

SINGLE EQUALITY SCHEME AND ACTION PLAN FOR LEEDS SCHOOLS AND LEARNING SETTINGS

Farsley Farfield Primary School

VISION AND VALUES

The governors at Farsley Farfield are committed to working with the head teacher and staff to ensure that all our children are kept safe and free from harm, to create an environment where every child can achieve their best regardless of gender, ethnicity, ability or disability and be well prepared for the next stages of learning. We will promote healthy lifestyles and support the children to contribute to the local community, both now and in the future.

SCHOOL CONTEXT

We are a large, popular school on the Leeds/Bradford border. We have **over** 400 children on roll, of whom 25% are of a BME background, predominantly of South Asian descent. We have a disproportionately high number of boys, and this has been the case for a number of years. Our major catchment area is a former council estate on the edge of the suburb of Farsley, but we also pull a significant number of children from the Bradford side of the ring road, including children from the deprived area of Bradford Moor. We have a lower than average number of children on the SEN register, but a relatively high number of statemented children, including a number with physical disabilities.

Attainment and achievement data suggests that our BME students perform well compared to their peers. Girls tend to attain more highly in English and boys have attained more highly in maths.

WHAT WE MEAN BY EQUALITY?

At **Farsley Farfield Primary** School we understand equality to mean treating everyone with equal dignity and worth valuing their particular characteristics such as their age, disability, gender, ethnicity, religion or belief, sexual orientation and socio-economic circumstances.

We further understand that people have different needs, situations and goals and therefore achieving equality requires the removal of discriminatory barriers that limit what people, especially children and young people can do and can be. We recognise that inequality can be experienced in a variety of ways such as through outcomes, access to services, the degree of independence to make decisions affecting lives and inequality of treatment, including in relation to employment, through direct and indirect discrimination or disadvantage imposed by other individuals, groups, institutions or systems intentionally or inadvertently.

OUR GUIDING PRINCIPLES

In fulfilling the legal obligations outlined further on in this scheme, we at **Farsley Farfield Primary** School are guided by seven principles.

Principle 1: All members of the school and wider community are of equal value

We see all members of the school and wider community of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or socio-economic circumstances
- whichever their gender and sexual orientation
- whatever their age

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, to take account of differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
- gender and sexual orientation so that the different needs and experiences of girls and boys, women and men are recognised.

- age

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, good relations between disabled and non-disabled people, and an absence of harassment of 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
- promote positive intergenerational attitudes and relationships.

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

Policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or socio-economic circumstance
- whichever their gender and sexual orientation
- whatever their age

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

In addition to avoiding or minimising possible negative impacts, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious and socio-economic backgrounds
- girls and boys, women and men
- Lesbian, Gay, Bisexual and Transgender

- Age

Principle 6: We consult widely

People affected by a policy or activity should be consulted and involved in the design of new policies, and in the review of existing ones. We involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious and socio-economic backgrounds
- both women and men, and girls and boys.
- Lesbian, Gay, Bisexual and Transgender

Principle 7: We feel that the community as a whole should benefit

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled
- people of a wide range of ethnic, cultural and religious and socio-economic backgrounds
- both women and men, girls and boys.
- Lesbian, Gay, Bisexual and Transgender
- People of different ages and between generations

Principles in themselves are not enough

In the light of the principles stated above, we have identified practical priorities and plans of specific action, in order to promote equality in:

- disability
- ethnicity
- gender
- Sexual orientation
- Religion and belief
- Age
- Socio-economic circumstances

These are outlined in our School Improvement Plan and Single Equalities Action Plan

ACTION PLANS

1. We recognise that the actions resulting from a policy are what make a difference.
2. Each year we draw up an action plan within the framework of the overall school improvement plan, setting out the specific actions and projects we shall undertake to implement the principles above.
3. Our current action plan is set out in our School Improvement Plan and Single Equality Scheme Action Plan

THE CURRICULUM

4. We will actively seek opportunities to review the curriculum (including the hidden curriculum) and curriculum subject or areas in order to ensure that teaching and learning reflect the seven principles outlined above.
5. We will ensure staff are offered the opportunity to engage in appropriate training and development to support the achievement of the seven principles.

