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Introduction

Sir Simon Milton Westminster UTC (College) is a College providing educational provision for 14-19 year old learners. Our learners will have high aspirations for themselves and each other. We are creating a place of learning for each and every student in our care and nothing will stand in the way of this entitlement. All of our students have the right to grow into well-informed, confident individuals who are able to demonstrate independent learning and responsibility in their attitudes towards one another.

Sir Simon Milton Westminster UTC will promote equality of access for all those involved in education. The College attracts students with wide ranging learning, social, economic and ethnic differences. The UTC strives to identify, prevent and redress unfair discrimination against groups who may be disadvantaged. The UTC seeks to create a community in which everyone, without exception, is respected, valued and happy.

This policy is intended to assist us in putting this commitment into practice. Compliance with this policy should also ensure that employees do not unwittingly commit unlawful acts of discrimination.

Striving to ensure that the work environment is free from harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment.

Aims

This policy reflects our aims that all employees and students will:

- *Show respect in valuing themselves and recognising the values of others.*
- *Be able to challenge injustice and possess the compassion, courage and understanding to do so fairly.*
- *Be provided with appropriate interventions and enhancement programmes to allow all to have a broad and positive educational experience and to take advantage of the changing nature of progression and work.*

We aim to empower our students to make informed choices so they are better prepared for the opportunities, responsibilities and experiences of life within their community. We endeavour to promote positive relationships with parents / guardians, governors and members of the wider community. Equality of opportunity cannot be realised without the involvement and commitment of all members of the College community and a common understanding of the pivotal role of equal opportunities in the context of ethos and UTC's

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values, in particular, the recognition that the role of all employees is crucial in the delivery of the objectives of the policy.

We expect all our employees to act in a non-discriminating manner and be mindful to avoid actions that will be deemed as harassment in the services we provide to the public and our wider community. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if these physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, the College, as service providers for children and young people, we have an obligation to think ahead and address any barriers that may impede disabled people from having access to services we provide.

The Legal Requirements

The main reason for adopting an Equality and Equal Opportunities policy is to identify, prevent and redress unfair discrimination against disadvantaged groups. The Equal Opportunities Policy will assist the governing body to address legal, managerial and social issues from the basis of a statement of commitment to equality supported by a more detailed policy and procedures for implementation.

The Equality Act 2010

<https://www.gov.uk/guidance/equality-act-2010-guidance>

The general thrust of *The Equality Act 2010* is to make discrimination ‘prohibited conduct’ on the grounds of age, disability, gender reassignment, race, religion or belief, sex and sexual orientation unlawful. Discrimination under *The Equality Act 2010* can be direct or indirect and the Act also prohibits harassment and victimisation. However, the ways in which discrimination, harassment and victimisation might become illegal depend quite often on the type of protected characteristic – for example, on gender, race, colour, nationality, ethnic or national origins, disability, religion or belief, sexual orientation. It should also be noted that victimising a student who has a protected characteristic or their parents or siblings is also regarded as unlawful. Good practice should ensure that teaching and support staff are constantly able to evaluate what they do and to receive appropriate support and training in this area. The school must not discriminate against a child applying to be admitted to the school or to existing students on the grounds of their protected characteristic.

The *Equality Act 2010* combines the various former Acts such as:

Sex Discrimination

Under *The Equality Act 2010*, direct sex discrimination means that no one should be treated less favourably according to their gender.

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Gender Reassignment Discrimination

The Equality 2010 Act reminds us that gender reassignment is a process and not an event. Discrimination in connection with the provision of education on grounds of past, present or proposed gender reassignment is in the main unlawful.

Sexual Orientation Discrimination

Discrimination in connection with the provision of education on grounds of sexual orientation is ordinarily unlawful under the provisions of *The Equality Act 2010*.

Race Discrimination

Race as defined in *The Equality Act 2010* includes colour, nationality and ethnic or national origins. Race is essentially a group characteristic, although one racial group can be part of a larger racial group.

Discrimination in connection with provision of education on grounds of race is generally unlawful under the Act. Schools have a statutory general duty to promote race equality and eliminate unlawful racial discrimination.

Religion or Belief Discrimination

In *The Equality Act 2010*, religion means any religion and reference to religion includes a reference to a lack of religion. Similarly, belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

Disability Discrimination

The Equality Act 2010 states that schools must make reasonable adjustments for those with disabilities and a more specific requirement for students with special educational needs.

Accessibility for Disabled Students

Colleges and Schools are expected to improve the ways in which disabled students can access the curriculum. There must be a written accessibility plan which should be implemented within a reasonable time. Please see the school admissions, school inclusion and school exclusion policies. The UTC will publish an annual report about the arrangements for disabled students.

Types of Discrimination

Direct discrimination is always unlawful. It occurs when a person is treated less favourably than others in the same circumstances. An example of direct discrimination would be refusing to employ a woman because she is pregnant. In limited circumstances, employers

can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination can occur when a condition or requirement is applied equally yet is such that the proportion of members of one sex, racial groups etc, who can meet it, is considerably smaller than the proportion of members of the other sex or other racial groups. Indirect discrimination is unlawful unless the person imposing the condition can show that it is justified, irrespective of the sex or race of the person to whom it is applied.

Harassment is where there is unwanted conduct related to one of the protected characteristics (other than marriage and civil partnership, pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for their association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic.

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic by third parties such as employees, students, governors, parents / guardians or educational advisors.

