



# DISABILITY, EQUALITY AND DIVERSITY POLICY FOR ALL TRUST STAFF

<b>Policy Title</b>	Disability Equality and Diversity Policy	<b>Department Responsible:</b>	Human Resources
<b>Version</b>	V1 – 1 November 2013 V2 – 14 December 2015 V3 – 4 September 2017	<b>Review Date:</b>	1 September 2019

## **1. Scope**

1.1 The policy is applicable to all employees, clients, communities, suppliers and contractors, whether permanent or temporary.

## **2. Context**

2.1 Our Trust is committed to a fair and equal treatment and will not discriminate because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation. It will not discriminate because of any other irrelevant factor and will build a culture that values meritocracy, openness, fairness and transparency.

## **3. Aims**

The Shared Learning Trust is committed to advancing and achieving equality of opportunity for all students, parents /carers / associated persons, staff, governors and visitors. We believe that all people are of equal value and are entitled to equality of opportunity and that our diversity enriches our community. The aims of this policy are to:

- Provide a comprehensive educational environment capable of responding to the needs of all students and staff
- Establish and implement policies and provisions which afford staff and students with an equal opportunity to participate in all aspects of the curriculum and Trust life in general
- Challenge and counter discrimination and harassment
- Provide for the individual needs of students, having regard to any specialist support required to fulfil the learning potential of those with disabilities
- Provide for the individual requirements of staff with disabilities, having regard for any specialist support required to fulfil their role and to further their professional/career development
- Encourage the representation and participation in decision making processes of people with disabilities
- Work towards all Academy facilities being fully accessible for people with disabilities
- Enable all individuals to develop their skills, talents and personal qualities to the full

## **4. Statutory position**

### **4.1 The General Duty**

From 1 October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). Our trust also complies with the Public-Sector Equality Duty, which came into force in 2011. The Disability Equality Duty (Part 5A of the Disability Discrimination Act 1995, inserted

by the Disability Discrimination Act 2005) places on all Academies a general duty, when carrying out their functions, to have due regard to the need to:

- Eliminate discrimination that is unlawful under the Disability Discrimination Act 1995 (as subsequently amended)
- Protection from Harassment Act 1997
- Employment Rights Act 1996
- Employment Relations Act 1999
- Promote positive attitudes

The law requires us to demonstrate how we meet the general duties by:

- Publishing equality Information – to demonstrate compliance with the general duty across its functions (We will not publish any equality Information that can specifically identify any child)
- Preparing and publishing equality objectives
- Preparing and publishing planning activities

To do this we will collect data related to the protected characteristics and analyse the data to determine the focus of our equality objectives. The data will be assessed across the core provisions of the academies:

- Planning, monitoring and evaluation
- Admissions
- Teaching and learning
- Learner support and guidance
- Staff recruitment, employment and development
- Accessible documentation
- Accessible site

## **5. Protected Characteristics**

This provides protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic. These characteristics are detailed below:

### **5.1 Race**

Race is defined as 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.

#### 5.2 Disability

A physical and/or mental impairment that has what the law calls 'a substantial and long-term adverse effect on [his or her] ability to carry out normal day-to-day activities'

#### 5.3 Sex

A person's sex refers to the fact that he or she is male or female. In relation to a group of people, it refers to either men and/or boys or women and/or girls.

#### 5.4 Age

A person's age, which may be referred to as a group within an age band.

#### 5.5 Religion or Belief

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. To be protected under the Act, the belief must be: genuinely held and must be a belief, and not an opinion or viewpoint based on information available now; 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, and it must be compatible with human dignity and not conflict with the fundamental rights of others.

#### 5.6 Sexual Orientation

Sexual orientation means the attraction that a person feels towards one sex or another (or both), which determines with whom he or she forms intimate relationships or to whom he or she is attracted. Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation, such as someone's appearance, the places that he or she visits or the people with whom he or she associates.

#### 5.7 Pregnancy and Maternity

An academy must not discriminate against a pupil and or staff member because of her pregnancy or maternity, or because she is breastfeeding. This means that it is unlawful for an academy to restrict the education, benefits, facilities, or services available to pregnant or breastfeeding staff and or pupils, or to restrict the options available to them.

