


## **EQUALITY POLICY & PROCEDURE**

**Version 2: November 2019**

<b>Date approved by Trustees of Ventrus Multi Academy Trust</b>	<b>11.12.19</b>
<b>Review Period</b>	<b>Four-yearly</b>
<b>Next Review Date</b>	<b>November 2023</b>
<b>Signed by Chair of Trustees Hugh Whittaker</b>	

## Contents

1	Rationale .....	3
2	Protected Characteristics .....	3
3	Unlawful Behaviour .....	4
4	Special provisions for disability .....	4
5	Exceptions for the Trust schools who are Church of England academies.....	4
6	Exceptions for pupils and prospective pupils .....	4
7	Exception for staff and prospective staff .....	4
8	Acts of worships .....	5
9	Roles and responsibilities.....	5
10	Equality Objectives .....	5
11	Implementation.....	6
12	Review .....	7
APPENDIX 1	POLICY HISTORY .....	8

# 1. Rationale

Ventrus Multi-Academy Trust (“the Trust”) is committed to complying with the Equality Act 2010, and the Public Sector Equality Duty. As a provider of education and an employer of staff, the Trust has due regards for the needs to:

- Eliminate discrimination and other conduct that is prohibited by the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it,
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

Through policy and practice, the Trust aims to provide equal access and rights to all adults and pupils within the Trust schools.

The legal and local framework for this policy is:

- Equality Act 2010
- Race Relations Act 1976 (as amended in 2000)
- Disability Discrimination Act 1995 (as amended in 2005)
- Children Act 2004
- Equality Act 2006
- Education and Inspections Act 2006
- Duty to Promote Community Cohesion, Education and Inspections Act 2006

# 2. Protected Characteristics

The Act defines protected characteristics as follows:

- race
- disability
- religion or belief
- gender
- sexual orientation
- gender reassignment
- pregnancy or maternity
- age
- marriage and civil partnership

These protected characteristics apply to pupils, prospective pupils, staff, prospective staff or anybody they are associated with, with the exception of ‘age’ and ‘marriage and civil partnership’ which do not apply to pupils and prospective pupils.

### 3. Unlawful Behaviour

The Act defines four kinds of unlawful behaviour:

- **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” is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic.
- **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”.
- **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.

### 4. Special provisions for disability

The law on disability discrimination is different from the rest of the Act. In particular, it works in only one direction, i.e. it protects disabled people but not people who are not disabled. This means that we 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

### 5. Exceptions for the Trust schools who are Church of England academies

The Act includes some exceptions for schools with a designated religious character, such as Church of England schools and academies, and these exceptions apply to Church of England academies within Ventrus.

### 6. Exceptions for pupils and prospective pupils

In relation to Church of England schools within our multi-academy trust:

- We may give priority in admissions to members of the Church of England or another religion, but the Admissions Code provides that this may only be done when a school is oversubscribed
- There are permitted exceptions on how we provide education to pupils and in the way we allow access to other aspects of school life which are not necessarily part of the curriculum. For example, organising visits for pupils to sites of particular interest to the Church of England faith, such as a cathedral, is not discriminating unlawfully by not arranging trips to sites of significance to the faiths of other pupils.

These exceptions are to allow us to conduct ourselves in a way which is compatible with our religious ethos. But the Equality Act does not permit less favourable treatment of a pupil because they do not (or no longer) belong to the Church of England. Nor does it allow us to discriminate on religious grounds in other respects, such as excluding a pupil or subjecting a pupil to any other detriment.

### 7. Exception for staff and prospective staff

Ventrus schools that were Voluntary Controlled schools prior to conversion to Academy status:

- may when appointing a Headteacher take into account any candidate’s suitability and ability to preserve and develop the religious character of the school.

- must appoint reserved teachers when the number of teachers is more than two. Reserved teachers are selected according to their competence to teach RE according to the tenets of the school's faith and are specifically appointed to do so. The number of reserved teachers must not exceed one-fifth of the teaching staff (including the Headteacher).
- must not treat non-teaching staff and teachers, other than those appointed as reserved teachers, unfavourably in any way because of their religion.

Ventrus schools that were Voluntary Aided schools prior to conversion to Academy status:

- may apply religious criteria when recruiting or dismissing any member of their teaching staff.
- in considering dismissals, may have regard to any conduct that is incompatible with the precepts, or with the upholding of the tenets, of the religion of the school.
- may not apply any religious criteria to any other posts unless there is a genuine occupational requirement.

## 8. Acts of worships

There is a general exception 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 is not covered by the religion or belief provisions.

## 9. Roles and responsibilities

The Board of Trustees has overall responsibility for ensuring compliance with equality legislation and the effective operation of this policy.

The Directors of School Improvement and Headteachers are responsible for ensuring that:

- this policy is communicated and made readily available to staff, parents and guardians.
- this policy is implemented.
- staff are aware of their responsibilities and are given appropriate training and support.
- appropriate action is taken in any cases of unlawful discrimination.

All staff are expected to actively comply with the provisions of the Equality Act 2010 and promote equal opportunities, access and rights.

Volunteers, visitors and contractors will be made aware of, and expected to comply with, this policy.

