

# William Gilpin Church of England Voluntary Aided Primary School

## Single Equality Scheme

### Introduction

We welcome the equality duties on schools, and regard these as essential for achieving the five outcomes of the Every Child Matters framework.

At William Gilpin CE VA Primary School we believe that all pupils and members of staff should have the opportunity to fulfil their potential whatever their background, identity and circumstance. We are committed to creating a community that recognises and celebrates difference within a culture of respect and cooperation. We appreciate that a culture which promotes equality will create a positive environment and a shared sense of belonging for all who work, learn and use the services of our school.

We recognise that equality will only be achieved by the whole community working together – our learners, staff, governors and parents in particular. Throughout this Scheme, ‘parents’ can be taken to mean mothers, fathers, carers and other adults responsible for caring for a child.

This **Single Equality Scheme** provides a framework for our school to promote equality, inclusion and good community relations, and to tackle prejudice, discrimination and their causes in a holistic and proactive way.

Our **Single Equality Scheme** is based on the core principles that its effectiveness will be determined by:

- Active involvement with key stakeholders, not just in developing this Scheme but also in its review and implementation.
- Proactive leadership.
- Prioritising activities that produce specific, tangible improved outcomes.
- Removal of attitudinal and cultural barriers.

We have incorporated our individual policy for race equality, and our disability and gender equality schemes into one overarching **Single Equality Scheme** to create a coherent framework for promoting equality and diversity within our school. We have identified a set of priorities to promote equality, inclusion and community cohesion. Our Scheme includes a plan of action to address these priorities over the next three years.

We recognise that improving outcomes such as attendance or attainment for a specific group of pupils will help to improve outcomes for all. Our commitment to equality is thus a fundamental part of our drive towards excellence.

### National and Legal Context for Diversity

All schools have duties to promote **race, disability and gender** equality.

The general duty to promote **race equality** means that we must have due regard to:

- Eliminate unlawful racial discrimination.
- Promote equality of opportunity.
- Promote good relations between people of different racial groups.

The general duty to promote **disability equality** means we must have due regard to:

- Promote equality of opportunity between disabled people and other people.
- Eliminate unlawful discrimination.
- Eliminate disability – related harassment.

- Promote positive attitudes towards disabled people.
- Encourage participation by disabled people in public life.
- Take steps to take account of disabled peoples' disabilities, even where that involves treating disabled people more favourably than other people.

The disability equality general duty reinforces the reasonable adjustment duties of the Disability Discrimination Act (DDA). In particular, it compliments, and in some cases overlaps with, the anticipatory duty to make adjustments.

The general duty to promote **gender equality** means that we must have due regard to:

- Eliminate unlawful discrimination and harassment.
- Promote equality of opportunity between men and women.

Schools also have specific duties under these three promotional duties, which are explained in Appendix A. This Scheme demonstrates our response to both the general and specific duties. Schools have a duty to promote community cohesion, developing good relations across different cultures, ethnic, religious and non religious and socio-economic groups. There are no statutory requirements for schools to have a policy or action plan for promoting community cohesion. However, we have incorporated our priorities into our **Single Equality Scheme** and **Equality Action Plan** to make it easier to monitor our progress and performance in meeting the requirements of this duty.

Although there are no equivalent promotional duties in relation to age, sexual orientation and religion or belief, we must ensure that we do not discriminate on these grounds. This Scheme includes our priorities and actions to eliminate discrimination and harassment for these equality areas.

**Appendix A** provides further details of the requirements of equality legislation.

## School Context

Hampshire is a large and diverse county with over a million residents. There is a mix of urban and rural areas but the majority of the population live in urban areas. The 2001 census show that 2.3% of the population of Hampshire are from ethnic communities, although in recent years there has been an increase in migrant workers particularly from the EU. In 2008, 7.1% of school pupils were from ethnic communities. Approximately 15% of the population have declared a disability. For 2007/08, there were 732 reported incidents of hate crime; 83.5% were related to race and the remaining 16.5% were related to sexual orientation and transsexual issues. Nearly half the population are aged between 25 and 59, with an increasing number of people over the age of 75. The main religious group is Christian (8%), followed by Muslim (0.4%), Hindu (0.3%), and Sikh (0.1%).

