



SINGLE EQUALITY POLICY

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SINGLE EQUALITY SCHEME 2016-19

OVERVIEW

The Single Equality Act which came into place Oct 1st 2010 brought together the duties that are already set out in our Disability, Race and Gender policies into one single Equality Duty. This policy is written to bring together and harmonise those three policies. The Single Equality Act combines the existing three duties into one new Equality Duty that covers all seven of the equality strands:

- Age
- Disability
- gender, gender-identity
- race
- religion or belief
- sexual orientation
- Socio-economic background and other protected characteristics.

WHAT WE MEAN BY EQUALITY?

We understand equality to mean treating everyone with equal dignity and worth, valuing their particular characteristics such as their age, disability, gender, ethnicity, religion or belief, sexual orientation and socio-economic circumstances.

We further understand that people have different needs, situations and goals and therefore achieving equality requires the removal of discriminatory barriers that limit what people, especially children and young people can do and can be. We recognise that inequality can be experienced in a variety of ways such as through outcomes, access to services, the degree of independence to make decisions affecting lives and inequality of treatment, including in relation to employment, through direct and indirect discrimination or disadvantage imposed by other individuals, groups, institutions or systems intentionally or inadvertently.

At Bradley Green School we will ensure that at every level, in all our work and throughout all aspects of the school community and its life, all will be treated equally, free from discrimination and harassment. Our school will tackle the barriers which could lead to unequal outcomes for the identified protected groups above, ensuring there is equality of access and that we celebrate and value the diversity within our school community.

- a) In accordance with our mission statement we pledge:
- to respect the equal human rights of all our pupils
 - to positively promote equality and diversity
 - to tackle the barriers which could lead to unequal outcomes for identified groups of pupils
 - to educate pupils about equality and diversity



- to respect the equal rights of our staff and other members of the school community.
- b) We will assess our current school practices ("Equality Impact Assessment") and implement all necessary resulting actions in relation to the identified protected groups.
- c) We will promote community cohesion at school, local, national and global levels, comparing our school community to its local and national context and implementing all necessary actions in relation to:
 - ethnicity,
 - religion or belief, and
 - socio-economic background.

PRINCIPLES

In fulfilling the legal obligations outlined further on in this scheme, we at Bradley Green Community Primary School are guided by seven principles.

Principle 1: All members of the school and wider community are of equal value

We see all members of the school and wider community of equal value, regardless of age, disability, gender or gender-identity, race, religion or belief, sexual orientation or socio-economic background.

Principle 2: We recognise and respect diversity

Treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences in life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
- gender and sexual orientation so that the different needs and experiences of girls and boys, women and men are recognised
- age.



Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging

We intend that our policies, procedures and activities should promote:

- positive attitudes towards people with disabilities, good relations between those with or without disabilities and an absence of harassment
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or socio-economic circumstances, and an absence of prejudice-related bullying and incidents
- mutual respect and good relations between boys and girls, women and men, and an absence of sexual harassment
- positive intergenerational attitudes and relationships.

Principle 4: We ensure that the recruitment, retention and ongoing development of staff is undertaken in a fair and equitable manner to support our school's vision and values

Policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development regardless of: age, disability, gender or gender-identity, race, religion or belief, sexual orientation or socio-economic background.

Principle 5: We aim to reduce and remove inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between different groups.

Principle 6: Wide consultation

People affected by a policy or activity should be consulted and involved in the design of new policies, and in the review of existing ones.

Principle 7: The community as a whole should benefit

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of the identified protected groups.



WHAT NEXT?

In the light of the principles stated above, we have identified practical priorities and plans of specific action, in order to promote equality for protected groups. These are outlined in our Single Equalities Action Plan.

ACTION PLANS

We recognise that the actions resulting from a policy are what make a difference. Every 3 years we will draw up an action plan within the framework of the overall school improvement plan, setting out the specific actions and projects we shall undertake to implement the principles above. Our current action plan is set out in our Single Equality Scheme Action Plan.

THE CURRICULUM

1. We will actively seek opportunities to review the curriculum* (including the hidden curriculum) and curriculum subject or areas in order to ensure that teaching and learning reflect the seven principles outlined above.

