



**Fulston Manor Academies Trust**

**Equality Policy**

**Fulston Manor School**

**South Avenue Primary School**

**Version (Date):**

**April 2025**

**Review (Date):**

**April 2026**

**Member of Staff Responsible:**

**Mrs S Francis  
Trust HR & Business  
Director**

## **Equality Mission**

We are a Trust that is committed to equality and values diversity. We promote respect for difference and diversity through the Trust's ethos and values.

In partnership with parents and other stakeholders we are committed to comply with all equality laws both for students and adults.

We regularly survey on equality issues and have started to use these results to further our approach

We regularly discuss issues of equality with our school's council & house council as well as our Sixth form council.

We have an on-going programme of improvements to the buildings and facilities to better provide for students and adults. We consider issues of equality in new building projects/refurbishments and conduct Equality Impact Assessments.

In addition to complying with equality legislation we are committed to promoting good relationships between different groups of students and adults, and follow the guidance on community cohesion.

## **EQUALITY POLICY**

Fulston Manor Academies Trust has a positive commitment to equality and valuing diversity. This is reflected in our schools' values including the Fulston Family Values and the LEARN values.

These are published in on our websites and around the school sites.

Our equalities policy refers to equality on the grounds of race, disability and gender as well as culture, ethnicity, belief, sexuality, age and socio-economic status. We recognise that we have a duty to promote a cohesive community with life opportunities available to all.

### **Aims of the Equality Policy**

We recognise that direct and indirect discrimination may take place and therefore see the need for a positive and effective equality policy.

With regard to the various groups outlined above

- We will promote the concept of equality throughout the organisation, both for adults and for all students
- We will eliminate discrimination that is unlawful
- We will eliminate harassment
- We will promote positive attitudes
- We will encourage participation in school community life
- We will take steps to meet the needs of particular groups including where special arrangements need to be made; known as Positive Action.

### **Equality Act 2010**

The new Public Sector Single Equality Duty, effective 5<sup>th</sup> April 2011, replaced the three previous equality duties on race, disability and gender; bringing them together in a single duty and extending it to cover age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment.

Public bodies must consider the needs of all individuals in their day to day workings, in developing policy, delivering services and in relation to their own employees.

Therefore they must have “due regard” to the following three aims:

1. To eliminate discrimination and other conduct that is prohibited by the Act.
2. To advance equal opportunities between people who have a relevant protected characteristic (as defined under the Equality Act 2010) and those that don't.
3. To foster good relations between people who have relevant protected characteristics and those that don't.

We ensure “due regard” and give relevant consideration to the PSED in the following ways:

When decision are taken across the Trust schools those making decisions will be aware of the duty and will assess whether the decisions taken or action proposed has particular considerations or implications for those people with protected characteristics.

When developing new policies and reviewing existing policies the schools will consider equality implications.

The Trust Board will regularly review how the PSED has been integrated into the functions across the Trust's schools to ensure that the duty is imbedded into policies, processes and day to day functions.

The Trust Board and Local Governing Bodies will also monitor and evaluate progress towards the Trust's equality objectives in each school.

The Trust will publish information on its website demonstrating how it complies with the PSED in addition to publishing its equality objectives.

As a staff, students and other stakeholders within a Multi Academy Trust we will ALL benefit from individuals developing to their full potential

Students will benefit by gaining confidence in themselves and their abilities and will benefit by learning how to establish caring, mutually supportive relationships in and out of school.

Staff will benefit professionally by raising their awareness of Equality and by putting it into practice in their contact with students and other adults.

### **Actions related to Staff**

- Encourage all the staff to develop their abilities in a flexible and responsible way.
- Ensure that there is no unlawful discrimination, harassment or victimisation in our working environment through our day to day practices, recruitment processes and policies in force.
- Schools will comply with requests with regard to data of staff in post, applications for employment, training and promotion and those staff receiving training on performance/grievance/disciplinary procedures and ending employment from the relevant authorities.
- If staff believe they are victims of an incident, harassment or prejudice, they should take their concerns to their line manager and bring it to the attention of the Headteacher or Head of School immediately.