William Gilpin CE VA Primary School is a smaller than average rural school (114 pupils) set in the heart of the New Forest with mixed intake from owner-occupied, privately rented and LA housing, it is not an area with high levels of deprivation. The school has a larger proportion of boys 55% compared to 45% of girls. Owing to the location of the school only 30% of our children live within the catchment area. The remaining 70% come from the surrounding locality. The school often attracts children who have had problems settling at other schools and whose parents want a school with a nurturing family ethos. Currently the percentage of SEN children is 20%, the school has no looked after children and 1 child with an SEN statement. Free School Meals are accessed by 13% of our families (National 2010 18.5%) and additional families receive other financial support.

The social-economic backgrounds within the school are predominantly white working or middle class families (92%) with the remaining families from other white backgrounds. The majority of our children come from a Christian background, but a small number of families are practising Catholics, Hindu's and Jehovah Witnesses.

Pupil absence is slightly above the national average at 5.7% (National average 5.5%). The vast majority of our absences are authorised. An analysis of these figures shows that our absences are predominantly due to illness, although many of our families take holidays and short breaks during term time, which significantly adds to the absence rate. The school works very hard to improve attendance.

William Gilpin is a popular, oversubscribed, school and works hard to maintain and promote its good reputation. The school prides itself on its very positive relationships with the community and its inclusive approach.

## Equality and Diversity

### **Developing our Scheme**

The involvement of a diverse group of people has been instrumental in shaping our Single Equality Scheme and Equality Action Plan. We have strived to involve the full diversity of our school and community, recognising that people who share an aspect of their identity in relation to race, disability, gender, age, sexual orientation and religion or belief are best placed to identify issues for us to address.

In developing our Scheme, we involved staff, pupils and parents in the following ways:

- Questionnaires.
- Involvement of student council.
- Staff surveys.
- Contact with parents.

To ensure we included as much diversity as possible we:

- Included staff in surveys to ensure the views of the full diversity of staff was captured.
- Included parents in surveys.
- Approached specific learners on the student council.
- Involved diverse members of the local community.

In future reviews, we intend to cover as many of the seven aspects of diversity as possible.

We have identified the following priority as a result of these activities:

- Exposing children to different cultures and diversity is our biggest challenge.

### **Ongoing involvement**

We have strategies in place to promote the participation of pupils in decision – making and in making a positive contribution to school life. We will embed equality and inclusion into these strategies so that learners from diverse backgrounds are involved in shaping provision and improving practice.

We ensure that outcomes from these involvement activities are acted upon by the school's leadership team for example:

- Any child can be elected to the School Council or Head of House. All children have the opportunity to gain a Celebration Worship Award which can be given for endeavour and perseverance, not just excellent academic achievement. All children have access to ELSA support if they require it.

- 'Hard to Reach' groups, both parents and children are individually targeted and encouraged through letters and telephone calls to join in all aspects of school life. Transport is provided where necessary.
- All children have direct access to the Headteacher.

## Information Gathering

We will collect a broad range of qualitative and quantitative information to monitor our policies and practice and to demonstrate our progress in equality, inclusion and community cohesion. Our single equality approach helps us to more effectively monitor our progress and performance, as our pupils and staff may face more than one barrier to achieving their full potential.

## Pupils

We collect the following information:

- Admission data.
- Attendance data.
- Achievement and progress data.
- Views of student council.
- Take up of extended school provision and extra-curricular activities.
- Records of complaint, incidents of race discrimination and bullying.

Progress in promoting equality, inclusion and community cohesion so far:

- All children have equal opportunities regardless of their background. Being a small school this is easy to monitor although we also track the vulnerable groups.
- We are an inclusive school taking children from other local schools who have not engaged with their setting. We are very successful at integrating these children.
- Community cohesion is very good within the school and local community.
- There is very little difference between boys and girls achievement.
- Progress for all groups of pupils is mainly good across the school.

We have identified the following priorities from evaluation of this information:

- We need to involve learners in developing equality policy and practice, such as learners developing race and anti-bullying policies.
- We need to give opportunities for all learners and parents to become involved in planning themed work (monitor groups of parents who become involved) to improve engagement.
- We need to continue to address the achievement gap between vulnerable groups and others.

Other information the school intends to gather in the three year lifespan of the Scheme.