ETHOS AND ORGANISATION

6. We ensure that the principles listed above apply also to the full range of our policies and practices, including those that are concerned with:
 - learners' progress, attainment and assessment
 - learners' and staff personal development, welfare and well-being
 - teaching styles and strategies
 - admissions and attendance
 - staff and governor recruitment, retention and professional development
 - care, guidance and support
 - behaviour, discipline and exclusions
 - working in partnership with parents, carers and guardians
 - working with the wider community.
 - Participation of groups in wider school activities
 - Preparing all members of the learning community for living and positively contributing to a diverse society

ADDRESSING PREJUDICE AND PREJUDICE-RELATED BULLYING

- 7.** The school is opposed to all forms of prejudice which stand in the way of fulfilling legal duties for all aspects of equality:
 - 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.
- 8.** There is guidance in the staff handbook on how prejudice-related incidents should be identified, assessed, recorded and dealt with.
- 9.** We take seriously our obligation to report regularly to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they were dealt with in line with existing and future legal requirements.

ROLES AND RESPONSIBILITIES

- 10.** The governing body is responsible for ensuring that the school complies with current legislation, and that this policy and its related procedures and strategies are implemented.
- 11.** A dedicated member (Danusia Gardner – Chair of Pupil Support and Graham Foster – Race Equalities Governor) of the governing body has a watching brief regarding the implementation of this policy.
- 12.** The head teacher is responsible for implementing the policy; for ensuring that all staff, governors and visitors are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.
- 13.** A senior member of staff – Peter Harris - has day-to-day responsibility for co-ordinating implementation of the policy.
- 14.** All staff are expected to:
 - promote an inclusive and collaborative ethos in their classroom
 - challenge and deal with any prejudice-related incidents that may occur
 - identify and challenge bias and stereotyping in the curriculum
 - support pupils in their class for whom English is an additional language
 - keep up-to-date with equalities legislation relevant to their work.

- Pupil's have the opportunity to have their voices heard with regards to equality issues

INFORMATION AND RESOURCES

15. We ensure that the content of this policy is known to all staff and governors and, as appropriate, to all pupils and parents and carers.
16. All staff and governors have access to a selection of resources which discuss and explain concepts of equality, diversity and community cohesion in appropriate detail through the school Staff and Governors' learning platforms.

RELIGIOUS OBSERVANCE

17. We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

STAFF DEVELOPMENT AND TRAINING

18. We ensure that all staff, including support and administrative staff and governors, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

BREACHES OF THE POLICY

19. Breaches of this scheme will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the head teacher and governing body.

MONITORING AND EVALUATION

20. We collect study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.
21. In particular we collect, analyse and use data relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin, socio-economic circumstances, gender and age.

DEVELOPING AND IMPLEMENTING THE SCHEME.

HOW WE DEVELOPED OUR SCHEME

The development of this scheme has involved the whole of our school community. We've discussed it with them and listened to what they have to say, including:

- Our pupils/students

A forum relating to equality has been established on our Fronter learning platform and children have been encouraged to raise issues here. Equality was a school council agenda item in November 2010.

- Our staff

This draft policy was discussed at a staff meeting for teachers in November 2010. All staff will receive notification of this policy and will be invited to meet with the HT to discuss it if they wish. The SES will be available on the staff intranet and a paper copy will be displayed in each staffroom.

We will consider any amendments or suggestions made.

- Our school governors

A draft model policy and scheme was published on the Governor learning platform and discussed with the chair of the Pupil Support Committee in November 2010. The policy was discussed and approved by the Pupil Support Committee in December 2010 albeit with queries about Equality Impact Assessments.

- Parents/carers

All parents of children with disabilities were written to ask for their views on disability equality. Only two parents responded, with positive feedback, and they declined to join the school in drafting further plans.

The draft policy will be published in the Parent Platform, and an email relating to the policy was sent to every parent that had registered their email account with us (about 90%).

We will consider any amendments or suggestions made.

- Minority, marginalised and potentially vulnerable groups

- Our partners in the community

The draft policy will be shared with the Farsley Youth Development Project, Farfield Fun and Little People. We will consider any amendments or suggestions made.

- Finally:

This policy and associated action plan will be published on the staff, parent and governor learning platforms annually.

Pupils will be surveyed annually to identify discrimination or bullying and action will follow.

PRIORITISING ACTIVITY

We will use the information gained from our involvement with all stakeholders and issues arising from our data (qualitative and quantitative) to prioritise activities for improvement.

