



# Three Towers

An Alternative Provision Academy

*Expanding Horizons*

## Single Equality Scheme (SES)

Adopted: March 2017

Review: March 2020

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## LEGAL DUTY

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**Equality Act (2010)** unifies, supersedes or updates much of the previous law relating to equality. The general duties are to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations

It also enshrines existing duties already established in law as follows:

- Disability General Duty
- Gender General Duty
- Race General Duty
- Community Cohesion Duty
- Sexual Orientation

Schools are now required to ensure that learners are protected from discrimination and harassment based on '**protected characteristics**' which are:

- Disability
- Gender (including issues of transgender)
- Gender reassignment
- Maternity and pregnancy
- Race (includes ethnic or national origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sexual identity
- Age (employees only)
- Marriage and civil partnership (employees only)

Schools are prohibited from discriminating against, harassing or victimising:

- Prospective learners
- Learners at the school
- In some limited circumstances, former learners

The Act establishes three principles intended to focus on outcomes judged against local rather than imposed priorities:

- Setting of equality objectives based on local data;
- Schools to be judged on outcomes related to their identified equality objectives not on processes or action plans;
- Greater transparency in allowing public access to data.

### **Wider legislation**

We recognise that these duties 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.

In fulfilling our legal obligations we will:

- Recognise and respect diversity
- Foster positive attitudes and relationships, and a shared sense of belonging
- Observe good equalities practice, including staff recruitment, retention and development
- Aim to reduce and remove existing inequalities and barriers
- Consult and involve widely
- Strive to ensure that society will benefit

**Other groups who will benefit from this policy as they may suffer from discrimination are:**

- Children from single parent or estranged families
- Children and families in crisis
- Children in care (see Children Looked After Policy)
- Children who are Gifted and Talented
- Pregnant school girls / teenage parents
- Young Carers
- Transient and mobile learners
- Learners with EAL
- Refugees and Asylum seekers
- Poor attenders
- Disaffected learners
- Learners who are home tutored
- Learners who misuse illegal substances
- Learners with pronounced medical needs
- Learners with mental health difficulties and those who self-harm

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## **VISION & VALUES**

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Together with the Rowan Learning Trust (RLT) we are committed to improving the life chances of our learners by removing barriers to participation and achievement.

**Our vision** is to be a safe, caring, happy and nurturing community where:

- everyone can learn through supportive interaction, experience and success
- emphasis is placed upon personal development, learning and fulfilling the potential that exists in each one of us;
- each learner is supported holistically
- each learner receive provision that is tailored to meet their individual academic and social-emotional needs, giving them the skills they need to improve their life chances;
- learners take responsibility for their lives, their learning and their decisions.
- working in partnership with stakeholders is a high priority.

- the concerns of parents/carers are listened to and acted upon where possible so that the needs of their children are effectively met

**We value** each other as unique members of our school community. We show this through:

- Respect – for ourselves, for each other, our family & friends, our community and the environment
- Kindness – to ourselves and each other
- Tolerance – learning to accept others often allows us to become accepted in return
- Resilience – many things in life are not easy but we do not give up or give in
- Integrity – being truthful, reliable, trustworthy, and sincere
- Creativity – being curious about the world and developing independent thinking skills
- Responsibility – taking responsibility for our own learning, our behaviour and our future
- Leading by example – modelling the behaviours we wish to see in others

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## **TTAPA COMMITMENT**

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We are committed to ensuring equality of education and opportunity for all learners, staff, parents and carers receiving services from the school, irrespective of race, gender, disability, faith or religion or socio-economic background.

We aim to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity, able to participate fully in school life and feel valued, cared for and listened to. The development of a positive self-image, self-advocacy, respect for others and an awareness of the value of each individual's contribution to the school community is an integral part of our ethos.

The achievement of learners will be monitored by race, gender and disability and we will use this data to support learners, raise standards and ensure inclusive teaching.

We 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, teach and visit here.