- We need to be more thorough with our record keeping of rewards given to children.
- Records of children referred to Headteacher and why.
- Records of children not attending residential and school trips and why.
- Records of financial support given to families to access activities.
- Collate and analyse the above to look for trends which may indicate underlying issues.
- Records of visitors to enhance the curriculum across the seven aspects of diversity.

We will ensure that the information we gather will be used to promote equality by:

- Ensuring class teachers receive the information regarding individuals and address any issues within the class where possible or through whole school involvement.
- The Headteacher/Senior Leadership will take the lead in gathering and analysing equality information.

## Staff

We collect the following information:

- Staff recruitment, retention.
- CPD.
- Promotion.
- Disciplinary, grievance, competency.
- Outcomes of appraisals and performance review processes.
- Cessation of employment.
- Staff exit surveys.

We have identified the following priorities from evaluation of this information:

- We monitor for disability, race and gender and the school is aware that the balance of staffing is predominantly British, white and female. When we recruit we are aware of this balance but we rarely receive applications from any other groups. If we do, they are given a high priority for interview, however, only the best person for the job is appointed. This is particularly crucial in a small school.

Priorities for the future:

- Analyse parent's attendance at meetings and school events to identify any under representation.
- Increase information gathering to include groups who use our school for after school meetings and analyse information.

## Specific Equality Areas

This section of our scheme highlights what we have already achieved for specific aspects of equality, and further action that we intend to take.

### Race Equality

What we have already achieved:

- No racial incidents reported for the last 5 years.
- We track the vulnerable group of children, make comparisons and intervene with support.
- Use circle time to address and resolve any issues which may arise.
- Employ an ELSA to provide emotional support.
- Employ an Inclusion Leader.
- Achievement, for this group can sometimes be lower but progress is as good as others.

We want to do more by:

- Providing more opportunities for pupils to meet and work alongside people from other races in order to promote good relations and an awareness of other people's cultures.

### Community Cohesion

What we have already achieved.

Teaching, learning and curriculum:

- We encourage pupils to respect others and value diversity and to develop the skills to take responsible action towards others.
- Equality and excellence: We ensure all pupils have opportunities to reach their full potential, working towards removing variations in learning outcomes from different community groups.
- Engagement and extended services: We build positive relationships with all parents and have extremely positive relationships with the local community.

We want to do more by:

- Embedding Community Cohesion opportunities into curriculum planning ensuring a variety of cultures and experiences are studied across the primary phase.
- Track more closely the uptake on opportunities on offer, by the identified vulnerable group.
- Make a link with a different community within the UK.

## Disability Equality

What we have already achieved:

- The curriculum is accessible to all and any specific needs are met with outside support or through the SENCo. Our record of success with these children is good.
- We have made very good progress towards making the site completely accessible for any person with a physical disability.
- All written information can be given in enlarged formats but not currently in different languages. Facilities for e-mail are also available.
- We promote equality of opportunity between disabled people and others.
- We have eliminated unlawful discrimination.
- We have eliminated disability- related harassment.
- We promote positive attitudes towards disabled people.
- We encourage participation by disabled people in public life.
- We take steps to take account of disabled peoples' disabilities, even where that involves treating disabled people more favourably than other people.

We want to do more by:

- Ensuring all SEN pupils make good progress in line with other pupils, and work towards their learning outcomes also being comparable.
- Providing written information in different languages when necessary.
- Analysing uptake of after school activities, trips and residential by SEN pupils.

## Gender Equality

What we have already achieved:

- The ethos of the school promotes gender equality
- Everyone has the opportunity to take part in all curriculum activities both in school and after school.
- We encourage different genders to take part in all sporting activities.
- We encourage males from the local community to help with after school clubs.

We want to do more by:

- Employing more males into the workplace when appropriate.

## Other Equality Areas

What we have already achieved:

- We have regular events to which senior people from the local community are invited to.
- Community Readers (grandmas) come in and hear readers.
- We are part of a cluster of schools aiming to provide greater diversity.

We want to do more by:

- Having an inter-faith week every other year.
- Linking with another school in the UK which has much more diversity.
- Implementing the government sex and relationship guidance to support teachers to deal honestly and sensitively with sexual orientation issues and questions.
- Making explicit within the anti-bullying policy that homophobic or faith bullying and harassment will not be tolerated.