Date approved by the Governing Body:

December 2010
March 2013

Review date
March 2015

LEGAL DUTIES

1. We welcome our duties under the Race Relations 1976 as amended by the Race Relations Amendment Act 2000; the Disability Discrimination Acts 1995 and 2005; and the Sex Discrimination Act 1975 as amended by the Equality Act 2006 and the Equalities Act 2010.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these four sets of duties are essential for achieving the five outcomes of the Every Child Matters framework, and that they 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.
4. Summaries of our legal obligations under the three main equality strands of disability, ethnicity and gender are outlined below. After each of the three equality strand we have also outlined the outstanding key issues for our school to address as priorities for the forthcoming three years, which will be included in our action plan as well highlighting the successful impact we have already had in our school.

SUMMARY OF LEGISLATIVE REQUIREMENTS

The legal frameworks

Equality impact assessments of new policies have been required since 2002 in the case of ethnicity, since 2006 in the case of disability, and since 2007 in the case of gender. The requirements are contained within frameworks which distinguish between a) 'the general duty' and b) 'specific duties'.

A further distinction is drawn between a) specific duties concerned with policy development and service delivery and b) those concerned with employment.

The three main frameworks are summarised in below. As first published, they are:

The Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005
Statutory Instrument 2005 No. 2966

The Race Relations Act 1976 (Statutory Duties) Order 2001
Statutory Instrument 2003 No. 3458

The Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006
Statutory Instrument 2006 No. 29

DISABILITY EQUALITY

The general duty

The Disability Discrimination Act 1995, as amended by the Disability Discrimination Act 2005, places a general duty on public authorities to promote disability equality. The duty came into force on 4 December 2006 and requires public authorities to:

- promote equality of opportunity between disabled persons and other persons
- eliminate unlawful discrimination
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life
- take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably.

Specific duties

The specific duties relating to policy development and service delivery require public authorities to:

- produce and publish a disability equality scheme (DES) demonstrating how they intend to fulfil their general and specific duties
- involve disabled people in the development of the scheme
- produce an action plan setting out the key actions an authority will take to promote disability equality
- explain the methods they use for assessing the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality for disabled persons
- assess and consult on the likely impact of proposed policies on the promotion of disability equality
- monitor policies for any adverse impact on the promotion of disability equality
- publish the results of these assessments, consultation and monitoring
- report annually on the progress of the action plan
- review the scheme every three years.

The specific duty covering an authority's role as an employer is to monitor the effect of its policies and practices on disabled persons, and in particular the effect on the recruitment, development and retention of disabled employees.

What impact have we already had on disability equality in our school?

We have made the school physically accessible through installation of stair lifts and DDA-compliant toilets and care suites.

We have invested in staff training to support inclusion, e.g. manual handling, makaton, specific CPD

From October 2010, FFPS has committed to the principles of the Disability Symbol – this means we are positive about employing disabled people and will be keen to know about their abilities. The symbol is awarded by Jobcentre Plus to employers in England, Scotland and Wales who have made commitments to employ, keep and develop the abilities of disabled staff.

What key issues still remain for our school?

Further CPD required to broaden knowledge and understanding of a wider range of disabilities.

South building evening lettings need improved access arrangements (ramp or level access) – **completed by ramps into hall and into cafe**

Access arrangements

Ramps and stair lifts are installed to aid access.

The school has installed six DDA toilets or care suites.

FFPS makes use of access technologies as required, e.g. touch screen PCs, eye-controlled PC, sound fields, magnifiers

FFPS welcomes all children, of the appropriate age, to join extra curricular clubs and we pay for additional support as required.

In consultation with parents and the children, we ensure that all children access school visits and residential.

RACE EQUALITY

In 2001, the Race Relations Act 1976 was amended to give public authorities a new statutory duty to promote race equality.

The general duty

The general duty requires public authorities to have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between persons of different racial groups.

Specific duties

The specific duties relating to policy development and service delivery are to do with the content of a race equality scheme (RES). Schemes should set out an authority's functions and policies, or proposed policies that are assessed as relevant to the general duty to promote ethnicity equality and should set out an authority's arrangements for:

- assessing and consulting on the likely impact of its proposed policies on the promotion of race equality
- monitoring its policies for any adverse impact on the promotion of race equality
- publishing the results of such assessments and consultation
- ensuring public access to information about the services that it provides
- training staff in connection with the general and specific duties
- reviewing the scheme every three years.

