

The Stanway & Thomas Lord Audley Schools

Equality, Diversity and Inclusion Policy

This is a working document which will be monitored and reviewed annually. It should be read in conjunction with the schools Equality Opportunities in Employment policy, The Race Equality policy, The Disability Equality Scheme and Gender Equality Scheme.

1. Policy Statement

Promoting equal opportunities is fundamental to the aims and ethos of The Stanway & Thomas Lord Audley Schools (“the schools”). We welcome students and staff from a diverse range of backgrounds as possible. This enriches our community and is vital in preparing our students for today’s world. We concentrate on educating the individual and providing a comfortable and welcoming atmosphere where each individual feels valued and can flourish. We actively promote equality, diversity and inclusion throughout the school at every opportunity.

The schools are committed to equal treatment for all regardless of race, ethnicity, religion or beliefs, sexual orientation, gender re-assignment, gender and disability. (For definitions and exemplification, please see Appendix A.) We believe that the educational experience can only be enriched if children are exposed to as wide a range of cultural experiences as possible whilst they are developing.

The schools recognise that people differ not only in the seven strands of diversity mentioned above, but also in physical appearance, language and accent, socio-economic background etc. Therefore, the senior leadership team and all staff are reviewing how these differences may impose barriers, and are committed to ensure that all of our young people:

- Have equal access to the curriculum, information, learning resources, support, social activities and friendship regardless of differences;
- Recognise, value and have respect for each other and the difference between themselves and others;
- Play their part in breaking down barriers between people, building bridges and creating a harmonious and inclusive school.

The Headteachers, the Governing Body and the senior leadership team are determined to improve the education for all of our young people, particularly the education of our underrepresented groups. We define ‘Equal Opportunities’ as providing all children the best possible opportunities to achieve their potential in the classroom. This will not necessarily mean treating all children ‘equally’ or every child achieving ‘the same’. Some students will need special, or different, levels of support or challenge.

Our aim is to avoid discrimination and promote equality as this supports our agenda of improving attainment and progression for all students. Good education and skills are crucial for opening up opportunities and increasing the chance of a successful life.

a) The schools endeavour:

- To respect the equal human rights of our students;
- To educate them about equality;

- To respect the equal rights of our staff and other members of the school community.

b) We will assess our current school practices (“Equality Impact Assessment”) and implement all necessary resulting actions in relation to:

- Ethnicity;
- Religion or belief;
- Socio-economic background;
- Gender and gender identity;
- Disability;
- Sexual orientation, and
- Age.

2. Statutory requirements

The equality objectives set out in the equality schemes (Disability and Gender) address our duties under current equality legislation, up to and including the Equality Act 2010. They also relate to the Essex Council procedure for recording incidents involving students in schools.

Each school has an Accessibility Plan, which addresses our duty under the Equality Act 2010, The Children and Families Act 2014, SEND Code of Practice 2014 and The Special Educational Needs and Disabilities Regulations 2014. This relates very closely to the disability elements of the Disability Equality Scheme (section 9), except that it covers students only whereas the Equality Plan 3 includes all members of the school community.

3. Community cohesion

The schools actively promote Community Cohesion through four geographical dimensions: the school community; local community; communities across the UK; and the global community.

The choice of appropriate actions to promote community cohesion is based on the needs identified in the contextual statement in the school SEF relating to ethnicity, religion or belief and socio-economic background.

4. Responsibilities

The schools have a named Governor who takes the lead for Equal Opportunities, but the governors as a whole are responsible for:

- drawing up, publishing and implementing the school’s equality objectives;
- making sure the school complies with the relevant equality legislation; and
- making sure the school’s Equality Scheme and its procedures are followed
- monitoring progress towards the equality objectives and reporting annually.

The Headteachers are responsible for:

- making sure steps are taken to address each school’s stated equality objectives;
- making sure the equality, access and community cohesion plans are readily available and that the governors, staff, students, and their parents and guardians know about them;

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- producing regular information for staff and governors about the plans and how they are working;
- making sure all staff know their responsibilities and receive training and support in carrying these out; and
- taking appropriate action in cases of harassment and discrimination, including prejudice-related incidents;
- enabling reasonable adjustments to be made, in relation to disability, in regard to students, staff, parents/carers and visitors to the school.

Where appropriate, the Headteacher may delegate this to a member of the senior leadership team.