### **Actions related to Students and in our classrooms**

- Examine our expectations of students to see if they are influenced by our perceptions of their gender, race, class, sexual orientation, ability and disability, belief, age, religion or home language.
- Work to eliminate unconscious bias through training for students and staff.
- Look at the opportunities we give to all students to maximise their potential. Examine lesson content to ensure that images and examples are equally represented and relevant to all our students.
- Evaluate learning resources for aspects of stereotyping eg language.
- Identify the time and attention given to the students in groups/individually.
- Consciously focus on communicating in non-prejudiced ways in speech writing and behaviour.
- Looking at grouping arrangements in the classroom.
- Check which tasks are allocated or chosen in groups and ensure that a variety is offered.
- Encourage students to behave in a non-prejudiced way and challenge incidents of prejudiced behaviour.
- Raise our awareness of the differences of all our students and value them as individuals and as a group.
- Ensure that work is displayed which reflects the cultural intake of our students and is in equal interest to boys and girls.
- Ensure that all personal qualities are valued equally and that the language used is concerned with equality on every level.
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### **Assemblies**

In assemblies we will;

- Promote positive attitudes and a cohesive ethos
- Ensure that there are positive representations of all genders, cultural backgrounds, and disabled people within the school.
- Ensure that assemblies are of equal interest to all genders and all cultural backgrounds.
- Language used is non-prejudicial and accessible to all our students.
- Ensure announcements reflect the achievements of all students in the school.

### **Examinations**

- Ensure exams encourage the best from all students with a variety of types of questions and contexts.
- Review the syllabuses from exam boards to ensure they meet all students' needs.

### **Option Process**

- Make sure that students see positive images of people of all races and cultural backgrounds in non-stereotypical professions, so that they opt for a balanced curriculum which motivates them to do well.

### **The School Environment**

- The school should provide an environment that enables all members of the school community to operate with confidence. Examples of this might include balanced

displays featuring a range of people in positive roles and balanced reporting of the achievements of particular groups.

- The Trust will ensure that reasonable adjustments are made to increase access for disabled students and disabled parents/visitors, or indeed any measure that encourages a supportive, unified ethos in accordance with our accessibility plan.

### **Valuing Diversity**

- We will recognise and celebrate different cultures, including deaf culture.
- Provide opportunities for bi-lingual students to gain academic recognition of their languages where appropriate ie. GCSE, A Level, Asset Languages, Sign Language Exams.
- Ensure that bilingual students have access to the whole curriculum whilst they are developing their use of English (see appendix 1)
- Value the child's home language in the same way as the first-hand experience of all students is valued and used as an educational resource.
- Promote language awareness in all the students in the school so they appreciate the positive aspects of bilingual including the use of British sign language.
- Provide upon request where possible a place of prayer for students, staff and visitors.
- Sympathetically consider requests from staff and students in the context of religious observance/festivals in line with our leave/attendance policies.
- Staff should be aware of the bilingual students in their group. The correct spelling and pronunciations of students' names should be encouraged.

### **Extracurricular activities**

- We should ensure that a range of activities is offered to satisfy the needs of all our students and they are actively encouraged to participate in non-stereotypical ways.
- Ensure that trips and visits comply with the regulations regarding voluntary contributions and do not discriminate against students from low income backgrounds.

### **Pastoral Curriculum**

- Make sure that all students feel secure and confident in the school environment.
- Inform them that swear words, physical abuse and intimidating behaviour which may make students feel afraid or embarrassed will not be tolerated.
- Ensure that students feel confident that these incidents will be taken seriously and staff will take the appropriate action (see code of conduct)
- Promote positive attitudes through the teaching of specific units eg. 'Racism', 'Human Rights', 'Disability Awareness' in PDC / PSHE & RSE.
- Ensure that in the teaching of PDC / PSHE, RSE and Citizenship gender, race, class, sexual orientation, religion and home language are dealt with in non-prejudicial way.

