



# Equality Policy

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## Equality Policy

### 1. Introduction

1.1 This Equality Policy sets out Wyvern Academy's approach to promoting equality and diversity and responds to the statutory duties contained within the Equality Act 2010. While this policy demonstrates the Academy's compliance with legislative requirements, the Academy has long recognised the importance of ensuring that their policies and procedures are effective in promoting equality and tackling discrimination.

1.2 Furthermore this Policy promotes the consideration of equality and diversity in decision making at all levels within the Academy. The policy encourages all decision makers to understand how different people will be affected by the Academy's activities so that policies and services are appropriate and accessible to all and meet different people's needs.

### 2. Scope

2.1 Equality is a core value which underpins the services delivered by the Academy in pursuance of its strategic vision. As such the principles of equality apply in the following areas:

- Provision of education services / delivery of the curriculum to pupils
- Employment of staff and workers by the Academy

2.2 This policy therefore applies to all those within the Academy community including pupils, parents and carers, staff, managers, contractors, Governors and Directors.

### 3. Policy objectives

3.1 In relation to the delivery of the education services to pupils it is Wyvern Academy's policy to:

- not discriminate against, harass or victimise a pupil, potential pupil or parent/carer on the grounds of a protected characteristic.
- seek to identify where inequality of opportunity exists and take actions to remove or minimise the disadvantage suffered. To recognise that different needs are met in different ways as not all people are the same and the Academy will take steps to actively encourage participation where it is disproportionately low.
- promote good relations between groups of pupils and parents who share a protected characteristic and those who do not and work to eliminate stereotyping and prejudicial views

3.2 These policy objectives will be adhered to when the Academy is planning and taking actions in all areas of its operation, which includes:

- Admissions
- Terms offered to pupils
- Access to education services and facilities
- Conferment of qualifications
- Recreational or training facilities
- In the way the schools respond to parents/carers making a complaint.

3.3 In its role as an employer it is Wyvern Academy's policy to:

- not discriminate against, harass or victimise any employee or potential employee on the grounds of a protected characteristic.
- seek to identify where inequality of opportunity in employment exists due to a protected characteristic and take actions to remove or minimise the disadvantage suffered.
- promote good relations between groups of employees who share a protected characteristic and those who do not and work to eliminate stereotyping and prejudicial views

3.4 These policy objectives will be adhered to when the Academy is planning and taking actions in its role as an employer, including the following areas:

- Recruitment, selection and promotion of employees and workers
- Pay and reward
- Development and application of employment policies and procedures
- Access to development and training opportunities
- The way employees are treated throughout their employment with the Academy

#### **4. The Academy's values and visions**

4.1 In meeting the duties described above the Academy's actions will embody the Academy's key principles and values and the targets included within the individual School Improvement Plans. This includes:

- Striving to make the best possible provision for all pupils
- Respecting diversity and knowing that treating people equally is not simply a matter of treating everyone the same
- Promoting good relationships between all groups and working to eliminate stereotyping and prejudicial views

- Valuing staff for their ability and potential to help the Academy make the best possible provision for the pupils in its schools
- Being proactive in efforts to identify and minimise existing barriers or inequalities
- Seeking the views of all groups affected by the policies and work of the Academy and try to involve them in policy review
- Recognising the role of the Academy in promoting community cohesion, and actively encouraging the participation in public life of all students, staff and parents in the schools

## 5. **Legislative Background**

5.1 The Equality Act 2010 consolidated all previous discrimination legislation under one act. This had the effect of simplifying and improving the consistency of discrimination legislation but also of extending protection in some areas.

5.2 The Equality Act also introduced additional duties for public sector bodies which are called the Equality Duty and the Specific Duty (see paragraphs 8 and 9 below).

