



THE KEMNAL ACADEMIES TRUST

Havant Academy

EQUALITY POLICY

**FOR STUDENTS, PARENTS, VISITORS AND OTHERS
COMING INTO CONTACT WITH THE SCHOOL**

Date policy last reviewed	May 2023
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PART 1 – THE LAW

THE EQUALITY ACT 2010

The Equality Act 2010 replaced nine major Acts of parliament and almost one hundred sets of regulations which had been introduced over several decades. It provides a single, consolidated source of equality law, covering all types of discrimination, harassment and victimisation that are unlawful. It simplified the law by getting rid of anomalies and inconsistencies that had developed over time, and extended protection against discrimination in several areas.

THE PROTECTED CHARACTERISTICS

The Equality Act 2010 makes it unlawful for the “responsible body” of a school to discriminate against (either directly or indirectly) an individual or group of individuals by treating them less favourably because they (or somebody they associate with) have one or more of the following characteristics:

- Sex;
- Race;
- Religion or belief;
- Sexual orientation;
- Gender reassignment;
- Pregnancy and maternity; and
- Disability.

The Equality Act 2010 also makes it unlawful for the “responsible body” of a school to discriminate against (either directly or indirectly) an individual or group of individuals **who are not the school's students** by treating them less favourably because they (or somebody they associate with) have one or more of the above characteristic or the following characteristics:

- Age; and
- Marriage and civil partnership.

Specifically, the “responsible body” of a school must not discriminate against a student or group of students because they have a protected characteristic (with the exception of age or marriage and civil partnerships):

- In the arrangements it makes for deciding who is offered admission as a student;
- As to the terms on which it offers to admit a prospective student;
- By not admitting a prospective student;
- In the way it provides education for a student (but not in relation to the contents of the curriculum);
- In the way it affords a student access to a benefit, facility or service;
- By not providing an education for a student;
- By excluding a student;
- By subjecting a student to any other detriment (including the imposition of sanctions);

The Equality Act 2010 also makes it unlawful for the “responsible body” of a school to harass or victimise an individual or group of individuals because of some of the protected characteristics, or because of something done in reliance on the Equality Act 2010, as outlined in further detail below.

The “responsible body” in an academy is its proprietor, namely the Governing Body. In practice, all persons acting on behalf of the Governing Body (including employees of the school) are personally responsible for ensuring that their actions or omissions are not discriminatory, and the Governing Body will also be responsible for the actions of the school’s employees if it cannot show that it has taken all reasonable steps to prevent the discriminatory actions or omissions being undertaken on their behalf.

The Equality Act 2010 covers discriminatory acts or admissions by the school against prospective students, current students and (in some circumstances) former students, as well as against parents (including non-parents with parental responsibility or care of a student), visitors and other people coming into contact with the school.

The Equality Act 2010 does not cover discriminatory acts by one student against another student, such as racist bullying (such behaviour by a student will, in any event, be a breach of the school’s Behaviour Policy and be sanctioned accordingly). However, if the school is aware of a discriminatory act by one student against another and does nothing to prevent it, or treats the act less seriously than it would for other acts, this may in itself be a discriminatory act by the school.

DISCRIMINATION

The Equality Act 2010 defines two types of discrimination; direct and indirect:

Direct Discrimination

Direct discrimination occurs where an individual or group of individuals are treated less favourably than others because they or somebody they associate with have (or it is mistakenly thought that they have) a protected characteristic.

Indirect Discrimination

Indirect discrimination occurs when a policy, criteria or practice is applied generally to all, which has the indirect effect of discriminating against an individual or group of individuals by putting them at a disadvantage, unless there is a legitimate reason for the policy, criteria or practice and there is no other way to achieve it.

Disability Arising from Disability

There are special provisions in the Equality Act 2010 relating to disability discrimination and, in particular, a third type of discrimination called **discrimination arising from a disability**, as well as failing to make reasonable adjustments for an individual with a disability. The definition of what constitutes disability discrimination is more complex than that for the other protected characteristics, and is set out in further detail under the section relating to disability equality below.

HARASSMENT

The Equality Act 2010 makes it unlawful to harass an individual or group of individuals in relation to certain protected characteristics. Harassment is defined as an unwanted act, related to a relevant protected characteristic, which has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment only applies in relation to the following protected characteristics:

- Sex;
- Race;
- Religion or belief (in relation to those who are **not** students);
- Sexual orientation (in relation to those who are **not** students);
- Pregnancy or maternity;
- Disability; and
- Age (in relation to those who are **not** students).

Harassment does not apply to the otherwise protected characteristics of religion or belief, sexual orientation or gender reassignment in relation to students, however any discriminatory acts because of these characteristics are likely to be direct discrimination in any event.

VICTIMISATION

The Equality Act 2010 makes it unlawful to victimise an individual or a group of individuals in certain circumstances. Victimisation is defined as occurring when an individual or group of individuals are treated less favourably as a result of anything they have done in reliance upon the Equality Act 2010, for example by previously making an allegation of discrimination or harassment, even if it was not upheld.

Victimisation will also occur when an individual is treated less favourably as a result of anything their parent, sibling or other person has done in reliance upon the Equality Act 2010, for example where their older sibling has previously made an allegation of discrimination, even if it was not upheld.

