

Shipbourne School



Single Equality Scheme March 2017

Introduction

The Equality Act 2010 replaces all previous equality legislation, including the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. The Act protects people from discrimination on the basis of 'protected characteristics'. The relevant characteristics for services and public functions are:

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

Under The Equality Act 2010, schools are required to fulfil the following Duty:

The Equality Duty

The equality duty was developed in order to harmonise the equality duties and to extend it across the protected characteristics. It consists of a general equality duty, supported by specific duties which are imposed by secondary legislation. In summary, those subject to the Equality Duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The following should be applied alongside legislation as detailed at the end of this document.

Disability

The Equality Act defines a person as being disabled if they have:

‘A physical or mental impairment which has a substantial and long term adverse effect on his or her ability to carry out normal day-to-day activities.’

Definition of the terms:

- ‘physical impairment’ includes sensory impairments;
- ‘mental impairment’ includes learning difficulties and an impairment resulting from or consisting of a mental illness;
- ‘substantial’ means ‘more than minor or trivial’;
- ‘long-term’ is defined as 12 months or more.

The definition includes a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). These are all likely to amount to disability, but only if the effect on the person’s ability to carry out normal day-to-day activities is substantial and long-term, as defined above. The effect on normal day-to-day activities is on one or more of the following:

- mobility;
- manual dexterity;
- physical co-ordination;
- continence;
- ability to lift, carry or otherwise move everyday objects;
- speech, hearing or eyesight;
- memory or ability to concentrate, learn or understand;
- perception of risk of physical danger.

Some people are automatically covered by the definition: those with cancer, multiple sclerosis, HIV infection or a severe disfigurement. There are special provisions for people with progressive or recurring conditions.

Exclusions from the definition

Certain conditions are not to be regarded as impairments for the purposes of the Act.

These are:

- addiction to, or dependency on, alcohol, nicotine, or any other substance (other than in consequence of the substance being medically prescribed);
- the condition known as seasonal allergic rhinitis (e.g. hayfever), except where it aggravates the effect of another condition;
- tendency to set fires;
- tendency to steal;
- tendency to physical or sexual abuse of other persons;
- exhibitionism;
- voyeurism.

The exclusions apply where the tendency to set fires, tendency to steal, tendency to physical or sexual abuse of other persons, exhibitionism, or voyeurism constitute an impairment in themselves. The exclusions also apply where these tendencies arise as a consequence of, or a manifestation of, an impairment that constitutes a disability for the purposes of the Act.

Purpose

At Shipbourne School, we recognise our duty and responsibility to establish equality for all students, staff, other members of the school community and service users regardless of their ethnicity, gender, disability, sexual orientation, age or beliefs as defined within existing equalities legislation. The purpose of our Single Equality Scheme (SES) is to fulfil the duties to promote equality for people with ‘protected characteristics’, and embed fairness and equality at the heart of our school community and in all aspects of our provisions, criteria and practices (PCPs). All school policies will be written and implemented with the SES in mind.

Our SES requires us to meet the duties under equality legislation, and to achieve the following for all groups:

- Eliminate all forms of unlawful discrimination;
- Eliminate harassment and bullying;
- Advance equality of opportunity through vision, strategy and practice;
- Foster good relations;
- Promote positive attitudes towards disabled people;
- Encourage participation of disabled pupils, parents, staff and carers;
- Take steps to meet disabled people's needs.

Through our SES we make links to all our actions and commitments to:

- Promote community cohesion;
- Narrow the attainment gap in outcomes between children and young people;
- Improve outcomes as described within the Kent Children's and Young People's Plan (CYPP).

The Act makes it unlawful for the responsible board of a school to discriminate against, harass or victimise a pupil or potential pupil:

- In relation to admissions;
- In the way it provides education for pupils;
- In the way it provides pupils access to any benefit, facility or service, or by excluding a pupil or subjecting them to any other detriment;
- Victimising a pupil on the grounds of a parent's actions or disability.

When employing staff it is unlawful to:

- Ask health related questions before the offer of a job;
- Discriminate in relation to any of the protected characteristics.