## Impact Assessment

- We will carry out equality impact assessments on our policy and practice which will cover all aspects of equality: race, disability, gender (including gender identity), age, sexual orientation, religion and belief.
- We will look for ways to improve practice as well as ways to eliminate discrimination and harassment.
- We will develop a programme of carrying out impact assessments on our existing policies and practice and we will build the impact assessment process into all new policy development and decision making activities.

We will do this by:

- Revising appropriate policies (listed below) with the School Council.
- Including all staff in the revision.

## Working in Partnership

We recognise that achieving equality, inclusion and good community relations involves working effectively and in partnership with others, including parents, community groups and local organisations.

We will do this by:

- Ensuring there is good communication with parents through newsletters, e-mail and school website
- By monitoring the participation of all groups of parents particularly those in the vulnerable group.
- By continuing to raise participation of under-represented groups through direct contact by the class teacher, SENCo, ELSA or Family Link Worker.
- We have many links with the local community and use them to support the curriculum.
- We also link with a group of 4 small schools to support each other in extending the curriculum, offering more diversity. (Forest Shore Cluster)
- We intend to make links with another UK school with very different characteristics.
- We use outside agencies to meet the requirements of disabled pupils.

## Publishing the Scheme, Raising Awareness

We recognise that our Scheme is a public document that should be available to any interested stakeholder. We will promote and publish our Scheme by:

- Placing it on our website and drawing parents attention to it annually through the newsletter.
- Making it available on request.
- Providing a summary in our prospectus, including our vision and key priorities.
- Raising awareness of the scheme annually to all staff during staff training.
- Ensuring the staff induction folder contains a copy of the scheme.
- Ensuring a copy is also included in the volunteers, contractors and lettings folders.

## Monitoring and Evaluating the Single Equality Scheme and Equality Action Plan

We will regularly monitor and evaluate the implementation of our Single Equality Scheme and Equality Action Plan. We will report annually on our progress and performance. Our annual report will be shared with Governors and our School Improvement Partner. A summary will be provided for parents and published in our prospectus and put on the website. Both will explain how the full report can be obtained. We will inform staff and learners of our progress.

The findings of our annual report will be used to update the Equality Action Plan and inform subsequent Single Equality Schemes.

We want this Scheme to be a 'whole organisational' document that drives forward equality and achieves improved outcomes. We will therefore ensure that the Equality Action Plan is an integral part of our School Improvement Plan, and as such, our progress will have regular oversight by the senior leadership team and the Governing Body.

We will formally review, evaluate and revise this Single Equality Scheme and Equality Action Plan every three years, to set new priorities and identify new actions. This process will again involve staff, learners, parents and Governors who reflect the full diversity of the school community.

## **Links with Other School Policies**

School policies that link with and have informed this Scheme include:

- SEN Policy
- Race Equality Policy
- Anti-Bullying Policy
- Sex and Relationships Policy
- Equal Opportunities Policy
- Pay Policy
- Admissions Policy
- Attendance Policy
- Community Cohesion Policy

## **Roles and Responsibilities**

The Governing Body will:

- Monitor the implementation of the Scheme and Action Plan to check progress and assess impact on staff, learners and parents.
- Ensure that all Governors are aware of their legal responsibilities under equality legislation.
- Receive and discuss annual equality reports on progress and performance.
- Monitor achievement of equality targets.
- Check that implementation of the Scheme and Action Plan achieves improved outcomes for people who share an aspect of their identity in relation to race, disability, gender (including gender identity), age sexual orientation, religion and belief.

The Headteacher and Senior Leadership will:

- Provide proactive leadership to create a community that recognises and celebrates difference within a culture of respect and cooperation.
- Ensure staff, pupils, parents/carers and any other interested stakeholders are aware of this Scheme and their roles and responsibilities in implementing this Scheme.
- Monitor to ensure effective implementation of the Scheme and Action Plan.
- Provide annual reports for Governors on progress and performance.
- Allocate appropriate responsibilities, and provide suitable training and development for staff to implement the Scheme.
- Support staff to carry out their role in implementing this Scheme.
- Provide effective leadership on equality, inclusion and community cohesion.
- Ensure the Scheme is successfully promoted.
- Respond in a timely and appropriate manner when dealing with any incidents or issues of discrimination, harassment or victimisation.