POSITIVE ACTION

The Equality Act 2010 allows (but does not require) a school to take action to tackle disadvantages suffered by a particular group of students as a result of them having a protected characteristic, known as "positive action". This does not mean that the school can give a particular group of students preferential treatment (which would be positive discrimination and unlawful), it merely allows the school to put in place measures which redress the balance between those with the protected characteristic and those without.

The Equality Act 2010 does, however, allow for the school to treat disabled students more favourably than students who are not disabled (positive discrimination). In some cases, schools are *required* to treat disabled students more favourably than students who are not disabled, by making reasonable adjustments for their disability and providing auxiliary aids where necessary.

SEX EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of their sex or the sex of somebody they associate with.

Schools must not treat a student, parent, visitor or other person coming into contact with the school (or a group of these people) less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their sex or the sex of somebody they associate with.

RACE EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of their race or the race of somebody they associate with. Race is defined as including colour, nationality, ethnic or national origins, and would also include travellers whose cultural heritage is traditionally nomadic, for example gypsies and Irish travellers.

Schools must ensure that a student, parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their race or the race of somebody they associate with. Segregation of students by race will always be unlawful.

RELIGION OR BELIEF EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of their religion or belief or the religion or belief of somebody they associate with. Religion is defined as being any religion, and belief as being any religious or philosophical belief, including a lack of belief in religion (for example, humanism or atheism). Religion will include all of the major faiths, including denomination within the religion. Political beliefs are not included within the definition of religion or belief.

Schools must ensure that a student, parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their religion or belief or the religion or belief of somebody they associate with.

SEXUAL ORIENTATION EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of their sexual orientation, their parents' sexual orientation or the sexual orientation of somebody they associate with. Sexual orientation includes heterosexuality, homosexuality (gay or lesbian), and bisexuality.

Schools must ensure that a student, parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others, including indirectly as

a result of the implementation of a general practice or procedure, because of their sexual orientation or the sexual orientation of somebody they associate with.

GENDER REASSIGNMENT EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of their gender reassignment. Gender reassignment is defined as applying to anyone who is currently undergoing, has undergone or is proposing to undergo a process or part of a process of reassigning their sex to the opposite sex by changing their physical or other attributes. There is no requirement to undergo, or plan to undergo, a medical procedure – taking steps to live life as the opposite sex, or planning to live life as the opposite sex, is sufficient.

Schools must ensure that a student, parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others because they, their parents or somebody that they associate with has undergone, is planning to undergo or is in the process of undergoing gender reassignment. Students must be included within a class of the sex that they identify with.

PREGNANCY AND MATERNITY EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of pregnancy or maternity. Maternity is defined as having had a baby within the preceding twenty-six week period, and includes breastfeeding. It is not discriminatory to treat an individual who is pregnant, has recently had a baby or is breastfeeding a baby more favourably than others who are not.

Schools must ensure that a student, parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than another student or group of students because they are pregnant, have recently had a baby or are breastfeeding a baby.

Schools must not take any disciplinary action (including exclusion) against a student because they are pregnant, have recently had a baby or are breastfeeding. Schools should not authorise more than eighteen weeks' absence (or "maternity leave") from school to ensure the student's reintegration into education as quickly as possible following the birth of a baby.

DISABILITY EQUALITY

The overriding objective of the Equality Act 2010 is to achieve equality (equal treatment) for all people whether they have a protected characteristic or not. However, the provisions relating to disability are different to those for all of the other protected characteristics, in that it **is** lawful, and in fact is sometimes a legal requirement, to treat a disabled individual or group of individuals **more favourably** than an individual or group of individuals without a disability.

DEFINITION OF DISABILITY

The Equality Act 2010 defines disability as being where an individual or group of individuals has a physical or mental impairment which has a substantial and long term adverse effect (lasting or recurring, or likely to last or recur, for at least twelve months) on their ability to carry out normal day to day activities.

Some conditions such as being HIV positive, or having multiple sclerosis or cancer, are automatically deemed to have a disability regardless of their effect or longevity. Severe disfigurement will also come within the definition of disability (disfigurement by tattooing or piercing is excluded). Those that are certified as blind, severely sight impaired, sight impaired or partially sighted by a consultant ophthalmologist are automatically deemed to have a disability.

Others conditions are not deemed to be a disability, such as addiction to alcohol (unless it is a symptom of a psychiatric illness lasting or recurring for at least twelve months), legal or illegal substances (unless medically prescribed as treatment), fire-setting, kleptomania, a tendency towards violence or sexual abuse of others. Hay fever sufferers are not deemed to have a disability; however hay fever may be taken into account where it aggravates the effect of another medical condition.

DIRECT DISABILITY DISCRIMINATION

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be directly discriminated against or harassed because of their disability.

Schools must ensure that a student or group of students are not treated less favourably than another student or group of students, because of their disability, their parents' disability or the disability of somebody they associate with.

Schools cannot justify directly discriminating against a student or group of students with a disability by maintaining that their discriminatory act was a proportionate means of achieving a legitimate aim, as was the case under previously disability discrimination legislation.

It is **not** unlawful for a school to treat a disabled student or group of students **more** favourably than another student or group of students who are not disabled. This is positive disability discrimination and is lawful.

