



INSPIRING FUTURES PARTNERSHIP TRUST

EQUALITY POLICY

(Replacing the individual Race, Disability and Gender Equality Policies)

Policy Type	Statutory
Updated By	Victoria Morris,
Updated in	March 2019
Review due	March 2023 or sooner to reflect any changes in legislation and/or guidance

Equality Policy

This single policy replaces separate policies the school has on race, disability and gender and is intended to eliminate discrimination, advance equality of opportunity and foster good relations. It reflects the legal duties set out in the Equality Act 2010 and non-statutory guidance set out by the government in May 2014.

All public bodies have a duty to:

- Eliminate discrimination and other conduct that is prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

How the Equality Act applies in schools

In England and Wales the Act applies to all maintained and independent schools, including Academies, and maintained and non-maintained special schools. The Act makes it unlawful for the responsible body 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.

The responsible body for ensuring the Equality Act is adhered to is the Inspiring Futures Partnership Trust Board of Trustees. However, any persons acting on behalf of the responsible body – including employees of the academies – are liable for their own discriminatory actions. The trustees are also liable unless they can show that they have taken all reasonable steps to stop the individual from doing the discriminatory action or from doing anything of that discriminatory nature.

The Trust's liability not to discriminate, harass or victimise does not end when a pupil has left the school, but will apply to subsequent actions connected to the previous relationship between school and pupil, such as the provision of references on former pupils or access to "old pupils" communications and activities.

It is unlawful for a school to discriminate against a pupil or prospective pupil by treating them less favourably because of their:

- sex
- race
- disability
- religion or belief
- sexual orientation
- gender reassignment
- pregnancy or maternity

This also applies to discrimination of a pupil due to their association with someone who have one of the above protected characteristics. For example: the Trust may not to admit a pupil because their parents are homosexual. The law also applies where there is a perception of a pupil or associated person having one of the protected characteristics, even when that perception may be incorrect. For example: a pupil cannot be discriminated against because a member of staff perceives that they have a disability, even if that is not the case.

Curriculum

The Equality Act specifically excludes the curriculum from the equality duty. However, the delivery of the curriculum is not excluded. Excluding the content of the curriculum ensures that the academy is free to include a full range of issues, ideas and materials in its syllabus, and to expose pupils to thoughts and ideas of all

kinds, however challenging or controversial, without fear of legal challenge based on a protected characteristic. However, the Trust will ensure that the way in which issues are taught does not subject individual pupils to discrimination. An example of such discrimination would be: Girls are not allowed to do design technology or boys are discouraged from doing food technology. This is not intrinsic to the curriculum itself but to the way in which education is made available to pupils.

Protected Characteristics

Sex/Gender

- The Trust will make sure that pupils of one gender are not singled out for different and less favourable treatment from that given to other pupils.
- We will check that there are no practices which could result in unfair, less favourable treatment of boys or girls. For example, it would be unlawful for the Trust to require girls to learn needlework while giving boys the choice between needlework and woodwork classes or to say that girls may not join the football team.

Race

The definition of race includes colour, nationality and ethnic or national origins. The Trust will:

- Make sure that pupils of all races are not singled out for different and less favourable treatment from that given to other pupils
- Ensure that there are no practices which could result in unfair, less favourable treatment of such pupils. For example, it would be unlawful for us to impose stricter disciplinary penalties on African Caribbean boys than we do in similar circumstances to children from other backgrounds
- Prepare pupils for life in a diverse society
- Use materials that reflect a range of cultural backgrounds, without stereotyping
- Promote attitudes and values that will challenge racist behaviour
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures
- Seek to involve all parents in supporting their child's education
- Take account of the performance of all groups of pupils when planning for future learning and set challenging targets
- Tackle the underperformance of any group swiftly

Disability

The law on disability discrimination is different from the rest of the Act in a number of ways. In particular, it works in only one direction – that is to say, it protects disabled people but not people who are not disabled. This means that schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

The Equality Act defines disability as when a person has a 'physical or mental impairment which has a substantial and long term adverse effect on that person's ability to carry out normal day to day activities.' Some specified medical conditions, HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.

The Trust will not treat a disabled pupil less favourably simply because that pupil is disabled – for example by having an admission bar on disabled applicants.

Reasonable Adjustments

The duty to make reasonable adjustments applies only to disabled people. For schools the duty is summarised as follows:

- Where something a school does places a disabled pupil at a disadvantage compared to other pupils then the school must take reasonable steps to try and avoid that disadvantage.
- Schools will be expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils. Schools are not subject to the requirement of reasonable adjustment duty concerned with make alterations to physical features because this is already considered as part of their planning duties.
- Cost will inevitably play a major part in determining what is reasonable. There will also be times when adjustments cannot be made because to do so would have a detrimental effect on other pupils and would therefore not be reasonable.

