

Single Equality Policy for Denewood Learning Centre

September 2015

Our Vision

That young people supported by our service maximise their full potential.

Our Mission

We will encourage active engagement, enthusiasm and improved motivation so that the young people and families we support are enabled to improve their life skills, behaviour, emotional well being and achievement through access to a wide range of educational and social opportunities.

Our Values / Principles

Flexibility of approach
Respect for all
Putting young people first
Positivity in relationships
Partnership working
Creativity of practice
Empathic interactions
Engendering trust

Title of Policy: **Single Equality Policy**

This document replaces: **Equality Policy**

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Section: **Children and Families**

Post Holder (will be responsible for keeping policy updated): **SENCo, SEN Governor**

Related policies: **Anti Bullying, Behaviour for Learning, Safeguarding, SEN Policy**

Date adopted by School Governors:

Date first published: **September 2014**

Version: **1**

Policy Review cycle: **Every 3 years or implementation of new national legislation**

Date of last update: **2011**

This document is a refresh of the 2009 Single Equality Policy, Audit and Action Plan for schools. This refresh has been conducted due to the implementation of the Equality Act 2010. Equality legislation sets out employment and service delivery duties across the areas of equal pay, gender reassignment, sexual orientation, religion, age, cohesion, gender, race (ethnicity), disability, civil partnership and marriage; and pregnancy and maternity.

INTRODUCTION

Denewood Learning Centre is guided by a clear set of objectives and values, one of which is equality. We are committed to eliminating unlawful discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between different groups within the local community. We are determined to do everything we can to make sure that people are treated fairly and that everyone has access to good quality services.

Unlawful discrimination, which results in unfairness in any aspect of schools and LA employment policies and practices, curriculum or service delivery, will not be acceptable under any circumstances.

In accordance with our vision/mission/principles statement we pledge to respect the equal human rights of our pupils, staff and other members of the Service community, and to educate them about equality, diversity and cohesion.

LEGISLATION AND DUTIES

The following table identifies the equality legislation that affects our provision.

- Human Rights Act 1998
- Special Educational Needs and Disability Act 2001
- Education Act 2002 (Section 78)
- Education and Inspectors Act 2006 (Section 38 (1))
- Equality Act 2010
- The Equality Act 2010 (Specific Duties) Regulations 2011

Human Rights Act 1998

The Human Rights Act 1998 makes it unlawful for schools to behave in a way that is not compatible with the provisions of the European Convention on Human Rights. Any action taken by a school that interferes with an individual's Human Rights must only be considered if it is a justified and proportionate means of achieving a legitimate end.

Education Act 2002 (Section 78)

Section 78 requires governing bodies for all maintained schools to provide a curriculum that "promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and prepare pupils at the school for the opportunities, responsibilities and experiences of later life".

Education And Inspections Act 2006 (Section 38 (1))

Section 38 (1) of the Education and Inspections Act 2006 states that:

"The governing body of a maintained school, shall, in discharging their functions relating to the conduct of the school:

- Promote the wellbeing of pupils at the school, and
- Promote community cohesion.

The Special Education Needs And Disability Act 2001

The Special Education Needs And Disability Act 2001 sets a duty on schools and local authorities to

- Plan to increase physical and curriculum access for disabled pupil
- Provide and advertise parent partnership services
- Provide mechanisms for resolving disputes over SEN between parents and schools, without diluting the parents' right of appeal to the SEN Tribunal

Equality Act 2010

The General Public Sector Duty of the Equality Act 2010 requires schools, in the exercise of their functions and decisions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

The Learning Centre's will take the following action as reasonable steps to demonstrate due regard to the General Duty of the Equality Act 2010:

- **Produce a written equality policy** identifying action to be taken to eliminate discrimination, advance equality of opportunity and foster good relations between different groups across school activity.
- **Consult stakeholders (*pupils, parents/carers/guardians and staff*)** on their perceptions of equality within the school and build the results of consultation into the equality policy.
- **Assess and analyse** the impact of equality policies on pupils, staff, and parents/carers/guardians, in particular monitor pupil admissions, attainment levels and exclusions by disability, gender, religion and different racial groups. Take such steps as are reasonably practical to improve any adverse outcomes for any group. The Specific Duty of the Equality Act 2010 requires the publication of the results of this analysis, at least, annually.
- **Record all hate incidents** and report them to PRU Management Committee on a regular basis (in line with the Government Guidance Document 2012, "Bullying - Guidance for Governing Bodies and School Leaders").
- **Audit and monitor** curriculum teaching and learning methods to ensure they are inclusive in the language and representation used, promote inclusion and physical activity for disabled pupils, and challenge stereotypes to promote community cohesion and a positive image of a diverse community.
- **Reasonable Adjustments** the PRU will take reasonable steps to avoid substantial disadvantage where a provision, criterion or practice puts disabled pupils at a substantial disadvantage. This duty applies to existing pupils, referred pupils and, in limited circumstances, to disabled former pupils in relation to the following areas:
 - Deciding who is offered admission as a pupil
 - The provision of education
 - Access to any benefit, service or facility.

- **Special Educational Needs duties** *The Learning Centre will not treat disabled persons than non disabled persons, and will make reasonable adjustments to avoid putting disabled persons at a substantial disadvantage compared with others. The PRU will ensure that they have prepared an accessibility to increase accessibility for disabled persons. This plan will cover: the physical environment; the curriculum; and written communication (The planning duty). When this plan has been completed, the Centre will review their position in relation to the Planning Duty at least once a year.*

The Equality Act 2010 (Specific Duty) Regulations 2011 requires schools to set measurable equality objectives and to publish information about their performance on equality, so that the public can hold them to account.

- In order to meet the Specific Duty, The Centre's
 - Publish sufficient information to demonstrate compliance with the general equality duty across its functions by 6 April 2012, and annually after that, from the first date of publication.
 - Prepare and publish equality objectives by 6 April 2012, to demonstrate how the general equality duty will be met

This policy will be published on the Service website

PROTECTED CHARACTERISTICS UNDER THE EQUALITY ACT 2010

The Equality Act 2010 identifies a list of nine characteristics that are subject to its general duty. They are:

- Age
- Disability
- Gender
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (ethnicity)
- Religion
- Sexual orientation

However, age and being married or in a civil partnership are NOT protected characteristics for the service provisions.

RESPONSIBILITIES

Learning Centre Governors

- Challenging and supporting the PRU so that weaknesses are tackled decisively and statutory equality responsibilities are being met.
- Ensure that the PRU functions and policies are equality impact assessed to demonstrate compliance with equality legislation.
- Ensure that an equality assessment of the curriculum has been completed.
- Monitor the Service Equality Policy and SEN Accessibility Plan at least once annually to ensure that their procedures are being followed.

The Head Teacher and SENCo is responsible for:

- Producing, implementing and maintaining the Learning Centre's
 - Equality Policy
 - Accessibility Plan
- Ensuring all staff know their responsibilities under these documents and receive training and support in carrying these out
- Ensuring the Service has an Anti-Discrimination Policy for dealing with and reporting hate incidents
- Ensuring tools are in place to show how the Service has shown due regard to all protected groups, such as;
 - Equality impact assessment of policies
 - Equality monitoring of policies e.g. admissions, pupil attainment, exclusion, hate incidents
 - Equality assessment of the curriculum
- Completing of the community cohesion audit and self-assessment
- Using information from assessments and audits to identify compliance with equality duties and to develop equality objectives for the Service
- Publishing information to demonstrate compliance with the general equality duty across its functions by 6 April 2012, and annually after that, from the first date of publication
- Prepare and publish equality objectives by 6 April 2012, to demonstrate how the general equality duty will be met
- Revising and reviewing the Service Equality Policy and Plans every three years and report on progress annually to Learning Centre governors
- Making sure the Service Equality Policy and its procedures are followed
- Making sure the Equality Policy is readily available and that the Learning Centre Governors, staff, pupils, and their parents/carers and guardians know about them
- Producing regular information for staff and Learning Centre governors about the plans and how they are working
- Taking appropriate action in cases of harassment and discrimination, including racist bullying, homophobic bullying and bullying related to gender, disability and religion