### **Student Behaviour**

Incidents of bad behaviour which are against our Equality Policy should not be tolerated and will be dealt with through the system we use to respond to unacceptable behaviour. These incidents may consist of verbal, written or intimidatory abuse. In these cases the relevant form should be filled in and passed to the Deputy Headteacher (Pastoral) who keeps a copy in a file and send original to the LA. These are not a punishment in themselves. Action must be taken through the Behaviour Policy which reacts to bad behaviour i.e. Conduct memos. Hate crime against other groups e.g. Homophobic or racist bullying may also be passed to the police.

In the case of South Avenue School all incidents will be logged in CPOMS and discussed with a member of SLT.

### **Equality & Diversity Committee at Fulston Manor School**

Fulston Manor School has established an Equality and Diversity committee. Whose remit is to promote and celebrate diversity.

Staff members on the committee are volunteers who work together to raise awareness of diversity and celebrate achievements of our diverse community.

Staff who are part of our Equality & Diversity committee, will opt to wear a 'No Outsiders' badge. No Outsiders is a charity, whose focus is on respect for diversity, and a commitment through education to ensure all children learn that they belong and have a contribution to make to society. *"Everyone is welcome here. No one is the same, but everyone is equal".*

LGBTQ+ (Alphabet Club – as named by students) students and allies to have a safe and open space to socialise and support each other including planned events to build and enhance the sense of community, belonging and to help build their confidence. Also provides a safe and open forum for students to share information and ideas with staff allies which is feed into planning of PDC lessons and embedding our diverse culture as a 'norm'

### **Equal Opportunity**

The Trust is committed to delivering a quality service by seeking to eliminate discrimination and promoting equal opportunities for all, in line with the provision of the Equality Act 2010 and other relevant legislation including the Sex Discrimination Act, Race Relations Act, Disability Discrimination Act and Employment Equality Regulations.

The Trust will remove or minimise any disadvantages suffered by students and staff who have a protected characteristic, will take all steps to meet the needs of students and staff with protected characteristics and will encourage those students and staff with a particular characteristic to fully participate in the life and community of the schools.

We recognise that all individuals are different and have different needs. We confirm however that all members of the school community are of equal value irrespective of gender, age, race, religious belief, disability, social background and sexual orientation or marital status or any other perceived difference are entitled to be treated fairly and without prejudice in every aspect of school life.

Our aim is to ensure that no employee, job applicant, student or member of the school community is treated less favourably on grounds of sex, race, colour, ethnic or national origin, marital status, age, sexual orientation, disability or religious belief.

We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated.

Equality of opportunity cannot be realised without the involvement and commitment of all members of the school community and a common understanding of the pivotal role of equal opportunities in the context of the school's ethos and values.

All members of the school community are responsible for promoting equal opportunities and are obliged to respect and act in accordance with the Trust's policies.

### **AIMS and OBJECTIVES:-**

To reinforce the School's position as a provider of high quality education and as a good employer providing development opportunities.

- All members of the school community will be valued as individuals and treated considerately.
- All staff will be entitled to opportunities for professional development.
- We aim to offer students an entitlement to participate in broad and balanced educational experiences. In particular the aim is to develop fully the personal and intellectual potential of all students unhampered by any form of stereotyping.
- This means that each School will endeavour at all times, and in all situations, to treat people as individuals, and never to prejudge them, or discriminate against them, on any grounds.
- The Trust is committed to managing its resources (human and material) to ensure that the objectives in respect of equal opportunities are achieved.

Further information on how the Trust sets out to achieve these objectives can be found in Appendix 3.

For 2022-2026, our Equality Objectives are:

- To continue to provide a school environment that welcomes, protects and respects diverse people.
- To continue to close the gaps in attainment and achievement between students and all groups of students; especially boys and girls, disadvantaged students, students with Special Educational Needs and Disabilities, Looked After Children, and students from different heritage groups.
- To ensure that all students are given the opportunity to make a positive contribution to the life of the school, particularly focusing on developing leadership opportunities for all students.
- To eradicate the use of homophobic, sexist, racist and other discriminative language by students in the school.
- To review the accessibility across the school for students, staff and visitors with disabilities, including access to specialist teaching areas. Specific tasks relating to these objectives can be found within the School Development Plan.