All staff are responsible for:

- promoting equality and community cohesion in tier work;
- avoiding unlawful discrimination against anyone;
- fostering good relations between groups; and
- dealing with prejudice-related incidents;
- being able to recognise and tackle bias and stereotyping;
- taking up training and learning opportunities.

The schools are confident that we have an open, honest and transparent culture which allows staff and students to share issues and take a straightforward “can do” approach to resolve difficulties, challenge misconceptions and imbue a culture of fairness and respect.

Each school has a named person who is responsible overall for dealing with reports of prejudice-related incidents.

Visitors and contractors are responsible for following relevant school policy.

5. Staff Development

The schools have a comprehensive Continuing Professional Development programme which includes opportunities for staff to develop their awareness and professional responsibilities in relation to equality and cohesion as well as statutory requirements.

6. Publication and Review

This policy and the Equality Schemes will be reviewed annually by the Full Governing Body. As it is a public document, the school governors publish it by making it available on request.

The Equality Schemes will be kept under regular review.

7. Reporting on progress and impact

A report on progress with the actions listed below will be published by the governors via the school website at the end of each school year. Evidence will also be kept of the impact of our actions to promote community cohesion, in respect to ethnicity, religion or belief and socio-economic background.

8. Positive Action

Students with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains a provision which enables The schools to take action to tackle the particular disadvantage, different needs or disproportionately low participation of a particular student group, provided certain conditions are met.

These are known as the positive action provisions and allow us to take proportionate action to address the disadvantage faced by particular groups of students. Such action could include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged student group. To this end, we will provide additional benefits to some students to address disadvantage, and take steps not just to eliminate unlawful discrimination and harassment, but also to actively promote equality. ¹

9. Race, Disability and Gender Duties & Schemes

In order to best meet the needs of all of our students we are bound under the Equality Act 2010 by three separate duties for race, disability and gender. These use an outcome-based framework which ensures that we do not discriminate ² against any students by tackling issues such as: persistent and long-standing issues of disadvantage, gender stereotyping in subject choice, attainment gaps between white and black and minority ethnic students and low participation rates of disabled people. The following three duties help us to provide a strategic and systematic means of ensuring equal opportunities for all students.

i) Race

The Race Equality Duty ensures that we are taking steps to eliminate racial discrimination, promote equality of opportunity and to promote good relations between persons of different racial groups. The schools have a Race Equality Policy which is a written statement of the way in which we promote race equality.

Under this duty we assess and monitor the impact of policies on students and staff of different racial groups, in particular the admission and progress of students and the recruitment and career progress of staff.

The results of this duty are published annually.

Please refer to the schools' Race Equality Policy.

¹ This is not the same as positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged student group that exceeded the positive action conditions.

It is never unlawful to treat disabled students (or applicants) more favourably than non-disabled students (or applicants). That is, a school is permitted to positively discriminate in favour of disabled students (applicants).

² Please refer to Appendix B for our definition of discrimination.

ii) Disability

The Disability Equality Duty ensures that we promote equality of opportunity between disabled and other people; eliminate discrimination and harassment; promote positive attitudes to disabled people; encourage participation by disabled people in public life, and take steps to meet disabled people's needs, even if this requires more favourable treatment. Moreover, the schools will ensure that a disabled student will not be treated unfavourably because of something connected with their disability. We will act quickly to identify and put in place reasonable adjustments for disabled students, therefore avoiding discrimination arising from their disability.

In accordance with the duty we publish a disability equality scheme, to show how we are meeting our general duty to promote disability equality across the school.

iii) Gender

The Gender Equality Duty seeks to promote equality of opportunity between men and women. The schools publish a gender equality scheme, which includes an action plan showing how we intend to fulfil its duties.

10. Single Equality Scheme

In order to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations the schools have combined the existing three duties into one Single Equality Plan. This will cover all seven equality strands: age, disability, gender, gender identity, race, religion or belief, and sexual orientation. This involves gathering information and consulting stakeholders with regard to identifying our priorities for action. This is linked closely to our schools' self-evaluation processes.

Please refer to the school's Single Equality Plan.

11. Promoting Equality, Diversity and Inclusion in the classroom

All staff ensure the classroom is an inclusive environment in which students feel all contributions are valued. Positive steps are taken to include students who may otherwise be marginalised.

