by race or colour or ethnic or national origin and will always be unlawful direct discrimination.
- To claim pregnancy or maternity discrimination a female must show that she has been treated unfavourably because of her pregnancy or maternity and does not have to compare her treatment to the treatment of someone who was not pregnant or a new mother.

Discrimination based on association

Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity). This might occur when a person is treated less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination based on perception

Direct discrimination also occurs when a person is treated less favourably because someone mistakenly think that they have a protected characteristic.

Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female student of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

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What is a 'proportionate means of achieving a legitimate aim'?

To be legitimate the aim of the provision, criterion or practice must be legal and non-discriminatory and represent a real objective consideration. In the context of education, examples of legitimate aims might include:

- Maintaining academic and other standards;
- Ensuring the health, safety and welfare of students.

Even if the aim is legitimate the means of achieving it must be proportionate. Proportionate criterion or practice is the only possible way of achieving the legitimate aim.

Although the financial cost of using a less discriminatory approach cannot, by itself, provide a justification, cost can be taken into account as part of an other good reasons for adopting the chosen practice.

The more serious the disadvantage caused by the discriminatory provision, criterion or practice, the more convincing the justification must be.

In a case involving disability, failure to comply with the duty to make relevant reasonable adjustments, will make it difficult to show that the treatment was proportionate.

Discrimination arising from disability

Discrimination arising from disability occurs when you treat a disabled person unfavourably because of something connected with their disability and cannot justify such treatment.

Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising from disability, the motive for the treatment does not matter; the question is whether the disabled person has been treated unfavourably because of something connected with their disability.

Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled person or for the disabled person to compare themselves with anyone else.

Discrimination arising from disability will occur if the following three conditions are met:

- The academy treats a disabled person unfavourably, that is putting them at a disadvantage, even if this was not the intention, and
- T disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour, and
- The academy

Knowledge of disability

You will need to show that:

- You did not know that the disabled person had the disability in question, and
- You could not reasonably have been expected to know that the disabled person had the disability, and
- The unfavourable treatment would not amount to unlawful discrimination arising from disability.

If an agent (someone disability, the academy will not usually be able to claim that it do not know of the disability.

Relevance of reasonable adjustments

By acting quickly to identify and put in place reasonable adjustments for disabled persons, the academy can often avoid discrimination arising from disability, although there may be cases where an adjustment is unrelated to the unfavourable treatment in question.

If the academy fails to make an appropriate reasonable adjustment, it is likely to be very difficult for it to argue that unfavourable treatment is justified.

Reasonable adjustments

The Trust has a duty to reasonably adjust, first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act operates slightly differently and has been extended to cover the provision by an academy of auxiliary aids and services; however this element of the duty will not come into force until a later date yet to be confirmed. The object of the duty is the same: to avoid as far as possible by reasonable means, the disadvantage which a disabled person experiences because of their disability.

under Part 4 of the Education Act 1996. In some cases the support a disabled student may receive under the special educational needs framework may mean that they do not suffer a substantial disadvantage (see below) and so there is no need for additional reasonable adjustments to be made for them. In other cases disabled students may require reasonable adjustments in addition to the special educational provision they are receiving. There are also disabled students who do not have special educational needs but still require reasonable adjustments to be made for them. The level of support a student is receiving under Part 4 of the Education Act 1996 is one of the factors to be taken into account when you consider what it would be reasonable for you to have to do.

What is the reasonable adjustments duty?

The academy is required to take reasonable steps to avoid substantial disadvantage where a provision, criterion or practice puts disabled students at a substantial disadvantage

Academies owe this duty to existing students, applicants and, in limited circumstances, to disabled former students in relation to the following areas:

- Deciding who is offered admission as a student;
- The provision of education;
- Access to any benefit, service or facility.

The duty does not require the academy to make reasonable adjustments to avoid the disadvantage caused by physical features as this is covered by the planning duties.

The academy cannot justify a failure to make a reasonable adjustment; where the duty arises, the issue will be a question for the tribunals to ultimately determine.

The duty is an anticipatory and continuing one that we owe to disabled students generally, regardless of whether it is known that a particular student is disabled or whether we currently have any disabled students. We will not wait until an individual disabled student approaches us before we consider how to meet the duty. Instead we will plan ahead for the reasonable adjustments the academy may need to make, regardless of whether we currently have any disabled students. By anticipating the need for an adjustment we will be best placed to help disabled students who come to our academy. The academy is not expected to anticipate the needs of every prospective student but is required to think about and take reasonable and proportionate steps to overcome barriers that may impede students with different kinds of disabilities.

What is a substantial disadvantage?

A disadvantage

level of disadvantage created by a lack of reasonable adjustments is measured in comparison with what the position would be if the disabled student in question did not have a disability.

The academy will take into account a number of factors when considering whether or not the disadvantage is substantial such as:

- The time and effort that might need to be expended by a disabled child;
- The inconvenience, indignity or discomfort a disabled child might suffer;
- The loss of opportunity, or the diminished progress a disabled child might make in comparison with his or her peers who are not disabled.

The duty to change a provision, criterion or practice

These terms are not defined but in general they relate to how the education and other benefits, facilities and services are provided and cover all of your arrangements, policies, procedures and activities.

Where a provision, criterion or practice places disabled students at a substantial disadvantage in accessing education and any benefit, facility or service, we will take such steps as it is reasonable to take in all the circumstances to ensure the provision, criterion or practice no longer has such an effect. This might mean waiving a criterion or abandoning a practice altogether but often will involve just an extension of the flexibility and individual approach that most schools and academies already show to their students.