INDIRECT DISABILITY DISCRIMINATION

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be indirectly discriminated against because of their disability, by the implementation of a provision, criterion or practice applied generally to those with or without the disability, unless there is a legitimate reason for the provision, criterion or practice and there is no other way to achieve it.

Schools must ensure that a student or group of students are not put at a disadvantage by the implementation of a school provision, criterion or practice which applies to all students because of their disability, unless they can show that it was implemented for a legitimate reason and was proportionate way of achieving the legitimate aim.

DISCRIMINATION ARISING FROM DISABILITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against because of **something arising in consequence of their disability**, unless there is a legitimate reason for discriminatory act and there is no other way to achieve it, and provided that the discriminator knew, or should have known, about the disability.

Schools must ensure that a student or group of students are not treated less favourably because of something arising in consequence of their disability, unless they can show that there was a legitimate reason for the less favourable treatment and there was no other way of achieving the legitimate aim.

REASONABLE ADJUSTMENTS FOR DISABILITY

The Equality Act 2010 requires “reasonable adjustments” to be made for individuals suffering from a disability.

Schools have the following duties:

- **Where a provision, criterion or practice places a disabled student or group of students at a substantial disadvantage compared to students who are not disabled, reasonable steps must be taken to avoid that disadvantage;**
- **Where a disabled student or group of students would, but for the provision of an auxiliary aid, be placed at a substantial disadvantage compared with students who are not disabled, the school must take reasonable steps to provide the auxiliary aid.**

An “auxiliary aid” includes equipment and services. The Equality Act 2010 does not provide a definition of “auxiliary aids”, however the dictionary definition includes helpful, supporting, assistant things or persons. Where a piece of equipment is necessary for all aspects of a student’s life rather than being required in an educational context only (for example, hearing aids), it is likely that it would be considered unreasonable for a school to be expected to provide these.

Factors which a school may consider when considering whether the provision of an auxiliary aid to a disabled student is reasonable include the financial or other resources required, its effectiveness, its affect upon other students and health and safety requirements.

Where a student with Special Educational Needs (SEN) is already being provided with an auxiliary aid as part of their SEN provision, there is no need for the school to provide the auxiliary aid as part of their “reasonable adjustment” duty. Schools should not, however, assume that an auxiliary aid is not required under their “reasonable adjustment” duty for a student with SEN simply because it is not being provided under their SEN provision. In addition, where a school determines that it is unreasonable to provide an auxiliary aid (perhaps, for example, on the grounds of cost), it is not necessarily reasonable for the local authority to refuse to provide the auxiliary aid.

AGE EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of their age, unless it can be shown that it is a proportionate means of achieving a legitimate aim. Age is widely defined as being either of a particular age or as being within an age group.

Schools must ensure that a parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their age or age group, or the age or age group of somebody they associate with, unless they can show that there was a legitimate reason for treating them less favourably, and there was no other way to achieve it.

Schools are **not** under a duty not to treat students less favourably because of their age or age group.

MARRIAGE AND CIVIL PARTNERSHIP EQUALITY

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of they are married or in a civil partnership.

Schools must ensure that a parent, visitor or other person coming into contact with the school (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of they or somebody they associate with are married or in a civil partnership.

Schools are **not** under a duty not to treat students less favourably because they are married or in a civil partnership.

SINGLE SEX SPORT

The Equality Act 2010 contains an exception allowing for single sex sports, games or other activities of a competitive nature, where the physical strength, stamina or physique of the average female student would put her at a disadvantage in competition with the average male student. However, schools must still allow students of both sexes to have an equal opportunity to participate in the same sporting activities.

THE CURRICULUM

The contents of the school curriculum is exempt under the Equality Act 2010 to allow schools to explore a full range of issues, ideas and materials, to expose its students to thoughts and ideas of all kinds, however controversial, without fear of legal challenge. However, the way in which the school delivers the curriculum to its students remains subject to the Equality Act 2010.

ASSEMBLIES AND COLLECTIVE WORSHIP

Schools are free to have a collective act of worship based upon one religion without acting unlawfully by not providing an equivalent act of worship for other religions. Schools are also free to celebrate any religious festivals of their choosing without acting unlawfully by offending those of another religion.

RELIGIOUS FREEDOM

Article 9 of the European Convention on Human Rights and Fundamental Freedoms provides:

- 1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.*
- 2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.*

While a student has the right to manifest their religion or belief by, for example, by wearing a specific item of jewellery or clothing, this must be permitted by the school where:

- The act is in fact a manifestation of the student's religion or belief (the act does not need to be a *requirement* of the religion or belief, but there must be a sufficiently close link between the act and the religion or belief¹);
- and;**
- If the act *is* in fact a manifestation of the student's religion or belief, there is no justification in the school interfering with the student's right to do so.

In deciding whether the school is justified in interfering with a student's right to manifest their religion or belief, for example, by wearing a specific item of jewellery or clothing, the school should weigh up how important it is to the student to manifest their religion or belief in this way against the school's own considerations, for example the value in a school uniform policy being adhered to in encouraging pride in the school, enabling students to feel comfortable in the school environment, ensuring a sense of cohesion in the school, and protecting students from feeling pressure to dress in a certain way, in addition to security and health and safety considerations.

¹ Following the ruling by the European Court of Human Rights in the *Eweida* case, which may subsequently be overruled and will therefore be kept under review.