**Curriculum: the content of the curriculum is excluded from discrimination law following the Equality Act 2010. The Act does, however, explicitly include the delivery of the curriculum i.e. the way in which education is provided. Schools will need to ensure that the way in which issues are taught does not subject individual pupils to discrimination. Further, that it would not be unlawful for a teacher in any school to express personal views on sexual orientation provided that it is done in an appropriate manner and context.' (draft guidance from the DfE cited in Equality Act 2010).*

2. We will ensure staff have the opportunity to engage in appropriate training and development to support the achievement of the seven principles.

ETHOS AND ORGANISATION

1. We ensure that the principles listed above apply also to the full range of our policies and practices, including those that are concerned with:
 - learners' progress, attainment and assessment
 - learners' and staff personal development, welfare and well-being
 - teaching styles and strategies
 - admissions and attendance



- staff and governor recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- working in partnership with parents, carers and guardians
- working with the wider community.
- Participation of groups in wider school activities
- Preparing all members of the learning community for living and positively contributing to a diverse society.

ADDRESSING PREJUDICE AND PREJUDICE-RELATED BULLYING

The school is opposed to all forms of prejudice, which stand in the way of fulfilling legal duties for all aspects of equality:

- prejudices around disability and special educational needs
- prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example Islamophobia and anti-Semitism, and those that are directed against Travellers, refugees and people seeking asylum
- prejudices reflecting sexism and homophobia.

There is guidance in the staff handbook on how prejudice-related incidents should be identified, assessed, recorded and dealt with.

We take seriously our obligation to report regularly to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they were dealt with in line with existing and future legal requirements.

ROLES AND RESPONSIBILITIES

1. The governing body is responsible for ensuring that the school complies with current legislation, and that this policy and its related procedures and strategies are implemented.
2. The Chair of the governing body has a watching brief regarding the implementation of this policy.



3. The head teacher is responsible for implementing the policy; for ensuring that all staff, governors and visitors are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.
4. A senior member of staff Mrs Vicky Cameron (Principal) has day-to-day responsibility for co-ordinating implementation of the policy.
5. All staff are expected to:
 - promote an inclusive and collaborative ethos in their classroom
 - challenge and deal with any prejudice-related incidents that may occur
 - identify and challenge bias and stereotyping in the curriculum
 - support pupils in their class for whom English is an additional language
 - keep up-to-date with equalities legislation relevant to their work.
 - give pupils the opportunity to have their voices heard with regards to equality issues.

INFORMATION AND RESOURCES

1. We ensure that the content of this policy is known to all staff and governors and, as appropriate, to all pupils and parents and carers.
2. All staff and governors have access to a selection of resources which discuss and explain concepts of equality, diversity and community cohesion in appropriate detail.

RELIGIOUS OBSERVANCE

We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.*

**The daily act of collective worship is not covered by the religion or belief provisions of the Act, which means that schools will not be acting unlawfully if they do not provide an equivalent act of worship for other faiths. For maintained schools a daily act of collective worship remains a mandatory requirement. It continues to be the case that in any maintained school collective worship is to be wholly or mainly of a broadly Christian character except where a determination otherwise has been successfully obtained.*



A school must of course comply with any request by a parent for a pupil to be wholly or partly excused from attending RE. Parents have the right to withdraw their children from collective worship and sixth form pupils have the right to withdraw themselves.

Schools are also free to celebrate religious festivals and would not be discriminating against children of other faiths by e.g. putting on a nativity play. Parents, guardians or carers will not be able to claim that their children have been discriminated against simply because an equivalent celebration of events of significance to their particular religion is not arranged.

STAFF DEVELOPMENT AND TRAINING

We ensure that all staff, including support and administrative staff and governors, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

BREACHES OF THE POLICY

Breaches of this scheme will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the head teacher and governing body.

MONITORING AND EVALUATION

We will collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate. In particular we collect, analyse and use data in relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin, socio-economic circumstances, gender and age.

To review good practice we will make use of a range of auditing schedules.

