



## LORDSWOOD ACADEMIES TRUST

This policy is called:	<b>Equality Policy</b>
It applies to:	Lordswood Girls' School and Sixth Form Centre
Person responsible for its revision:	Headteacher
Status:	Statutory
Website:	Public Website
Approval by:	Trust
Review frequency:	Every four years with information to be published annually demonstrating how the Trust is meeting the aims of the general public sector equality duty
Date of approval:	June 2015, checked June 2018, updated February 2019
Date of next approval:	February 2023

### **Introduction**

Lordswood Girls' School and Sixth Form are committed to creating an inclusive learning community for all stakeholders. The school aims to develop a community where culture and diversity are celebrated and seen as enriching factors in the life of the school community and where all can participate fully in school life, reflecting the principles of the Birmingham Schools' Pledge.

Lordswood Girls' School and Sixth Form *is 'founded on principles upholding the dignity and rights of the individual. Respectful relationships are at the core of the school community, allowing everyone to respect and understand those they meet.'*

The school and sixth form will work to ensure that all members of the school community *'develop the skills needed to embrace the responsibilities of being an outstanding learner, an active citizen and make Birmingham a great place to grow up in.'*

### **The Equality Act**

The Equality Act 2010 replaced all existing equality legislation and establishes strands referred to as **protected characteristics**. These strands relate to

- age
- disability
- ethnicity & race
- gender reassignment,
- pregnancy or maternity
- religion or belief
- sex
- sexual orientation

(Definitions of these protected characteristics can be found in Annex B)

The Act covers all aspects of school life which are to do with how a school treats its students and prospective students, and their parents and carers; how it treats its employees; and how it treats members of the local community. The protected characteristic of age applies to schools as employers, but not with regard to the treatment of students and prospective students. It is also

unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the student or employee is associated. Schools have a **general duty** and certain **specific duties** under the Act.

### **General Duty: The Public Sector Equality Duty**

The Public Sector Equality Duty has three aims:

- To eliminate discrimination
- To advance equality of opportunity
- To foster good relations

Lordswood Academies Trust is committed to ensuring that it carries out these aims by taking action to create a positive learning and working environment where all students and staff feel valued and supported, staff have opportunities for development and students make progress academically, emotionally and socially.

In monitoring the effectiveness of this policy, the Trust will have regard to

- student data, RAISEonline, Fisher Family Trust, examination and subject area tracking data;
- feedback from student forums, School Council;
- evaluations of school based activities
- CPD records
- feedback from Staff Voice;
- feedback from parent forums;
- feedback from external surveys

### **Specific duties**

To fulfil the three aims of the general duty, the school is required to

- **To publish information** which demonstrates its compliance with the duty to have due regard for the three aims of the general duty
- **To prepare and publish specific and measurable objectives** which it will pursue over the coming years to achieve the three aims. These objectives are outlined in Annex A and have been drawn up based on feedback from students, staff and parents and analysis of data.

Lordswood Academies Trust will have due regard to equality considerations when formulating policies or developing practice (c.f. Annex B).

### **Implementation & Guidelines**

- The checklist in Annex C will be used to support planning
- The Equality / Accessibility Action plan (Annex D) are reviewed annually and updated in the light of progress made

### **Curriculum**

Lordswood Girls' School aims to provide a broad and balanced curriculum. Assemblies, PSHEE and enrichment activities raise awareness and promote tolerance and understanding of areas covered by the Act. Whilst the content of the curriculum is not affected by the Act, the way in which a school provides education, i.e. the **delivery** of the curriculum – is explicitly included. Schools are free to include a full range of issues, ideas and materials in programmes of study and to expose pupils to thoughts and ideas of all kinds, however challenging or controversial, without fear of legal challenge based on a protected characteristic. Lordswood will ensure that the way in which issues are taught does not subject individual pupils to discrimination.

### **Uniform**

The Equality Act does not deal specifically with school uniform or other aspects of appearance such as hair colour and style, and the wearing of jewellery and make-up. Lordswood Girls' School is mindful of the general requirement not to discriminate in the treatment of pupils as it applies here as in relation to other aspects of school policy. The school uniform is agreed by the local governing body, following consultation with the School Council and Parents' Forum.