When is it reasonable for the academy to have to make adjustments?

A useful starting point when determining what a reasonable adjustment might be is to consider how to ensure that disabled students can be involved in every aspect of academy life. Often effective and practical adjustments involve little or no cost or disruption.

Where disabled students are placed at a substantial disadvantage by a provision, criterion or practice or the absence of an auxiliary aid, the academy will consider whether any reasonable adjustment can be made to overcome that disadvantage.

The academy does not expect disabled students to suggest adjustments but if they do we will consider whether those adjustments would help to overcome the disadvantage and whether the suggestions are reasonable. It is good practice for schools and academies to work with students and their parents/guardians in determining what reasonable adjustments can be made.

Appendix 3 : [Maiden Erlegh School in Reading Action Plan 2016-2017]

| Priority | Key performance indicators | Actions | Timescale | Lead | Review Dec 2016 | Review April 2017 |
|--|--|--|-----------|-------|--------------------|----------------------|
| PREVENTING AND DEALING WITH DISCRIMINATION (DIRECT AND INDIRECT) | | | | | | |
| Discrimination, harassment and victimisation on the grounds of protected characteristics will be eliminated. | Rates of bullying and discrimination, harassment and victimisation based on protected characteristics remain low. | Equality awareness is raised through: -information on the website -training during induction and the annual Safeguarding and Equalities week. -in the Staff Handbook -in the Home School Partnership Agreement | Sept 2016 | JH/WA | | |
| | Parent and student surveys show further improvements in improvement ratings for our prevention of discrimination, harassment and victimisation based on protected characteristics. | PSMSC ensures that all year groups receive Equalities education and that there is progression from Y7-11. | Sept 2016 | WA | | |
| | Parent and student surveys show further improvements in improvement ratings for how we deal with discrimination, harassment and victimisation based on protected characteristics. | Surveys redesigned to ask specific questions about gender. | Jan 2017 | JH | | |
| | Staff reports of discrimination, harassment and victimisation based on protected characteristics remain extremely low (with a particular focus on gender). | | | | | |
| Difference is respected and valued and diversity is celebrated: there is a shared sense of cohesion and belonging. | Parent and student surveys show that relationships between different groups continue to be very positive. | Equality is referenced clearly on the website, in the staff handbook and in homework diaries. | Sept 2016 | JH | | |
| | monitor participation in enrichment activities to ensure all protected groups and disadvantaged students are included. | Pastoral programme includes activities which promote equalities awareness, particularly gender, racial and homophobic tolerance. | Feb 2017 | JH/RR | | |
| | Students are proud to come to Maiden Erlegh School and understand the culture of the school. | School Evaluation and survey data reviewed and analysis fed into the | | JH | | |

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| Curriculum resources, promotional materials and displays show a range of people and celebrate diversity in all its forms. | Resources and images a representative of the school and local community but also life in modern Britain. Written documents use plain English. | Diversity implications are discussed when purchasing significant new resources or making substantial changes to promotional materials on our website. SRE is reviewed across the trust to ensure it covers sexism and homophobia but also homosexual relationships and that the relevant colleagues are confident to discuss them | Ongoing Sept | DE/JH WA | | |
| We have the highest expectations of all students - in all aspects of their school life and beyond. | Benchmarks for all students in all key stages are aspirational, both in terms of progress and attainment and gaps in performance are further narrowed. Attendance figures are among the top 10% of the country for all groups of students. | Benchmarks are not contextually adapted but reviewed to ensure there is no prejudice.(trust wide) half termly data are evaluated by sub-group each half term. Interventions and action plans mean overall performance is projected to be in the top 10-20% of the country and gaps are closing. | Sept 2016 Half-termly | AR JH | | |
| PROFESSIONAL DEVELOPMENT | | | | | | |
| All staff and visitors receive appropriate training so they can implement school policy effectively. | All staff receive enhanced Equalities training as part of Induction and in Safeguarding and Equalities week. There is a clear culture of tolerance and respect upheld by all staff and visitors. | Induction training includes enhanced Equalities training is part of Induction for new staff an all temporary staff and visitors. Trust wide CPD in Safeguarding and Equalities week includes training and information on equalities. Staff received update information and reminders throughout the year on equalities issues. | Sept 2016 Feb 2017 On-going | | | over(h)-3(e)-3 |

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| | performing in line with or better than the main student body. | to access advice notes and Classroom Support Plans | | | | |
| Students with mental health conditions are reasonably adjusted for in the same way that physically ill/impaired students are. | Attendance of students with mental health conditions improve. Progress for students with mental health conditions improve. | PSMSC covers mental health so that students can support themselves and they are signposted to in-school and external support. The Peer Mentoring groups is embedded so that it supports students in all years and provides assemblies. Trustwide information and/or training on supporting students with mental health issues. We provide professional counselling / mentoring for students with higher needs. | Sept review Dec review Nov On-going | JA JA WA JA | | |
| PHYSICAL ENVIRONMENT | | | | | | |
| Reasonable adjustments are made to make the physical and virtual site further accessible to stakeholders. | Reasonable adjustments for new staff, students and parents in place for Phase 1 (Sep Oct) and then in the new building (Nov onwards) New building built to highest accessibility standards | Specific access arrangements of staff and students are considered during staff induction or student transition days or when needs change. Access is considered in temporary solution PEEPs are put in place for anyone with limited mobility. | Sept 2016 Sep 2016 Ongoing | DE/JH DE/JH DE | | |
| SEND students have access to the full range of activities of the school in the same way as non-SEND peers. | See SEND Information Report | See SEND Information Report | Sept 2016 | JH | | |