HOW WE DEVELOP OUR SCHEME

Policies are vital to identify and consolidate thinking regarding appropriate provision for pupils, 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 school is clear that this is a process which must be informed by the involvement of all participants such as pupils, parents, school staff, governors and external agencies. This will ensure that the school 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;
- parents of pupils from different social identity backgrounds;
- staff from different social identity backgrounds;
- members of the community and other agencies, including voluntary organisations, representing different social identity backgrounds;

Mechanisms for involvement

At Bradley Green the following mechanisms will ensure the views of the following inform the Equality Scheme and action plan:

Pupils

e.g.

- *Consultation with children (eg.interviews, questionnaires, day-to-day dialogue)*
- *School council*
- *Individual interviews with pupils involved in incidents of a discriminatory nature*
- *Individual interviews with pupils experiencing reasonable adjustments.*

Our staff

- *Consultation with staff (eg. interviews, questionnaires)*
- *Regular staff meetings with specific agenda items*
- *Individual discussions with staff (Open door Policy)*
- *Individual discussions with staff as a part of performance management.*

Parents/carers

- *Parental Questionnaires*
- *Open Door Policy*
- *Staff on yard pre and post school*
- *Induction arrangements*
- *Induction Questionnaire*
- *Feedback through the Governing Body meetings*
- *Parents' evenings*
- *Comments books.*

PRIORITISING ACTIVITY

We will use the information gained from our involvement with all stakeholders and issues arising from our data (qualitative and quantitative) to prioritise activities for improvement.



DISABILITY EQUALITY

The general duty

The Disability Discrimination Act 1995, as amended by the Disability Discrimination Act 2005, places a general duty on public authorities to promote disability equality. The duty came into force on 4 December 2006 and requires public authorities to:

- promote equality of opportunity between disabled persons and other persons
- eliminate unlawful discrimination
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life
- take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably.

Specific duties

The specific duties relating to policy development and service delivery require public authorities to:

- produce and publish a disability equality scheme (DES) demonstrating how they intend to fulfil their general and specific duties
- involve disabled people in the development of the scheme
- produce an action plan setting out the key actions an authority will take to promote disability equality
- explain the methods they use for assessing the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality for disabled persons
- assess and consult on the likely impact of proposed policies on the promotion of disability equality
- monitor policies for any adverse impact on the promotion of disability equality
- publish the results of these assessments, consultation and monitoring



- report annually on the progress of the action plan
- review the scheme every three years.

As an employer, the local authority has a specific duty to monitor the effect of its policies and practices on disabled people and in particular, the effect on the recruitment, development and retention of disabled employees.

RACE EQUALITY

In 2001, the Race Relations Act 1976 was amended to give public authorities a new statutory duty to promote race equality.

The general duty

The general duty requires public authorities to have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between persons of different racial groups.

Specific duties

The specific duties relating to policy development and service delivery are to do with the content of a Race Equality Scheme (RES). Schemes should set out an authority's functions and policies, (or proposed policies) that are assessed as relevant to the general duty to promote ethnicity equality and should set out an authority's arrangements for:

- assessing and consulting on the likely impact of its proposed policies on the promotion of race equality
- monitoring its policies for any adverse impact on the promotion of race equality
- publishing the results of such assessments and consultation
- ensuring public access to information about the services that it provides
- training staff in connection with the general and specific duties
- reviewing the scheme every three years.



The specific duties covering an authority's role as an employer are to:

- monitor by ethnicity the numbers of staff in post and the applicants for employment, training and promotion
- monitor by ethnicity the numbers of staff who receive training; benefit or suffer detriment as a result of performance assessment procedures; are involved in grievance procedures; are the subject of disciplinary procedures; cease employment
- report and publish annually the results of staff monitoring, and actions taken towards achievement of overall ethnicity equality objectives.

GENDER EQUALITY

The general duty

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women

Specific duties

The specific duties relating to policy development and service delivery require public authorities to:

- produce and publish a gender equality scheme (GES) showing how they will meet the general and specific duties and setting out their gender equality objectives
- gather and use information on how their policies and practices affect gender equality
- assess the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality between women and men
- consult stakeholders in the development of the scheme
- assess functions and policies, or proposed policies, which are relevant to gender equality



- implement the actions set out in the scheme within three years
- report annually on the progress of the action plan
- review the scheme every three years.