All staff will:

- Recognise that they have a role and responsibility in their day-to-day work to promote equality, inclusion and good community relations.
- Challenge inappropriate language and behaviour.
- Tackle bias and stereotyping.
- Respond appropriately to incidents of discrimination and harassment and report these.
- Highlight to the Senior Leadership any staff training or development that they require to carry out the above roles and responsibilities.

All staff will also ensure that pupils are encouraged to:

- Recognise that they have a role and responsibility to themselves and others so that they understand and are able to -
  - Promote equality, inclusion and good community relations.
  - Challenge inappropriate language and behaviour.
  - Tackle bias and stereotyping.
  - Work to promote anti-bullying strategies.
  - Respond appropriately to incidents of discrimination and harassment and understand the action needed to report these.

## Equality Action Plan 2010-2013

### Code

R = Race

SO = Sexual Orientation

A = Age

CC = Community Cohesion

D = Disability

RB = Religion or Belief

G = Gender

R	D	G	CC	SO	RB	A	Priority	Actions to be Taken	Lead	Time scale	Expected Outcomes
✓			✓				Race	Provide more opportunities for pupils to meet and work alongside people from other races in order to promote good relations.	All Staff	2010 - 2013	More opportunities planned within the curriculum for visitors and visits.
			✓				CC	Track more closely the uptake on opportunities on offer, by the identified vulnerable group.	HT/ Inclusion Leader	2010 - 2013	Vulnerable group are not missing out on opportunities available through lack of finance or access.
✓			✓		✓		CC	Make a link with a school community within the UK with a very different character.	HT/ SL	2010 - 2011	Exposure to different cultures.
	✓						D	All SEN make good progress in line with other pupils.	HT/ Inclusion Leader	2010 - 2013	SEN children achieving attainment in line with non SEN pupils.
	✓						D	Complete our Accessibility Plan within the next 3 years.	HT/ Govs	2010 - 2013	School is physically accessible for all needs.
	✓						D	Providing written information in different languages when required.	HT	2010 - 2012	Improved access for non English speaking parents.
	✓						D	Analyse uptake of after school activities, trips and residential.	HT/ Inclusion Leader	2010 - 2013	All groups of children accessing fully all opportunities.
		✓					G	We would like to employ more males into the workplace.	HT/ Govs	On-going	Improved gender balance of staff.

					✓		RB	Have an inter-faith week every other year.	HT/ Govs	On-going	Better understanding and tolerance of different cultures.
				✓			SO	We need to implement the government sex and relationship guidance to support teachers to deal honestly and sensitively with sexual orientation issues and questions.	HT/ Govs	2012	Awareness and understanding of different sexual orientation.
				✓	✓		SO	We need to make explicit within the anti-bullying policy that homophobic or faith bullying and harassment will not be tolerated.	HT/ Govs	2011	Non tolerance of homophobic or faith bullying is made explicit in the policy.

## **Appendix A – The Legal Requirements in More Detail.**

### **Summary of Equality Legislation for Schools**

This document summarises the requirements of race, disability and gender equality legislation, and the duty to promote community cohesion. It also identifies duties within age, sexual orientation and religion and belief legislation.

Every aspect of school life is covered by the above equality duties, including for example:

#### **For Learners:**

- Admissions and attendance.
- Teaching and learning, timetabling, homework, trips, visits, sports, breaks and lunchtimes, exams, clubs and extracurricular activities, and curriculum development, planning and delivery.
- Behaviour, discipline and sanctions, exclusions (permanent and fixed term).
- Welfare and well-being.
- Progress and attainment.

#### **And for Staff:**

- Recruitment, selection, conditions of employment.
- Career progress, appraisal, CPD activities.
- Disciplinary, grievance, dismissal.

The duties also apply to those using the services of the school, for example parents, and the wider community. The Governing Body carries the ultimate responsibility for implementing equality legislation.

