



Rye Academy Trust

Combined equalities policy

1. Aims & implementation

Based in a rural, coastal area of South East England, the demographics of our community are largely white, Christian & with an equal split of genders. We operate, however, an inclusive one school, one community ethos to all those who work, study or visit Rye Academy Trust (RAT). This applies across the board to everything we do: our policies, assessments, behaviour management, school clubs, teaching, homework, access to facilities, sports, meals, exam arrangements, school trips, recruitment, admissions, promotion, training, dismissals & so forth.

We aim to:

- Eliminate the potential for any discrimination, harassment & victimisation by being fair, objective & consistent in all our practices, messages & undertakings (definitions of these terms can be found at Appendix 1);
- Embrace diversity & value difference by recognising the positives that people bring to our community;
- Promote equality of opportunity, positive attitudes & respect amongst the whole campus community, regardless of people's backgrounds, beliefs & characteristics;
- Foster throughout our entire campus community that we all have a responsibility not to discriminate & to engender good relations amongst ourselves;
- Ensure the ethos of equality is reflected in all our policies, practices, & teaching & that there are no barriers to learning & living together;
- Respond swiftly to any reports of harassment or discrimination;
- Provide equal access to all our services & equal opportunities for employment;
- Have a college/schools that are accessible to all;
- Foster good relationships & build projects with partners such as churches, schools from different areas (eg those catering for students with sensory impairments), trips to culturally important venues, exploring cultures through art as a specialist Arts school, workshops on, for example, anti-racism & homophobia, & so forth.

Implementation

- We will publicise & promote our combined equalities policy by placing it alongside our other policies on the RAT website;
- We will ensure that equalities are built into decision making processes by not discriminating against people because of their background, culture, beliefs or characteristics;
- We will accommodate people's disabilities, caring requirements & other needs as best we can within the RAT environment by being open to change & flexible;
- We will encourage all students to partake in extra curricula activities to broaden their thinking;
- We will make adjustments for disabilities & religious beliefs where required & wherever possible;

- We will encourage all staff to partake in relevant training/courses regardless of their characteristics, or background;
- We will make arrangements for school meals to reflect religious & cultural differences where requested to do so & where practically possible;
- All staff & students will be encouraged to seek advice & make a complaint regarding discrimination by speaking with their line manager or relevant staff member initially. Any reports of discrimination will be dealt with swiftly & severely & students could face expulsion or staff disciplinary proceedings if they are found to have discriminated against others;
- Through this policy we expect all staff & students to recognise what is & is not acceptable behaviour. We will train staff to ensure they understand their responsibilities to others, where it is required;
- We recognise that incidents of hate & prejudice are driven by negative assumptions, stereotypes, & misinformation. We will offer opportunities to study & consider other cultures & to discuss inequalities & resolve conflicts peacefully in our tutor groups, RE & PSHE lessons;
- We will regularly monitor & review our policies & procedures to ensure discrimination is not occurring within the RAT, & take action on our findings;
- We will publish equalities data annually & survey staff & pupils once every other year on how we meet the needs of the protected characteristics (PC) (see Appendix 2). We will use such information to track trends & perceptions within the school & take any necessary action to eliminate inequality;¹
- We will recruit on a meritocratic basis & not be influenced in any way by an applicant's protected characteristics.

1.5.2 Rights, roles & responsibilities

Every member of staff, student, parent, director, governor & visitor has the right to be treated with respect.

The Principal will:

- Take overall responsibility for equalities throughout the RAT, & ensure that all staff, students, parents, directors, governors & visitors are respectful of our equalities policy;
- Ensure that staff have access to good equalities training where it is required;
- Foster good relationships with partners, external agencies & stakeholders;
- Keep up to date on best practice & share this with the SLT;
- Monitor equalities data, this policy & the implementation of equalities throughout RAT, reporting to governors annually;
- Receive any comments or complaints about equalities within RAT & take action accordingly;
- The Principal should expect staff to adhere to the equalities policy & respect all members of the school community.

Governors & Trustees will:

- Have a designated person with responsibility for equalities;
- Receive an annual report on equalities within the RAT & scrutinize it;
- Take action arising from reports to ensure the equalities policy is upheld constantly & consistently;
- Assist the principal in upholding the equalities policy.

The Senior Leadership Team (SLT) will:

- Support colleagues to implement the policy, provide advice, & to share best practice with them.

- They have the right to expect that colleagues will play their role & do their best in implementing this combined equalities policy.