## APPENDIX 1

# RACE EQUALITY

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Fulston Manor Academies Trust is committed to an inclusive ethos based on respect for, and celebration of, ethnic diversity. The Trust strives to prepare all students for living in a multi-cultural and multi-ethnic society. The Trust will strive to promote race equality in all dimensions of the schools' life and community.

We will:

- ❖ Take positive action to eliminate racial discrimination and harassment
- ❖ Promote equality of opportunity for all members of the school community
- ❖ Promote good relations between people of different racial groups

Cultural and ethnic diversity will be valued in the curriculum, in the school workforce, the governing body, the parental body and the student body. We will ensure that the culture and those of the school place equal value on the diverse racial, faith and ethnic groups, cultural and linguistic heritage represented in our society.

We acknowledge and value all ethnic and national groups represented in the school community. We recognise we live in a multi-cultural and multi faith community and we welcome recruitment from diverse cultural and faith backgrounds.

We endorse the recommendations of the Stephen Lawrence Inquiry Report.

We accept the definition of racism and institutional racism included in the Stephen Lawrence Inquiry Report.

***Racism***

Conduct or words which advantage or disadvantage people because of their colour, culture or ethnic origin.

***Institutional Racism***

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping, which disadvantages minority ethnic people.

We will ensure that all members of the school community will have the opportunity to improve their own understanding of race equality and understand their personal responsibility to promote race equality.

# RACE EQUALITY

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## POLICIES

All policies will be reviewed in terms of their contribution and effectiveness in promoting race equality.

## CURRICULUM

Fulston Manor Academies Trust provides a broad and balanced curriculum for all students. The school accepts the three principles in the statutory inclusion statement for the National Curriculum:

- Setting suitable learning challenges for all students
- Responding to students' diverse learning needs
- Overcoming potential barriers to learning and assessment for individuals and groups of students

We recognise that citizenship presents opportunities for encouraging respect for diversity.

Our curriculum co-ordinators are responsible for ensuring their subject programmes/schemes of work raise awareness of multi-cultural issues and challenge stereotypical views of different racial groups and nomadic communities. In the purchase of resources, our curriculum co-ordinators will ensure as far as possible that materials reflect and celebrate ethnic and cultural diversity.

The Trust strives to ensure that teaching and learning styles include and raise achievement of all students.

We will ensure that setting and grouping arrangements raise achievement of all students and do not reinforce negative stereotypes or lower the self-esteem of students.

Teachers will seek opportunities to introduce activities that demonstrate the value of other cultures and encourage children to discuss race equality.

The Trust is committed to working in partnership with local minority ethnic community groups and promoting racial harmony.

We are keen to encourage that the representation on the schools' governing bodies and Trust Strategic Board reflects the ethnic profile of our school population and the community.

We will take positive action to ensure that communication is accessible to all.

We will ensure that all community groups using the school building are aware of our Race Equality Policy.

Fulston Manor Academies Trust will not tolerate any form of racial harassment or abuse.

We accept the definition of a racial incident as included in the recommendations of the enquiry into the death of Stephen Lawrence.

A racist incident is any incident which is perceived to be racist by the victim or any other person.

The school has a racial incidents procedure. The Headteacher / Head of School (or nominated member of staff) is responsible for implementing the procedure and ensuring that all members of the school community are aware of, and understand, the policy.

## **Ethnic Monitoring**

Ethnic monitoring will be undertaken to check that both students and employees have equality of opportunity and high achievements.

The Head of School will ensure that all staff involved in recruitment, staff development and admissions receive appropriate training and understand the process and rationale for collecting data on Ethnicity.

The Head of School will ensure that data on the ethnic profile of the school is used to monitor the impact of policies on students, staff and parents from difference racial groups.

