

Ormiston Forge Academy

Equality Policy

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I. Policy statement and principles

I.1 Policy aims and principles

- To treat all individuals with equal value.
- To eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- To advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- To foster positive attitudes and good relations between persons who share a relevant protected characteristic and persons who do not share it (i.e. tackle prejudice and promote understanding).
- To take such steps as are reasonable to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- To take such steps as are reasonable to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- To provide a range of education and training programmes which encourage everyone to participate in learning.
- To ensure that recruitment, retention and development of staff is done so following the equality principles.
- To consider equality implications before and at the time that policies are developed as well as keeping them under review on a continual basis.
- To carry out equality impact assessments to assess whether policies and / or plans are having a negative or adverse, or positive impact on specific groups of individuals.
- To ensure that all marketing activities and procurement processes meet equality and diversity best practice.
- To respect the religious beliefs and practices of all individuals.

Prejudice, discrimination, and victimisation are not tolerated, and we work hard to instill a strong understanding of right and wrong, including the importance of inclusion, acceptance, and compassion towards others.

In both its delivery of services and the employment of its staff, the academy will ensure that no person will be discriminated against due to any of the protected characteristics as detailed in the Act. This includes discrimination due to association or perception (where it is believed that an individual has a particular characteristic). The characteristics protected by the act are:

- age (*as an employer – but not applicable to students*)
- disability
- ethnicity
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- religion or belief
- sex
- sexual orientation

In addition to this no employees will be discriminated against due to trade union membership or activities.

The Equality Act 2010 provides positive action provisions that allows the academy to use targeted measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of individuals with particular protected characteristics. Such measures will only be used where they are considered proportionate in order to achieve the relevant aim.

This policy and the Equality Act deals with the way in which the academy treats its current and prospective staff and / or students but the relationship between one individual and another is not within its scope.

In the execution of its duties the academy will be required to gather data, report on progress and publicise information. The academy will ensure that this is done in line with the academy's **Data Protection Policy**.

We incorporate equality and diversity into everything we do. Equality and Diversity flows through our values and is an integral part of our business. This policy is consistent with all other policies adopted by the academy and is written in line with current legislation and guidance.

This policy should be read in conjunction with the academy's **Equality Objectives** (published at least every four years) and the Equality Information.

Any alleged breach of this policy will be taken seriously and where proven, breaches may lead to formal disciplinary action.

1.2 Complaints

All complaints are dealt with under the **OAT Complaints Policy**.

Complaints should be made in writing and will follow the OAT complaint procedures and set timescales. The handling of complaints may be delegated to an appropriate person.

1.3 Monitoring and review

This policy will be reviewed every four years or in the following circumstances:

- in line with changes to the equality objectives
- changes in legislation and / or government guidance
- as a result of any other significant change or event
- in the event that the policy is determined not to be effective

If there are urgent concerns these should be raised to the Vice-Principal responsible for Inclusion in the first instance for them to determine whether a review of the policy is required in advance of the review date.

2. Roles and responsibilities

Individuals in the academy are expected to take responsibility for supporting and promoting equality in the academy above and beyond the responsibilities listed below.

The Academy

The academy is responsible for ensuring the effective implementation of the Equality Policy and to deal with unfair and / or unlawful discriminatory incidents. The academy will promote equality of opportunity and diversity opposing unlawful discrimination against any member of the academy community. All staff will:

- be up to date and aware of their responsibilities in regards to equality within the academy
- engage with the academy in eliminating any discrimination and act as a good example to students
- promote a positive working environment
- report back to their managers immediately on any incidents relating to discrimination or victimisation, so that these incidents can be reviewed and action taken where necessary
- are aware that failure to comply with this policy may be grounds for disciplinary procedures to be followed

The Vice Principal, responsible for Inclusion

The Vice-Principal responsible for Inclusion is the first point of contact for any queries or concerns that arise relating to this policy. They will also:

- ensure that the equality information is published annually detailing how the academy is meeting its responsibilities under the Public Sector Equality Duty (PSED – otherwise known as the general duty)
- ensure that the equality objectives are reviewed and published every four years
- monitor equality outcomes, and regularly reports back to the rest of the governing body
- ensure that individuals are informed of any incident related to this scheme which could directly affect them
- consider all reasonable requests relating to religious observance and practice

The Principal and Senior Leadership Team

The Principal, with the support of the rest of the senior leadership team, will ensure that this policy and its procedures are implemented and followed by all staff. They will also:

- report back to the governing body on how the plan is working and any amendments that they feel should be made, as well as feedback from staff, students and parents
- take appropriate action where discrimination or victimisation occurs
- identify and investigate any patterns with regard to exclusions and poor attendance in respect of particular groups
- ensure that the performance of different groups of students is monitored and evaluated so that the particular needs of different students are met
- provide monitoring reports for the LGB to review
- ensure the impact of additional support on standards achieved is evaluated

Local Governing Body (LGB)

The LGB will ensure that all academy policies promote the equality principles detailed in this policy. In addition to this they will ensure that the academy:

- effectively communicates and adopts this policy throughout the academy correctly
- complies with all equality legislation
- sets equality objectives
- monitors and evaluates the effectiveness of the equality policy on a regular basis, making any amendments to improve on the plan when and where necessary

- monitors educational outcomes, incidents of harassment and discrimination, and referrals by a range of criteria including disability
- observes the provisions in this policy in relation to recruitment, selection and promotion procedures
- ensures that resources are allocated to the promotion of equality of opportunity

3. Disability

The disability provisions in the Equality Act are different from those for the other protected characteristics in a number of ways. In particular, it works in only one direction; it protects disabled people but not people who are not disabled. The academy may treat a disabled person more favourably than a person who is not disabled and therefore may have to make reasonable adjustments to practices to ensure, as far as is reasonably possible, that a disabled person can benefit to the same extent that a person without that disability can.