Staff will:

- Take responsibility to read the equalities policy & be aware of how it relates to them & their teaching;
- Make accommodations where students are themselves carers or who have additional domestic responsibilities;
- All staff have the responsibility to treat their colleagues & all students with respect & provide a high level of service to everyone within the RAT community regardless of their background or PC;
- They have the right to be respected & treated fairly in their work.

Students will:

- Have the responsibility to treat their peers, teachers & others within our community with respect & understanding;
- Students have the responsibility to inform staff of any special needs (eg dietary, or religious observance) well in advance so that good arrangements can be made for them;
- Students have the right to learn & receive a high quality education regardless of their background, beliefs or PC.

Parents & visitors will:

- Be encouraged to respect our ethos of fairness & equality within the school community.

1.5.3 Bringing a claim of discrimination, harassment or victimisation

Employers are vicariously liable for the actions of their employees, even though the employer may be unaware of what the employee is doing. Examples of behaviour that are inappropriate are listed at Appendix 3.

If an employee brings a claim of discrimination to an employment tribunal, this must be done within three months of the discriminatory event occurring.

Any claims brought to the RAT on the grounds of discrimination, harassment or victimisation will be dealt with in accordance with grievance procedures, as outlined in section two of our policies.

Such cases can be dealt with on a formal or informal basis, depending on the will of the complainant & the severity of the case. The claimant does, however, have to demonstrate how their PC played a role in what happened. Guidance can be sought from the RAT Administration Manager or union/staff representatives before bringing a claim. All incidents will be investigated thoroughly & action taken according to the outcome of our findings.

1.5.4 Monitoring & improving the equalities policy

To ensure we meet the needs of our whole community, we have an equalities working party that meets occasionally to discuss ways of constantly improving equalities matters within the school.

The party will consist of a representative from: the directors, governors, SLT, students, parents, & wider community.

They will look at what data they need to collect & analysis & for what purpose, eg ensuring access to school trips & clubs, ensuring fair treatment of students facing expulsion or behavioural sanctions, staff recruitment, discipline & promotion, etc.

They will collate this information, together with any feedback or complaints received during the year, plus any staff/student surveys, & report to the governors annually.

The Trustees & Principal are responsible for taking actions on any necessary points raised.

Where an equality impact assessment is needed at any time during the school year, for example in a major recruitment campaign or a large-scale school trip, the following should be considered by the group, meeting on an ad hoc basis, as required:

- What effect will the event/intervention have on PC groups?
- What are the aims of the practice/project?
- What outcomes do we hope to see?
- Who are the beneficiaries of this?
- What evidence are we basing our findings on & how have we analysed it?
- What actions need to be taken to ensure a fair & equal process?

Appendix 1 - Definitions

These definitions apply to all the protected characteristics (PCs).

Discrimination

Denying an opportunity or choice on the grounds of protected characteristics. Unlawful discrimination is:

- Direct discrimination
 - Treating a student less favourably than you treat another because of a protected characteristic (eg not admitting a child because of their disability). It is not possible to justify direct discrimination, so it will always be unlawful. It is not direct discrimination against a male pupil/employee to offer a female pupil/employee special treatment in connection with her pregnancy or childbirth. It is not direct discrimination against a non-disabled pupil/employee to treat a disabled pupil/employee more favourably.
 - Treating a student/employee less favourably because of their association with another person who has a PC. It is also discrimination to act on perception, eg someone thinks the other possesses a PC.
 - Treating a woman less favourably because she is or has been pregnant.
- Indirect discrimination.
 - Applying a practice or provision to all students homogenously, but which puts those with a PC at a disadvantage. For example, asking all male students to wear a cap, which discriminates against Sikh boys who wear a turban.
- Discrimination arising from disability.
 - Treating a disabled student/employee unfavourably because of something unjustifiable connected with their disability, even if it was unintentional.
- Failure to make reasonable adjustments (for disabled people).
 - For example, failing to fit ramps, railings & lifts to buildings, where it is possible & practical to do so.

Harassment

Engaging in unwanted behaviour which is related to a relevant PC and which results in the violation of dignity, &/or creating an intimidating, hostile, degrading, humiliating or offensive environment.

- Harassment related to a relevant PC (disability, race & gender).
 - Where unwanted conduct relates to the other PCs, & results in someone suffering a disadvantage, this would constitute direct discrimination.
- Sexual harassment.
 - Unwanted behaviour that violates, intimidates &/or degrades. It can be verbal, non-verbal or physical conduct such as unwelcome sexual advances, inappropriate touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings, or sending emails with material of a sexual nature.
- Less favourable treatment of a student/employee because they submit to or reject sexual harassment or harassment related to sex.
- Employers are potentially liable for harassment of their staff by third parties/those they do not employ.