When monitoring the following areas, the Trust will be aware of the potential racial issues:

- Admissions
- Attainment in all curriculum areas
- Key stage 4 option choices
- Attendance
- Racist Incidents and Action Taken
- Selection and recruitment of staff
- Staff development
- Exclusions
- Awards and rewards
- Disciplinary sanctions
- Participation in extra-curricular activities
- Attendance at parental consultations
- Governing body representation and retention

It is the responsibility of all members of the school community to:

Promote race equality and support the implementation of the Race Equality Policy including the Racial Incidents Reporting Procedure.

Behave in a manner which respects and values cultural and linguistic diversity.

Challenge and eliminate racial discrimination, racial harassment and racial abuse

**GUIDANCE ON RACIAL INCIDENTS**

The Trust prides on its considerate, friendly and tolerant communities within its schools but this does not mean that racial incidents will not occur. **The Trust does not tolerate racist attitudes or behaviour of any kind.** Any signs of racism observed by staff must be taken seriously and action taken immediately. It is important that all students know that we will not tolerate racism in any form and that all incidents will be dealt with urgently and be logged as a matter of record. In all cases at Fulston Manor School Heads of House must be contacted for support and guidance and the Deputy Head should be informed. At South Avenue Primary School the Head of School or Senior

Leader – Primary Phase must be notified .Issues of race equality will be included in PDC and tutorial programmes. Appropriate action will be discussed by the Head of House and the Deputy Head / Head of School and Senior Leader – Primary Phase and will be based on a case by case basis.

### **Procedures**

- Staff aware of a racist incident must report it immediately.
- Staff should intervene to take immediate action e.g. separating the victim from the perpetrator.
- Any incident to be investigated by the most appropriate person; as described above.
- Action will include offering appropriate support to the victim and his/her parents or guardians and the offender.
- Incidents to be formally recorded in an incident monitoring file held by the Deputy Head/ Head of School
- In most cases it would be appropriate to involve parents/guardians of the perpetrators at an early stage.
- Action should aim to deal with the immediate incident and to lay down strategies that will reduce the possibility of further incidents.
- Racist graffiti or slogans should be reported and removed as soon as possible.
- Racist literature, badges and insignia will not be tolerated and will be confiscated.
- Any racial attack on a student from a member of the public should be reported to the Head of School or Deputy Headteacher. The police may be asked for assistance.
- Racial discrimination by any member of staff towards another member of the school community will be treated with the utmost seriousness and may be considered as professional misconduct.

At the end of the academic year the Head of School / Deputy Headteacher forward any information on racial incidents that have occurred during the year to the LA.

## APPENDIX 2

# GENDER EQUALITY

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### Aims under Gender Equality

At Fulston Manor Academies Trust we are committed to ensuring equality of education and opportunity for staff, students and all those receiving services from the school irrespective of gender.

We take positive steps to address gender inequality, and we understand that there are many barriers that prevent students and staff from achieving and making the most of the opportunities we make available.

To promote gender equality it is vital that the difference between genders and experiences, attitudes and achievements in school are understood so that our policies and practices can begin to break down those barriers.

However, we are aware of how factors such as ethnicity and social factors impact on the achievement of our students. Our Equality aims support our works as set out in our other Trust policies such as the Inclusion policy, tackle the many factors that affect student attainment.

We will take action to promote the gender equality:

- Eliminate unlawful discrimination and harassment:
- Promote equality or opportunity between genders: and
- Result in improved outcomes for students, staff, and parents/carers in all aspects of school life, in the wider community and in employment regardless of gender.

### Key Gender issues for all those working with children and young people.

- **Be Healthy** – There are particular issues between genders in their attitudes to sport, exercise and sexual health.
- **Stay Safe** – Difference in the way students of different genders bully or are being bullied need to be examined. The link between homophobic bullying and suicide for males has been highlighted through national research.
- **Enjoy and achieve** – Understand the differences between the genders and how this impacts upon their attainment levels and their life opportunities.
- **Make Positive Contribution** – Sexist stereotyping, bullying and sexual forms of harassment can result in behaviours which have a negative effect on Students' developing positive relationships and on their skills and willingness to participate in school and community life.
- **Achieve economic well being** – Stereotyping contributes to the gender pay gap.