The specific duties covering an authority's role as an employer are to:

- monitor by ethnicity the numbers of staff in post and the applicants for employment, training and promotion.
- monitor by ethnicity the numbers of staff who receive training; benefit or suffer detriment as a result of performance assessment procedures; are involved in grievance procedures; are the subject of disciplinary procedures; cease employment
- report and publish annually the results of staff monitoring, and actions taken towards achievement of overall ethnicity equality objectives.

What impact have we already had on race equality in our school?

BME parents report that the school is a welcoming place (Parents Surveys)
We have slightly increased our staffing from BME groups.
Academic attainment and achievement of BME children compares favourably with other children (Raise Online and SEF)

What key issues still remain for our school?

FFPS needs to increase the number of members of staff from BME groups, particularly amongst teaching staff and SMT.
School is re-engaging with the Stephen Lawrence standard to focus on this area. **– not happened.**

GENDER EQUALITY

The general duty

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women

Specific duties

The specific duties relating to policy development and service delivery require public authorities to:

- produce and publish a gender equality scheme (GES) showing how they will meet the general and specific duties and setting out their gender equality objectives
- gather and use information on how their policies and practices affect gender equality
- assess the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality between women and men
- consult stakeholders in the development of the scheme
- assess functions and policies, or proposed policies, which are relevant to gender equality
- implement the actions set out in the scheme within three years
- report annually on the progress of the action plan
- review the scheme every three years.

The specific duties covering an authority's role as an employer are to:

- consider the need to have objectives that address the causes of any differences between the pay of men and women that are related to their sex
- gather and use information on how its policies and functions affect gender equality in the workforce.

What impact have we already had on gender equality in our school?

What key issues still remain for our school?

COMMUNITY COHESION

Since September 2007 all schools have had a duty to contribute to working towards a society in which there is a common vision and sense of belonging by all communities; a society in which the diversity of people's backgrounds and circumstances is appreciated and valued; a society in which similar life opportunities are available to all; and a society in which strong and positive relationships exist and continue to be developed in the work place, in schools and in the wider community.

We recognise that a school's community is defined in 4 dimensions:

- the school community,
- the community within which the school is located,
- the UK community,
- the global community.

We at Farsley Farfield Primary school understand that there are links between this duty and the duty to promote equality, although each has a distinctive focus.

We recognise that our school's contribution to community cohesion should be organised under three main headings:

1. Teaching, learning and curriculum

- helping children and young people to learn to understand others
- to value diversity whilst also promoting shared values
- to promote awareness of human rights and to apply and defend them
- to develop the skills of participation and responsible action

FFPS's formal and hidden curriculum all supports community cohesion.

The curriculum review 2009-11 has resulted in increased visits to a range of places of worship including a church and mosque and a new topic focussing on positive images of migration to Bradford.

Pupil voice and participation is encouraged and facilitated through class and school councils and through the school's Fronter learning platform.

FFPS celebrates the community of Farsley, involving itself actively in events such as Farsley Lights and Farsley Community Festival. Our older children also regularly carry out voluntary work with older people in the community e.g. Farsley Live at Home Scheme events.

Class and whole school assemblies take a global perspective, making use of multimedia resources and big screens.

Children regularly raise money for charity, e.g. Haiti, and increasingly determine fund-raising events themselves.

2. Equity and excellence

- a. to ensure equal opportunities for all to succeed at the highest level possible
- b. striving to remove barriers to access and participation in learning and wider activities
- c. working to eliminate variations in outcomes for different groups

Our BME children attain well compared to their peers. Where poorer achievement by a particular group has been identified, e.g. lower attaining girls in maths, interventions are designed to address this e.g. targeted after-school maths club in Y5.

The HT wrote to parents before the election of a parent governor in June 2010 specifically encouraging parents from the BME community to put themselves forward for the vacancy. The vacancy was filled by a BME candidate. March 2013: **We currently have two BME governors as Parent governors.**

3. Engagement and extended services

- to provide reasonable means for children, young people, their friends and families to interact with people from different backgrounds
- build positive relations
- receive services which build positive interaction and achievement for all groups

FFPS actively seeks to make its premises and grounds accessible for lettings for youth and community groups on evenings and holidays and does so with little or no charge. We welcome visits to our school from other schools and use older children as guides.. These visits are usually related to the cluster choir, farm or wind turbine.