## 6. **Protected Characteristics**

6.1 The Equality Act covers the following protected characteristics:

- Age\*
- Disability
- Gender
- Gender reassignment
- Marriage and civil partnership\*
- Pregnancy and maternity
- Race – this includes ethnic or national origins, colour or nationality
- Religion or belief – this includes lack of belief
- Sexual orientation

\* The protected characteristics of age and marriage and civil partnership do not apply in relation to the delivery of education services but do apply in relation to employment.

## 7. **Types of Discrimination**

7.1 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 scope of the legislation.

## **Direct Discrimination**

7.2 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**

7.3 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.

7.4 Indirect discrimination can be justified if it can be shown that someone acted reasonably in managing their business, i.e. that it is *'a proportionate means of achieving a legitimate aim'*. A legitimate aim might be any lawful decision made in running the 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 *'less discriminatory'* alternatives have been considered in any decision made.

## **Harassment**

7.5 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**

7.6 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**

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

## **Discrimination by Perception**

7.8 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.

## 8. The Public Sector Equality Duty

8.1 The Public Sector Equality Duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all.

8.2 The Equality Duty is a duty on the Academy and others carrying out public functions. It ensures that the needs of all individuals are considered in their day to day work – in shaping policy, in delivering services, and in relation to the Academy’s own employees.

8.3 The new Equality Duty supports good decision-making. By understanding the effect of the Academy’s activities on different people, and how inclusive public services can support and open up people’s opportunities, the Academy is better placed to deliver policies and services that are efficient and effective.

8.4 The Equality Duty has three aims. It requires the Academy to have **due regard** to the need to:

- a. eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- b. advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- c. foster good relations between people who share a protected characteristic and people who do not share it.

8.5 Have due regard to the need to advance equality of opportunity is defined further in the Equality Act 2010 as having due regard to the need to:

1. Remove or minimize disadvantages
2. Take steps to meet different needs
3. Encourage participation when it is disproportionately low

8.6 The Academy needs to consciously think about the three aims of the Equality Duty as part of the process of decision-making. This will include decisions made at all levels within the Academy and by all decision makers. The Equality Duty will be one of a number of factors that need to be considered. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed.

## 9. Specific Duties

9.1 The Equality Duty is supported by specific duties which require the Academy to publish relevant, proportionate information demonstrating its compliance with the Equality Duty; and to set ourselves specific, measurable equality objectives.

9.2 The specific duties require the Academy to:

- a. publish information to show compliance with the Equality Duty, at least annually; and
- b. set and publish equality objectives, at least every four years.

## **10. Actions**

10.1 Wyvern Academy monitors equality and sets equality objectives at school level based on the needs within these areas.

10.2 The monitoring information is published annually.

10.3 Progress towards the equality objectives is monitored at least annually and the objectives are reviewed at least every two years.

10.4 Gender pay gap information will be issued in line with legislative requirements and updated annually.

10.4 In addition the Academy has in place a number of policies and documents which provide evidence of its compliance with the Equality Duty.

## **11. Definitions**

### **Transgender / Gender reassignment**

11.1 Gender reassignment is the process of transitioning from one gender to another. It is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with. This may include undergoing medical procedures or could include choosing to dress in a different way as part of the personal process of change.

### **Marriage and civil partnership**

11.2 Marriage is defined as a 'union between a man and a woman'. Same-sex couples can get married or have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

### **Pregnancy and maternity**

11.3 Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

## **Religion and belief**

11.4 The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief (e.g. Atheism). A religion need not be mainstream or well known to gain protection as a religion. It must, though, be identifiable and have a clear structure and belief system.

11.5 Denominations or sects within religions, Cults and new religious movements may also be considered religions or beliefs. Generally, a belief need not include faith or worship of a god or gods, but must affect how a person lives their life or perceives the world to be included in the definition.

## **Sexual orientation**

11.6 Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to. Some people are only attracted to those of the same sex (lesbian women and gay men). Some people are attracted to people of both sexes (bisexual people). Some people are only attracted to the opposite sex (heterosexual people). Everyone is protected from being treated less favourably because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.