Victimisation

Treating someone badly or less favourably because they, their family or friends have or are believed to have made a complaint of discrimination or helped someone to do so.

Appendix 2 - Understanding Protected Characteristics (PC) in the Equality Act 2010

Under the Equality Act 2010, the following are protected characteristics (PC):

- Age;
- Disability;
- Gender re-assignment;
- Marriage & civil partnership;
- Pregnancy & maternity;
- Race;
- Religion or belief;
- Gender;
- Sexual orientation.

Age

Definition

The Employment Equality (Age) Regulations 2006 makes it illegal to discriminate on the grounds of age, including discrimination based on the perceptions of age.

From 6th April 2011, paragraph 9 of S9 of the Equality Act 2010 has been repealed, making it unlawful not to recruit a person solely because they are aged 65 or over, or are within six months of reaching the age of 65.

Action

- We value a mixed-age workforce. When we recruit, we will do so on ability & not allow any of the PCs to influence our decision;
- We welcome ideas from all of the RAT's community, for example, we will not treat a young colleague's suggestions as inferior because of their youth.

Disability & access

Definition

A person has a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect upon them to carry out normal day-to-day activities. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment, not the cause. Long terms means for at least 12 months, usually a lifetime. Day-to-day activities include: mobility; manual dexterity; physical co-ordination; speech, hearing or eyesight; & memory functions.

Examples

Sensory impairments; epilepsy; cancer; loss of limb; disfigurement or scarring; dyslexia; autism; or mental health conditions such as depression and schizophrenia.

Action

Accessibility – This is a statutory duty, & we recognise that we must have:

- Good access for disabled students, employees & visitors to the school & its curriculum;
- Good delivery of written information to disabled students, eg the option for documents in Braille;

Therefore, we will:

- Welcome applications from prospective teachers & other staff who may have a disability, & we will do all that we practically can to accommodate them at interview &, where appointed, in their subsequent job;
- Do all that we practically can to assist staff & students who have disabilities with regards to improving access, changing room bookings to the ground floor, & changing job descriptions (eg re-allocating the need for heavy lifting);

- We will purchase equipment, wherever financially possible, so as to assist disabled members of staff & students go about their work & study;
- In order not to stereotype, wherever there is a need for an accessibility strategy for a member of staff or student, we will look at this on a case by case basis to ensure their needs are met quickly & as best we can (in consultation with disability experts where required) within the limitations of the physical environment & budgets;
- Ensure there is access to the school lift for all those who need to use it to access the building;
- We will try wherever possible within the school timetable to alter hours of working for those with carer responsibilities;
- We will allow time away from work for medical appointments & rehabilitation sessions;
- We will challenge stereotypes & promote positive attitudes towards disabled people focusing on what people can do rather than what they cannot. Our ethos is that it is not someone's impairments that disable them, but society's response to those impairments;
- Anyone found to be discriminating against another because of their disability, will be dealt with swiftly;
- Although our current number staff & students with disabilities is small, we will constantly strive to learn through experience, consulting with all parties, to ensure they have the best environment to work & study in. Wherever possible we will work with disability forums to learn best practice & ensure staff have proper training where required;
- Where a member of staff or a student becomes disabled, we will make every effort to ensure they stay in employment or education with us. We will arrange training for members of staff who have moved to another job within the school following a serious accident,
- Where required, train all staff on equalities & disabilities awareness;

Gender reassignment

Definition

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with. An example would be choosing to dress in a different way as part of the personal process of change. If, for example, a woman decides to live permanently as a man, but does not undergo any medical treatment, they are covered by this act.

A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. Even if, after proposing to undergo gender re-assignment, the person does not, they are still protected.

A reference to a transsexual person is a reference to a person who has the protected characteristic of gender reassignment.

Action

- We will support & treat all those considering or who have already undertaken gender re-assignment, whether student, staff, job applicant or visitor, with dignity & respect;
- It is appreciated that some may feel uncomfortable in sharing toilet facilities & changing rooms in the early stages of a colleague's gender re-assignment. As we have no gender neutral facilities at present, we will discuss with staff who have concerns, especially those with religious beliefs, & hope that they can be supportive of their colleague;
- We will give time off to those requiring medical appointments & periods of counselling;
- Any victimisation or harassment of people considering or undertaking gender reassignment will be dealt with swiftly;

- We will alter employment records & titles of those who have undertaken gender re-assignment to reflect their new gender.