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## **EQUALITY IN ACTION**

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The school operates equality of opportunity in day to day practice in the following ways:

## **FOR LEARNERS**

### **Admissions, Behaviour and Exclusions**

Our admissions arrangements are fair and transparent. Exclusions will always be based on our Behaviour Policy. Strategies are always put in place to meet the needs of any child who may be at risk of frequent sanctions or possible exclusion. We monitor behaviour management plans to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

### **Teaching & Learning**

We aim to provide all our learners with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, we:

- Provide a curriculum that is accessible and relevant to the needs of each individual learner through a range of activities, technologies and opportunities which ensure that learning is fun
- Use whatever specialist techniques and teaching approaches which may motivate support the needs, or improve access of any individual learner.
- Create a total communication environment that features signs, symbols, tactile and object clues as required by individual need
- Ensure learners have the time needed for them to acquire, develop, practise and apply skills.
- Use contextual data to improve the ways in which we provide support to individuals and groups of learners;
- Monitor achievement data by ethnicity, gender and disability and take action to address any gaps;
- Take account of the achievement of all learners when planning for future learning and setting challenging targets;
- Ensure equality of access for all learners and prepare them for life in a diverse society;
- Use materials and activities that reflect the diversity of the school, population and local community in terms of race, gender and disability, without stereotyping;
- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice;
- Provide opportunities for learners to appreciate their own culture and celebrate the diversity of other cultures;
- Ensure pastoral support takes into account religious and ethnic differences and the experiences and needs of particular groups of learners, including refugees and asylum seekers
- Seek to involve all parents and carers in supporting their child's education;
- Encourage staffroom discussion of equality issues which reflect on social stereotypes, expectations and the impact on learning;
- Ensure teaching and classroom-based approaches are appropriate to meet the individual needs of learners

- Challenge any behaviour (verbal or written, e.g. graffiti, literature/propaganda) that differentiates, degrades or isolates an individual or group due to race, religion, language or culture including
  - Racist comments or name calling;
  - Comments about appearance;
  - Rejection by colour;
  - Mocking language or accent;
  - Denigrating religious observances or cultural traditions

### **Outcomes**

We make regular assessments of learners and use this information to track progress and take appropriate action to address any gaps.

We collect and analyse the following equality information for our learners:

- The performance of boys and girls against National expectations for learners with learning difficulties;
- The performance of each key stage including length of time since admission;
- The progress of children from ethnic backgrounds;
- The performance of children who are Looked After (CLA);
- Constant monitoring of attendance and exclusions;
- Monitoring of both Learner passports / pen portraits containing personalised targets;
- Targets set in Education, Health Care plans (EHCPs) / statement annual reviews.

We have identified the following issues:

- KS3 have a high proportion of exclusions. This will continue to be monitored and analysed annually.
- Attendance of secondary age learners needs to increase

### **FOR EMPLOYEES**

**Three Towers fully complies with the Equality Scheme of The Rowan Learning Trust.**

We are committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment. All staff appointments and promotions are made on the basis of merit and ability and in compliance with the law. However we are concerned to ensure wherever possible that the staffing of the school reflects the diversity of our community.

### **Employer duties**

As an employer we need to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within

our workforce.

Equality aspects such as gender, race, disability, sexual orientation, gender re-assignment, full respect for legal rights relating to pregnancy and maternity, and faith or religion are considered when appointing staff and particularly when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, to ensure decisions are free of discrimination. Actions to ensure this commitment is met include:

- Monitoring recruitment and retention including bullying and harassment of staff;
- Continued professional development opportunities for all staff;
- Senior Leadership Team support to ensure equality of opportunity for all.

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## **CONSULTATION & INVOLVEMENT**

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It is a requirement that the development of the SES and any action plan are informed by the input of staff, learners and parents and carers. We will achieve this by using the following to shape the plan:

- Feedback from parent questionnaires, parent/teacher meetings (formal and informal)
- Input from staff surveys or through staff meetings / CPD training
- Issues raised in annual reviews / EHC reviews / PEP reviews / self-evaluation & quality assurance processes
- Plans/Personalised Provision Maps,
- Feedback at Governors & Trustee Board meetings.