The specific duties covering an authority's role as an employer are to:

- consider the need to have objectives that address the causes of any differences between the pay of men and women that are related to their sex
- gather and use information on how its policies and functions affect gender equality in the workforce.

COMMUNITY COHESION

Overview

Bradley Green school is committed to helping all learners to become members of a welcoming and cohesive community. This will fit them for life in England, in the United Kingdom, whose population has an increasingly rich diversity of backgrounds, origins, beliefs and cultures. We will help all to belong and to feel equally valued as members of our school and as citizens and residents of England in the United Kingdom.

Objectives

1. To ensure that there is a common vision and sense of belonging by all as a part of our school and local community
2. To help learners and all in school appreciate and value the wide range of diversity of people's different backgrounds and circumstances
3. To help all learn about our nation's history, culture, traditions and its developing and changing nature
4. To help all develop an understanding of the rights and responsibilities of being a citizen of the United Kingdom
5. To ensure that all are treated fairly and equally and given similar life opportunities
6. To ensure that strong and positive relationships exist and continue to be developed in schools and in its wider community.

Strategies

1. We will promote community cohesion by developing our teaching, learning and curriculum to help all children to learn and understand others. They will learn to value diversity whilst recognizing shared values;
2. We will promote awareness of human rights. All will apply and defend them;
3. We will develop the skills of participation and responsible action necessary for



- living together as citizens of England within the United Kingdom;
4. We will promote equity and excellence to ensure equal opportunities for all to succeed and do well;
 5. We will provide access and participation in learning and wider in activities while working to eliminate variations in outcomes for different groups;
 6. We will provide reasonable means for children, young people, their friends and families to interact with people from different backgrounds and build positive relations. This will include, where appropriate, links with different schools and communities;
 7. Where we can, we will offer access to provision of extended service. This will create opportunities for pupils, families and the wider community, to take part in activities and receive services which build positive interaction and achievement for all groups.

Outcomes

Through our work and partnerships we will promote cohesion and provide a common point of communication for a wide range of people. We will equip young people to make a positive contribution, to care for and contribute to the community, to understand human rights and gain an international perspective of their world. We will develop responsible young citizens who support cohesion. This policy, as part of our Single Equalities Scheme, will make a key contribution to the school's positive ethos and should be viewed in conjunction with the school's other policies especially the Positive Behaviour Policy.



APPENDIX 1

LEGAL DUTIES

1. We welcome our duties under the Race Relations 1976 as amended by the Race Relations Amendment Act 2000; the Disability Discrimination Acts 1995 and 2005; and the Sex Discrimination Act 1975 as amended by the Equality Act 2006 and the Equalities Act 2010.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these four sets of duties are essential for achieving the five outcomes of the Every Child Matters framework, and that they reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.
4. Summaries of our legal obligations under the three main equality strands of disability, ethnicity and gender are outlined below. After each of the three equality strands we have also outlined the outstanding key issues for our school to address as priorities for the forthcoming three years, which will be included in our action plan as well highlighting the successful impact we have already had in our school.

SUMMARY OF LEGISLATIVE REQUIREMENTS

The legal frameworks

Equality impact assessments of new policies have been required since 2002 in the case of ethnicity, since 2006 in the case of disability, and since 2007 in the case of gender. The requirements are contained within frameworks which distinguish between a) 'the general duty' and b) 'specific duties'.

A further distinction is drawn between a) specific duties concerned with policy development and service delivery and b) those concerned with employment.

The three main frameworks are summarised in below. As first published, they are:
[The Disability Discrimination \(Public Authorities\) \(Statutory Duties\) Regulations 2005](#)
Statutory Instrument 2005 No. 2966
[The Race Relations Act 1976 \(Statutory Duties\) Order 2001](#)
Statutory Instrument 2003 No. 3458
[The Sex Discrimination Act 1975 \(Public Authorities\) \(Statutory Duties\) Order 2006](#)
Statutory Instrument 2006 No. 29



APPENDIX 2

EQUALITY ACT 2010 AND OTHER EXISTING EQUALITY LEGISLATION

We at Bradley Green Community Primary School will also comply with, and have due regard to, the following equalities legislation:

New Equality Act 2010

The Equality Bill passed through parliament and became an Act on the 8th April 2010. It took effect from Autumn 2010. The Equality Act has put a new single Equality duty on public bodies. The duty requires public bodies to think about the needs of everyone who uses their services or works for them, regardless of race or ethnicity, or any other protected characteristic such as disability or religion.

