



[AVANTI SCHOOLS TRUST]

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The Equality Act 2010 replaced nine major Acts of parliament and almost one hundred sets of regulations, which had been introduced over several decades. It provides a single, consolidated source of equality law, covering all types of discrimination, harassment and victimisation that are unlawful. It simplified the law by getting rid of anomalies and inconsistencies that had developed over time, and extended protection against discrimination in several areas.

disability, as well as failing to make reasonable adjustments for an individual with a disability. The definition of what constitutes disability discrimination is more complex than that for the other protected characteristics, and is set out in further detail under the section relating to disability equality below.

The Equality Act 2010 makes it unlawful to harass an individual or group of individuals in relation to certain protected characteristics. Harassment is defined as an unwanted act, related to a relevant protected characteristic, which has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment only applies in relation to the following protected characteristics:

Sex;
Race;
Religion or belief (in relation to those who are not students);
Sexual orientation (in relation to those who are not students);
Pregnancy or maternity;
Disability; and
Age (in relation to those who are not students).

Harassment does not apply to the otherwise protected characteristics of religion or belief, sexual orientation or gender reassignment in relation to students, however any discriminatory acts because of these characteristics are likely to be direct discrimination in any event.

The Equality Act 2010 makes it unlawful to victimise an individual or a group of individuals in certain circumstances. Victimisation is defined as occurring when an individual or group of individuals are treated less favourably as a result of anything they have done in reliance upon the Equality Act 2010, for example by previously making an allegation of discrimination or harassment, even if it was not upheld.

Victimisation will also occur when an individual is treated less favourably as a result of anything their parent, sibling or other person has done in reliance upon the Equality Act 2010, for example where their older sibling has previously made an allegation of discrimination, even if it was not upheld.

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can give a particular group of students preferential treatment (which would be positive discrimination and unlawful), it merely allows the school to put in place measures which redress the balance between those with the protected characteristic and those without. These measures must be a proportionate means of achieving this aim.

The Equality Act 2010 does, however, allow for the school to treat disabled students more

Schools must ensure that a student, parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others,

student or group of students because they are pregnant, have recently had a baby or are breastfeeding a baby.

Schools must not take any disciplinary action (including exclusion) against a student because they are pregnant, have recently had a baby or are breastfeeding. Schools should not authorise more than eighteen weeks' absence (or "maternity leave") from school to ensure the student's reintegration into education as quickly as possible following the birth of a baby.

The overriding objective of the Equality Act 2010 is to achieve equality (equal treatment) for all people whether they have a protected characteristic or not. However, the provisions relating to disability are different to those for all of the other protected characteristics, in that it is lawful, and in fact is sometimes a legal requirement, to treat a disabled individual or group of individuals more favourably than an individual or group of individuals without a disability.

The Equality Act 2010 defines disability as being where an individual or group of individuals has a physical or mental impairment which has a substantial and long term adverse effect (lasting or recurring, or likely to last or recur, for at least twelve months) on their ability to carry out normal day to day activities.

Some conditions such as being HIV positive, or having multiple sclerosis or cancer, are automatically deemed to have a disability regardless of their effect or longevity. Severe disfigurement will also come within the definition of disability (disfigurement by tattooing or piercing is excluded). Those that are certified as blind, severely sight impaired, sight impaired or partially sighted by a consultant ophthalmologist are automatically deemed to have a disability.

Others conditions are not deemed to be a disability, such as addiction to alcohol (unless it is a symptom of a psychiatric illness lasting or recurring for at least twelve months), legal or illegal substances (unless medically prescribed as treatment), fire-setting, kleptomania, a tendency towards violence or sexual abuse of others. Hay fever sufferers are not deemed to have a disability; however hay fever may be taken into account where it aggravates the effect of another medical condition.

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be directly discriminated against or harassed because of their disability.

Schools must ensure that a student or group of students are not treated less favourably

than another student or group of students, because of their disability, their parents' disability or the disability of somebody they associate with.

Schools cannot justify directly discriminating against a student or group of students with a disability by maintaining that their discriminatory act was a proportionate means of achieving a legitimate aim, as was the case under previously disability discrimination legislation.

It is not unlawful for a school to treat a disabled student or group of students more favourably than another student or group of students who are not disabled. This is positive disability discrimination and is lawful.

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be indirectly discriminated against because of their disability, by the implementation of a provision, criterion or practice applied generally to those with or without the disability, unless there is a legitimate reason for the provision, criterion or practice and there is no other way to achieve it.

Schools must ensure that a student or group of students are not put at a disadvantage by the implementation of a school provision, criterion or practice which applies to all students because of their disability, unless they can show that it was implemented for a legitimate reason and was proportionate way of achieving the legitimate aim.

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against because of something arising in consequence of their disability, unless there is a legitimate reason for discriminatory act and there is no other way to achieve it, and provided that the discriminator knew, or should have known, about the disability.