The academy continuously considers and reviews its facilities and physical features to ensure that it is inclusive and accessible for all people as part of its general accessibility planning. The academy Accessibility Plan aims to:

- increase the extent to which disabled students can participate in the curriculum;
- improve the physical environment to enable disabled students, staff and visitors to take better advantage of education, benefits, facilities and services provided; and
- improve the availability of accessible information to disabled people

3.1 Making reasonable adjustments

The academy will make reasonable adjustments for individuals in the event that the academy does something that places a disabled person at a disadvantage compared to other people.

Reasonable steps will be taken to try and avoid the disadvantage of disabled persons. This will particularly be the case where a disabled student does not have a special educational needs (SEN) statement or where the statement does not provide the auxiliary aid or service. There should be no assumption, however, that if an auxiliary aid is not provided under the SEN regime then it must be provided as a reasonable adjustment. All decisions would depend on the facts of each individual case.

Auxiliary aids or services will be provided when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the person faces in comparison to non-disabled individuals.

[Guidance](#)¹ from the Equality and Human Rights Commission will be used to assist in determining when it would be reasonable for the academy to make adjustments.

¹ <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice/>

4. Employment provisions

The academy is committed to providing equality of opportunity for all and ensuring that all stages of recruitment and selection are fair. Recruitment and selection procedures will be reviewed on a regular basis.

Where a candidate is known personally to a member of the selection panel it will be declared before shortlisting takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities principles are adhered to.

As an employer, the academy strives to ensure that discrimination and harassment is eliminated in our employment practice and we actively promote equality across all groups within our workforce.

The academy will not discriminate against a potential employee in respect of whether to offer a job or the terms on which a job is offered. With regards to existing employees, the academy will not discriminate against an individual in respect of the benefits, facilities and services it offers including training opportunities, promotion or dismissal (including discipline and suspension). All staff appointments and promotions are made on the basis of merit, ability and in compliance with the law.

The academy is under a duty to make reasonable adjustments in relation to disability for employees or potential employees and will ensure that staff with disabilities have access to appropriate support in the form of aids, adaptations and other specialist services and will make reasonable adjustments to arrangements or practices to alleviate disadvantage.

More information about our procedures relating to staff can be found in the following policies:

- **Recruitment Policy**
- **Appraisal Policy**
- **Discipline, Conduct and Grievance Policy**

4.1 Enquiries about health and disability

The academy will not enquire about the health of an applicant for a job until a job offer has been made, unless the questions are specifically related to an intrinsic function of the work for the position that has been applied for.

In some instances the academy may decide to ask necessary health questions after a job offer has been made to an individual. In such a situation The academy will ensure that health-related questions are targeted, necessary and relevant to the job applied for.

4.2 Training

All staff will receive equal opportunities training which will include disability awareness / equality. This training will be part of staff induction as well as the CPD programme. All staff will receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

The academy will ensure that no member of staff is denied access to any form of training because of an inaccessible venue or because the provision does not account for their disability. Staff with disabilities will be actively encouraged to attend course which will support their career progression and personal development.

4.3 Staff discipline and suspension

The academy is committed to ensuring that all staff are treated fairly and consistently and this is held to account through our staff appraisal discipline, conduct, and grievance policies.

Staff performance will be monitored and we expect that staff will feel able to voice complaints and grievances in confidence, trusting that the academy will deal with their grievances fully, promptly, and fairly.

The academy puts great faith in all its employees, and hopes never to have to discipline anyone as a result of misconduct.

5. Exemptions to the Equality Act 2010

5.1 Bullying

All forms of prejudice-motivated bullying are taken seriously and dealt with equally and firmly. The academy has an **Anti-Bullying Policy** and a **Behaviour Policy** to cover the areas that are not within scope of the Equality Act.

5.2 Curriculum

The content of the curriculum is explicitly excluded from the Act. The academy will include a full range of issues, ideas and materials in the syllabus, in the aim to expose students to thoughts and ideas of all kinds, however challenging or controversial.

In particular, the academy will ensure that:

- the delivery of the curriculum does not subject individual students to discrimination
- teaching styles, methods, language, questioning and classroom management will be inclusive and engage all students
- suitable resources will be chosen which motivate and are sensitive to different groups, cultures and backgrounds
- teaching / assessment strategies are reviewed in relation to variations in learning and attainment
- each subject is reviewed to ensure that teaching and learning reflect the principles in this policy

5.3 Religious observance

The Act allows for academies to organise acts of worship, celebrate religious festivals or other forms of collective religious observance. The academy respects the religious beliefs and practice of all staff, students and parents, and will comply with reasonable requests relating to religious observance and practice.

5.4 Uniforms

The Act does not deal specifically with uniform or other aspects of appearance such as hair colour, jewellery and make-up, but the general requirement not to discriminate in the treatment of students still applies. The academy's information that covers this is to be found in the Academy Prospectus-Supplementary Information.

Appendix I

Types of Discrimination

The Equality Act 2010 extends the scope of conduct prohibited in relation to the protected characteristics. The following provides an overview of what is included within the legislation.

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, or because they associate with someone who has a protected characteristic.

Indirect Discrimination

Indirect discrimination can occur when a condition, rule, policy or even a practice applies to everyone but particularly disadvantages people who share a protected characteristic.

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'. Protection includes harassment because of perception and association.

Victimisation

Victimisation occurs when a person 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. A person 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.

Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Discrimination by Perception

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.

Third Party harassment

The Equality Act makes an organisation potentially liable for harassment of their employees by people (third parties) who are not employees of the company, such as visitors or parents. The organisation will only be liable when harassment has occurred on at least two previous occasions, and they are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again