

Caedmon College Whitby



Equality Policy

(based on the North Yorkshire County Council Scheme and the ACAS Guide on the Equality Act 2010; please also refer to the NYCC Equality Statement)

College Governance Status

This policy was re-issued in June 2014 and was adopted by the Governing Body on 26 June 2014. It will be reviewed in the light of new Government legislation or Local Authority guidance, or otherwise, at least every three years.

Reviewed	For approval by Governors
May 2017	22 June 2017
May 2020	

Signed by Chair of Governors:

A handwritten signature in blue ink, appearing to read 'Ben Cruz'.

Caedmon College Whitby – Policy Document: Equality

NB: The Equality Act (2010) covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called ‘protected characteristics’. The Act extends some protections to characteristics that were not previously covered and strengthens particular aspects of equality law. This policy has been updated in the light of the Act.

Types of discrimination: definitions

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).

Discrimination by association

Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception discrimination

Already applies to age, race, religion or belief and sexual orientation. Now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

Already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. Now extended to cover disability and gender reassignment. Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, ie that it is ‘a proportionate means of achieving a legitimate aim’. A *legitimate aim* might be any lawful decision you make in running your business or organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you’ve looked at ‘less discriminatory’ alternatives to any decision you make.

Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”. Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Third party harassment

Already applies to sex. Now extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation. The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

The Protected Characteristics are:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Age (no change)

The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if you can justify it, ie if you can demonstrate that it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination. The Act allows employers to have a default retirement age of 65 until April 2011.

Disability (new definition and changes)

The Act has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

As before, the Act puts a duty on you as an employer to make reasonable adjustments for your staff to help them overcome disadvantage resulting from an impairment (eg by providing assistive technologies to help visually impaired staff use computers effectively). The Act includes a new protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (eg a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show

that it is a proportionate means of achieving a legitimate aim. Additionally, indirect discrimination now covers disabled people. This means that a job applicant or employee could claim that a particular rule or requirement you have in place disadvantages people with the same disability. Unless you could justify this, it would be unlawful. The Act also includes a new provision which makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work.

Gender reassignment (new definition)

The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered. It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured.

Marriage and civil partnership (no change)

The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

1.1 Purpose of the Equality Scheme

This equality scheme is the College's response to the specific and general duties in the current equality legislation. It is an attempt to capture how the College is systematically establishing and implementing good practice in equality and diversity across all areas of College life. This includes a response to all aspects of social identity and diversity as set out in the North Yorkshire County Council's Equality Policy Statement:

"we oppose all forms of unlawful or unfair discrimination, whether because of race, colour, ethnic or national origin, sex or gender reassignment, marital status, family status, sexuality, religion or beliefs, disability, age or any other condition or requirement which places a person at a disadvantage and cannot be justified".

This Equality Scheme sets out how the College will:

- eliminate discrimination;
- eliminate harassment related to any aspect of social identity or diversity;
- promote equality of opportunity;
- promote positive attitudes to all aspects of social identity and diversity;
- encourage participation by disabled people and people representing different aspects of social identity in public life;
- take steps to take account of difference even where that involves treating some people more favourably than others.

This document provides, therefore, a scheme which embraces for our College a Race Equality Scheme, a Gender Equality Scheme, a Disability Equality Scheme and the College's Equality Policy. It is reviewed every three years and reported on annually.

An action plan accompanies this Equality Scheme which is renewed annually. In line with this Equality Scheme, the action plan sets out the equality and diversity objectives for the College

Caedmon College Whitby – Policy Document: Equality

which have been identified as a result of the College's equality impact assessment in line with this equality scheme and facilitated by the Inclusion Quality Mark audit tool.

This action plan embraces the Accessibility Plan for the College as it sets out how the College will increase access to education for disabled pupils in the three areas required by the planning duties in the Disability Discrimination Act:

- increasing the extent to which disabled pupils can participate in the College curriculum;
- improving the environment of the College to increase the extent to which disabled pupils can take advantage of education and associated services;
- improving the delivery to disabled pupils of information which is provided in writing for pupils who are not disabled.

This action plan is available on the College website. It is available in different formats and in different languages on request to the College office.