We take account of students' experiences and starting points and are responsive to students' different learning styles. Students are regularly consulted about their learning.

Student grouping is planned and varied to reflect the requirements of learners and their social development needs. Allocations to teaching groups will be kept under continual review and analysed by ethnicity, gender and background.

Staff will use a range of methods and strategies to assess student progress. Assessments are analysed for gender, cultural and social bias, and take account of access issues, e.g. print size.

The schools believe that assessment for learning is an important strategy for students to take responsibility for their own learning.

Staff engender a culture of awareness and respect for equality, diversity and inclusion in the classroom through the following pedagogy and practice:

- Differentiation – this is essential if every child's needs are to be taken into account;
- Multisensory learning – using activities and materials that focus on a number of senses such as touching, seeing and listening can open up discussion about disability;
- Co-operative learning – students benefit enormously from working with others that they may not normally work with.
- Experimental learning – the use of drama, role-plays etc. to develop empathy skills;
- Embedding language, literacy and numeracy (LLN) – difficulties with LLN are a prime cause of inequality;
- Assessment for Learning – assessing what students have learned can highlight individual needs or vulnerabilities whether these are disabilities, learning difficulties, home situations, bullying, EAL issues etc.

12. The quality of provision – curriculum and other activities

The schools provide an appropriate curriculum for students of all backgrounds. We will monitor and evaluate its effectiveness through target setting and attainment analysis.

Each area of the curriculum is planned to incorporate the principles of equality and to promote positive attitudes to diversity. All subjects contribute to the spiritual, moral, social, and cultural development of students. The content of the curriculum reflects and values diversity. It encourages students to explore bias and to challenge prejudice and stereotypes.

Please refer to our Curriculum Policy.

13. Care, guidance and support

We actively promote good personal and community relations and recognise diversity as having a positive role to play within our schools.

All staff are expected to foster a positive atmosphere of mutual respect and trust among boys and girls from all ethnic groups and range of abilities.

Our pastoral support takes account of religious, cultural and ethnic differences, special educational need, disability and the experiences and the needs of Traveller students, refugees and asylum seekers' children.

The school provides support for students learning English as an additional language and students are encouraged to use their home and community languages to enhance their learning.

Victims of harassment and bullying are given appropriate support using external agencies where appropriate. The perpetrators are dealt with in line with school policy and are provided with relevant support to consider and modify their behaviour.

14. Behaviour and Attendance

The schools expect high standards of behaviour from all students, appropriate for their developmental level.

We have procedures for disciplining students and managing behaviour that are fair and applied equally to all. All staff are expected to operate consistent systems of rewards and discipline. It is recognised that cultural background and disability may affect behaviour. We take this into account when dealing with incidents of unacceptable behaviour.

We monitor exclusion by gender, ethnicity and special educational need. Background is also considered. Action is taken in order to address any disparities between groups of students.

The school will take reasonable steps to prevent the exclusion of a student for a reason related to any disability they may have.

15. Promoting Equality, Diversity and Inclusion with parents and the wider community

Children's home lives are central to their outlook on life and attitudes and behaviour towards others; therefore, we work closely with our families and school community in order to spread our message of understanding and respect. We constantly look for opportunities to celebrate diversity by involving parents and the local community in school events, using ethnic, religious or cultural festivals and cuisine. Moreover, we work hard to seek views formally and informally from parents and families, and most importantly – act on them.

Appendix A

Definitions:

Disability

A person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.

There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

In relation to physical impairment:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below).
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.

Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia. The other tests to apply to decide if someone has the protected characteristic of disability are:

- The length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur or if the person no longer has the condition, they will be considered to be a disabled person.
- Whether the effect of the impairment is to make it more difficult and/or time-consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.
- If the activities that are made more difficult are 'normal day-to-day activities' at work or at home.
- Whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids or assistance or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is taken into account.

For example:

Someone who has ADHD might be considered to have a disability even if their medication controls their condition so well that they rarely experience any symptoms, if without the medication the ADHD would have long-term adverse effects.

Progressive conditions and those with fluctuating or recurring effects are included, such as depression, provided they meet the test of having a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

Gender reassignment

Gender reassignment is 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.

This personal process may include undergoing medical procedures or, as is more likely for school students, it may simply include choosing to dress in a different way as part of the personal process of change.