### **Collective worship**

There is a general exception which applies to all schools, to the religion or belief provisions which allows all schools to have acts of worship or other forms of collective religious observance. This means the daily act of collective worship, which for maintained schools is mandatory and should be of a broadly Christian nature, is not covered by the religion or belief provisions. The exception means that schools will not be acting unlawfully if they do not provide an equivalent act of worship for other faiths. Lordswood Academies Trust is cognisant of the multi-ethnic, multi-faith intake of its schools and therefore assemblies will deal with moral and wider issues.

Schools are, however, also free to celebrate religious festivals and will therefore organise assemblies, where appropriate to celebrate major festivals as a means of raising awareness and developing understanding.

### **Pastoral support & guidance**

Responsibility for the welfare of staff rests ultimately with the Headteacher. Where necessary, the Headteacher will enlist the support of other bodies e.g. Occupational Health. The system of 1:1 reviews enables students to raise concerns in a non-threatening environment.

Where individual teachers are concerned, having a view about something does not amount to discrimination. So it should not be unlawful for a teacher to express personal views on sexual orientation provided that it is done in an appropriate manner and context (for example when responding to questions from pupils, or in an RE or PSHEE lesson). However, it must be recognised that teachers are in a very influential position and their actions and responsibilities are bound by much wider duties than this legislation. A teacher's ability to express his or her views should not extend to allowing them to discriminate against others.

### **Staffing**

Lordswood Academies Trust has policies in place to enable it to meet the requirements of the Act. These include appointments, maternity/paternity leave and job sharing.

The Staff Voice Group will provide a forum for discussing issues related to the implementation of this policy.

### **Parents/Carers**

The Parent Forum and parent survey also provide a vehicle for raising and discussing issues related to the implementation of this policy

### **Monitoring**

- This policy will be reviewed periodically with students, staff, parents/carers and those who use the school through out of hours letting. These groups will be surveyed in order to identify barriers and to establish priorities.
- The Equality/Accessibility Action Plan is reviewed annually by the Trust and outcomes feed into the three year Buildings Plan

- The achievement of students identified as having protected characteristics and therefore covered by the Equality Act 2010 will be monitored and the data used to raise standards and make teaching more inclusive
- Curriculum provision is reviewed by the Governing Body.
- The progress of students covered by the Act, including attendance, rewards and sanctions, will be monitored by the Governing Body.
- The Equality Objectives will be reviewed with all stakeholders in advance of the review of this policy.

**ANNEX A**

**Equality Objectives : UNDER REVIEW**

<b>Objective</b>	<b>Actions</b>	<b>Lead</b>	<b>Timeline</b>
To increase participation of Pakistanis students in extra-curricular activities	<ul style="list-style-type: none"> <li>● Identification of cohort</li> <li>● Use of reviews to establish areas of interest/ barriers to participation etc.</li> <li>● Database updated to track participation</li> <li>● Review of rewards system to incentivise participation</li> </ul>	Assistant Headteacher – Student Behaviour, Welfare & Development and Achievement Co-ordinators	Termly Review
To improve outcomes for students identified as gifted/talented/high potential	<ul style="list-style-type: none"> <li>● Subject areas have students highlighted for tracking</li> <li>● Schemes of work reviewed to include extension materials</li> <li>● Progress of cohort tracked through whole school monitoring Systems</li> </ul>	Raising Achievement Co-ordinator & Lead Professionals  Lead Professionals  Lead Professionals	
To continue to use school & department data to track progress of all student groups. Baseline (from 2016-2017 data) identified by September 2017. groups.	<ul style="list-style-type: none"> <li>● Analysis of examination performance by group &amp; action plan produced</li> <li>● Data sheets updated</li> <li>● Department monitoring schedule drawn up based on whole school schedule</li> </ul>	Lead Professionals  Assessment & Data Manager Lead Professionals	Half-termly review and report to Governing Body

## **ANNEX B – DEFINITIONS**

### **Unlawful behaviour**

The Act defines four kinds of unlawful behaviour direct discrimination; indirect discrimination; harassment and victimisation.

**Direct discrimination** occurs when one person treats another less favourably because of a protected characteristic, than they treat – or would treat – other people.

**Indirect discrimination** occurs when a ‘provision, criterion or practice’ generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic. An example might be holding a parents’ meeting on a Friday evening, which could make it difficult for observant Jewish parents to attend. It is a defence against a claim of indirect discrimination if it can be shown to be “a proportionate means of achieving a legitimate aim”. This means both that the reason for the rule or practice is legitimate, and that it could not reasonably be achieved in a different way which did not discriminate.

