



## SINGLE EQUALITY SCHEME

### PUDSEY BOLTON ROYD PRIMARY SCHOOL

#### VISION AND VALUES

We will continuously strive to ensure that everyone in our school is treated with respect and dignity. Everyone will be given fair and equal opportunities to develop to their full potential with positive regard to ethnicity, gender, cultural background, social background or disability. We recognise that people suffer prejudice and discrimination through divisions in these issues and for many other reasons. At Pudsey Bolton Royd we seek to challenge such divisions and to support our children in countering any discrimination they face. We aim to foster in each child a respect and understanding of the needs and values of others.

#### SCHOOL CONTEXT

##### Number of staff: 59

% female: 86%

%disability: none disclosed

% BME: 27%

##### Number on roll: 456

% girls: 49%

% disadvantaged: 16%

% BME: 85%

% EAL: 65%

% SEN: 14%

School deprivation indicator 0.28. School population falls in the 60<sup>th</sup> to 80<sup>th</sup> percentile for school deprivation (Raise 15/10/15, p9 - unvalidated version)

##### Numbers of governors: 12

%female: 50%

% disabled: none disclosed

% BME: 42%

## WHAT WE MEAN BY EQUALITY

At Pudsey Bolton Royd Primary School 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.

## OUR GUIDING PRINCIPLES

In fulfilling the legal obligations outlined further on in this scheme, we at Pudsey Bolton Royd 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:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or socio-economic circumstances
- whichever their gender and sexual orientation
- whatever their age

### **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 of 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 disabled people, good relations between disabled and non-disabled people, and an absence of harassment of disabled people
- 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
- promote positive intergenerational attitudes and relationships.

**Principle 4: We will 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:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or socio-economic circumstance
- whichever their gender and sexual orientation
- whatever their age

**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:

- disabled and non-disabled people
- people of different ethnic, cultural and religious and socio-economic backgrounds
- girls and boys, women and men
- Lesbian, Gay, Bisexual and Transgender
- Age (where appropriate)

### **Principle 6: We consult widely**

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. We involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious and socio-economic backgrounds
- both women and men, and girls and boys.
- Lesbian, Gay, Bisexual and Transgender
- People of all age ranges

### **Principle 7: We feel that 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:

- disabled people as well as non-disabled
- people of a wide range of ethnic, cultural and religious and socio-economic backgrounds
- both women and men, girls and boys.
- Lesbian, Gay, Bisexual and Transgender
- People of different ages and between generations

### **Principles in themselves are not enough**

In the light of the principles stated above, we have identified practical priorities and plans of specific action, in order to promote equality in:

- disability
- ethnicity
- gender
- sexual orientation
- religion and belief
- age
- socio-economic circumstances

These are outlined in our Single Equalities Action Plan - which will be comprised of Disability Equality, Gender and Race Equality action plans.

### **ACTION PLANS**

1. We recognise that the actions resulting from a policy are what make a difference.
2. Each year we 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.
3. Our current action plan is set out in our Single Equality Scheme Action Plan

## **THE CURRICULUM**

4. 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.
5. We will ensure staff are offered the opportunity to engage in appropriate training and development to support the achievement of the seven principles.

## **ETHOS AND ORGANISATION**

6. 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**

7. 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 anti-semitism and Islamophobia, and those that are directed against Travellers, refugees and people seeking asylum
  - prejudices reflecting sexism and homophobia.
8. Any incidents of prejudice are dealt with in line with the school's behaviour and anti-bullying policies. Racial hate crimes are dealt with and recorded on line to the local authority as they occur. Class incident books are also used by teachers to record incidents.
9. We analyse and 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**

10. 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.
11. A new governing body was constituted in 2015. A dedicated member of the governing body (who is still to be appointed) will have a watching brief regarding the implementation of this policy. The Equalities Coordinator will feedback progress on the policy to the full governing body.
12. 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.
13. A senior member of staff (M Howarth) has day-to-day responsibility for co-ordinating implementation of the policy.
14. 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.
  - Pupil's have the opportunity to have their voices heard with regards to equality issues

## **INFORMATION AND RESOURCES**

15. 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.
16. 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**

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

## **STAFF DEVELOPMENT AND TRAINING**

18. 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**

19. 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**

20. We collect study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.
21. In particular we collect, analyse and use data 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.
22. To review good practice we make use of a range of auditing schedules.