THE RELATIONSHIP BETWEEN RELIGION AND SEXUAL ORIENTATION

Some people may hold personal views in relation to the protected characteristic of sexual orientation because of their own religious beliefs. While it is not necessarily unlawful for a teacher or other employee of a school to express their own personal view, in an appropriate way and in an educational context that takes into account guidance on the delivery of Sex and Relationships Education and Religious Education, employees at a school must always remember that they are in a very influential position and their acts must still comply with their duty not to discriminate against individuals or groups of individuals because of their sexual orientation under the Equality Act 2010, and not to manifest their religion or belief in contravention of the limitations prescribed under the European Convention on Human Rights and Fundamental Freedoms (see above).

BEHAVIOUR AND EXCLUSIONS

The process for excluding a student must be fair and equitable to students, however in relation to students with a behavioural disability, schools must keep in mind their duty to make “reasonable adjustments” for a student with a disability. A “reasonable adjustment” can be a decision to impose a less serious sanction for undesirable behaviour than the sanction which would have been imposed on a student who does not have a behavioural disability, including making a decision not to exclude for behaviour which would usually attract an exclusion.

The school’s Behaviour Policy sets out the school’s expectations in relation to the way its students behave, including the sanctions which will be imposed if the Behaviour Policy is breached.

THE SCHOOL AS AN EMPLOYER

The school also has responsibilities to comply with the Equality Act 2010 in its role as an employer, in relation to which separate HR policies apply. This policy applies to students, parents, visitors and other persons coming into contact with the school only.

PART 2 – THE SCHOOL’S EQUALITY DUTIES

THE PUBLIC SECTOR EQUALITY DUTY

The General Duty

The Equality Act 2010 makes provision for a single “public sector equality duty” which extends to all protected characteristics. As a result of this provision, schools are required to have due regard to the need to:

- **Eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010;**

and;

- **Advance equality of opportunity between those who share a relevant protected characteristic and those who do not, by having regard to the need to:**

- ☐ remove or minimise disadvantages connected to a relevant protected characteristic; and
- ☐ take steps to meet the different needs of those sharing a relevant protected characteristic; and
- ☐ encourage those who share a relevant protected characteristic to participate in school life and activities in which participation is disproportionately low;

and;

- **Foster good relations between those who share a relevant protected characteristic and those who do not, by having regard to the need to:**

- ☐ tackle prejudice; and
- ☐ promote understanding;

The above duty is often referred to as the **General Duty**.

The reference to “relevant protected characteristics” includes the protected characteristics of sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity and age (except that the public sector equality duty does not apply to age where it relates to the provision of education to students in schools, or the provision of benefits, facilities or services to students in schools).

Having “due regard” means giving relevant and proportionate consideration to the public sector equality duty.

DfE guidance on what this means in practice sets out the following:

- *Decision makers in schools must be aware of the public sector equality duty to have due regard to the three principles set out above when making decisions or taking action. Decision makers must assess whether their decision or action will have implications for a student or group of student with a protected characteristic;*
- *Schools must have due regard to the three principles set out above when drafting and amending policies and procedures, and this should be at the forefront of their mind in advance, rather than an afterthought. Policies and procedures should be kept under review on a continuing basis;*
- *The public sector equality duty must be integrated into the day to day functioning of the school, and the analysis required to comply with the duty must be carried out seriously, rigorously and with an open mind;*
- *Schools must not delegate their public sector equality duty to anyone else.*

The Specific Duty

Schools have a **Specific Duty** to:

- **Publish information to demonstrate how the school is complying with its public sector equality duty**, which must be updated at least annually, and re-published at least once every four years;
- Prepare and publish their **Equality Objectives**.

The **Specific Duty** exists to assist schools fulfil their obligations under the **General Duty**.

DfE guidance confirms that the publication of information to demonstrate how schools are complying with their public sector equality duty is not intended to be a “tick box” bureaucratic procedure, but rather a flexible, light touch exercise. Data about employees does not need to be published by schools which have fewer than 150 employees, although schools can choose to publish such information if they feel it would demonstrate their compliance. All data must be published in compliance with the Data Protection Act 1998 which means that, broadly speaking, individuals are not able to be identified in the published data. Schools are not required to publish any information which they do not already routinely collect, for example through RAISE online. The information published does not need to be statistical, it can be a reference to school policies or Governing Body meeting minutes, which are published online.

THE ACCESSIBILITY PLAN

Schools are legally required to prepare a written **Accessibility Plan** to:

- Increase the extent to which disabled students can participate in the curriculum;
- Improve the physical environment of the school to increase the extent to which disabled students are able to take advantage of education and benefits, facilities or services provided or offered by the school; and
- Improve the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are determined after taking into account the students’ disabilities and any preferences expressed by them or their parents.

Schools must keep their Accessibility Plan under review throughout the period to which it relates and revise it if necessary. Schools must ensure that they implement their Accessibility Plan, and that they have adequate resources to implement it. A school inspector can ask to see the Accessibility Plan and may consider the preparation, publication, review, revision and implementation of it.

PART 3 – COMPLIANCE WITH THE GENERAL DUTY

The school has in place the following policies and procedures in order to comply with its general duty to eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010, advance equality of opportunity between those who share a relevant protected characteristic and those who do not, and foster good relations between those who share a relevant protected characteristic and those who do not.