The act protects people from discrimination on the basis of "protected characteristics" (which previously used to be called grounds). The relevant characteristics for services and public functions are:

- **Disability** (definition changed)

The protected characteristic of disability applies to a person who has a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day to day activities.

To qualify for protection from discrimination a disabled person no longer has to show that their impairment affects a particular "capacity" such as mobility or speech, hearing or eyesight. Direct discrimination has been extended to cover disability

- **Gender re-assignment** (definition changed)

The protected characteristic of gender re-assignment will apply to a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. To qualify for protection from discrimination a transsexual person no longer has to show that they are under medical supervision as it is considered 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 their original physiological gender.

- **Pregnancy and maternity** (no change)

Pregnancy and maternity is not a protected characteristic for the purposes of the schools provisions but it is covered by other requirements which means



that schools are prohibited from restricting access to education on the grounds pregnancy and maternity status.

- **Race** (no change)

Race includes ethnic or national origins, colour or nationality. People can belong to one or more of these groups at the same time and the one which is relevant to a particular situation depends on the circumstances.

- **Religion or belief** (no change)

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

Faith schools and educational institutions with a religious ethos may in some limited circumstances favour pupils or students because of their religion.

- **Sex** (no change)

A person's sex refers to the fact that they are male or female. You must not treat a woman or a girl less favourably than you would treat a man or boy. You must not treat a man or boy less favourably than you would treat a woman or a girl in the same circumstances.

- **Sexual orientation** (no change)

Everyone is protected from being discriminated against because of sexual orientation whether they are straight, gay, lesbian, or bisexual. Sexual orientation discrimination also covers discrimination connected with expressions or manifestations of a person's sexual orientation. That may include someone's appearance, the places they visit or the people they associate with.

- **Age** (no change)

Under the schools provisions of the Act age is excluded from the list of protected characteristics.

An integrated public sector Equality duty encourages public bodies to address the needs of groups experiencing disadvantage or discrimination on a number of grounds including the new socio-economic duty. It also extends the use of positive action in the workplace. The Equality Act also introduce a dual discrimination provision which enables people to bring claims where they have experienced less favourable treatment because of a combination of two



protected characteristics. Further clarity regarding these issues and many others, particularly in relation to employment matters are likely to be much clearer when the codes of practice are published in January 2011.

The [Employment Equality Regulations 2003](#) protect employees from discrimination because of their actual or perceived religion or belief.

Discrimination is unlawful in relation to:

- recruitment and selection
- terms and conditions of employment offered and or applied
- opportunities for training, training itself, job promotions and transfers
- harassment and victimisation
- dismissal, including redundancy
- post employment, for example provision of references.

The [Employment Equality \(Sexual Orientation\) Regulations 2003](#) and the subsequent Equality Act (Sexual Orientation) Regulations 2007 protect employees and consumers from discrimination because of their actual or perceived sexual orientation.

Once seen as a peripheral issue of little relevance to the core business of public bodies, sexual identity has been brought centre stage by legislative and societal developments. The Equality Bill will mean that public authorities will have a single public duty, which will extend the current public duties to age, sexual orientation, religion or belief, gender reassignment. It also includes pregnancy and maternity. Public authorities will have a duty to promote 'positive action'.

Gender Recognition Act 2004

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate (GRC) by a gender recognition panel. The holder of a GRC is not obliged to inform their employer that they have one, but if they choose to do so this information on their gender history must be established as protected information. Trans people are protected by the Sex Discrimination Act 1975, as amended by the Sex Discrimination (Gender Reassignment) Regulations 1992 and the Sex Discrimination (Amendment of Legislation) Regulations 2008.