**Harassment** has a specific legal definition in the Act; it is ‘unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person’. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic.

Where schools are concerned, the offence of harassment as defined in this way in the Act applies only to harassment because of disability, race, sex or pregnancy and maternity, and not to religion or belief, sexual orientation or gender reassignment. In the case of the latter, any case against the school would be on grounds of direct discrimination rather than harassment.

**Victimisation** occurs when a person is treated less favourably than they otherwise would have been because of something they have done (“a protected act”) in connection with the Act. A protected act might involve, for example, making an allegation of discrimination or bringing a case under the Act, or supporting another person’s complaint by giving evidence or information, but it includes anything that is done under or in connection with the Act. Even if what a person did or said was incorrect or misconceived, for example based on a misunderstanding of the situation or of what the law provides, they are protected against retaliation unless they were acting in bad faith. The reason for this is to ensure that people are not afraid to raise genuine concerns about discrimination because of fear of retaliation.

As well as it being unlawful to victimise a person who does a protected act, a child must not be victimised because of something done by their parent or a sibling in relation to the Act. This means that a child must not be made to suffer in any way because, for example, her mother has made a complaint of sex discrimination against the school, or her brother has claimed that a teacher is bullying him because he is gay, whether or not the mother or brother was acting in good faith.

If a student has him/herself done a protected act – such as making a complaint of discrimination against a teacher – then the child’s own good faith will be relevant. For example, if the parent’s complaint is based on information from her son and the son was deliberately lying, it is not victimisation for the school to punish him in the same way as it might do any other dishonest pupil. Unless it can be clear that the mother was also acting in bad faith (for example that she knew her son was lying) it would still be unlawful to victimise her for pursuing the complaint.

**Disability Discrimination:** The law on disability discrimination is different from the rest of the Act in a number of ways. In particular, it works in only one direction – that is to say, it protects disabled people but not people who are not disabled. This means that schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities. The definition of what constitutes discrimination is more complex. Provision or disabled pupils is closely connected with the regime for children with special educational needs.

## **Definitions of protected characteristics**

### **Gender reassignment**

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

### **Race**

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

### **Religion or Belief**

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

“Religion” will include for example all the major faith groups and “belief” will include non-religious worldviews such as humanism. Religion will also include denominations or sects within a religion. Lack of religion or belief is also included in the definition of “religion or belief”.

### **Disability**

The disability provisions in the Equality Act mainly replicate those in the former Disability Discrimination Act (DDA). There are some minor differences as follows:

- Unlike the DDA the Equality Act does not list the types of day to day activities which a disabled person must demonstrate that they cannot carry out, thus making the definition of disability less restrictive for disabled people to meet.
- Failure to make a reasonable adjustment can no longer be defended as justified. The fact that it must be reasonable provides the necessary test.
- Direct discrimination against a disabled person can no longer be defended as justified – bringing it into line with the definition of direct discrimination generally.
- Schools and local authorities will (when provisions are implemented) be under a duty to supply auxiliary aids and services as reasonable adjustments where these are not being supplied through Special Educational Needs (SEN) statements.

The Act defines disability as when a person has a ‘physical or mental impairment which has a substantial and long term adverse effect on that person’s ability to carry out normal day to day activities.’ Some specified medical conditions, HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect. The Act sets out details of matters that may be relevant when determining whether a person meets the definition of disability. Long term is defined as lasting, or likely to last, for at least 12 months.

A minor change for schools is that a failure to make a reasonable adjustment cannot now be justified, whereas under the DDA it could be. However this change should not have any practical effect due to the application of the reasonableness test – i.e. if an adjustment is reasonable then it should be made and there can be no justification for why it is not made. Schools will not be expected to make adjustments that are not reasonable.

### **The Public Sector Equality Duty (PSED)**

With the new PSED, as with the previous general duties, schools are subject to the need to have **due regard** to the three aims of the General Duty. What having “due regard” means in practice has been defined in case law and means giving relevant and proportionate consideration to the duty. For schools this means:

- Decision makers in schools must be aware of the duty to have “due regard” when making a decision or taking an action and must assess whether it may have implications for people with particular protected characteristics.

- Schools should consider equality implications before and at the time that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis.
- The PSED has to be integrated into the carrying out of the school's functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind (it is not just a question of ticking boxes or following a particular process).
- Schools cannot delegate responsibility for carrying out the duty to anyone else.