All staff are responsible for:

- Dealing with all hate-incidents
- Advancing equality of opportunity and fostering good relations
- Behaving in a non-discriminatory way and respecting the human rights of individuals regardless of age, race, disability, sexual orientation, religion, gender, gender reassignment, pregnancy and maternity; and marriage and civil partnership
- Ensuring they follow the Equality Policy and procedures and take up equality training and learning opportunities provided by the Service

Teaching Staff are responsible for

- Undertaking an equality assessment of their curriculum, to ensure there is equality of opportunity to access the curriculum through teaching and learning.
- Being able to recognise and tackle bias and stereotyping in the Service and wider community.
- Challenging discriminatory language and behaviour and providing appropriate alternatives and role models
- The Teacher-in-Charge is responsible overall for dealing with reports of hate-incidents
- Teachers are responsible overall for Special Educational Needs

Visitors and contractors are responsible for:

Behaving in a non discriminatory way and respecting the human rights of individuals regardless of age, race, disability, sexual orientation, religion, gender, gender reassignment; marital or civil partnership status, pregnancy and maternity.

DEFINITION OF DISCRIMINATION

Under the law, there are different categories of discrimination, with differences in the legal framework surrounding them. These are:

Direct Discrimination, which occurs when a person is treated less favourably than another on grounds of a personal characteristic.

Discrimination by Association occurs when a pupil 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 you treat a pupil less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination arising from perception takes place where an education provider behaves as if the person has the characteristic and treats them worse than others as a result. This applies whether the perception is true or not, even if the education provider knows that the person does not have the protected characteristic.

Discrimination because of pregnancy and maternity occurs when women (including a female pupil of any age) are treated 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.

Indirect Discrimination, which occurs when a rule or condition which is applied equally to everyone:

- Can be met by considerably smaller proportion of people from a particular group
- Is to the disadvantage of that group
- Cannot be justified by the aims and importance of the rule condition

Discrimination arising from a disability, which occurs when an education provider treats the disabled person unfavourably, this treatment is because of something which has come about as a result of the disabled person's disability ('something arising in consequence of the person's disability'), and the education provider cannot show that this treatment is justified as a balanced way of achieving something for a good reason (in legal language 'a proportionate means of achieving a legitimate aim').

Discrimination arising from disability is different from direct discrimination. Direct discrimination refers to less favourable treatment and requires a comparison to show that a person without the protected characteristic would be treated differently. Discrimination arising from disability refers to unfavourable treatment and does not require a comparison to a non-disabled person.

Harassment, occurs when unwanted conduct has the purpose or the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, on grounds of disability, race or gender. Although the harassment provisions do not explicitly apply to the protected characteristics of gender reassignment, sexual orientation, religion or belief; or pregnancy and maternity, in relation to schools. However, unwanted conduct related to any of these protected characteristics that results in a pupil being disadvantaged would constitute direct discrimination.

Victimisation, which occurs when a person is treated less favourably because they have taken action in respect of discrimination, e.g. by bringing a complaint or giving evidence for a colleague.

DISCRIMINATION WITH REGARD TO PUPILS

We will not discriminate unlawfully against children seeking admission, nor with regard to how pupils are treated, on grounds of gender, race, disability, sexual orientation (of the pupil, or their parents or carers), religion or belief, pregnancy and maternity. This includes discrimination in provision of teaching or allocating the pupil to certain classes, applying different standards of behaviour, dress and appearance, excluding pupils or subjecting them to any other detriment, and conferring benefits, facilities or services.

- With regard to disability, the Centre will make such reasonable adjustments as are necessary to prevent disabled pupils being at a substantial disadvantage in comparison with people who are not disabled, even if it means treating them more favourably

EMPLOYMENT

We are committed to a fair and equal pay policy and a free from bias pay structure.

We will not discriminate in employment unlawfully on grounds of gender, gender reassignment, race, disability, sexual orientation, religion or belief or age. This includes discrimination in relation to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

With regard to disability, we will make such reasonable adjustments as are necessary to prevent a disabled person being at a substantial disadvantage in comparison with people who are not disabled.