## The Equality Duties on Schools

- Race Equality Duty
- Gender Equality Duty
- Duty to promote Community Cohesion
- Disability Equality Legislation:
  - SEN Duties
  - Planning Duties
  - SENDA
  - Disability Equality Duty
- Impact on Schools:
  - Promoting Equality, Inclusion and Community Cohesion.
- Duties not to discriminate in relation to:
  - Age
  - Sexual Orientation
  - Religion and Belief

## **The Duty to Promote Race Equality**

The Race Relations Act 1976 has been amended by the Race Relations (Amendment) Act 2000 (the RRAA). This Act was introduced as a result of the MacPherson Report, which followed the Stephen Lawrence inquiry. This report highlighted the issue of institutional discrimination. As a response, the government introduced a duty to promote race equality for listed public bodies, including Local Authorities and schools. The duty is designed to assist institutions to tackle discrimination, promote equality of opportunity and promote good race relations. Its aim is to make promotion of race equality central to the way that public bodies work, and to all areas of their work, including policy making, service delivery, (including teaching and learning), regulation and enforcement and employment practice.

The Race Equality Duty has a general duty with three inter-related parts. It means that schools, in carrying out their functions, must give due regard to the need to:

1. Eliminate unlawful racial discrimination.
2. Promote equality of opportunity.
3. Promote good relations between people of different racial groups.

Although these different elements often interlink, they need to be given 'due regard' in their own right.

To support progress in delivering the general duty, there are a series of 'specific duties' for schools, to:

- Assess the impact of policies, including the Race Equality Policy, on pupils and staff of different racial groups.
- Monitor policies for adverse impact on race equality, by gathering and using information on the admission and progress of pupils and the recruitment and career progress of staff (including training for staff).
- Include in the written Race Equality Policy a statement indicating the arrangements for publishing the policy, and the results of assessment and monitoring.
- Publish annually the results of monitoring data, and actions taken towards achievement of overall objectives and priorities.
- Fully review the race equality policy every three years.

## **The Duty to Promote Community Cohesion**

The Commission for Integration and Cohesion, set up by the Government in the wake of the London 2005 terrorist attacks, identified an integrated and cohesive community as one in which:

- Everyone knows their rights and responsibilities.
- People of different backgrounds have similar opportunities.
- There is trust in local institutions such as the local council, the police and the courts, to act fairly.
- Everyone recognises the contribution of both new arrivals and those already settled, and are not threatened by change.
- There are positive relationships between people from different backgrounds, at work, at school and at college.

From September 2007, schools have a duty to promote community cohesion. DCSF guidance states that 'By community cohesion, we mean working towards a society in which:

- There is a common vision and sense of belonging by all communities.
- The diversity of people's backgrounds and circumstances is appreciated and valued.
- Similar life opportunities are available to all.
- Strong positive relationships exist and to continue to be developed in the workplace, in schools and in the wider community.

Community cohesion does not just apply to differences in faith or ethnicity, but includes any difference, for example in gender, disability or sexual orientation. However, the main focus of the duty is to promote good community relations across different cultures, ethnic, religious and non religious and socio-economic groups.

Unlike the promotional duties for race, disability and gender equality, there are no statutory requirements to produce a policy or scheme or action plan. Schools must decide the best approach to implement the duty effectively, for example through a policy, action plan or working party. However, embedding the school's response in a Single Equality Scheme and Action Plan will make it easier for schools to monitor their progress and performance in meeting the requirements of this duty

Further information can be found in DCSF guidance;

'Guidance on the duty to promote community cohesion' which may be downloaded from

[http://www.teachernet.gov.uk/wholeschool/Communitycohesion/Community\\_Cohesion\\_Guidance/](http://www.teachernet.gov.uk/wholeschool/Communitycohesion/Community_Cohesion_Guidance/)

## **Disability Equality Legislation**

There are several pieces of disability equality legislation that schools must respond to, including:

- SEN duties.
- Duties under the SEN and Disability Act 2001 (SENDA).
- The Planning Duties of DDA 1995 Part 4.
- Disability Equality Duty (DDA 2005).

Each of these are now considered in turn. SEN duties provide auxiliary aids and services for schools to make adjustments for individual disabled learners to support inclusion. SENDA protects current and prospective disabled learners from discrimination. Schools are required to make reasonable adjustments so that disabled learners do not experience less favourable treatment or substantial disadvantage. The reasonable adjustment duties for schools under SENDA do not include the provision of auxiliary aids and services as these are provided by the SEN framework (see above), and over time through the planning duties (see below).