The Trust will build on our existing practice by:

- Contributing to take a key role in shaping the values and attitudes of children and young people and take a lead in challenging gender based harassment, bullying and violence and stereotyping

- Taking action to challenge gender stereotyping in subject choice and careers advice as key part of our whole school curriculum
- Including the gender equality duty in the way we plan for school improvement
- Building on our positive work around the Healthy Schools initiative
- Investigating and addressing complaints of sexual and sexist bullying, harassment and violence from staff.

### **Employer Duties**

Fulston Manor Academies Trust strives to ensure that we eliminate discrimination and harassment on our employment practice and acutely promote gender equality within our workforce.

Gender aspects 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 discriminations.

Bullying and Harassment of staff is monitored and the information is used to make a difference.

Equal Opportunities Monitoring forms and front pages of application forms, which show personal information, are removed prior to shortlisting candidates.

## APPENDIX 3

# EQUAL OPPORTUNITIES STATEMENT

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### 1. Organisation

The Trust will:

- 1.1 Involve all staff and students in the implementation of the relevant policies and practices.
- 1.2 Monitor and improve the schools' organisation in respect of equal opportunities.
- 1.3 Raise the awareness of all members of the schools regarding the hidden assumptions and messages conveyed during personal interactions.
- 1.4 Encourage respect and support for the individual and ensure that cases of alleged discrimination are dealt with through an established procedure.
- 1.5 Ensure that complaints or evidence of a failure to comply with the Trust's Equal Opportunities Policies will be dealt with promptly and will be fully investigated, according to the relevant procedure.
- 1.6 All forms of discrimination by any person within the schools' responsibility will be treated seriously as such behaviour is unacceptable.

### 2. Student Entitlement

- 2.1 Aim to encourage all students in the development of their sense of personal worth and self-esteem, whilst engendering a positive attitude towards equal opportunities.
- 2.2 Aim to ensure that students have access to all areas of the examined and non-examined curriculum and resources appropriate to their needs, qualifications and ambitions.
- 2.3 Examine the content of the whole curriculum to ensure freedom from stereotyping.
- 2.4 Aim to eliminate bias from the testing, assessment and recording achievement of students.
- 2.5 Develop a positive attitude through the curriculum towards equal opportunities and take active steps to raise awareness of prejudice through an effective programme involving the examined and non-examined curriculum and tutorials, including Citizenship.
- 2.6 Seek to ensure the insights into the world of work and higher education are positive experiences as free as possible from the constraints of traditional stereotyping.
- 2.7 Ensure that information, advice and guidance on School courses and future careers are free from prejudice and stereotyping.

### 3. Staff

- 3.1 Consider the implications of equal opportunities when recruiting and appointing all staff both teaching and support
- 3.2 Provide an active staff career development programme for both full and part-time staff.
- 3.3 Provide staff with a procedure for dealing with any complaint they want to raise, either with the appropriate member of the Schools' Leadership teams or formally through the school grievance procedures.

## **Communication**

All members of the school community should have easy access to a copy of the relevant policies and guidelines.

## **Training**

The School will endeavour to:

- Enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status.
- Promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and students can make.
- Equip employees with the skills to provide personal and organisational solutions, practices and behaviour and to promote anti discriminatory behaviour generally.

## **Students and the Curriculum**

The School follows student admissions policies that do not permit sex, race or disability to be used as criteria for admission. The schools aims to provide for all pupils according to their needs, irrespective of gender, ability or ethnic origin.

Equality of opportunity should inform the whole school curriculum and be reviewed regularly to ensure that it is broad balanced and avoids stereotypes and provides good role models for all pupils.

Equal opportunities issues will be taken account of in the planning of the curriculum.