A person will be protected because of gender reassignment where they:

- make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor:
 - once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on
 - they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected
- start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person
- undergo treatment related to gender reassignment, such as surgery or hormone therapy, or
- have received gender recognition under the Gender Recognition Act 2004.

It does not matter which of these applies to a person for them to be protected because of the characteristic of gender reassignment.

This guidance uses the term 'transsexual person' to refer to someone who has the protected characteristic of gender reassignment.

Race

Race means a person's:

- colour, and/or
- nationality (including citizenship), and/or
- ethnic or national origin

and a racial group is composed of people who have or share a colour, nationality or ethnic or national origins.

A person has the protected characteristic of race if they belong to a particular racial group, such as 'British people'.

Racial groups can comprise two or more racial groups such as 'British Asians'.

Religion or belief

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief.

A religion need not be mainstream or well known to gain protection as a religion. It must, though, be identifiable and have a clear structure and belief system. Denominations or sects within religions may be considered a religion. Cults and new religious movements may also be considered religions or beliefs.

Belief means any religious or philosophical belief and includes a lack of belief.

'Religious belief' goes beyond beliefs about and adherence to a religion or its central articles of faith and may vary from person to person within the same religion.

A belief which is not a religious belief may be a philosophical belief, such as humanism or atheism.

A belief need not include faith or worship of a god or gods, but must affect how a person lives their life or perceives the world.

For a belief to be protected by the Equality Act:

- It must be genuinely held.
- It must be a belief and not an opinion or viewpoint based on information available at the moment.
- It must be a belief as to a weighty and substantial aspect of human life and behaviour.
- It must attain a certain level of cogency, seriousness, cohesion and importance.
- It must be worthy of respect in a democratic society.
- It must be compatible with human dignity and not conflict with the fundamental rights of others.

Sex

A person's sex refers to the fact that they are male or female. In relation to a group of people, it refers to either men or women or to either boys or girls.

Sexual orientation

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to.

- Some people are only attracted to those of the same sex (lesbian women and gay men).
- Some people are attracted to people of both sexes (bisexual people).
- Some people are only attracted to the opposite sex (heterosexual people).

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Everyone is protected from being treated worse because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.

Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation.

Unlawful discrimination is defined in the Act as:

- Direct discrimination (including discrimination based on perception or association).
- Indirect discrimination.
- Discrimination arising from disability.
- Failure to make reasonable adjustments (for disabled people).

Appendix B

What is Discrimination?

For the purpose of this policy, we have defined 'discrimination' under the following areas:

a) Direct discrimination

Direct discrimination occurs when you treat a person less favourably than you treat (or would treat) another student because of a protected characteristic. So a very basic example would be refusing to admit a child to a school as a student because of their race, for example because they are Roma.

b) Discrimination based on association

Direct discrimination also occurs when you treat a student less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity).

c) Discrimination based on perception

Direct discrimination also occurs when you treat a student less favourably because you mistakenly think that they have a protected characteristic.

d) Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female student of any age) 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.

e) Indirect discrimination

Indirect discrimination occurs when you apply a provision, criterion or practice³ in the same way for all students or a particular student group, such as A-level physics students,

³ 'Provision', 'criterion' or 'practice' are not defined in the Act but can be interpreted widely and include:

- arrangements (for example, for deciding who to admit)
- the way that education, or access to any benefit, service or facility is offered or provided
- one-off decisions
- proposals or directions to do something in a particular way.

They may be written out formally or they may just have developed as the school worked out the best way of achieving what it wanted to do. Indirect discrimination will occur if the following four conditions are met:

1. You apply (or would apply) the provision, criterion or practice equally to all relevant students, including a particular student with a protected characteristic, and
2. The provision, criterion or practice puts or would put students sharing a protected characteristic at a particular disadvantage compared to relevant students who do not share that characteristic, and
3. The provision, criteria, practice or rule puts or would put the particular student at that disadvantage, and
4. You cannot show that the provision, criteria of practice is justified as a 'proportionate means of achieving a legitimate aim'.

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but this has the effect of putting students sharing a protected characteristic within the general student group at a particular disadvantage. ('Disadvantage' is not defined in the Act but a rule of thumb is that a reasonable person would consider that disadvantage has occurred. It can take many different forms, such as denial of an opportunity or choice, deterrence, rejection or exclusion.)