## ANNEX C

### Checklist

	Is information collected on disability with regard to both students & staff? Is this information used to improve the provision of services?
	Student achievement: are there trends or patterns in the data that may require additional action?
	Monitoring of students participation in school life? How is this shown through e.g. representation in school events and the School Council?
	Is bullying and harassment of students and staff monitored and is this information used to make a difference?
	Is disability portrayed positively in teaching resources, displays and discussions?
	Does the school take part in events such as Deaf Awareness Week to raise awareness of different areas identified in the Act?
	Is the school environment as accessible as possible to students, staff and visitors to the school? Are open evenings and other events which parents/carers attend held in an accessible part of the school?
	Is information available to parents/carers, visitors, students and staff in formats which are accessible if required? Is everyone aware of this?
	Are procedures for the election of parent governors open to candidates and voters who may be covered by one or more of the protected characteristics?

**ANNEX D**

**Equality / Accessibility Action Plan:**

**THIS PLAN IS UNDER REVIEW DUE TO THE BUILDING WORK TAKING PLACE ON THE SITE AND IN THE SCHOOL DURING 2017**

Target	Success Criteria	Actions	Personnel	Time scale	Resources	Achieved/ In Progress
<b>School Community</b>						
To identify students, staff, parents/carers and other users of school facilities who require additional support to access school facilities/ information	Information & key school facilities are accessible to all	<ul style="list-style-type: none"> <li>• Audit students, staff, parents/carers and other users of school facilities to establish levels of support needed</li> <li>• Data base established of parents who require information in accessible format</li> <li>• Database established of specific needs of hirers of school facilities</li> <li>• Buildings development plan to take account of needs of users to improve accessibility of facilities</li> <li>• Revised &amp; costed buildings development plan</li> <li>• Accessibility to be reviewed via parent and student forums</li> </ul>	Business Support Manager  Outreach & Partnerships Development Manager  Premises & Health & Safety Development Officer	Oct 2017		
To improve support for staff whose needs are covered by DDA	Improved provision in place for staff identified with disability	<ul style="list-style-type: none"> <li>• HR Director to enlist support from Occupational Health provider where there is the possibility that the member of staff's needs fall under the DDA</li> <li>• Guidance from OH to be used to inform discussion with staff member and to shape support</li> </ul>	HR Director	2017-2018	Cost of OH referral and adaptation of workplace	
To promote an inclusive community	All literature, activities etc. reflect multi-cultural, multi-faith character of Trust schools	<ul style="list-style-type: none"> <li>• Trust &amp; schools' publicity material to reflect diverse community represented</li> <li>• Assembly programme to promote community cohesion by developing awareness of other cultures</li> </ul>	Headteacher  Assistant Headteacher – Student Behaviour, Welfare & Development	Autumn Term 2017  Sept 2017 – July 2018		

<b>Curriculum</b>						
To review provision & support for SEND students	Provision enables all SEND students to access curriculum and achieve targets	<ul style="list-style-type: none"> <li>• Students requiring additional support identified</li> <li>• Multi-agency meeting to establish nature of support required</li> <li>• Provision plan drawn up &amp; shared with staff</li> </ul>	Director of Intervention & Inclusion		From 2017-2018	
To create an inclusive curriculum which is accessible to all	Curriculum pathways enable all students to access core & entitlement curriculum	<ul style="list-style-type: none"> <li>• Review intervention programmes &amp; provision for students identified with additional learning needs</li> <li>• Intervention programme drawn up</li> <li>• Intervention programme implemented</li> <li>• KS4 &amp; 5 curriculum reviewed to ensure that pathways are in place to enable DSEN &amp; EAL students to achieve expected progress &amp; outcomes that allow meaningful progression post-16 &amp; post-18</li> </ul>	Assistant Headteacher - Learning & Achievement  Assistant Headteacher – Curriculum & Assessment	Half-termly review 2017-2018 June 2018  January 2018		
<b>School Environment</b>						
To make site more accessible for people with a disability	Signage gives clear indication of access routes for people with a disability All ground floor of school site is accessible to wheelchair users Entry to building is accessible to wheelchair users	<ul style="list-style-type: none"> <li>• School entrance to be redeveloped to enable access to allow access for wheelchair users</li> <li>• Wheelchair lift to be installed in main entrance of LGS</li> <li>• Intercom installed at wheelchair level at LGS entrance</li> </ul>	Premises & Health & Safety Development Officer	Funding applied for 2018.  Work to commence January 2019		