The Learning Centre will ensure that they send employment equality monitoring data to the Human Resources Section of the Children and Young People's Service, in a format specified by that agency.

The Learning Centre will monitor the information as set out below disaggregated by disability, gender, religion, sexual orientation and different racial group.

- The number of staff in post, and
- The number of applicants for employment, training and promotion

CONSULTATION

We will consult with pupils and staff, parents, carers, and guardians, including disabled people and members of different racial minority communities, people from both sexes and people from all sexual orientations to identify what their opinion is in terms of the schools equality and cohesion performance. The outcome of this consultation will be reported to the school governors and the stakeholders involved. Any identified improvements will be included in the Centres Improvement Plan

When developing the schools Single Equality Policy consultation we have considered the following questions.

- 1. In what ways can we improve access by gender or for different racial groups and disabled people in relation to:*
 - the Learning Centre's facilities,*
 - learning and the curriculum*
 - the extended services we offer?*
- 2. In addition to the policies identified in the Single Equality Policy, are there policies where we would like to see the Learning Centre carry out an equality impact assessment assessment and monitor the outcomes, to ensure that there is equality of opportunity for all protected characteristics?*
- 3. In what ways can the Learning Centre promote good relations and community cohesion?*

MONITORING AND ANALYSIS

We will monitor the following policies to ensure that we are meeting equality duties.

- Pupil Admission
- Pupil Exclusion
- Curriculum, Teaching & Learning Policy
- The progress of pupils identified as having special educational needs
- Complaints
- All hate Incidents
- Stakeholder Evaluations

Where appropriate we will use the equality monitoring categories for race, gender, religion and disability used by Nottingham City Council. This will ensure consistency of data and enable us to set targets that are comparable with other agencies.

We will disaggregate the results of monitoring by the equality profile (race, gender, religion and disability) to identify if there were any issues or outcomes particular to one specific group. Where relevant actions will be taken to improve any adverse outcomes for any group. The results of equality monitoring will be reported to the Learning Centre's Management Committee. Any identified improvements will be included in the Service Improvement Plan. The results of such monitoring and analysis will be published, to enable viewing by any interested party.

EQUALITY IMPACT ASSESSMENT (EIA)

The Centre will develop an Equality Impact Assessment process that will incorporate each area of equality duty. The Equality Impact Assessments will be carried out on all of our policies at least once every three years. We will ensure that the Equality Impact Assessment process is updated in line with new legislation.

The Equality Impact Assessment template will be based upon the relevant equality duties. For each of the Services functions the Equality Impact Assessment process will cover the following areas:

- The advancement of equality of opportunity
- The elimination of unlawful discrimination, harassment and victimisation
- To foster good relations between different groups of our community
- The promotion of positive attitudes to disability
- The participation by disabled people in public life
- The meeting the need of disabled people, even when that means treating them more favourably than non-disabled people.

The outcome of equality impact assessments will be reported to the Learning Centre's Governing Body. Any identified improvements will be included in the Service Improvement Plan

EQUALITY AND COHESION CURRICULUM AUDIT CHECKLIST

The Learning Centre's will develop a curriculum audit tool. This will ensure that each member of teaching staff will use inclusive and positive images of a diverse community and examples that promote good community relations. They will challenge gender, racial, religious, disablist, ageist and homophobic stereotypes, e.g. prejudices about what people from particular groups should/ shouldn't or can/cannot do

REPORTING PROGRESS

The Learning Centres' Governors will monitor the Services Single Equality Policy and Action Plan. The SENCo will produce an annual report for the PRU Governing Body members on progress against the Single Equality Policy and Action Plan. This report will include the results of consultation, equality monitoring and equality impact assessments.

The first annual report on progress against the Single Equality Policy and Action Plan will be produced July 2016

The Single Equality Policy and Action Plan will be reviewed at least once in the next three years.

The Learning Centre Governors agreed this policy in

It will be reviewed in partnership with all members of the school community in June 2016 unless there are changes to National or Local Guidance prior to this date.

Signed by

Learning Centre Governing Body Chair _____

Head Teacher _____

SENCo _____