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## **ROLES & RESPONSIBILITIES**

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**Governors** are responsible for:

- Making sure the school complies with relevant legislation;
- Making sure the Equality Policy and its procedures are appropriate and up-to-date;
- Evaluating outcomes relating to equalities, drawing on monitoring information, reports, consultation findings and attainment data provided by the head teacher and other staff.
- Implementing the Equalities Plan through the head teacher and staff;

**The role of the Head teacher is to:**

- Implement Three Tower's SES and any action plan, supported by the Board in doing so;
- Ensure that all staff is aware of the SES, and that guidelines are applied fairly in all situations;

- Devise effective processes of development, consultation, review and revision of policies and procedures relating to equalities;
- Establish timescales for reviewing and reporting actions by staff relating to the SES;
- Undertake an annual review and impact assessment of the SES and publish information about how this has informed practice and planning for the future;
- Ensure that all appointments panels give due regard to this plan, so that no-one is discriminated against when it comes to employment or training opportunities;
- Promote the principle of equal opportunity when developing the curriculum;
- Promote respect for other people and equal opportunities to participate in all aspects of school life;
- Treat all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

**The role of all staff is to:**

- Ensure that all learners are treated fairly, equally and with respect, and to maintain awareness of the SES;
- Implement the SES;
- Deal with racist and other discriminatory incidents, and recognise and tackle racial bias and stereotyping;
- Promote equal opportunities and good race relations, and avoiding discrimination against anyone for reasons of race, colour, nationality, ethnic, religious, cultural or linguistic reasons;
- Promote understanding of different disabilities and avoiding discrimination against anyone for reasons of disability;
- Support the Equality Impact Assessment processes;
- Keep up to date with changes in the law on discrimination as set out in the SES.
- Provide material that gives positive images based on race, gender and disability, and challenges stereotypical images.
- Challenge any incidents of prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the CLT.

**The role of learners is to:**

- Treat everyone with respect
- Explore diversity with a healthy, positive open mind
- Value diversity
- Speak out if they witness / are subjected to any inappropriate language and/or behaviour or feel they have been treated unfairly

**The role of visitors / contractors is to:**

- Support the implementation of Three Towers policies
- Treat everyone with respect



- Speak out if they witness / are subjected to any inappropriate language and/or behaviour or feel they have been treated unfairly

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## **RESPONDING TO & REPORTING INCIDENTS**

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Harassment on account of race, gender, religion, disability or sexual orientation is unacceptable and will not be tolerated within the school environment. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.

All staff are expected to deal with any discriminatory incidents that may occur. They are expected to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a learner's individual circumstances.

Racist and homophobic incidents and other incidents of harassment or bullying will be dealt with using the Behaviour and Anti-bullying policies. All incidents are reported to the Head teacher and racist and homophobic incidents are reported to the Governors each term.

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic status, can take many forms including:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender;
- Exclusion from groups and games;
- Use of derogatory names, insults and jokes;
- Unwanted looks or comments;
- Racist, sexist, homophobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia;
- Bringing discriminatory material into school;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully due to victim's race, disability, gender or sexual orientation;
- Discriminatory comments in the course of discussion;
- Attempts to recruit others to discriminatory organisations and groups;
- Ridicule of an individual for difference e.g. food, music, religion, dress etc.;
- Refusal to co-operate with other people on grounds of race, gender, disability or sexual orientation.

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## **MONITORING & EVALUATION**

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### **Publishing the plan**

In order to meet the statutory requirements we will:

- Publish our objectives on the school website;
- Raise awareness of the plan through the school newsletter, assemblies, staff meetings and other communications;
- Make sure hard copies are available.

### **Review of progress and impact**

We have a rolling programme for reviewing our school policies and their impact

### **In addition we will monitor and review**

#### As a provider of education

- achievement and attainment of different learner groups against National expectations and the variation of these groups within school.
- provision and progress of Children with Special Educational Need.
- behaviour and rewards received by different learner groups and the variations between these groups within school.
- provision and progress of Children who are Looked After.
- attendance & exclusion data for all groups of learners.
- changes in learner attitudes
- bullying incidents
- racial incidents

#### As an employer

- applications for employment & staff profile
- staff recruitment, retention and professional development including attendance at staff training events
- disciplinary and grievance cases
- staff performance management
- signposting of this document as part of our induction process for new employees.

In line with legislative requirements, we will review progress against our SES annually during the spring term and adjust the plan accordingly.

We review the entire plan and accompanying action plan on a three year cycle.