Marriage and civil partnership

Definition

A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.

Action

- We welcome employees regardless of their marital status;
- We will not discriminate against employees who have a civil partnership.

Race

Definition

Race means a person's: colour, &/or nationality (including citizenship), &/or ethnic or national origin. A person has the protected characteristic of race if they belong to a particular racial group, such as 'British people'.

A racial group is composed of people who have or share a colour, nationality or ethnic or national origins. Racial groups can comprise two or more racial groups such as 'British Asians'.

Action

- We will respect & value different racial & cultural backgrounds & perspectives, & welcome diversity in the RAT;
- Anyone found to be discriminating against others on grounds of race will be dealt with swiftly & may face expulsion or a disciplinary hearing.

Religion or belief

Definition

Religion means any religion (mainstream or otherwise, including sects & cults), including a lack of religion. Belief means any religious or philosophical belief (eg humanism or atheism), or lack of it. In relation to the protected characteristic of religion, a reference to a person who has a particular protected characteristic is a reference to a person of a particular religion or belief.

A belief need not include faith or worship of a god, but must affect how a person lives their life or perceives the world. For a belief to be protected by the Equality Act it must be: genuinely held; not simply an opinion; an aspect of human life & behaviour; & not conflict with the fundamental rights of others.

Action

- We are committed to promote good relations between people of all faiths & beliefs by respecting others;
- Our religious education policy demonstrates how we objectively promote knowledge & understanding of different faiths to students, by allowing debate & discussion in class;
- We ask any student or member of staff, plus governors, parents & visitors to make Rye College aware of any religious requirements, such as diets, special religious observance days, prayer requirements, or similar, so that we can accommodate their request as best as possible.

Gender

Definition

Referring to a male or female employee or student.

Action

- We promote gender equalities throughout the RAT, for example in pay, promotion, & training. We will do so by developing our people at every stage of their career;
- We will ensure consultation with union & other staff representatives on gender equality & bring any issues to the attention of governors;
- Anyone found to be making derogatory remarks or treating others unfairly on grounds of their gender will be dealt with swiftly;
- Make periodic reference to our employment, retention, & admissions figures & use such data so as to ensure equal opportunities remain strong;
- We will endeavour to support employees balance their life at work & at home, especially those with caring duties or responsibilities to young children;
- Support employees who become pregnant & take active steps to facilitate their return to work after maternity leave.

Sexual orientation

Definition

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to.

Everyone is protected from being treated unfairly because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual. Legislation covers those who are perceived as being of a specific sexual orientation, even if they are not.

Action

- We will endeavour to learn best practice from groups such as Stonewall, to ensure we can provide appropriate advice & support to all our community;
- Where staff or students wish to talk about any concerns, we will arrange counselling sessions for them;
- We will challenge stereotypes & bring a greater awareness through tutor times, PSHE & drop days;
- Anyone found to be harassing or victimising others on the grounds of their sexual orientation will be dealt with swiftly.

Pay

Definition

Pay is the remuneration each member of staff receives for work done at the RAT.

Action

- We believe in the fair & equitable treatment of people in our employment in accordance with the individual merits & abilities. Pay grades are in line with those set out by ESCC & the DFE, & awarded on the basis of qualifications & experience;
- We will monitor periodically our pay packages & should we find any disparity between pay awarded to male & female members of staff we will raise this with Governors to try & eliminate it.

Carer responsibilities

Where employees have carer responsibilities, we will do our best to accommodate their needs in line with timetable responsibilities & ensure that a good quality of live/work balance can be introduced.

Appendix 3 – Examples of behaviours that can constitute discrimination, harassment & victimisation towards those with protected characteristics

- Playing pranks on people because of their protected characteristics (PC);
- Jokes & banter about their PC, or course or vulgar humour;
- Gossip or detrimental talk about an employee;
- Offensive or sexist terminology & racist remarks;
- Name-calling;
- Mimicking someone, for example, with a limp or speech impediment;
- Teasing someone on the grounds of their PC or their friends or family's PC;
- Isolating someone on the grounds of their PC;
- Wearing shirts, badges, jewellery etc, that display a racist, or offensive slogan or intention;
- Unwelcome touching or fondling;
- Sexually-suggestive, racist or homophobic gestures or comments;
- Leering or whistling at someone in a manner that is sexually overt;
- Sexually explicit material on a display screen or other hard copy material whether in a public or private space within Rye College;
- Threatened or actual sexual assault &/or persistent sexual advances.
- Threatened or actual physical assault motivated by race, religion, sexuality or other PCs.