Sex Equality

Anti-bullying Policy
Behaviour for Learning Policy
Safeguarding and Child Protection Policy
Code of Conduct

Race Equality

Anti-bullying Policy
Behaviour for Learning Policy
Safeguarding and Child Protection Policy
Code of Conduct

Religion or Belief Equality

Anti-bullying Policy
Behaviour for Learning Policy
Safeguarding and Child Protection Policy
Code of Conduct

Sexual Orientation Equality

Anti-bullying Policy
Behaviour for Learning Policy
Safeguarding and Child Protection Policy
Code of Conduct

Gender Reassignment Equality

Anti-bullying Policy
Behaviour for Learning Policy
Safeguarding and Child Protection Policy
Code of Conduct

Pregnancy and Maternity Equality

Individual risk assessments are made and reviewed.

Disability Equality

Anti-bullying Policy
Behaviour for Learning Policy
Safeguarding and Child Protection Policy
Special Educational Needs and Disabilities Policy
Accessibility Policy
Code of Conduct

Age Equality (Other Than Students)

Code of Conduct
Safer Recruitment

PART 4 – COMPLIANCE WITH THE SPECIFIC DUTY

The school publishes the following information in compliance with its specific duty to publish information to demonstrate how the school is complying with its public sector equality duty, and publish its equality objectives.

The school will update the information contained in this part at least annually and republish it at least once every four years.

THE DUTY TO

- **ELIMINATE DISCRIMINATION, HARASSMENT, VICTIMISATION AND OTHER PROHIBITED CONDUCT**
 - **ADVANCE EQUALITY OF OPPORTUNITY BETWEEN THOSE WHO SHARE A PROTECTED CHARACTERISTIC AND THOSE WHO DO NOT**
 - **FOSTER GOOD RELATIONS BETWEEN THOSE WHO SHARE A PROTECTED CHARACTERISTIC AND THOSE WHO DO NOT**
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***Eliminate discrimination, harassment, victimisation and other prohibited conduct:** DfE guidance states that relevant information to satisfy the specific duty under this heading will include confirmation that the school is aware of the requirements of the Equality Act 2010 and has taken steps to comply with it. References to other school policies may be appropriate where they have been amended to have regard to the equality provisions. Reference to any Governing Body meetings where equality has been on the agenda may also be appropriate. Evidence of staff training on equality and the gathering and monitoring of equality issues may also be appropriate.*

***Advance equality of opportunity between those who share a protected characteristic and those who do not:** DfE guidance states that attainment data (for example, data on RAISE online) will be relevant in helping to identify areas of inequality which need addressing. Information about steps taken by the school to address inequalities will be relevant, which may be contained in reports which have already been prepared by the school.*

***Foster good relations between those who share a protected characteristic and those who do not:** DfE guidance states that fostering good relations will be evidenced in many ways, such as referring to parts of the curriculum which promote tolerance, respect and understanding in relation to equality issues, assemblies addressing equality issues, the school's Behaviour Policy and Anti-Bullying Policy, involvement with the local community and twinning with a foreign school.*

We are aware of the requirements of the Equality Act 2010 that it is unlawful to discriminate, treat some people less fairly or put them at a disadvantage.

- We keep an accurate record, where possible and appropriate, of the protected characteristics of our pupils and employees.
- We have a school behaviour policy that outlines our expectations of both students and staff in their interactions with each other.
- We have a school anti-bullying policy that identifies our commitment to anti bullying and reporting procedures.

- We deal promptly and effectively with all incidents and complaints of bullying and harassment that may include cyber-bullying and prejudice-based bullying related to disability or special educational need, ethnicity and race, gender, gender reassignment, pregnancy or maternity, religion and belief and sexual orientation.
- We keep a record of incidents of discriminatory behaviour against all groups.
- We have a special educational needs policy that outlines the provision the school makes for students with special educational needs and disabilities.
- Our complaints procedure sets out how we deal with complaints relating to the school.
- We aim to observe and implement the principles of equal opportunities and non-discrimination in our employment practices.
- We pay due regard with our recruitment practices, to safeguarding and protecting our students.
- We have procedures for addressing staff discipline, conduct and grievances.
- We track the progress of students from protected groups via our data manager.
- We conduct risk assessment for individual incidences of pregnancy.

Sex Equality

Gender

We are committed to working for the equality of women and men.

Summary information (including performance against national and local benchmarks, data on gaps in attainment, inequalities that need to be addressed and relations between different groups of pupils)

50% of the school cohort is boys and 50% are girls (as reported on entry).

How we advance equality of opportunity:

- We monitor the attainment of all our students by gender.
- We set targets to improve the attainment and rates of progress of particular groups of boys and girls.
- We are identifying and addressing barriers to the participation of boys and girls in activities.
- We ensure that gender stereotypes in subject choices and careers advice are avoided and challenged.
- We ensure that young people have access to information about different sector workplaces and occupations to challenge outdated images and ideas about careers and employment.
- We work in partnership with other organisations, including FE and HE institutions, to develop innovative and inventive ways of tackling gender segregation in subject and career choice.
- Both male and female parents and carers are encouraged to be involved in the work of the school and contribute to their children's learning and progress.
- Plan and deliver lessons with a variety of learning styles.
- Our approach to Relationship and Safety Education is conducted within a moral and values framework, which is based on the principles of respect, understanding and empathy towards others of different backgrounds, cultures, sexuality, feelings and views.
- Provide access to after school clubs for all students
- 69.5% of staff are female.
- 56% of the senior leadership team are female.