Action

In order to meet the duties under the Equality Act, the governing board are required to:

- Eliminate unlawful discrimination and harassment on the grounds of disability, race, gender, age, religious beliefs or sexual orientation;
- Promote equality of opportunity;
- Promote good relations between people of different racial and gender groups.

To meet this requirement the governing board will:

- Identify action to be taken to tackle discrimination and promote equality and good race relations across school activity;
- Assess and monitor the impact of the SES on pupils, staff, and parents, in particular the attainment levels of pupils from different 'vulnerable groups', and take such steps as are reasonably practical to publish the results of this monitoring annually;
- Record incidents of harassment and bullying, and racist incidents and report them to the local authority on a regular basis;
- Promote equality of opportunity for disabled people: pupils, staff, parents, carers and other people who use the school or may wish to;
- Increase the extent to which disabled pupils can participate in the school curriculum;
- Improve the environment of the school to increase the extent to which disabled pupils can take advantage of education and associated services;
- Improve the delivery to disabled pupils of information, which is provided in writing for pupils who are not disabled. Raise awareness of elements of the duty with all staff, governors, parents and pupils;
- Ensure understanding of the broad definition of disability within the Equality Act;
- Encourage disclosure of disability by pupils, parents, staff and other users of the school;
- Work with trade unions to implement the gender duty in employment functions;

- Plan for regular opportunities to promote equality and awareness of different groups both within and beyond our community.

Positive Action provisions allow schools to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim. The exclusion of children who do not belong to these groups cannot be viewed as discriminatory.

Involvement of pupils, staff, parents and other users of the school:

- The governing board will consider and plan to involve pupils, staff, parents and other users of the school in relation to the Equality Duty;
- The school will continue to take into account the preferred means of communication for those with whom they are consulting;
- The school will ensure the involvement of a range of people and hear a range of views to meet the Equality Duty;
- The views of the pupils, staff, parents, trade unions and other users of the school will be used to set priorities.

Impact assessments

Impact assessments refers to the review of all current and proposed policies and practices in order to help schools act to ensure no group with protected characteristics is disadvantaged by school activities, and to promote equality. Impact assessments will be an on-going process to ensure that our policies and practices develop, evolve and are incorporated into the school's planned review and revision of every policy. Every new policy or procedure will be drawn up with regard to our duties to promote race, disability and gender equality and to eliminate discrimination and harassment within the school community.

We will use the KCC Equality Impact assessment tool for schools as a basis for impact assessments, identifying the main priorities for the school's SES and deciding the actions.

The priorities will be set in the light of:

- An examination of the information that the school has gathered;
- The messages that the school has heard from the pupils, staff, parents and trade unions that have been involved in the development of the SES.

Some of the priorities identified may include:

- Improving access to information;
- Improving the involvement of disabled pupils, staff and parents
- Challenging gender stereotypes in subject choices and career advice;
- Health, sport and obesity differences between girls linked to girls reduced likelihood of taking part in physical education and sport compared to boys;
- Tackling sexual and sexist bullying of boys and girls;
- Employment and considering objectives to address the causes of any gender pay gap.

Publication

The SES will be published as a separate document. The school will provide a copy for anyone asking for it.

Reporting

Policies which are reviewed against the SES will be minuted in Governor meetings.

Reviewing and revising the scheme

As part of the review of the SES, the school will:

- Revisit the information that was used to identify the priorities for the scheme;

- Re-examine the information to see if actions that the school has taken have affected opportunities and outcomes for disabled pupils, staff and parents, diverse racial groups and both genders.

The review of the SES will inform its revision and how the school sets new priorities and new action plans for the next scheme. This process will continue to:

- Involve pupils, staff and parents;
- Be based on information that the school has gathered.

Monitoring and review

This policy will be monitored by the Governing Board, who will always take due note of the guidance provided by the Local Education Authority.

The policy will be reviewed every three years, or earlier in the light of any changed circumstances.

Key Legislation:

Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

Disability: Equality Act 2010

Public Sector Equality Duty

The Equality Act 2010 and schools