In light of its duty to have due regard for the equality of disabled people and to make reasonable adjustments, the Trust will:

- Make information available to parents and pupils in an accessible format, including information about standing as a Trustee for the Inspiring Futures Partnership Trust
- Ensure that meetings and events are held wherever possible in a location with an accessible entrance
- Take opportunities to represent disabled people in imagery used with the children in lessons
- Take opportunities to feature disabled people in a positive light in assemblies and lessons e.g. Helen Keller, Richard Whitehead, Louis Braille, Dame Tanni Grey Thompson.
- Use Charity events to highlight disability e.g. SENSE Cinema Day, collecting stamps for Guide Dog for the Blind

Religion or belief

The Equality Act defines “religion” as being any religion, and “belief” as any religious or philosophical belief. A lack of religion or a lack of belief are also protected characteristics; for example humanism or atheism. The concepts of religion and belief must be construed in accordance with Article 9 of the European Convention on Human Rights and with existing case law. This means that to benefit from protection under the Act, a religion or belief must have a clear structure and belief system, and should have a certain level of cogency, seriousness and cohesion, and not be incompatible with human dignity.

The Trust will:

- make sure that pupils of all religions and beliefs are not singled out for different and less favourable treatment from that given to other pupils
- ensure that there are no practices which could result in unfair, less favourable treatment of such pupils
- acknowledge that discrimination can occur between people of the same religion. For example, a Christian teacher would not be allowed to favour a particular child for a prefect role because they perceive that child to be a more devout Christian than another Christian child.

Please see the *Race* section for additional actions.

Sexual orientation (including marriage and civil partnership)

The Trust will:

- make sure that all gay, lesbian or bi-sexual pupils, or the children of gay, lesbian or bi-sexual parents, are not singled out for different and less favourable treatment from that given to other pupils

- ensure that there are no practices which could result in unfair, less favourable treatment of such pupils. For example, it would be unlawful for a school to refuse to let a pupil become a prefect because of the sexual orientation of their parents
- accurately state the facts about marriage of same sex couples under the law of England and Wales, in a way that is appropriate to the age and level of understanding and awareness of the pupils, when discussing the topic of marriage and relationships
- ensure that any discussion or teaching about marriage will be done in a sensitive, reasonable, respectful and balanced way in line with the Teacher Standards, this Equality Policy, and anti-discrimination duties towards colleagues and pupils

Trust staff are not under a duty to support, promote or endorse marriage of same sex couples. All teaching and discussion should be based on facts. Teachers must have regard to statutory guidance on sex and relationship education, and to meet duties under equality and human rights law.

Gender reassignment

Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. This definition means that in order to be protected under the Act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so.

The Trust acknowledges that it is rare for children to go through gender reassignment, especially when of primary age. However, should this occur, we will handle it sensitively.

The Trust will:

- make sure that all gender variant pupils, or the children of transgender parents, are not singled out for different and less favourable treatment from that given to other pupils
- check that there are no practices which could result in unfair, less favourable treatment of such pupils. For example, it would be unlawful discrimination for a teacher to single out a pupil undergoing gender reassignment and embarrass them in front of the class because of this characteristic
- be proactive in working with parents to address any related issues and will use the NHS GIDS and the GIRES guidance on bullying to help find the best way forward.

Pregnancy and maternity

A primary academy is unlikely to have pupils who have this protected characteristic. In the unlikely event that this should occur, we would handle the situation sensitively, working very closely with the pupil and parents to ensure that they are not discriminated against during this time.

With regard to staff- please see the Maternity and Adoption policy.

Bullying and Stereotyping of Pupils with Protected Characteristics

The Trust will:

- Act swiftly in light of any incidents which stem directly from discrimination or stereotyping against one of the protected characteristics
- Monitor and record the regularity of such incidents.
- Work with children who have suffered any kind of discrimination-based bullying to ensure they feel safe and secure at school
- Work with children who have participated in discrimination-based bullying to resolve any underlying issues and build understanding and compassion

- Work with the parents of all children involved in a discrimination-based bullying incident in order to resolve it and change the thinking that prompted the incident
- Take opportunities to represent people from all different backgrounds and characteristics in lessons and assemblies. For example, ensuring that clipart used in Smart Notebook files represents a variety of different children- different ethnicities, disabled children, different religions.
- Challenge stereotypes through a variety of means- representation, RE lessons, assemblies, PSHCE lessons, using a variety of books. For example- staff may use examples of female firefighters, ethnic minority scientists, female Muslim athletes, male nurses, Paralympians, Indian Christians and African Muslims etc. Challenge may also occur in discussion, where statements from children which reinforce stereotypes will not be left unchallenged. An example may be a child stating that a disabled person can't be a teacher, or that men don't stay at home to look after children or that Muslims can't be white or black. Discussion will be used to encourage children to expand their thinking and consider other possibilities.

Equality of staff

The Equality Policy also applies to staff with protected characteristics. Staff members who have these characteristics must not be discriminated against in any area and due regard must be given to them. For further information please see the Equal Opportunities Policy.

Any incidences of the relevant policies not being followed must be addressed through the Whistleblowing or Staff Grievance Policy as appropriate.