



FCAT

The best we can be

Fylde Coast Academy Trust

FCAT
Equality, Diversity and Inclusion Policy
2023-2027

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Electronic copies of this plan are available from	FCAT website
Hard copies of this plan are available from	FCAT central
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Approved by	SLT

1. Opening statement

FCAT is committed to providing equal opportunities in both employment and study. The trust is opposed to all forms of discrimination in line with the Public Sector Equality Duty 2011 and as defined by the Equality Act 2010, whether direct, perceived, indirect or by association. This policy outlines the Trust Board's vision and objectives for equality, diversity and inclusion across FCAT.

FCAT values and respects individuals' differences. These differences include, but are not limited to gender, pregnancy and maternity, ethnicity, culture, age, disability, sexual orientation, gender identity, religion or belief, marital and civil partnership status, education, learning styles and those with a caring responsibility. FCAT does not tolerate any form of harassment, bullying or discrimination in or out of the workplace.

FCAT wants to reduce disadvantages, discrimination and inequalities of opportunity, and promote inclusion in terms of our students, our workforce and the communities in which we work. FCAT values variety and individual differences, and aims to create a culture, environment and practices at all levels which encompass acceptance, respect and inclusion. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

FCAT will:

- Set equality objectives to demonstrate its compliance with the public sector equality duty. (FCAT Equality Scheme)
- Review all policies and practices
- Create a culture that drives positive behaviour
- Have clear complaints procedures and report on complaints annually
- Ensure our procurement criteria are inclusive and support FCAT values

The Equality Act of 2010 brought together various anti-discrimination laws into one single act, so any unlawful treatment (discrimination, harassment or victimisation) relating to one of the Equality Act protected characteristics, since 2010, is covered by this. [Equality Act 2010: guidance - GOV.UK](#)

The Equality Duty was developed in order to harmonise the equality duties and to extend it across the protected characteristics. It consists of a general equality duty, supported by specific duties which are imposed by secondary legislation. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty.

Public Sector Equality Duty.

In line with its specific duties under the Equality Act 2010, we will publish our equality objectives and will publish information about how it is complying with the Public Sector Equality Duty. Objectives will be updated every four years. (FCAT equality Scheme and objectives)

It is the responsibility of every member of the FCAT community to uphold this policy, advance equality and eliminate discrimination, harassment, and victimisation.

This policy covers all individuals working at all levels and grades in the Trust, including Central teams, headteachers, senior leaders, employees, consultants, contractors, trainees, part-time and fixed-term employees, volunteers (including Trustees and governors), casual workers and agency staff.

All job applicants, staff and students will be informed of FCAT's commitment to equality and valuing diversity. The Equality, Diversity and Inclusion Policy is available on the FCAT website with copies in alternative formats available on request.

Equality

Equal treatment involves much more than simply treating everyone alike; it requires recognition that some groups and individuals have particular and specific needs that need to be met if they are to enjoy equal access to the services offered by FCAT. FCAT recognises that it may need to provide services in a range of different or more flexible ways, in order to ensure genuine equality of access or opportunity for groups and individuals who approach those services from a position of persistent and long standing disadvantage.

Diversity

Valuing diversity involves an acknowledgement of the benefits and intrinsic worth derived from the range of difference within our community, and fostering it as strength. FCAT aims to celebrate and to value the differences between individuals' cultural, social and intellectual contribution to academies and will seek to promote greater mutual understanding between groups and individuals who reflect these differences, and will seek to utilise the talents and experiences that each and every individual can bring.

Inclusion

Inclusion is the practice of including people in a way that is fair for all, values everyone's differences, and empowers and enables each person to be themselves and achieve their full potential and thrive at work. An inclusive workplace culture is one in which everyone feels that they belong through feeling safe in being themselves, that their contribution matters, policies and practices are fair and a diverse range of people are supported to work together effectively.

Staff

Effective staff training will be implemented ensuring that all employees are fully aware of the requirements of the Act and the implications of this for education provision and delivery.

FCAT is committed to equality for all in the appointment, development, training and promotion of staff, and in all dealings with students, parents, and the wider community.

FCAT recognises the value of a diverse and inclusive workforce. FCAT and headteachers of academies will operate at all times within the requirements of anti-discrimination legislation and will promote equality positively in its staffing decisions.

All decisions, including advertising of vacancies, shortlisting, selection, induction, appraisal, training, development, promotion, terms and conditions of employment, dismissal and pay will be based on an objective and fair assessment of FCAT requirements.