EQUALITY ACT 2010 AND OTHER EXISTING EQUALITY LEGISLATION.

We at Farsley Farfield Primary school will also comply with and have due regard to the following equalities legislation:

New Equality Act 2010

The Equality Bill has recently gone through parliament and became an Act on the 8th April 2010. It takes effect from Autumn 2010. The Equality Act has put a new single Equality duty on public bodies. The duty requires public bodies to think about the needs of everyone who uses their services or works for them, regardless of race or ethnicity, or any other protected characteristic such as disability or religion.

The act protects people from discrimination on the basis of “protected characteristics” (which previously used to be called grounds). The relevant characteristics for services and public functions are:

- **Disability** (definition changed)

The protected characteristic of disability applies to a person who has a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day to day activities.

To qualify for protection from discrimination a disabled person no longer has to show that their impairment affects a particular “capacity” such as mobility or speech, hearing or eyesight. Direct discrimination has been extended to cover disability

- **Gender re-assignment** (definition changed)

The protected characteristic of gender re-assignment will apply to a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. To qualify for protection from discrimination a transsexual person no longer has to show that they are under medical supervision as it is considered a personal process rather than a medical process which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with.

- **Pregnancy and maternity** (no change)

Pregnancy and maternity is not a protected characteristic for the purposes of the schools provisions but it is covered by other requirements which means that schools are prohibited from restricting access to education on the grounds pregnancy and maternity status

- **Race** (no change)

Race includes ethnic or national origins, colour or nationality. People can belong to one or more of these groups at the same time and the one which is relevant to a particular situation depends on the circumstances.

- **Religion or belief** (no change)

The protected characteristic of religion or belief includes any religion or belief and any religious or philosophical belief. It also includes any lack of such religion or belief. A religion need not be mainstream or well known to gain protection as a religion, although it must be identifiable and have a clear structure and belief system.

Faith schools and educational institutions with a religious ethos may in some limited circumstances favour pupils or students because of their religion.

- **Sex** (no change)

A person’s sex refers to the fact that they are male or female. You must not treat a woman or a girl worse than you would treat a man or boy. You must not treat a man or boy worse than you would treat a woman or a girl in the same circumstances.

- **Sexual orientation** (no change)

Everyone is treated from being treated worse because of sexual orientation whether they are straight, gay, lesbian, or bisexual. Sexual orientation discrimination also covers discrimination connected with expressions or manifestations of a person’s sexual orientation. That may include someone’s appearance, the places they visit or the people they associate with.

- **Age** (no change)

Under the schools provisions of the Act age is excluded from the list of protected characteristics.

An integrated public sector Equality duty encourages public bodies to address the needs of groups experiencing disadvantage or discrimination on a number of grounds including the new socio-economic duty. It also extends the use of positive action in the workplace. The Equality Act also introduces a dual discrimination provision which enables people to bring claims where they have experienced less favourable treatment because of a combination of two protected characteristics. Further clarity regarding these issues and many others, particularly in relation to employment matters are likely to be much clearer when the codes of practice are published in January 2011.

The **Employment Equality Regulations 2003** protect employees from discrimination because of their actual or perceived religion or belief.

Discrimination is unlawful in relation to:

- recruitment and selection
- terms and conditions of employment offered and or applied
- opportunities for training, training itself, job promotions and transfers
- harassment and victimisation
- dismissal, including redundancy
- post employment, for example provision of references

The **Employment Equality (Sexual Orientation) Regulations 2003** and the subsequent Equality Act (Sexual Orientation) Regulations 2007 protect employees and consumers from discrimination because of their actual or perceived sexual orientation.

Once seen as a peripheral issue of little relevance to the core business of public bodies, sexual identity has been brought centre stage by legislative and societal developments. The Equality Bill will mean that public authorities will have a single public duty, which will extend the current public duties to age, sexual orientation, religion or belief, gender reassignment. It also includes pregnancy and maternity. Public authorities will have a duty to promote 'positive action'.