Schools must ensure that a student or group of students are not treated less favourably because of something arising in consequence of their disability, unless they can show that there was a legitimate reason for the less favou4.17 Tm0 g0hthow that

Where a provision, criterion or practice places a disabled student or group of students at a substantial disadvantage compared to students who are not disabled, reasonable steps must be taken to avoid that disadvantage;

Where a disabled student or group of students would, but for the provision of an auxiliary aid, be placed at a substantial disadvantage compared with students who are not disabled, the school must take reasonable steps to provide the auxiliary aid.

An "auxiliary aid" includes equipment and services. The Equality Act 2010 does not provide a definition of "auxiliary aids", however the dictionary definition includes helpful, supporting, assistant things or persons. Where a piece of equipment is necessary for all aspects of a student's life rather than being required in an educational context only (for example, hearing aids), it is likely that it would be considered unreasonable for a school to be expected to provide these.

Factors which a school may consider when considering whether the provision of an auxiliary aid to a disabled student is reasonable include the financial or other resources required, its effectiveness, its affect upon other students and health and safety requirements.

Where a student with Special Educational Needs (SEN) is already being provided with an auxiliary aid as part of their SEN provision, there is no need for the school to provide the auxiliary aid as part of their "reasonable adjustment" duty. Schools should not, however, assume that an auxiliary aid is not required under their "reasonable adjustment" duty for a student with SEN simply because it is not being provided under their SEN provision. In addition, where a school determines that it is unreasonable to provide an auxiliary aid (perhaps, for example, on the grounds of cost), it is not necessarily reasonable for the local authority to refuse to provide the auxiliary aid.

disadvantage suffered by students with a protected characteristic, for example by allowing a female student with a skin condition (which may amount to a disability) to wear trousers instead of a skirt, or allowing a Sikh student to wear a turban.

The school's Uniform Policy provides details of the school uniform to be worn by students, including confirming the school's policy in relation to religious clothing and jewellery.

Schools with a religious designation are permitted to give priority to applicants because of their religion within their admissions arrangements without breaching the religion or belief equality provisions.

Schools are free to have a collective act of worship based upon one religion without acting unlawfully by not providing an equivalent act of worship for other religions. Schools are also free to celebrate any religious festivals of their choosing without acting unlawfully by offending those of another religion.

and;

If the act *is* in fact a manifestation of the student's religion or belief, there is no justification in the school interfering with the student's right to do so.

In deciding whether the school is justified in interfering with a student's right to manifest their religi

Schools have a Specific Duty to:

Improve the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are

As a school we know our school population well and analyse data to set targets, identify under performance of specific groups and drive standards.

Parents and families are invited to specific workshops related to discrimination e.g. Anti-Bullying workshops, behaviour workshops.

We encourage all pupils to appreciate their own gender and uniqueness.

We provide pupils with opportunities to listen and discuss a range of opinions and empathise with different experiences.

We promote positive messages about gender through display, assemblies, visitors, whole school events and specific weeks e.g. Black History month.

We have a rolling programme for reviewing all our school policies to ensure they impact on progress, well-

Curriculum planning at Avanti Court reflects a commitment to religious and beliefs equality and there will be opportunities in the curriculum to explore concepts and issues related to religion and beliefs.

Assemblies, PSHE and the PRE Curriculum provide opportunities to explore and celebrate different beliefs and cultures.

We promote of attitudes and values that celebrate and respect diversity and challenge discriminatory behaviour and language wherever it occurs. Materials and resources will promote gender equality.

We ensure that all staff receive appropriate training and opportunities for professional development, both as individuals and as group of teams. Minutes of meetings are kept to show equality issues and actions.

All members of staff through their induction period and through Inset are given guidance on how prejudice-related incidents should be identified, assessed, recorded and dealt with.

We have a school Behaviour and Anti Bullying policy, which is reviewed annually with staff, member of the SSC and pupils.

We deal promptly and effectively with all incidents and complaints of prejudice based bullying relating to gender reassignment. We record incidents and action is taken as and where appropriate.

We keep a record of different prejudice-related incidents and provide a report to the members of the SSC termly on our exclusion data.

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Assemblies, PSHE and the PRE Curriculum provide opportunities to explore and celebrate different experiences, attitudes and cultures.

We promote of attitudes and values that celebrate and respect diversity and challenge discriminatory behaviour and language wherever it occurs. Materials and resources will promote equality.

As an employer we strive to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within our workforce.

We ensure that all staff receive appropriate training and opportunities for professional development, both as individuals and as group of teams.

Minutes of meetings are kept to show equality issues and actions.

All staff appointments and promotions are made on the basis of merit and ability in compliance with the law.

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We will ensure that pregnant women have the same work duties and responsibilities, unless changes arise from unrelated restructuring of work activities or adjustments that are necessary to their health and safety

Pregnant women will be paid for time off for attendance at antenatal appointments

Pregnant women will have the same training and promotion opportunities as other staff

The school will devise a health and safety risk assessment alongside the individual to ensure their needs are met and that they remain safe at work

Pregnant women will have the usual contractual sick pay arrangements for any pregnancy related absence (please note that if you fall sick with a pregnancy-related illness in the 28 days before your baby is due, maternity leave will automatically begin)

Pregnant women have a statutory right to reasonable paid time off work to attend

where appropriate.

We keep a record of different prejudice-related incidents and provide a report to the members of the SSC termly on our exclusion data.