The only personal characteristics, which will be taken into account, will be those which are necessary for the requirements and proper performance of the work involved. There will be no generalised concepts or assumptions about the characteristics of groups.

The principles of non-discrimination also apply to how we expect our staff to treat other staff, students, parents and carers, visitors, clients, customers, suppliers and former employees regardless of whether the legal protection of having a protected characteristic applies.

Students

FCAT will not discriminate against a student in the provision of education or access to any benefit, facility or service. FCAT is responsible for ensuring there is no discrimination in relation to education or access to any benefit, facility or service. We will also assist our students in achieving their very best potential. Where students experience barriers to their success we will work with them to address these in a sensitive and sympathetic way. We will teach our students the importance of equality and what forms discrimination can take and the impact discrimination can have. We will also encourage our students to make their own commitment to promoting equality.

Students are expected to act with integrity at all times in recognising and respecting individuals' differences.

FCAT will not discriminate against, or victimise a student:

- In the way it provides education for the student
- In the way the student is afforded access to a benefit, facility or service
- By not providing education for the student
- By not affording the student access to a benefit, facility or service
- By subjecting the student to any other detriment.

Regular reviews of practices, policies and procedures will help to ensure that there is no discrimination against students with a protected characteristic.

2. Implementation

FCAT has overall responsibility for the effective operation of this policy and for ensuring compliance with equality legislation. Day-to-day operational responsibility is delegated to the CEO and academy headteachers. Regular review in line with legislation and business needs is the responsibility of the COO and FCAT SLT. Academy headteachers will review school-level equality objectives in line with the Trust on an annual basis.

All senior leaders must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote our aims and objectives with regard to equal opportunities. Senior leaders will be given appropriate training on equal opportunities awareness, and recruitment and selection best practice.

3. Guiding Principles

Age

FCAT is opposed to any direct or indirect discrimination based on age.

Disability

FCAT is opposed to any discrimination against a person with disabilities based on assumptions of their ability or otherwise. Where an employee who has a disability is appointed to a post in an academy or a student is admitted, reasonable provision will be made for adjustments to the working conditions or environment where this is practicable.

Gender reassignment

FCAT is opposed to any discrimination as a result of a person proposing to undergo, undergoing or having undergone a process (or part of a process) for the purpose of reassigning the person's sex. Gender reassignment refers to individuals, whether staff, who either:

- Have undergone, intend to undergo or are currently undergoing gender reassignment (medical and surgical treatment to alter the body).
- Do not intend to undergo medical treatment but wish to live permanently in a different gender from their gender at birth.

'Transition' refers to the process and/or the period of time during which gender reassignment occurs (with or without medical intervention).

Not all people who undertake gender reassignment decide to undergo medical or surgical treatment to alter the body.

Marital status or civil partnership

FCAT is opposed to any discrimination against employees who are married or in a civil partnership.

Pregnancy and maternity

FCAT is opposed to any discrimination against a woman / student because of her pregnancy and/or maternity leave.

Race

FCAT is opposed to any direct or indirect discrimination based on race, colour, ethnic or national origin. There may be situations in the academy which require special consideration and where an occupational requirement may apply to justify the employment of someone of one particular race or ethnic origin. However, these situations will be unusual and exceptional, and will be discussed with the staff in advance.

Religion or Belief

FCAT is opposed to any direct or indirect discrimination based on religion or belief.

Sex

FCAT is opposed to any direct or indirect discrimination based on gender. There may be situations in which require special consideration and where a genuine and determining occupational requirement may apply to justify the employment of someone of a particular sex. However, these situations will be unusual and exceptional, and will be discussed in advance.

Sexual Orientation

FCAT is opposed to any direct or indirect discrimination based on perceived or actual sexual orientation.

FCAT recognises that gender identity is a personal internal perception of oneself and, as such, the gender category with which a person identifies may not match the sex they were registered at birth. In contrast, sex is biologically determined.

Harassment or bullying

FCAT is opposed to any unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. FCAT is further opposed to any act of victimisation, harassment or bullying either by an employee, student or third party based on assumptions about their status in the above categories or any other grounds. Such action will be investigated in accordance with FCAT procedure and appropriate action will be taken against the student or staff member.

Positive Action (Employee)

Section 159 of the Equality Act 2010 (which came into force on 6 April 2011) allows employers to use positive action in recruitment and promotion. FCAT may consider using positive action where there is enough evidence to make them reasonably think that people with a protected characteristic suffer some sort of disadvantage because of that characteristic or are disproportionately under-represented.