How we foster good relations and promote community cohesion:

- Spiritual, Moral, Social and Cultural (SMSC) development is important in all curriculum planning.
- We ensure we respond to any sexist bullying or sexual harassment in line with the school policies.
- We encourage students to develop an understanding of the experiences of different genders in society and challenge sexism and negative stereotypes.
- We ensure the inclusion of positive, non-stereotypical images of women and men, girls and boys across the curriculum.
- Students have numerous opportunities to develop team and leadership skills.

What has been the impact of our activities? What do we plan to do next?

- Girls have outperformed boys in the school over the last 3 academic years.
- Work with underperforming boys to ensure they make the progress they should.
- Work with both boys and girls to meet their target achievement and outcomes.

Race Equality

Ethnicity and race (including EAL learners)

We are committed to working for the equality of all ethnic groups.

Summary information (including performance against national and local benchmarks, data on gaps in attainment, inequalities that need to be addressed and relations between different groups of pupils)

How we advance equality of opportunity:

School policies: Equality Policy, Confidentiality Policy, Whistle Blowing Policy, Safeguarding and Child Protection Policy, Special Educational Needs and Disabilities Policy.

- We have a designated 'Child Protection' Team.
- Our staff report concerns around children using CPOMS.
- We provide a curriculum that aims to eliminate discrimination.
- We identify students at risk of disadvantage and implement strategies to support them.
- We promote communication with families unable to access usual routes of communication.
- Our staff have relevant CPD, e.g. Child Protection.
- We monitor the attainment and progress of all our students by all learner groups.
- We set targets to improve the attainment and progression rates of particular groups of students.
- We identify and address barriers to the participation of particular groups in learning and other activities.
- We link with groups, organisations and projects in the local community.
- All students are encouraged to take qualifications in their community language(s).
- We use student voices to gather their views and opinions.

How we foster good relations and promote community cohesion:

- Display positive images and use resources that depict diversity.

- We are developing a curriculum that supports all pupils to understand, respect and value difference and diversity.
- We provide all pupils with opportunities to learn about the experiences and achievements of different communities and cultures.
- We ensure that the curriculum challenges racism and stereotypes.

What has been the impact of our activities? What do we plan to do next?

“Better teaching is also improving learning for pupils with special educational needs and/or disabilities (SEND).” OFSTED 2021

- We are developing particular initiatives to tackle the motivation and engagement in learning of particular groups.
- We have established a new pedagogical model to support the raising of attainment for all learner groups.
- We are preparing for the introduction of the Trust wide ACE tutor program to provide an advocate and champion for every disadvantaged student by September 2022.

Religion or Belief Equality

Religion and belief

Summary information (including data on gaps in attainment, inequalities that need to be addressed and relations between different groups of pupils)

We take opportunities to teach about world religions in Religious Education, believing that it contributes to a positive learning environment and enhances community cohesion. We recognise and celebrate diverse religious festivals.

How we advance equality of opportunity:

Policies: Equality Policy, Confidentiality Policy, Whistle Blowing Policy, Safeguarding and Child Protection Policy.

- School designated ‘Child Protection’ person and team.
- Staff report concerns around students using CPOMs.
- Our approach to Relationship and Safety Education is conducted within a moral and values framework, which is based on the principles of respect, understanding and empathy towards others of different backgrounds, cultures, sexuality, feelings and views.
- Religious Education curriculum.
- Annual Anti-bullying assembly during Anti-bullying week.
- Provide a curriculum that aims to eliminate discrimination
- Our students take part in the Holocaust Memorial events.
- Consult families on areas of school provision. E.g. after school clubs.
- CPD, e.g. Child Protection.
- The school is sensitive to the religious beliefs of its students and personalised its response accordingly to ensure that students are taking a full part in school life.

How we foster good relations and promote community cohesion:

- Display positive images and use resources that depict diversity.
- Celebration assemblies.

What has been the impact of our activities? What do we plan to do next?

- Our school is a coherent and close community regardless of faith.
- We plan to give greater opportunities for students to experience a wider range of faiths.

Sexual Orientation Equality

Sexual orientation

We are committed to providing a safe environment for all pupils. We aim to tackle any discrimination faced by pupils and staff who are lesbian, gay or bisexual.

Summary information (including data on gaps in attainment, inequalities that need to be addressed and relations between different groups of pupils)

We do not collect data on this area and have no school based statistics.

How we advance equality of opportunity:

- Anti-bullying Policy.
- We have a school wide focus for the Annual Anti-Bullying Week.
- Collect data on bullying and report all incidents related to homophobia.
- Our approach to Relationship and Safety Education is conducted within a moral and values framework, which is based on the principles of respect, understanding and empathy towards others of different backgrounds, cultures, sexuality, feelings and views.
- In school LGBTQ+ Society.

How we foster good relations and promote community cohesion:

- All students, parents and other contacts with the school are not discriminated against on the basis of their sexuality.

What has been the impact of our activities? What do we plan to do next?

- We will continue to raise awareness, and challenge homophobic attitudes when displayed.
- Continue to grow and support our LGBTQ+ School Society which has had excellent pupil feedback.