1.2 Equality Legislation

The Equality Act 2010 now incorporates and supersedes the following legislation:

- Race Relations Act (RRA) 1976/2000
statutory positive duty to promote racial equality, promote good race relations and eliminate unlawful racial discrimination;
- Sex Discrimination Act (SDA) 1975 (and Regulations 1999), Gender Equality Duty 2007
statutory positive duty to promote gender equality and eliminate unlawful gender discrimination;
- Employment Equality (religion or belief) (sexual orientation) Regulations 2003 extended to education, Equality Act (Part 2) 2007
The Act sets out that it is unlawful for schools to discriminate against a person:
 - a) in the terms on which it offers to admit him/her as a pupil;
 - b) by refusing to accept an application to admit him/her as a pupil, or
 - c) where he/she is a pupil of the establishment:
 - i) in the way in which it affords him/her access to any benefit, facility or service,
 - ii) by refusing him/her access to a benefit, facility or service,
 - iii) by excluding him/her from the establishment,
 - iv) by subjecting him/her to any other detriment.(There are specific exemptions for faith schools.)
- Disability Discrimination Act (DDA) 1995/2005
statutory positive duty to promote equality of opportunity for disabled people: pupils, staff, parents, carers and other people who use the College or may wish to, and eliminate unlawful discrimination;
- Education and Inspections Act 2006, duty to promote community cohesion.
By 'community cohesion' the College is endorsing and adopting the definition provided by Alan Johnson, 2006, as:
"working towards a society in which there is a common vision and sense of belonging by all communities; a society in which the diversity of people's backgrounds and circumstances is appreciated and valued; a society in which similar life opportunities are available to all; and a society in which strong and positive relationships exist and continue to be developed in the workplace, in schools and in the wider community."

Caedmon College Whitby – Policy Document: Equality

2 What kind of a school are we?

2.1 College Vision and Values

The College's vision and values statement reflects the College's ambitions for all its pupils. It refers to the key requirements set out in the National Curriculum Inclusion Statement for developing an inclusive curriculum: setting suitable learning challenges; responding to pupils' diverse learning needs; overcoming potential barriers to learning and assessment for individuals and groups of pupils.

The College statement also embraces the North Yorkshire Inclusion statement which emphasises that individuals and groups of learners who may be vulnerable to exclusion, marginalisation and underachievement are identified and receive targeted provision to ensure their presence, participation and achievement. The College is committed to achieving the Inclusion Quality Mark and is aspiring to achieve progressively higher levels of this award.

2.2 College Context

The nature of the College population and context to inform action planning for the equality scheme:

- Factors of the geographical location of the College;
- The training available to staff on equality issues;
- The turnover of pupils and staff;
- The population of disabled pupils and staff at the College (using the breadth of the DDA definition of disability: "A disabled person (child or adult) is someone who has a physical or mental impairment, which has a substantial and long term adverse effect on his or her ability to carry out normal day-to-day activities");
- The nature of the College intake in the future (bearing in mind the anticipatory requirement of the DDA).
- Examples of reasonable adjustments the College makes as a matter of course;
- The nature of the College and site regarding access;
- The ways in which information is currently provided for disabled pupils;
- The ethnic composition of pupils and staff;
- Racist incidents at the College and in the local area;
- Languages spoken at the College;
- Recruitment, development and retention of staff against social identity factors such as disability, gender, sexual orientation, faith, age, ethnicity.
- Outcomes for pupils analysed against social identity issues, ie gender, ethnicity, disability, faith background, and aspects of vulnerability identified by the College including:
 - analysis of end of key stage results;
 - achievements on extra-curricular activities;
 - attendance data;
 - exclusion data;
 - participation on College trips;
 - participation in extended College activities;
 - Every Child Matters outcomes based on qualitative evidence such as pupil voice surveys, parental feedback, staff health and wellbeing information.

2.3 Responsibilities

The Governing Body and College Leadership Team will:

- be proactive in promoting equality and tackling discrimination in all areas;

Caedmon College Whitby – Policy Document: Equality

- maintain an overview of the Equalities Scheme which will be regularly reviewed by the governing body;
- work in partnership with others to tackle discrimination, and establish, promote and disseminate good practice in equalities;
- encourage, support and enable all pupils and staff to reach their full potential.

The Governing Body is responsible for:

- ensuring that the College complies with all relevant equalities legislation;
- ensuring, with assistance from the Principal, that the policy and its related procedures and strategies are implemented;
- electing a nominated governor with responsibility for Equalities who, with the Principal, will report to the full governing body.

The Principal is responsible for:

- co-ordinating all equality work within the College;
- ensuring that the policy and its related procedures and strategies are implemented on a day to day basis;
- ensuring that all staff are aware of their responsibilities under the policy and that they are given appropriate training and support to enable them to fulfil these responsibilities;
- initiating disciplinary action against staff or pupils who discriminate;
- dealing with reported incidents of racism, harassment or other forms of discrimination.

The Assistant Principal (Inclusion) will ensure that:

- details of the person responsible for maintaining and sharing with all the staff those vulnerable pupils and how their needs will be met;
- details of the person responsible for ensuring the specific needs of staff members are addressed;
- details of the person responsible for gathering and analysing the information on outcomes of vulnerable pupils and staff;
- details of the person responsible for monitoring the response to reported incidents of a discriminatory nature;
- details of the person responsible for co-ordinating the Inclusion Quality Mark equality impact assessment.