Breaches of the Equality Policy

FCAT will take very seriously any instances of non-compliance to the organisation's Equality Policy by staff, students or other members of the FCAT community. All instances will be investigated and appropriate action will be taken against the student or staff member. All inappropriate behaviour and actions against the spirit of

the Equality Policy will be challenged and not tolerated. Members of the FCAT community are expected to act with integrity at all times in recognising and respecting individuals' differences.

Harassment and grievance procedures

Harassment has the effect of destroying dignity and undermining confidence. It can take many forms including physical contact, bullying, threatening or ignoring someone. It can be a series of offensive remarks or a single incident. It can be behaviour that someone finds offensive even if not directed at them or harassment because of perception or association. FCAT is committed to the principles of dignity at work and being at school. This includes the right to be treated with respect by everyone.

FCAT will consider any acts of harassment including those on the grounds of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, as totally unacceptable and outside the ethos and culture of the organisation. Any such act by anyone against any adult or child will be treated as a breach of the equality policy.

Whistleblowing

This provides a framework that encourages and allows staff to raise concerns about serious malpractice. There will be assurance that there will be no risk to the employee's position if actions are based in good faith.

Time Off

FCAT will give consideration to requests for time off or for religious observance from staff and students who are active members of particular religions or beliefs. For an employee, time off will be a maximum of 1 day paid and will be considered only subject to the operational requirements of the school in line with the Special Leave Policy.

Reasonable adjustments

FCAT will, wherever possible, make reasonable adjustments to recruitment processes, working conditions, students or the working environment, including terms and conditions of employment, to help overcome practical difficulties created by applicants or members of staff who have a disability.

Advertising of vacancies (Employee)

Vacancies will be advertised openly and follow UK employment law procedures including Right to Work legislation.

Statutory requirements (Employee)

There are some exemptions from this legislation in situations where the essential nature of a job calls for a man, woman, or a person from a particular religion or racial group. FCAT will not normally seek to use exemptions from Statutory Acts.

Training (Employee)

Fair and equal treatment will apply to selection for training. Requests for training will be considered in accordance with the school's operational priorities, based on the school's overall development plan and budget allocations.

Similarly, the training of the FCAT Lead Health and Safety Officer in issues of equality and discrimination is an essential part of our Equality policy.

Resolving disputes

It is usually in everyone's best interests to attempt to resolve disputes without the need for legal action. FCAT supports a complaints procedure which should be able to deal with complaints of discrimination, harassment and victimisation. FCAT is required under s 29(1) of the Education Act 2002 to have a complaints procedure to deal with all complaints.

4. Student Equality

The achievement of all students is monitored by race, gender and disability and we use this data to support students, raise standards and ensure inclusive teaching. FCAT will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment which champions respect for all. We believe that diversity is a strength, which should be respected and celebrated by all those who learn within FCAT.

Curriculum delivery

The way in which the curriculum is delivered is covered by the Act so FCAT will ensure issues are taught in a way that does not subject students to discrimination. In addition, what is taught in the curriculum is crucial to tackling key inequalities for students including gender stereotyping, preventing bullying and raising attainment for certain groups. From September 2020 RSE. (update 13th September 2021)
[Relationships and sex education \(RSE\) and health education - GOV.UK](#)

Identity-based bullying

FCAT has legal duties to students in relation to bullying and will ensure that all bullying is treated on the grounds of a protected characteristic with the same emphasis as any other form of bullying.

Academy uniform

FCAT will ensure that academy uniform policies do not discriminate against students with a protected characteristic and they will not have the effect of unlawfully discriminating against students with a protected characteristic and to comply with equality duties. Exceptions will be made to standard policies for certain students while ensuring that setting different rules for different categories is not discriminatory.

Work experience/placements

Students will be given the same opportunities for work experience and placements and assumptions will not be made about what would suit students with particular protected characteristics.

Assessments and exams

Reasonable adjustments will be made for students who are entitled to these. These adjustments are granted by the STA (Key Stage 2) and JCQ (Key Stage 4) and can only be put in place should they be agreed.

Religion

The Equality Act does not require FCAT to provide opportunities for separate worship for the different religions and beliefs represented among students. FCAT supports ceremonies and festivals celebrating any faith, such as Christmas, Diwali, Chanukah or Eid, without being subject to claims of religious discrimination against children of other religions or of none. In England and Wales parents can remove their children from collective worship.

Behaviour

FCAT expects all students to take responsibility and behave in accordance with this policy respecting the principles of the policy in their practices and dealings with the FCAT community; and in a way that reflects and appreciates the diversity of the FCAT community. FCAT will regularly review behaviour and discipline policies to ensure that they do not inadvertently discriminate.