Gender Reassignment Equality

Gender Reassignment

We have no school-based statistics.

As a school we ensure that no pupil is treated less favourably because of their gender reassignment.

How we advance equality of opportunity:

- RSHE education and policy
- Staff communication and training on how to best accommodate pupils and ensure inclusivity
- We follow best practice with regards to information, advice and guidance.
- Accessibility to inside and outside support if required such as school counsellor, ELSA etc.

How we foster good relations and promote community cohesion:

- Spiritual, Moral, Social and Cultural (SMSC) development is important in all curriculum planning.
- RSHE education and policy.
- We ensure we respond to any bullying or harassment in line with the school policies.
- We encourage students to develop an understanding of the experiences of different genders in society and challenge sexism and negative stereotypes.

What has been the impact of our activities? What do we plan to do next?

- Students' confidentiality and privacy is always respected and protected.
- We will continue to raise awareness, and challenge negative attitudes toward gender reassignment when displayed.

Pregnancy and Maternity Equality

Pregnancy and maternity

Summary information (including data on gaps in attainment, inequalities that need to be addressed and relations between different groups of pupils)

We have no school-based statistics.

How we advance equality of opportunity:

- The school provides sensitive and appropriate support to any member of the Havant Academy school community who is pregnant or who has recently had a baby, including respecting confidentiality when appropriate.
- Follow Health and Safety guidance for pregnancy.
- We follow best practice with regards to information, advice and guidance.
- Provision of school counsellor.

How we foster good relations and promote community cohesion:

- We follow best practice with regards to information, advice and guidance.

What has been the impact of our activities? What do we plan to do next?

- Any pregnant staff and students have felt supported, have a point of contact and are able to fulfil their job or still continue their education at Havant Academy.

We will continue to support students in being aware of their relationships and safety in making healthy choices.

Disability Equality

Disability

We are committed to working for the equality of people with and without disabilities.

Summary information (including data on gaps in attainment, inequalities that need to be addressed and relations between different groups of students)

We are an inclusive school that pays due regard to the differences between our students, both those with and without disability. The school's SEN department works closely with students, their parents and the wider staff in order to provide a high quality-learning environment in order to eliminate inequality.

Havant Academy complies with the access arrangements for students with disabilities. The school's commitment to viewing every student as an individual is paramount.

How we advance equality of opportunity

Policies: Equality Policy, Special Education Needs and Disabilities Policy, Accessibility Policy, Whistleblowing Policy and Safeguarding and Child Protection Policy.

- Sharing medical data with staff on a need to know basis. e.g. Nut allergy for cooking/food tasting/lunches.
- School designated 'Child Protection' persons.
- Staff report concerns around students using CPOMs (electronic system).
- Annual anti-bullying assembly during Anti-bullying week.
- Consult families on all areas of school provision (learning support).
- Year 7 admissions procedures ensure equal access to all students with statements of SEND.
- We support disabled learners and staff by meeting their individual needs.
- We take steps (reasonable adjustments) to ensure that disabled students are not put at a disadvantage compared to other students.
- We carry out accessibility planning for disabled students that increases the extent to which they can participate in the curriculum, improves the physical environment of the school and increases the availability of accessible information to disabled students.

How we foster good relations and promote community cohesion:

- We are developing a curriculum that supports all students to understand, respect and value difference and diversity.
- We tackle prejudice and any incidents of bullying based on disability.

What has been the impact of our activities? What do we plan to do next?

- We have successfully integrated students with disability into the student body of the school so that they do not feel isolated or discriminated against.
- We will continue to work on improving the building's accessibility for disabled students and staff.

Age Equality (Other Than Students)

Age Equality

At Havant Academy we do not discriminate because of a belief or perception that an individual is (or not) a certain age or in a certain age group.

Staff personal information including DOB is held confidentially with the school.

How we advance equality of opportunity:

- Personal data such as DOB is not collected during an interview process.
- Ensure that internal promotion opportunities do not unfairly disadvantage
- Training and CPD for all staff and managers.
- Follow Health and Safety guidance for staff.
- We follow best practice with regards to information, advice and guidance.
- A wide variety of CPD available to all staff at different stages of their careers e.g. menopause at work, new manager training etc.
- Anonymous staff surveys allowing for feedback and suggestions of improvement.

How we foster good relations and promote community cohesion:

- We follow best practice with regards to information, advice and guidance.
- Adults in the school demonstrate best practice and run collaborative team building exercises throughout the school year.

What has been the impact of our activities? What do we plan to do next?

- Staff of all ages feel supported in their role and feel they have fair and equal opportunities for progression.
- Keep sending out the anonymous staff surveys allowing staff to have a voice, give suggestions for improvements and allow for continual improvement of our support as an employer.

THE SCHOOL'S EQUALITY OBJECTIVES

DfE guidance states that the school is free to choose its own equality objectives which best suit the school's students and wider school community. Like compliance with the duty to publish information, the publishing of equality objectives is not intended to be a "tick box" bureaucratic exercise. Equality objectives must be specific and measurable, and should be a tool for the school to use to improve the school experience for all students, particularly those with protected characteristics. Once an area of inequality has been identified, schools should formulate equality objectives to address them. Examples of equality objectives might be to reduce exclusion rates for Asian boys, to encourage girls to consider entering professions against the sex stereotype, to raise attainment in English for boys. After the first year, equality objectives should include progress made in meeting equality objectives previously set.