## **DEVELOPING AND IMPLEMENTING THE SCHEME.**

23. The equality impact assessment of this policy is wholly positive as the policy supports equality and diversity in every aspect.

## **HOW WE DEVELOPED OUR SCHEME**

Our scheme was presented to various groups of people within the school community and their views were sought. This included sharing the scheme with pupils via the school council, disseminating the scheme to staff, presenting the scheme to the governing body and publishing the scheme on the school's learning platform for parents to access. The scheme was also sent to a PFI representative.

## **PRIORITISING ACTIVITY**

- The SES, and any future amendments to it, will be communicated clearly and consistently to pupils, parents and staff via the school council, staff meetings, and on the school website.
- The different aspects of this policy will be monitored and evaluated by a member of the senior management team responsible for Equal Opportunities. Pupils, staff, parents and governors will be involved in the evaluation of these actions.
- 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.

*Date approved by the Governing Body: February 2016*

*Review date: February 2019*

*School Context data on p1 updated in October, annually.*

## 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 strand 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

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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

## 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.

The specific duty covering an authority's role as an employer is to monitor the effect of its policies and practices on disabled persons, and in particular the effect on the recruitment, development and retention of disabled employees.

### **What impact have we already had on disability equality in our school?**

- Assemblies are used to ensure that pupils develop positive attitudes to disability.
- Termly reviews with the SENCO and inclusion team monitor how disabled pupils are accessing the curriculum and making good progress.
- Impact assessments carried out to assess the impact of current policies on disability equality.
- Behaviour policy reviewed 2015; all bullying incidents recorded and fully investigated.
- Enhanced CPD opportunities to ensure staff develop skills to support children with disabilities. Staff trained in supporting children with disabilities, hearing and visual impairments, communication difficulties, ASD, medical conditions
- Effective transition arrangements in place to ensure smooth transition from early years settings and to high school for disabled pupils.
- Effective assessments and tracking in place to ensure that our disabled pupils make good progress across the curriculum
- Class teachers analyse school tracking to identify underperforming groups and put actions in place to address this.

### **What key issues still remain for our school?**

- Access arrangements to main building
- Promote work on equalities on school website.
- Create an Equalities Standard which will act as a checklist for good practice in all areas of Equalities.
- Curriculum development to ensure people from all areas of life are represented.

### **Access arrangements**

- Educational visits evaluated to ensure full access to disabled pupils; adaptations made where needed e.g. ensuring wheelchair access on swimming bus; parents accompany pupil where appropriate.
- Participation in after school clubs is encouraged, ensuring disabled pupils have access to and attend after school clubs.
- Publicising Disability Sports activities.
- Fire Safety Policy adapted to take into account the needs of disabled pupils in case of emergency.
- Continuous review of physical environment in classroom to ensure disabled pupils can access environment independently. Examples of adaptations made include installation of microphone system for a hearing impaired child; monitor used by visually impaired child to reflect whole class smartboard screens in large print; use of lift to first floor by our physically disabled children.
- Guidance and CPD issued to staff on ensuring visually impaired pupils can access information. Visual timetables in place for certain children to help structure their day. Large print books borrowed from VI service to support learning for visually impaired pupils. Modified SATS papers ordered for VI pupils.

- Arrangements in place to ensure that our visually impaired parents can access newsletters and other key information.
- Curriculum planning, trips and visits adapted to ensure they are accessible to all children.