The planning duties of DDA Part 4 aims to ensure schools increase over time their accessibility to disabled people. Three year Accessibility Plans should have been in place by April 2003, and updated for 2006-2009. Accessibility Plans should demonstrate how the school will:

- Increase access to disabled pupils in the school curriculum, for example changes to teaching and learning, classroom organisation, deployment of learning support, staff training, curriculum delivery.
- Improve access to the physical environment, for example improved signage, floorings and room layouts.
- Improve accessibility of written material, for example ensuring handouts, timetables and information on school events are available in alternative formats such as large print or easy read.

These three sets of duties work together to ensure disabled learner's access and enjoy education in its broadest sense with the same degree of dignity and choice as their non-disabled peers.

The Disability Equality Duty has a general duty with six inter-related parts. It means that schools, in carrying out their functions, must give due regard to the need to:

1. Promote equality of opportunity between disabled people and other people.
2. Eliminate unlawful discrimination.
3. Eliminate disability- related harassment.
4. Promote positive attitudes towards disabled people.
5. Encourage participation by disabled people in public life.
6. Take steps to take account of disabled peoples' disabilities, even where that involves treating disabled people more favourably than other people.

Although these different elements often interlink, they need to be given 'due regard' in their own right.

The general duty reinforces the reasonable adjustment duties of the Disability Discrimination Act (DDA). In particular, it complements, and in some cases overlaps with, the anticipatory duty to make adjustments. An anticipatory approach requires adjustments to be made in advance of individual disabled people attempting to use a service or access education or employment.

To support progress in delivering the general duty, there are a series of 'specific duties' for schools, to:

- Produce and publish a Disability Equality Scheme and equality action plan.
- Involve disabled people in the development of the DES and equality action plan.
- Explain the method of assessing the impact of policies and practice upon disabled people.
- Monitor the impact of policy and practice on disabled people by gathering and using information on:
  - Staff recruitment, development and retention.
  - The educational opportunities available to and the achievements of disabled pupils (This should be interpreted broadly).
- Explain how the results of steps taken to achieve the Action Plan will be published on an annual basis.
- Fully review the Disability Equality Scheme every three years.

### **Definition of a Disabled Person**

Under the DDA a person has a disability if s/he has a 'physical or mental impairment which has a substantial or long-term, adverse effect on her / his ability to carry out day-to-day activities'. 'Substantial' does not mean significant – it simply means more than 'minor' or 'trivial'. 'Day to day' activities often include activities that pupils are asked to carry out in the classroom. 'Long term' generally means more than one year.

This is a broad definition that is likely to cover people with:

- Physical or sensory impairments.
- Learning difficulties, including specific learning difficulties such as dyslexia.
- Mental health difficulties.
- Medical conditions such as epilepsy, diabetes, HIV, cancer, multiple sclerosis.

Between 7 – 8% of learners will be covered by the definition of a disabled person, rising to 10% of 16-24 year olds and 15 - 20% for people of working age. One in three people between 50 and 65 will be covered by the definition. While there is an overlap between the definition of disabled pupils and pupils with special educational needs, not all disabled pupils will have SEN, and not all pupils with SEN will be disabled. For example, a learner with diabetes may not have SEN but have rights under DDA. A learner with emotional and behavioural difficulties because of difficult personal and social circumstances may have SEN but not be covered under DDA. It is important to note that many impairments are 'unseen', and also that over 50% of people who are covered by the DDA definition of a disabled person are unlikely to consider themselves as disabled.

### **Involvement of Disabled People**

At the heart of the Disability Equality Duty is the need to involve disabled people. The Code of Practice for the duty makes clear that consultation by itself is not sufficient to meet this legal requirement. Consultation may allow choice between limited, often predetermined options, or canvas opinion, but participants have few or no opportunities to propose alternatives, or to take part in putting plans into action. Participants have a voice, but no power to ensure their voice has influence. Providers must move beyond consultation to achieve active and genuine involvement with disabled people. This empowers and enables participants to create a vision of their own future and to become actively involved in making it happen. Participants establish a partnership to share decision-making, are given genuine opportunities and are actively engaged in exploring options, and shaping action and outcomes.