Our equality objectives are based on our analysis of data and other information. Our equality objectives focus on those areas where we have agreed to take action to improve equality and tackle disadvantages.

We will regularly review the progress we are making to meet our equality objectives.

Equality objective 1:

To further narrow the attainment gap and improve outcomes for all students regardless of special educational need, disability, race, ethnicity, socio economic group, sexual orientation, religion, health or gender reassignment.

Equality objective 2:

To continue to raise the attainment and achievement of every student so that they exceed national standards.

Equality objective 3:

Establish an environment free from social, sexual or cultural discrimination for all members of our school community.

To achieve the equality objectives the school will provide:

Learning experiences and opportunities to meet the needs of all pupils (differentiating to allow all pupils the opportunity to achieve and make progress).

Rigorous monitoring of student progress data and implementing specific support and intervention for each child as an individual.

Instill a culture of aspiration in the school through lesson time, rewards and our careers programme.

A personal and social education curriculum and assembly programme designed to promote understanding, respect and tolerance.

Embed our school ethos 'Work Hard, Be Kind, No Excuses' to instill an appreciation and understanding of difference.

PART 5 – ACCESSIBILITY PLAN

The school has prepared and will implement the following accessibility plan to increase the extent to which disabled students can participate in the curriculum, improve the physical environment of the school to increase the extent to which disabled students are able to take advantage of education and benefits, facilities or services provided or offered by the school, and improve the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are determined after taking into account the students' disabilities and any preferences expressed by them or their parents.

The school will keep the Accessibility Plan under continual review and revise it as necessary.

THE SCHOOL'S ACCESSIBILITY PLAN

Introduction

This plan is compliant with current legislation as specified in Schedule 10, relating to Disability, of the Equality Act 2010 and the scheme shows how the school is meeting its general duty to promote disability equality across all its areas of responsibility.

Definitions

Disability - The Disability Discrimination Act (DDA) uses a very broad definition of disability

"A person has a disability if he or she has a physical or mental impairment that has a substantial and long-term negative effect on his or her ability to carry out normal day to day activities"

Education and associated services - This is a broad term which covers the whole life of the School.

"It covers not only the curriculum, teaching and learning but school clubs and activities, break and lunchtimes, school sports, school policies, interaction with peers, assessment and exam arrangements and preparation of leavers for their next phase of education"

Objectives

- To increase the extent to which disabled persons (as broadly defined by the DDA) can access and participate in the School's curricula.
- To improve the School's physical environment so that disabled persons can take advantage of the education and associated activities offered.
- To endeavour to ensure that disabled persons have access to School communications.

Principles

Compliance with the DDA is consistent with the School's aims and Governors and Staff will have regard for its aims and above objectives when carrying out their duties.

The school will therefore endeavour to not treat disabled persons less favourably; and take reasonable steps to avoid putting disabled persons at a substantial disadvantage because of their disability.

Reflect the anticipated and actual needs of the School's community in its broadest definition and the needs will be ascertained through discussion with the School's SEND Coordinator.

The school recognises that disabled individuals, parents of disabled pupils and voluntary organisations working with the disabled will have knowledge and experience that can help inform the School's actions.

The school will continue to seek the advice of Local Authority and The Kemnal Academy Trust (TKAT) services, such as specialist teacher advisors and SEN inspectors/advisors, and of appropriate health professionals.

The school will annually prepare an Accessibility Plan and The Disability Equality policy will be reviewed bi-annually.

	TARGETS	ACTION	COMPLETION	SUCCESS CRITERIA
Short Term	To make the external environment safer for those with visual impairment.	To continually update markings (i.e. trip and step hazards) yellow lining	On-going	Clear markings
Short Term	To make the external environment safer for those with physical difficulties.	To monitor the condition of flat surfaces around the school to allow for wheelchair access. To follow advice from STA PD in relation to pupils with physical difficulties.	On-going	Surfaces and ramps will be in place
Short Term	To improve staff knowledge and understanding of pupil disabilities.	The SEND Co-ordinator continues to maintain pupil profiles which detail the individual needs for SEN related topics and pupils. These profiles are to be shared with staff to improve understanding. Regular training for Key Workers Specialists.	September each year	Inclusion register regularly updated BM aware of pupil needs for easy access around site
Short Term	To ensure up to date, user friendly, but secure access to the School's SEN register, pupil's Individual Education Plans (IEP), looked-after children and other related information.	Staff access to the School's network. Staff training and guidance on how to access SEN information.	On-going	Staff to be aware of where they can access the register.

Short Term	Adhere to requirements of the Disability Equality Duty	Governors' to formally accept the School's Accessibility Policy and Plan. To improve communication with parents through the Transition process and the role of LSAs.	On-going	Ratified policy reviewed and in place.
Short Term	Ensure all Disabled Toilets are operational and available	Liaise with on site Premises Staff and Corrigenda to arrange repairs and installation where appropriate	On-going	Fully accessible disabled toilets and facilities.
Long Term	As part of the school's on-going site maintenance programme, the needs of disabled people will be considered.	Mandatory current legislation regarding DDA is taken into account for both maintenance and development.	On-going	School complies with mandatory legislation.