

One for All

Promoting Equality and Meeting Statutory Expectations

Checklist for schools

June 2020

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Introduction

This paper summarises obligations for schools under the Equality Act 2010 and lists some key related questions that will help school leadership determine whether they are meeting these objectives and to formulate any important priorities. These key questions link to the guidance on the Equality Act produced by the English Department for Education (DfE). Assessing your school against these questions will help you to see strengths and areas of need.

You may perceive a need for a 'deeper dive' into specific areas of equality. This may be a particular aspect of school life, a policy or a review of how you uphold a particular protected characteristic.

In the last case, we have produced more detailed audits and toolkits available for:

- Religion and Belief
- Sexual orientation and Gender reassignment

Others are available for the remaining protected characteristics; please enquire.

Further help

For further information or help please contact enquiries@penninelearning.com

The Public Sector Equality Duty

All schools, including academies, free schools and FE institutions are covered by the public-sector equality duty in the Equality Act 2010. This says that schools must have due regard to the need to:

Eliminate discrimination and other conduct that is prohibited by the Act. Evidence might include:

- copies of any of a range of policies (for example, the behaviour policy or anti-bullying policy, or the recruitment or pay policies);
- Notes of relevant meetings or staff training

Advance equality of opportunity between people who share a protected characteristic and people who do not share it. Evidence might include:

- Attainment data which shows how pupils with different characteristics (eg boys or girls) are performing and how this data has impacted decisions and priorities; eg work being done to support disabled children, or special steps taken to help boys improve their performance in writing or girls to catch up in science.
- Evidence which shows e.g. a decline in bullying of disabled children, or a decrease in homophobic or transphobic bullying.

Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it. Evidence might include:

- aspects of the curriculum which promote tolerance and friendship, or which share understanding of a range of religions or cultures
- behaviour and anti-bullying policies
- assemblies dealing with relevant issues, involvement with the local communities
- twinning arrangements with other schools which enable pupils to meet and exchange experiences with children from different backgrounds.

Protected characteristics under the Equality Act

Age*

Disability

Gender reassignment

Marriage or civil partnership*

Pregnancy and maternity

Race

Religion or belief

Sex

Sexual orientation

Protection also applies to perception and association (for example prejudiced behaviour towards someone because a relative is disabled (association) or because they are perceived not to fit gender stereotypes (perception))

**under the Act these do not apply to children but they do to staff*

Key questions

1. *How are you complying with this duty?*
2. *What evidence is relevant and how accessible is this?*
3. *Do your policies and practices encompass all these protected characteristics or do some need a greater emphasis?*
4. *Do your priorities include all staff as well as pupils?*

Equality Objectives

As part of the duty schools must produce specific **equality objectives** and review/revise these at least every four years. Schools must **publish**:

- details of how the school is complying with the public sector equality duty – this needs to be updated every year;
- the school's equality objectives – these should be reviewed and updated at least once every 4 years

Examples of Equality Objectives:

- to increase participation by black pupils in after school activities;
- to narrow the gap in performance of disabled pupils;
- to reduce exclusion rates for black boys;
- to increase understanding between religious groups;
- to reduce the number of homophobic incidents;
- to raise attainment in English for boys;
- to encourage girls to consider non-stereotyped career options;
- to anticipate the needs of incoming pupils from a new group, such as traveller children.
- Publication of information in future

Although *The Equality Act 2014 and Schools*, DfE May 2014, does not explicitly say this information needs to be on the website, subsequent advice (*What Maintained Schools Must Publish Online*, DfE Sep 2014), clearly requires all schools to publish this information on line.

Key Questions

1. *What are your equality objectives and when were they last revised?*
2. *What progress has been made on these and how have they made a difference?*
3. *Where are they published?*

Equality Impact assessment

When making a decision, schools must take due regard of the implications for pupils or others with protected characteristics. Consideration of this should be integrated into all school decision making (an equality impact assessment).

Key Questions

1. *How do you integrate impact assessment into decision making?*
2. *Can you give an example of how a decision has been affected or changed by such an assessment?*
3. *Whom did you consult?*
4. *How do you record this aspect of decision making?*

Further key questions

Discrimination

1. *Are governors and school staff aware of their duties and how do they ensure that they do not discriminate against, harass or victimise a pupil or potential pupil:*
 - *in relation to admissions,*
 - *in the way school provides education for pupils,*
 - *in the way it provides pupils access to any benefit, facility or service, or*
 - *by excluding a pupil or subjecting them to any other detriment.*

Curriculum

1. *How do you promote equal access to the curriculum for all pupils? You might like to think of specific aspects, eg gender, disability, sexual orientation, gender identity?*
2. *How does the curriculum reflect diversity and inclusion? Consider content, displays, books.*
3. *How is equality and diversity visible in school life?*
4. *What access do pupils with protected characteristics have to different aspects of school life, eg trips, sport? How do you know this information and how does it affect your actions and decisions?*

Welfare, behaviour and disability

1. *How is behaviour recorded and monitored?*
2. *Specifically, how are you aware of any incidents of prejudice-based behaviour or bullying?*
3. *Are pupils or adults with specific protected characteristics any more vulnerable to bullying or prejudice?*
4. *Do staff know of their obligations to record this?*
5. *How do you facilitate the inclusion of anyone with a disability, including auxiliary aids where appropriate?*

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