5. Equality, Diversity and FCAT's Strategic Plan

FCAT promotes equality, diversity and human rights in teaching, learning, research and behaviour. This is evident in FCAT Strategic Plan for Academies, to which the Equality Scheme is linked.

The Strategic Plan sets out key values. Equality, Diversity and inclusion are among these values, along with:

- Intellectual freedom;
- Participation and engagement;
- Excellence in education.

It is our intention to move beyond compliance establishing a culture that allows us to: gain access to a more culturally diverse pool of talent among staff and students; enhance each Academies engagement with new audiences and stakeholders, both in the UK and internationally;

6. Monitoring and analysis

FCAT will monitor the policies to ensure that we are meeting equality duties including:

- Pupil Admission
- Pupil Exclusion
- Pupil Attainment
- The progress of pupils identified as having special educational needs
- Complaints
- Hate Incidents

We will disaggregate the results of monitoring by the equality profile (race, gender, religion and disability) to identify if there were any issues or outcomes particular to one specific group. Where relevant, actions will be taken to improve any adverse outcomes for any group.

Appendix A

Types of discrimination

Direct discrimination – This is where someone is treated less favourably than another person because of a protected characteristic.

Associative discrimination - this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

Discrimination by perception - this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.

Indirect discrimination - this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

Harassment - this is behaviour that is deemed offensive by the recipient. Employees can now complain of the behaviour they find offensive even if it is not directed at them.

Harassment by a third party - employers are potentially liable for the harassment of their staff or customers by people they don't themselves employ, i.e. a contractor.

Victimisation - this occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.

APPENDIX B

How FCAT is complying with its general duty

What FCAT is doing to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010.

- Conduct prohibited by the Equality Act 2010 is detailed in this policy which is available to all members of the school community through a variety of sources.
- FCAT Equality Policy and equality issues are monitored by the FCAT Senior Leadership Team and by the Headteacher.
- FCAT provides training to staff and governors about their responsibilities under the Act and about equality issues.
- FCAT will make reasonable adjustments to the school environment and make activities as accessible and welcoming as possible for students, staff and visitors.
- FCAT will ensure where reasonably possible that all students are able to take part in all the activities in school including extra-curricular activities and any residential visits. The academy will monitor uptake to ensure no one is disadvantaged on the grounds of a protected characteristic.
- FCAT takes seriously the need to consider equality implications whenever policies and procedures are developed, adapted and reviewed and whenever significant decisions are made about the day to day life of the school. This will ensure that policies, procedures and decisions do not even inadvertently disadvantage groups of students with protected characteristics.
- Equality considerations are taken into account in all policies.
- Bullying and prejudice related incidents are carefully monitored and dealt with effectively.
- FCAT will ensure that all appointment panels give due regard to equality issues so that no one is discriminated against when it comes to recruitment, promotion or training opportunities. FCAT will ensure that job applicants are not asked health related questions in accordance with the Act and the school's Equality Policy unless they are related to an intrinsic function of the work they do. FCAT will ensure that reasonable adjustments are made to the interview/recruitment process as necessary.
- FCAT will consider any possible indirectly discriminatory effect of its

practices when considering requests for contractual variations. Requests will only be refused if there are good business reasons unrelated to any protected characteristics in accordance with the school's Flexible Working Requests Policy and Procedure.

- FCAT is committed to ensuring students understand that they belong to a society and a world that is diverse and multicultural. FCAT will regularly consider and review the way in which its teaching and the curriculum helps promote an awareness of the rights of individuals and helps students understand and value difference and diversity and to challenge prejudice and stereo-typing.
- FCAT will prepare children for life in a diverse society and ensure that there are activities across the curriculum that promote the spiritual, moral, social and cultural development of all students.
- FCAT will use materials and resources that reflect the diversity of the school population and local community in terms of race, sex, sexual identity and disability, avoiding stereotyping.
- FCAT promotes a trust wide ethos and values which challenge prejudice-based discriminatory language, attitudes and behaviour.
- FCAT provides opportunities for children to appreciate their own culture and celebrate the diversity of other cultures.
- FCAT includes the contribution of different cultures to world history that promote positive images of people.
- FCAT I promotes positive messages about equality and diversity through displays, school assemblies, visitors and whole school events.
- FCAT will include equality matters in communication to central teams, headteachers, senior leaders, employees, students, parents, carers consultants, contractors, trainees, part-time and fixed-term employees, volunteers (including Trustees and governors), casual workers and agency staff.