## 10. Equality Objectives

The Trust has set the following Equality Objectives for the four-year period from Nov 2019 until Oct 2023:

- To deliver a broad and balanced curriculum, which provides opportunities for all pupils to achieve the highest standards of education, using specialist programmes and dedicated resources (e.g. Pupil Premium and Sports Premium funding) to support pupils who need it the most.
- To deliver a programme of assemblies, educational trips and to use outside visitors to promote the ethos of equality to pupils and help pupils develop good relationships with people of different characteristics.

- iii. To review pupil related policies and procedures (particularly, but not limited to, the pupil behaviour policy, the provision for SEND children and the schools' accessibility plans) to ensure they facilitate full access to the curriculum and the Trust premises and facilities whenever possible.
- iv. To review its staff related policies and procedures to ensure they comply with the Act (e.g. recruitment, flexible working, maternity and pay policies) and the Trust offers equal opportunities to all staff.

The implementation and impact of these objectives will be monitored by the Board of Trustees through:

- Reviewing pupil progress and attainment for different sub-groups (e.g. individual schools, boys / girls, FSM, SEND and Children in Care).
- Receiving reports from the Headteachers, Directors of School Improvement, business managers and school administrators.
- Receiving reports from monitoring visits and ethos committees.
- Taking advice from relevant parties such as the Trust HR provider and Devon Admissions team.

## 11. Implementation

Our commitment to equality and diversity means:

- We will take reasonable and necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments for disabled pupils, enabling our pupils to take as full a part as possible in all the activities of the school. We will make reasonable adjustments to ensure the school environment and its activities are as accessible and welcoming as possible for pupils, staff and visitors to the school. We are also committed to ensuring staff with a disability have equality of opportunity.
- We will actively encourage positive attitudes towards pupils and staff and expect everyone to treat others with dignity and respect.
- We will regularly consider the ways in which the taught and wider curricula will help to promote awareness of the rights of individuals and develop the skills of participation and responsible action.
- We will regularly consider the ways in which our teaching and the curriculum provision will support high standards of attainment, promote British values, and help students understand and value the diversity that surrounds them, and challenge prejudice and stereotyping.
- We will monitor the progress and achievement of pupils by the relevant and appropriate protected characteristics. This information will help the school to ensure that individual pupils are achieving their potential, the school is being inclusive in practice, and trends are identified which inform the setting of our equality objectives in the school improvement plan.
- We will collect and analyse information about protected characteristics in relation to staff recruitment, retention, training opportunities and promotions to ensure all staff have equality of opportunity. We will not ask health-related questions to job applicants before offering a job, unless it relates to an intrinsic function of the work they do. We will make reasonable adjustments such as providing auxiliary aids for our disabled staff.
- Staff will ensure the curriculum is accessible to all pupils with special educational needs and disabilities (SEND) or those for whom English is not their first language. Auxiliary aids and services will be provided for them, where reasonable adjustments are required. By planning ahead, staff will ensure that all pupils are able to take part in extra-curricular activities, trips and residential visits, and the school will monitor the uptake of these visits to ensure no one is disadvantaged on the grounds of a protected characteristic.

- We will seek the views of advisory staff and outside agencies and partnerships with other schools where this is needed. In planning the curriculum and resources the school will take every opportunity to promote and advance equality.
- Bullying and prejudice related incidents will be carefully monitored and dealt with effectively. Regular training will be given to both existing and new staff to ensure that they are aware of the process for reporting and following up incidents of prejudice-related bullying.
- We expect that all staff will be role-models for equal opportunities, deal with bullying and discriminatory incidents and be able to identify and challenge prejudice and stereotyping.
- Throughout the year, the school will plan on-going events to raise awareness of equality and diversity. This may include a focus on disability, respect for other cultures, religions and beliefs, anti-homophobia/gay pride, gender equality, developing community cohesion and an understanding of the effects of discrimination.
- We will ensure pupil/parent/staff consultation is regularly sought in the development and review of this policy.
- We will regularly seek the views of pupils, parents, advisory staff and visitors to the school, to ensure that the school environment is as safe and accessible as possible to all school users. We will regularly review our accessibility plans.
- The schools welcome a diverse range of candidates and encourages those who are currently under-represented to join.
- We will ensure that all staff are aware of their legal duties under the Equality Act 2010, the different forms of discrimination and what 'reasonable adjustments' mean in practice.
- The school will consult with stakeholders, i.e. pupils, parents/carers, staff and relevant community groups, to establish equality objectives and draw up a plan based on information collected on protected groups and accessibility planning. These equality objectives will be reviewed and reported on annually.
- Each school within Trust will detail on its website how it is complying with the Public Sector Equality Duty (PSED) in the Equality Act 2010 and advancing equality of opportunity.
- When drawing up policies, it is best practice to carry out an equality impact assessment (EIA) to ensure a policy does not, even inadvertently, disadvantage groups of pupils with protected characteristics. As a minimum it will be considered to what extent a new/revised policy, practice or plan meets the Public Sector Equality Duties (eliminates discrimination, advances equality and fosters good relations for all the protected characteristics) and recommend changes/mitigations should it feel the policy, practice or plan could be improved to fulfil the duties.

## 12. Review

This policy will be reviewed every four years by the Board of Trustees. The implementation of the Equality Objectives will be reviewed and progress reported annually.

APPENDIX 1 POLICY HISTORY

Version	Summary of Change	Review Date	Lead Author
2	Updates reflect 2010 equality act and the Academy Trust job descriptions.	Nov 19	G Hill