Human Rights Act 1998 and Article 14 of the European Convention on Human Rights

Article 14 refers to the prohibition of discrimination and states that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any grounds such as "sex, race, colour, language, religion, political, or other opinion, national or social origin, association with a national minority, property, birth or other status".



Part 2 of the Equality Act 2006

Part 2 of the Equality Act 2006 came into force in April 2007 and makes it unlawful for providers of goods, facilities and services to discriminate in grounds of religion or belief.

Employment Equality (Age) Regulation 2006

This came into force in October 2006 and it protects against discrimination on grounds of age in employment and vocational training. The regulations prohibit direct and indirect discrimination, victimisation, harassment and instructions to discriminate. The regulations cover recruitment, terms and conditions, promotions, transfers, dismissals and training.

The Equality Act (Sexual Orientation) Regulations 2007

Made under section 81 of the Equality act 2006, the Equality Act (Sexual Orientation) Regulations 2007, make it unlawful for providers of goods, facilities or services to discriminate on grounds of sexual identity.

APPENDIX 3

Glossary:

Diversity is

- about including everyone
- valuing differences
- harnessing differences in individuals to the benefit of both the organisation and the individual, by allowing people with different perspectives and views to use their unique blend of skills and character to improve the quality and performance of the organisation
- having a better understanding of the diverse needs of our community.

Duty

A mandatory and legal obligation to do something.

Promote

Contribute to the progress and growth of....

Make publicity for.....

Equality and Human Rights Commission (EHRC)

This new body brings together the Equal Opportunities Commission, the Disability Rights Commission and Commission for Race Equality; it also serves as a national body for age, religion and belief and sexual discrimination as well as human rights.



What is meant by discrimination?

Generally "discrimination" means treating someone with a protected characteristic less favourably than someone who does not have this characteristic would be treated in the same situation.

Discrimination can take a number of forms:

- "direct" or
- "indirect" or
- failure to make reasonable adjustments for disabled people or
- "discrimination arising from disability" or
- discrimination because of "association" with someone who has a protected characteristic, or
- discrimination because a person is thought to have a protected characteristic whether correctly or incorrectly ("perceived").

People are also protected from:

- harassment related to a protected characteristic
- victimisation because they have, or their education provider thinks they have, made or helped made a complaint about discrimination, unless they know the complaint was not true.

Direct discrimination

Direct discrimination happens when an education provider treats a pupil or student (or an applicant for admission) worse than they treat or would treat another pupil or student (or applicant) because of a protected characteristic. Direct discrimination also includes less favourable treatment of a person based on a stereotype relating to a protected characteristic, whether or not the stereotype is accurate.

It is not direct discrimination against a non disabled person to treat a disabled person better.

Education providers must not treat someone worse because of a combination of two protected characteristics than they would treat someone who did not have either of these characteristics; this is known as combined characteristics.

Combined discrimination

Sometimes, a person may experience worse treatment than someone else because of a combination of the protected characteristics they have: There may be an interaction between two or more than two of a person's characteristics, but a claim for combined discrimination will only look at a combination of two of them.

Indirect discrimination

People's experiences and opportunities in education can be affected by an education provider's rules or ways of doing things. Indirect discrimination takes place when the same rule or way of doing things is applied to everyone. The rule



or way of doing things may not appear to have a different or worse impact on people with a protected characteristic but does so in reality.

Victimisation

If an education provider treats a person badly because they have taken a particular action related to the Equality Act 2010 (or because they suspect the person has taken or will be taking such action), this will be victimisation, and is against the law. The protection covers anyone, whether or not they have a protected characteristic, if they do something in relation to making a complaint of discrimination and you treat them badly.

Harassment

Harassment in the Equality Act 2010 means:

- Unwanted behaviour which has purpose or effect of
- Violating the dignity of another person or
- Creating for that person an intimidating ,hostile, degrading and humiliating or offensive environment.

Unwanted behaviour can include any kind of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

Positive action

"Positive action" means the steps that an education provider is allowed (but not required) to take to encourage people with a protected characteristics from groups with different needs or a past track record of disadvantage or low participation to access education.