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We have a school Behaviour and Anti Bullying policy, which is reviewed annually with staff, members of the SSC and pupils.

We deal promptly and effectively with all incidents and complaints of prejudice based bullying relating to age discrimination. We record incidents and action is taken as and where appropriate.

We keep a record of age discrimination incidents-and provide a report to members of the SSC termly on our exclusion data.

We promote of attitudes and values that celebrate and respect diversity and challenge discriminatory behaviour and language wherever it occurs. Materials and resources will promote equality.

We will use images and materials, which positively reflect a range of cultures, identities and lifestyles.

We will challenge all types of discriminatory behaviour and this is made clear to staff, pupils, parents and the members of the SSC.

Parents and families are invited to specific workshops related to discrimination e.g. AntiBullying workshops, behaviour workshops.

We encourage all staff to appreciate their own uniqueness.

We provide staff with opportunities to listen and discuss a range of opinions and empathise with different experiences.

We promote positive messages about age through display, assemblies, visitors, whole school events and specific weeks.

We have a rolling programme for reviewing all our school policies to ensure they impact on progress, well-being and safety.

All staff appointments and promotions are made on the basis of merit and ability in compliance with the law.

We ensure wherever possible that the staffing of the school reflects our community.

As an employer we strive to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within our workforce.

We ensure that all staff receive appropriate training and opportunities for professional development, both as individuals and as group of teams.

Minutes of meetings are kept to show equality issues and actions

The school publishes the following information in compliance with its specific duty to publish information to demonstrate how the school is complying with its public sector

equality duty, and publish its equality objectives.

The school will update the information contained in this part at least annually and republish it at least once every four years.

The school understands that it holds a duty to:

DfE guidance states that evidence that the school is aware of the requirements of the Equality Act 2010 and determined to comply with the non-discrimination provisions will be relevant here. This might include copies of any of a range of policies (for example, the school's Anti-Bullying Policy) where the importance of avoiding discrimination and other prohibited conduct is expressly noted. If there has been a meeting of staff or of SSC, during which they are reminded of their responsibilities under the Equality Act 2010, a note of that meeting could also be useful evidence that due regard is being had to this part of the duty. Evidence of staff training on the Equality Act would also be appropriate, as would a note of how the school monitors equality issues.

DfE guidance states that attainment data which shows how students with different protected characteristics are performing will obviously be relevant here, in particular in helping to identify whether there are areas of inequality which may need to be addressed. RAISE online contains much detailed analysis by relevant characteristics. Schools will also need to include information about the steps they have taken in response to their analysis of the available data. This does not need to be complicated, as most of the information will already be contained in easily available documents such as reports to the SSC and the CEO.

For some protected characteristics, for example religion and belief and particularly sexual orientation, statistical data about students is less likely to be available, and it may not be considered appropriate to try to obtain it. More general data about the issues associated with these particular protected characteristics, from which schools should be able to identify possible issues which may affect their own students, will be easily available however.

DfE guidance states that it should be particularly easy for schools to demonstrate that they are fostering good relations, since promoting good relations between groups of students of all kinds is inherent in many things which they do as a matter of course. It may be shown through, for example, aspects of the curriculum which promote tolerance and friendship, or which share understanding of a range of religions or cultures, the Behaviour Policy and AntiBullying Policy, assemblies dealing with relevant issues, involvement with the local communities, twinning arrangements with other schools which enable students to meet and

exchange experiences with children from different backgrounds, or initiatives to deal with tensions between different groups of students within the school itself.

opportunity for all.

Objective 1: Ensure that all out of school activities promote that all can participate.

Objective 2: Race Equality Duty: Identify, respond and report racist incidents as outlined in the Plan. Report the figures to the SSC and the CEO on a termly basis.

Objective 3: Celebrate cultural events throughout the year to increase pupil awareness and understanding of different communities e.g. Diwali, Eid, and Christmas.

Objective 4: Build in opportunities to explore practices and celebration of different faiths and cultures.

Objective 1: The school is aware of the access needs of disabled pupils, staff, members of the SSC, parent/carers and visitors.

Objective 2: Layout of school to allow access for all pupils to all areas.

Objective 3: Ensure all staff are aware of disabled children's curriculum access.

Objective 4: Improve signage and external access for visually impaired people.

Objective 1: Ensure staff demonstrate a balance of gender roles in society and challenges stereotyping.

Objective 2: Ensure the school provides equal opportunities in the curriculum for boy/girl participation.

Objective 3: Ensure that all out of school activities promote the ideal that anyone can participate regardless of gender.

Publication of information in future years should include evidence of the steps being taken and progress made towards meeting the equality objectives that the school has already set itself.

The school has prepared and will implement the following accessibility plan to increase the

extent to which disabled students can participate in the curriculum, improve the physical environment of the school to increase the extent to which disabled students are able to take advantage of education and benefits, facilities or services provided or offered by the school, and improve the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are determined after taking into account the students' disabilities and any preferences expressed by them or their parents.

The school will keep the Accessibility Plan under continual review and revise it as necessary. This is available in the Avanti Schools Trust Policy Handbook.