Gender Recognition Act 2004

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate (GRC) by a gender recognition panel. The holder of a GRC is not obliged to inform their employer that they have one, but if they choose to do so this information on their gender history must be established as protected information. Trans people are protected by the Sex Discrimination Act 1975, as amended by the Sex Discrimination (Gender Reassignment) Regulations 1992 and the Sex Discrimination (Amendment of Legislation) Regulations 2008

Human Rights Act 1998 and Article 14 of the European Convention on Human Rights Article 14 refers to the prohibition of discrimination and states that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any grounds such as "sex, race, colour, language, religion, political, or other opinion, national or social origin, association with a national minority, property, birth or other status"

Part 2 of the Equality Act 2006

Part 2 of the Equality Act 2006 came into force in April 2007 and makes it unlawful for providers of goods, facilities and services to discriminate in grounds of religion or belief.

Employment Equality (Age) Regulation 2006

This came into force in October 2006 and it protects against discrimination on grounds of age in employment and vocational training. Prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate. The regulations cover recruitment, terms and conditions, promotions, transfers, dismissals and training

The Equality Act (Sexual Orientation) Regulations 2007

Made under section 81 of the Equality act 2006, the Equality Act (Sexual Orientation) Regulations 2007, make it unlawful for providers of goods, facilities or services to discriminate under grounds of sexual identity.

Glossary:

Diversity is

- about including everyone
- valuing differences
- harnessing differences in individuals to the benefit of both the organisation and the individual, by allowing people with different perspectives and views to use their unique blend of skills and character to improve the quality and performance of the organisation
- having a better understanding of the diverse needs of our community

Duty

A mandatory and legal obligation to do something

Promote

Contribute to the progress and growth of....

Make publicity for.....

Equality and Human Rights Commission (EHRC)

Bringing together the Equal Opportunities Commission, Disability Rights Commission and Commission for Race Equality, also serving as a national body for age, religion and belief and sexual discrimination as well as human rights.

What is meant by discrimination?

Generally “discrimination” means treating someone with a protected characteristic worse than someone who does not have this characteristic would be treated in the same situation. The worse treatment must be because of that characteristic.

Discrimination can take a number of forms:

- “direct” or
- “indirect” or
- failure to make reasonable adjustments for disabled people or
- “discrimination arising from disability” or
- discrimination because of “association” with someone who has a protected characteristic, or
- discrimination because a person is thought to have a protected characteristic whether correctly or incorrectly (“perceived”)

People are also protected from:

- harassment related to a protected characteristic
- victimisation because they have, or their education provider thinks they have, made or helped made a complaint about discrimination, unless they know the complaint was not true.

Direct discrimination

Direct discrimination happens when an education provider treats a pupil or student (or an applicant for admission) worse than they treat or would treat another pupil or student (or applicant) because of a protected characteristic.

Direct discrimination also includes less favourable treatment of a person based on a stereotype relating to a protected characteristic, whether or not the stereotype is accurate.

It is not direct discrimination against a non disabled person to treat a disabled person better.

Education providers must not treat someone worse because of a combination of two protected characteristics than they would treat someone who did not have either of these characteristics; this is known as combined characteristics.

Combined discrimination

Sometimes, a person may experience worse treatment than someone else because of combination of the protected characteristics they have:

There may be an interaction between two or more than two of a person's characteristics, but a claim for combined discrimination will only look at a combination of two of them.

Indirect discrimination

People's experiences and opportunities in education can be affected by an education provider's rules or ways of doing things.

Indirect discrimination takes place when the same rule or way of doing things is applied to everyone. The rule or way of doing things may not appear to have a different or worse impact on people with a protected characteristic but does so in reality.

Victimisation

If an education provider treats a person badly because they have taken a particular action related to the Equality Act 2010 (or because they suspect the person has taken or will be taking such action), this will be victimisation, and is against the law. The protection covers anyone, whether or not they have a protected characteristic, if they do something in relation to making a complaint of discrimination and you treat them badly.

Harassment

Harassment in the Equality Act 2010 means:

- Unwanted behaviour which has purpose or effect of:
- Violating the dignity of another person: or
- Creating for that person an intimidating ,hostile, degrading and humiliating or offensive environment

Unwanted behaviour can include any kind of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

Positive action

“Positive action” means the steps that an education provider is allowed (but not required) to take to encourage people with a protected characteristics from groups with different needs or a past track record of disadvantage or low participation to access education.