*This policy should be read alongside the following:*

*Rowan Learning Trust Equality Statement*

*Positive Behaviour Policy*

*Attendance Policy*

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## APPENDIX 1: DEFINITIONS & GUIDANCE

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The Equality Act (2010) harmonises existing legislation and creates a new list of people who share a protected characteristic under the law. The Act includes secondary legislation setting out the **Public Sector Equality Duty (PSED)** that consists of a *general* and a *specific duty*. Both The Act and the PSED apply to all aspects of employment, goods & services, partnerships and procurement. This includes school and education.

There is no longer a requirement for an Equality Scheme, though the Duty sets out requirements for publication of information, as well as setting Equality objectives. The Duty requires information to be published to include the effects of policies and practices on people who are protected by the Act. The Equality and Human Rights Commission (EHRC) recommend that this should take the form of Equality Impact Assessments (EIAs) in organisations that have embedded them as standard practice but there is no statutory requirement to use them at present.

The following definitions and legal duties describe the school's understanding of legislation prior to and including the Equality Act 2010 in relation to the protected characteristics.

### **Discrimination**

Unlawful discrimination is defined in the Act as:

- Direct discrimination (including discrimination based on perception or association)
- Indirect discrimination
- Discrimination arising from disability
- Failure to make reasonable adjustments (for disabled people)

Direct discrimination: treating a person less favourably than others in comparable circumstances because of a 'protected characteristic'. There are however exceptions to school provisions that allow, for example, single-sex schools to only admit learners of one sex without this being unlawful direct discrimination.

Associative discrimination: direct discrimination against a person who associates with another person with a protected characteristic.

Indirect discrimination: occurs when a provision, criterion or practice is applied equally to all but has the effect of putting people sharing a protected characteristic within the general learner group at a particular disadvantage. It does not matter if there was no intention to disadvantage the person with the protected characteristic; what does matter is whether the action did/would cause disadvantage compared to those not sharing the protected characteristic.

“Disadvantage” is not defined in the Act but a rule of thumb is that a reasonable person would consider that disadvantage has occurred.

Victimisation: treating a person less favourably because they have taken action in respect of discrimination e.g. by bringing a complaint or giving evidence for a colleague, is unlawful.

Harassment: unwanted conduct which violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, on grounds of one of the relevant characteristics such as sex or race – is also unlawful in many of the situations covered by discrimination law.

Harassment by a third party: harassment by people not employed by the school e.g. contractors.

Discrimination by perception: discrimination against someone because others think they have a protected characteristic (even if they don’t).

### **Protected Characteristics**

Schools are now required to ensure that learners are protected from discrimination and harassment based on ‘*protected characteristics*’ which are:

- Disability
- Gender (including issues of transgender)
- Gender reassignment
- Maternity and pregnancy
- Race (includes ethnic or national origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sexual identity
- Age (employees only)
- Marriage and civil partnership (employees only)

### **Disability**

The Disability Discrimination Act (DDA) defines a person with a disability as someone who has

*“a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities”*

Physical or mental impairment includes sensory impairments and also hidden impairments. In the DDA “substantial” means ‘more than minor or trivial’. “Long-term” means has lasted or is likely to last more than 12 months.

The definition is broad and includes a wide range of impairments, including learning disabilities, dyslexia, diabetes or epilepsy where the effect of impairment on the

person's ability to carry out normal day-to-day activities is adverse, substantial and long-term.

The definition can include a wide range of impairments, including hidden impairments such as dyslexia, autism, speech & language impairments, Attention Deficit Hyperactivity Disorder (ADHA). An impairment does not of itself mean a person is disabled. It is the effect on the person's ability to carry out normal day-to-day activities that has to be considered.

### **Positive action**

The Act contains provisions which enable schools to take proportionate action to tackle particular disadvantage, different needs or disproportionately low participation of a particular group. This is not the same as positive discrimination, which means providing preferential treatment that exceeds positive action conditions. However, in the case of disabled learners, it is never unlawful to positively discriminate in their favour.

### **What is Reasonable adjustment?**

“The **reasonable adjustments** duty is owed to **disabled learners**, as defined in the Equality Act 2010. The Act says that a **learner** has a **disability** if he or she has a physical or mental impairment that has a long-term and substantial adverse effect on his or her ability to carry out normal day-to-day activities.”