All staff should:

- know how to deal with incidents of concern, and how to identify and challenge bias and stereotyping;
- know procedures for reporting incidents of racism, harassment or other forms of discrimination;
- not discriminate on racial, disability or other grounds;
- keep themselves up to date with relevant legislation and attend training and information events organised by the College or LA;
- ensure that pupils from all groups are included in all activities and have full access to the curriculum;
- promote equality and diversity through teaching and through relations with pupils, staff, parents, and the wider community.

All pupils will:

- learn about and understand the College's Equality Scheme and be expected to behave in accordance with it;
- experience a curriculum and environment which is respectful of diversity and difference and prepares them well for life in a diverse society;

Caedmon College Whitby – Policy Document: Equality

- understand the importance of reporting discriminatory bullying and racially motivated incidents;
- ensure the peer support programme within the College promotes understanding and supports pupils who are experiencing discrimination;
- monitor progress through the College council.

Visitors and contractors are responsible for complying with the College's Equality Scheme – non-compliance will be dealt with by the Principal.

3.1 Involvement Processes

Policies are vital to identify and consolidate thinking regarding appropriate provision for students, however, they are often viewed as an end, when they should be seen as a process - always evolving in response to changes and evidence from impact assessments. When developing this Equality Scheme, the College is clear that this is a process which must be informed by the involvement of all participants such as pupils, parents, College staff, governors and external agencies. This will ensure that the College gleans insights into the barriers faced by people from different social identity backgrounds and learns the best ways to overcome such barriers. This Scheme will be informed, therefore, by:

- the views and aspirations of pupils themselves from different social identity backgrounds;
- the views and aspirations of parents of pupils from different social identity backgrounds;
- the views and aspirations of staff from different social identity backgrounds;
- the views and aspirations of members of the community and other agencies, including voluntary organisations, representing different social identity backgrounds;
- the priorities in the North Yorkshire Children and Young People's Plan.

3.2 Mechanisms for involvement

At this College the following mechanisms will ensure the views of pupils inform the Equality Scheme and action plan:

- Exit interviews with pupils;
- College council;
- Twice yearly focus groups of pupils representing different social identity backgrounds, ie, gender forum, disability forum;
- E-forums;
- Individual interviews with pupils involved in incidents of a discriminatory nature;
- Individual interviews with pupils experiencing reasonable adjustments;
- Yearly open meetings representing a particular theme shared with the community.

At this College the following mechanisms will ensure the views of staff inform the Equality Scheme and action plan:

- Exit interviews with staff;
- Regular meetings with union representatives;
- E-forums;
- Regular staff meetings with specific agenda items;
- Individual discussions with staff as a part of performance management.

At this College the following mechanisms will ensure the views of parents and the community inform the Equality Scheme and action plan:

Caedmon College Whitby – Policy Document: Equality

- Text to be inserted into communication with parents: “*your support for your child’s education is crucial to their progress. Please tell us if there are any adjustments we need to make to help you support your child, for example: letters in large font; letters in different languages; wheelchair access; explaining things over the phone; a discussion with a school colleague of the same gender.*”
- Feedback through the Governing Body meetings;
- Feedback through the PTA meetings;
- Feedback from adults using the College beyond the school day;
- Yearly open meetings with parents and local groups representing a particular theme.

The College’s action plan will focus on developing the involvement of pupils, staff and parents from different social identity backgrounds over the three years of this Scheme. We will consider varying the times, methods and the venues for this involvement to ensure the best possible attendance and ensure views can be heard. This way the College will learn what works and the involvement of students, staff and parents will improve and deepen over time.

4 Making it happen

4.1 Implementation of Policy

This scheme is supported by an action plan, the progress of which is monitored and evaluated by the Governing Body.

The action plan that identifies the equality objectives for the College arising from this scheme and the impact assessment through the Inclusion Quality Mark has:

- clear allocation of responsibility;
- clear allocation of resources, human and financial;
- clear timescales;
- expected outcomes and performance criteria;
- specified dates for review;

The effectiveness of this Scheme will be evaluated and reflected in:

- the College Self-evaluation Form;
- the level achieved in the Inclusion Quality Mark;
- discussions with the School Improvement Partner.

4.2 Publication

This Equality Scheme will be published and available to anyone requesting a copy. Copies will be displayed in the College reception area and it will be referenced in College newsletters and in the College’s prospectus.

4.3 Reporting

This Scheme will be reported on annually. Progress against the action plan will be evaluated and the impact of the action and activities assessed. This report will be made available as a separate document and in College prospectus.

If you would like this information in another language or format such as Braille, large print or audio, please ask us.

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如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

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