## **Approaches to Disability Equality**

The Disability Rights Commission highlighted the social model of disability as being essential to the successful implementation of the DDA duties. The social model identifies that; 'The disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers.' This premise provides the basis for the school's commitment to implement the Disability Equality Duty by examining its policies, procedures and practices and making every effort to remove attitudinal, cultural, social and physical barriers. The Disability Equality Duty shifts the focus away from the individual, placing responsibility firmly on the shoulders of the institution to dismantle barriers before these have an impact on the individual. Further information can be found in DCSF guidance 'Implementing the Disability Discrimination Act in schools and early year's settings' which may be downloaded from <http://www.teachernet.gov.uk/wholeschool/disability/disabilityandthedda/>.

## **The Duty to Promote Gender Equality**

The Sex Discrimination Act (1975) has been amended by the Equality Act 2006 to place a duty on all public authorities to promote gender equality.

The Gender Equality Duty has a general duty with two inter-related parts. It means that schools, in carrying out their functions, must give due regard to the need to:

1. Eliminate unlawful discrimination and harassment.
2. Promote equality of opportunity between men and women.

The duty has been introduced in recognition of the need for a radical new approach to gender equality – one which places more responsibility with public bodies to think strategically about gender equality, rather than leaving it to individuals to challenge poor practice. As with race and disability equality, the gender equality duty applies in respect of all the school's functions including policy-making, teaching and learning, and employment. It also applies to people who use the services of the school who are not staff and learners, such as people who participate in family learning evening courses provided by the school

To support progress in delivering the general duty, there are a series of 'specific duties' for schools, to:

- Prepare and publish a Gender Equality Scheme, showing how the school will meet the general and specific duties and setting out gender equality objectives.
- Formulate overall objectives, to consider the need to include objectives to address the causes of any gender pay gap in support of the Equal Pay Act (1970).
- Gather and use information on how policies and practices affect gender equality in the workforce and in the delivery of services, including teaching and learning.
- Consult stakeholders (i.e. employees, students and others, including trade unions) and take account of relevant information in order to determine gender equality objectives.
- Assess the impact of current and proposed policies and practices on gender equality.
- Explain how the results of steps taken to achieve the Action Plan will be published on an annual basis.
- Fully review the Gender Equality Scheme every three years.

### **Transsexual / Transgender Staff and Students**

As part of the Gender Equality Duty, public authorities are also required to have due regard to the need to eliminate unlawful discrimination and harassment in employment and vocational training for people who intend to undergo, are undergoing or have undergone gender reassignment. Transsexual people are people who identify their gender to be different from the gender assigned to them at birth. Sometimes known as gender dysphoria, this is a recognised medical condition. It is accompanied by a sense of discomfort with one's physical body and a wish to go through a process known as gender reassignment or transition. The term transsexual is usually used to describe a person who intends to undergo, is undergoing or has undergone gender reassignment.

## Other Equality Legislation

In addition to the duties to promote race, disability and gender equality, and the duty to promote community cohesion, schools are also covered by duties not to discriminate on the grounds of sexual orientation, age or religion and belief. These laws do not have positive duties to promote equality associated with them, but schools must ensure that through their policies and practices, they are not discriminating on any of these grounds. The regulations, for example, make it unlawful to:

- Discriminate directly or indirectly because of a person's actual or perceived sexual orientation, religion or belief, or because they associate with someone of a particular sexual orientation or religion or belief, including friends and parents/carers/responsible adults.
- Subject someone to harassment because of a person's actual or perceived sexual orientation, religion or belief, or because they associate with someone of a particular sexual orientation or religion or belief, including friends and parents/carers/responsible adults.
- Victimise someone because they have or intend to make an allegation of discrimination or harassment, or they have or intend to give evidence in relation to an allegation of discrimination or harassment.

In relation to religion and belief regulations, there are certain and limited exceptions such as admissions, curriculum, collective worship and faith schools. For example, faith schools may give preference to young people who follow that particular faith. No school is allowed to deny someone education on the grounds of their race, sexual orientation, religion or belief or because they have a disability. However, schools are allowed to reject prospective students based on their age. Once they are above the national school leaving age, students are expected to go to college or other learning providers. Single sex schools are allowed to select pupils on the grounds of their gender.

Further information on the requirements of equality legislation for schools can be found at

<http://www.teachernet.gov.uk>

<http://www.governornet.co.uk>

[www.equalityhumanrights.com](http://www.equalityhumanrights.com)