## 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.

**What impact have we already had on race equality in our school?**

Effective Anti bullying and anti-racist practise embedded in school  
 Good induction in place for EAL pupils  
 Good schemes of work in place which promote the celebration of diversity, community cohesion and global citizenship  
 Long term involvement with Arooj project to promote achievement for Pakistani and

Bangladeshi children  
PREVENT training for staff 2015 and governors (attended by 2 governors)  
Class teachers analyse school tracking to identify underperforming groups and put actions in place to address this.  
A range of bilingual support is available, for daily parent needs, support at Parent Consultations, dual language leaflets and signage

### **What key issues still remain for our school?**

Promote work on equalities on school website to inform parents of the school's work on Racial equality  
Create an Equalities Standard which will act as a checklist for good practice in all areas of Equalities  
Curriculum development to ensure people from all areas of life are represented

## **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.

### **What impact have we already had on gender equality in our school?**

Class teachers analyse school tracking to identify underperforming groups and put actions in place to address this.

### **What key issues still remain for our school?**

Promote work on equalities on school website.  
Create an Equalities Standard which will act as a checklist for good practice in all areas of Equalities  
Redress underperformance of boys in writing across school (SDP 2015-2016)  
Create an Equalities Standard which will act as a checklist for good practice in all areas of Equalities.

## **SEXUAL ORIENTATION**

### **What impact have we already had on sexual orientation equality in our school?**

Equalities coordinator attended a training course on anti-homophobic bullying and fed back information and action points to the Leadership Team

### **What key issues still remain for our school?**

Create a homophobic bullying incident sheet to record and monitor all instances of homophobic bullying  
Staff training on how to tackle homophobic bullying  
Governor training on how to tackle homophobic bullying  
Update anti-bullying policy with section specifically on homophobic bullying  
Equalities coordinator to research inclusive family and gay friendly books and resources to supplement the curriculum

## **COMMUNITY COHESION**

Since September 2007 all schools have had a duty to contribute to working towards a society in which there is a common vision and sense of belonging by all communities; a society in which the diversity of people's backgrounds and circumstances is appreciated and valued; a society in which similar life opportunities are available to all; and a society in which strong and positive relationships exist and continue to be developed in the work place, in schools and in the wider community.

We at Pudsey Bolton Royd Primary School make this contribution by creating opportunities, through the curriculum and otherwise, for pupils to interact with those from different backgrounds to themselves to enrich their understanding of community and diversity.

We recognise that a school's community is defined in 4 dimensions:

- the school community,
- the community within which the school is located,
- the UK community,

- the global community.

We Pudsey Bolton Royd Primary School understand that there are links between this duty and the duty to promote equality, although each has a distinctive focus.

We recognise that our school's contribution to community cohesion should be organised under three main headings:

### **1. Teaching, learning and curriculum**

- helping children and young people to learn to understand others
- to value diversity whilst also promoting shared values
- to promote awareness of human rights and to apply and defend them
- to develop the skills of participation and responsible action
- to develop children's understanding of living in a community
- develop children's understanding of the UK and the global community

### **2. Equity and excellence**

- a. to ensure equal opportunities for all to succeed at the highest level possible
- b. striving to remove barriers to access and participation in learning and wider activities
- c. working to eliminate variations in outcomes for different groups

### **3. Engagement and extended services**

- to provide reasonable means for children, young people, their friends and families to interact with people from different backgrounds
- build positive relations
- receive services which build positive interaction and achievement for all groups
- engage with schools in our locality to share and strengthen links with other schools
- engage with supplementary schools to make links in the wider global community

### **EQUALITY ACT 2010 AND OTHER EXISTING EQUALITY LEGISLATION.**

We at Pudsey Bolton Royd Primary School will also comply with and have due regard to the following equalities legislation:

#### **Equality Act 2010**

The Equality Act has put a 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 the physical sex they were born with.

- **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 worse than you would treat a man or boy. You must not treat a man or boy worse than you would treat a woman or a girl in the same circumstances.

- **Sexual orientation** (no change)

Everyone is treated from being treated worse 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 introduces 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 1999 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. Prohibits 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 under grounds of sexual identity.

### **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)**

Bringing together the Equal Opportunities Commission, Disability Rights Commission and Commission for Race Equality, also serving 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 worse than someone who does not have this characteristic would be treated in the same situation. The worse treatment must be because of that characteristic.

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 make 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 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.