## **Monitoring, evaluation and review**

The Trust Board and Local Governing Bodies have a duty to ensure that policies are regularly monitored and reviewed, and following should be taken into account:-

- Composition of the School staff
- Recruitment trends
- Take up of training opportunities
- Promotion patterns
- Use of complaints procedure
- Use of grievance, disciplinary, harassment etc
- Use of sanctions
- Take up of family-friendly policies

## **Alleged infringements of Equal Opportunities**

The main aim of the procedure on infringement should be to support both the complainant and the person accused who may not even have realised that her or her alleged behaviour was unacceptable.

1. Allegations of unacceptable behaviour must be reported by the complainant (or a witness to the incident).
2. A person would normally report to their tutor (Pastoral Manager or Head of Department, or a member of the schools' Leadership Groups).

3. Whoever initially receives the complaint must deal as sensitively and supportively as possible with the issue and might encourage the complainant to deal directly with the other person, if this was appropriate. If the matter could not be resolved at this stage:-
  - i) This person would normally involve the member of the Leadership Group
  - ii) Discussions would be held with both parties, separately, in the first instance.
  - iii) A meeting with both parties would be held to resolve the matter.
4. In the event of a disagreement over the incident, normally the Headteacher / Head of School would be asked to arbitrate and to make sure that the Trust Policies are upheld.
5. All aspects of the issue would be treated confidential until the matter had been resolved.

It should be remembered that each Governing Body has the ultimate responsibility for ensuring that the policies are upheld.

If the situation was serious enough that the law on Equal Opportunities had been infringed, the Governors could be held responsible in the Courts.

## **Guidance under the Disability Discrimination Act**

The Disability Discrimination Act 1995 (amended 2005) states that a person has a disability for the purposes of this Act if they have a physical or mental **impairment** which has a **substantial** and **long-term** adverse affect on their **ability to carry out normal day-to-day activities**.

These terms can be defined as follows:

### **Impairment**

- Physical impairments affecting the senses (e.g. sight and hearing)
- Mental illness recognised by a respected body of medical opinion
- Severe disfigurements
- Progressive conditions (e.g. cancer, HIV infection, multiple sclerosis, muscular dystrophy), once there is any effect on normal day-to day activities.

### **Substantial**

- Not minor or trivial ... going beyond normal differences in ability.

### **Long-term**

- Has lasted, or is likely to last, 12 months or more, or the rest of your life
- Effects in remission, if the impairment has lasted 12 months or more, is no longer present, but which will probably recur.

### **Ability to carry out normal day-to-day activities**

- Mobility
- Manual dexterity, physical co-ordination
- Memory, concentration, understanding, learning
- Ability to lift carry or move everyday objects
- Risk perception
- Speech, hearing, eyesight.

## **The Legal Background**

The main statutory provisions covering discrimination are the following:-

Equality Act 2010

Employment Equality (Age) Regulations 2006 & Equality Act 2010

Equal Pay Act 1970 & ~~Equal Pay (Amendment) Act 2000~~

Sex Discrimination Acts 1975 (Amendment) Regulations 2008

Sex Discrimination (Gender Reassignment) Regulations 1999

Civil partnership Act 2004

Gender Recognition Act 2004

Employment Equality (Sexual Orientation) Regulations 2003

Equalities Act 2006

Employment Equality (Religion or Belief) Regulations 2003

Race Relations Act 1976 & (Amended) Act 2000

Rehabilitation of Offenders Act 1974

Disability Discrimination Act 1995 & (Amended) Act 2005

Special Educational Needs and Disability Act 2001

Special Educational Needs and Disability Regulations 2014

Race Relations Act 1976 (General Statutory Duty: Code of Practice) Regulations 2002

Employment Rights Act 1996 & 2002 / Employment Relations Act 1999 & 2004

Employment Act 1989 & 2008

Human Rights Act 1998 and Human Rights Act 1998 (Amendment) Order 2004

Education and Inspections Act 2006 & 2011

Part-time workers (prevention of less favourable treatment) Regulations 2000

Fixed Term workers (prevention of less favourable treatment) Regulations 2002 & 2008

Modern Slavery Act 2015

Equal Status Acts 2000 - 2018