(Reasonable Adjustments for Disabled Learners –EHRC 2015)

[https://www.equalityhumanrights.com/sites/default/files/reasonable\\_adjustments\\_for\\_disabled\\_learners\\_1.pdf](https://www.equalityhumanrights.com/sites/default/files/reasonable_adjustments_for_disabled_learners_1.pdf)

In the Equality Act 2010 as a whole, there are three elements to the reasonable adjustments duty that relate to:

- Provisions, criteria and practices
- Auxiliary aids and services
- Physical features

The physical features element does not apply to schools in relation to disabled learners; instead, they have a duty to plan better access for disabled learners generally, including in relation to the physical environment of the school.

The duty to make reasonable adjustments in relation to provisions, criteria and practices is not a new duty for schools and is the same as the duty under the DDA 1995. The new element of the duty for schools is the provision of auxiliary aids and services for disabled learners.

Many of the reasonable adjustments that schools are already making for disabled learners undoubtedly include the use of some auxiliary aids, such as coloured

overlays for dyslexic learners, pen grips, adapted PE equipment, adapted keyboards and computer software.

The duty to make reasonable adjustments requires a school to take positive steps to ensure that disabled learners can fully participate in the education provided by the school, and that they can enjoy the other benefits, facilities and services that the school provides for learners.

Many reasonable adjustments are inexpensive and will often involve a change in practice rather than the provision of expensive pieces of equipment or additional staff.

A school's duty to make reasonable adjustments is an anticipatory one owed to disabled learners generally, and therefore schools need to think in advance about what disabled learners might require and what adjustments might need to be made for them.

### **Further Information**

[www.direct.gov.uk](http://www.direct.gov.uk)

[www.equalities.gov.uk](http://www.equalities.gov.uk)

[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

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## APPENDIX 2: LEGAL REQUIREMENTS

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### What is required by law in relation to learners?

- Schools must not discriminate against children seeking admission or with regard to how learners are treated, on grounds of sex, race, disability, religion or belief. They must not discriminate against learners or potential learners on the grounds of their sexual orientation or that of their parents, carers or other associates. Learners or potential learners must not be discriminated against on the grounds of the marital status or gender reassignment of parents, carers or other associates.
- This includes discrimination in provision of teaching or allocating the learner to certain classes, applying different standards of behaviour, dress and appearance, excluding learners or subjecting them to any other detriment, and conferring benefits, facilities or services.
- With regard to disability, schools must make such reasonable adjustments as are necessary to prevent disabled learners being at a substantial disadvantage in comparison with people who are not disabled, even if it means treating them more favourably.
- Age discrimination legislation does not apply to the treatment of learners or the delivery of education.

### What is required by law in employing staff?

- According to law, schools must not discriminate in the employment of staff on grounds of gender, gender reassignment, race, disability, sexual orientation (including perceived orientation), religion or belief, age, marriage and civil partnership and pregnancy and maternity. Employers are no longer allowed to ask candidates about their sickness record in an interview unless they can prove that this is to check whether they can complete an essential task e.g. heavy lifting.
- With regard to disability, schools must make such reasonable adjustments as are necessary to prevent a disabled person being at a substantial disadvantage in comparison with people who are not disabled.
- The requirement to avoid discrimination relates to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

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## APPENDIX 3: EQUALITY IMPACT ASSESSMENT (EIA)

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### Guidance on Equality Impact Assessment

In order to ensure that our current provision and procedures comply with the requirements of the Equality Act we should ask the following key questions whenever we introduce, change or remove provision or practice:

- Is this change likely to affect one group (particularly, but not exclusively, any protected group) unfairly?
- Is this change likely to be **seen** as discriminatory in any way (for example favouring or prejudicing any particular group, including protected groups).
- If any change is deemed to present a discriminatory risk, should the change be cancelled, amended or continued with?
- If the proposed change is continued with, could any negative effects be mitigated through other actions?
- How will the impact of the change be monitored to guard against unintended consequences?

**Note:** There is no requirement or expectation to use a formal Equality Impact Assessment (EIA) in part because it may lead to ill-considered judgements through box-ticking exercises. An EIA pro-forma is appended as Appendix 1 in the Equality Plan in case it is deemed appropriate for significant decisions.