#### 5.8 Gender Reassignment

Gender reassignment is a personal process (rather than a medical process) that involves a person moving away from his or her birth sex to his or her preferred gender and thus expressing that gender in a way that differs from, or is inconsistent with, the physical sex with which he or she was born. The equality issues that academies need to consider when making decisions that affect pupils or staff with nine different protected characteristics are set out in the Public-Sector Equality Duty.

### **6. Public Sector Equality Duty 2011 (PSED)**

The Public-Sector Equality Duty came into force across Great Britain on 5 April 2011. It means that public bodies must consider all individuals when carrying out their day-to-day work, in

shaping policy, in delivering services and in relation to their own employees. This duty has three elements for our academies:

1. Eliminate unlawful discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act 2010.
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
3. Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.

## 7. Principle Aims

The Shared Learning Trust believes that every child deserves the opportunity to achieve its full potential. All staff have due regard to advancing the equality of opportunity by consciously thinking about the three aims of the Equality Duty as part of our process of decision making

Our Trust is committed to meeting every child's need on an individual basis, to create an optimal learning environment for all children. This is positively reflected in areas such as arrangement made for school trips, staff training, timetabling of staff support, physical access arrangements, involvement of outside agencies and communication with parents and carers. We monitor the progress and attainment of pupil groups. At present these include those with protected characteristics (race, disability, gender, age), pupils with identified SEN, English as an Additional Language and higher attaining pupils. This monitoring then informs our improvement plans in each Key Phase of the academy. Annual published data about groups of pupils, such as that included in our Raise-online report also informs our School Improvement Plan. This plan includes objectives relating to the attainment and progress of these groups.

7.1 The Shared Learning Trust has developed four equality objectives:

1. The Trust's commitment to equality is evident in its strategic and development planning.
2. Barriers to participation are removed to enable all our staff and pupils to play a full part in the life of the academy.
3. Equality is reflected in our learning, teaching and assessment activities leading to an excellent pupil experience at our academies.
4. Our awareness and understanding of equality is increased through the analysis of data relating to staff and pupils

7.2 The Shared Learning Trust will ensure we achieve our objectives by:

- Ensuring the active promotion of equality with all staff appointments, promotions and selection for training and development made on the basis of merit and ability and in compliance with the law, ensuring where possible that the staffing of the Trust reflects the diversity of our community.

- Developing a broad, balanced and appropriate curriculum that provides equality and the holistic development for all students, to maximise their potential regardless of their protected characteristic.
- Promote positive relationships with parents, governors and members of the wider community, seeking to remove any barriers to access, participation, progression, attainment and achievement of all and take seriously our contribution towards community cohesion.
- Tackling any form of discrimination and harassment towards all those within the Trust, and actively promote harmonious relations in all areas of Trust life.
- Involving the whole community in the development, review of plans, policies and procedures and share our policies with the whole community.
- Collecting and analyse data to ensure all student and staff groups are achieving and no group is subject to disadvantage, and use this data to support students and staff, raise standards, overcome barriers and ensure inclusive teaching
- Plan systematically to improve our understanding and promotion of diversity.

## **8. Breaches of this Policy**

The Trust takes very seriously any acts of discrimination, harassment or victimisation carried out in the workplace or in work related activities (such as external training events or work related social events) and will manage them as follows:

- Employees who commit such acts will be subject to formal action under the Staff Disciplinary Policy and Procedure; which could result in dismissal.
- Agency staff, consultants, contractors, interns and volunteers, will be subject to the specific terms of their contract/work agreement with the Trust; which could result in that contract/work agreement being terminated.
- Complaints concerning; Trustees, directors or governors will be addressed by the Board.

## **9. Monitoring and Review**

- 9.1 This policy will be reviewed every two years.
- 9.2 Its outcomes will be assessed by monitoring the Annual Development Plan (ADP) and the Academies Single Equalities Scheme.
- 9.3 Its impact and effectiveness will be judged in terms of our awareness and understanding of equality is increased through the analysis of data relating to staff and pupils and the findings used to improve our policies and practices.

## **10. Dissemination**

- 10.1 All policies that need to be conveyed to students, staff and families will be available on the Academy's website.
- 10.2 Staff will be informed about policies during induction and through on-going in-service training.
- 10.3 Those policies that are important for students to be aware of will be promoted through the Student Council and other routes such as Citizenship classes. Key messages from policies will be prominent in the Trust e.g. using displays.