For an employer to be liable the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment); they must be aware that the previous harassment has taken place; and the employer has failed to take reasonable steps to prevent harassment from happening again.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under *The Equality Act 2010*, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under *The Equality Act 2010*. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Implementation of Equal Opportunities at Sir Simon Milton Westminster UTC

Sir Simon Milton Westminster UTC Board of Governors and Leadership Team must:

- Carry out its legal duty in complying with the relevant legislation, in particular the Equality Act 2010.
- Endeavour to assess candidates objectively for employment and promotion against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.
- Comply with its obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.
- Reinforce the school's position as a provider of high quality education and as a good employer providing development opportunities.
- Ensure that equality remains high on the school's strategic agenda.
- Establish good people management practices in which discrimination is recognised as an organisational issue which needs an organisational response.
- Work towards an employee and governing body that reflects the composition of the wider community.
- Ensure all employees work together with a shared sense of purpose to meet the needs of every student.
- Ensure that students and employees contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals.
- Enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status.
- Provide equal access to training and development opportunities for all employees, including those who work part-time, on the basis of their assessed training needs.
- Promote greater awareness of equal opportunities and the contribution which employees, governors, parents / guardians and students can make.
- Equip employees with the skills to provide personal and organisational solutions, to recognise discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally.
- Ensure that complaints or evidence of failure to comply with the Colleges Equal Opportunities Policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. complaints relating to employees may be investigated either under the disciplinary, grievance or anti-harassment procedure as appropriate).

Role of the Board of Governors

The Leadership Team, under the Governance of the Governing Body are accountable for the College curriculum and line management. The team are responsible for ensuring that appropriate arrangements are put in place to monitor the performance of potentially disadvantaged learners.

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Measures in place include:

- Identifying and investigating any patterns with regard to exclusions and poor attendance / punctuality in respect of particular groups;
- Monitoring differences in student attitudes to work (particularly of those with protected characteristics) and towards each other with a view to identifying any significant patterns and issues;
- Addressing issues such as sexual or racial harassment, bullying and hostile behaviour and ensuring that there are effective procedures for reporting and responding to such incidents;
- Ensuring that the performance of different groups of students is monitored and evaluated so that the particular needs of different students are met, as well as evaluating the impact of additional support on achieving standards.

Role of the Leadership Team

- To provide strategies to implement a rise in performance, aspirations and self-esteem of potentially disadvantaged learners.
- To provide employees development to raise awareness of differences in need and to promote strategies to raise achievement in all learners.
- To provide an environment that creates, affirms and supports ethnic, cultural, religious and social diversity and effectively promotes good personal, community and race relations.

Expectations of Employees

- Employees share a responsibility to challenge a student, parent / guardian or colleague who behaves in a discriminatory way and encourage them to exhibit more appropriate attitudes or behaviour.
- Anti-discriminatory practice involves the examination of our personal values, beliefs, attitudes and expectations to ensure that we work proactively to give equality of opportunity to all learners, parents / guardians and colleagues at all times.
- Employees should provide extra-curricular activities and events that cater for the interests and capabilities of all students and take account of parental concerns related to religion and culture.
- For employees to work in an anti-discriminatory way we need to have knowledge of relevant equal opportunities legislation and what this means for our practices and College policies.
- Parents / guardians of students have a right to a genuine commitment by the College to concepts and practices that underpin equal rights legislation and policies and the avoidance of tokenistic behaviour.

- The promotion of equality of opportunity involves respect for all people and valuing their individuality and personal circumstances. It also involves encouraging and fostering a positive learning environment.
- To provide a broad and balanced curriculum that is designed to meet the diverse needs of students in curriculum design, subjects and pedagogy so that every learner can succeed.
- All employees will ensure that curriculum resources reflect and celebrate diversity.
- The pastoral care implications require monitoring and supporting the progress and development of all students irrespective of prior learning attainment and background.
- Employees are vigilant towards those from minority groups or with disabilities, medical conditions or other special educational needs. In specific circumstances, making special arrangements for students with protected characteristics is appropriate.
- Employees who commit serious acts of harassment may also be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or parents / guardians and their families are disciplinary offences and will be dealt with under the College disciplinary procedures for staff. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice (see the Staff Disciplinary Policy).

Grievances

See the College Grievance Procedure (HR).

Expectations for Students at Sir Simon Milton Westminster UTC

Disability:

- The College will make whatever arrangements are reasonable and practical within financial constraints to ensure that disabled learners can gain access to the curriculum.
- The College will work effectively with local services and agencies to provide integrated support.

Gender

- Curriculum materials and pedagogy reasonably reflect a gender balance and extend aspirations and opportunities.
- Guidance is given on subject choices and careers so as to encourage students to consider non-stereotypical opportunities.
- Gender issues are considered when preparing for, and following up, work experience and other work related learning and to take account of positive role models such as employees, guest speakers and representatives in the promotion of specific gender initiatives.

Ethnic, indigenous, refugees, religious or any other group who may be considered as a minority within our UTC community have:

- Effective induction arrangements.
- Effective home-College liaison links made to strengthen our partnership with parents / guardians directly in their child's education.
- Cultural and linguistic diversity recognised and celebrated.
- Essential information translated into a community language when possible or necessary.
- Links established with local communities and their leaders.
- Effective interventions for ethnic minority and students who are early stage English as an Additional Language learners;
- For students from Traveller communities, appropriate support to enable them to achieve their best.
- Programme of spiritual, moral, social and cultural education with appropriate information and resources and student names accurately recorded and as far as possible pronounced correctly. We expect students to respect the names from cultures or socio-economic groups other than their own.

Low income:

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- access to a balanced free school meal at lunch time (where appropriate evidence is supplied)
- Full admittance to extension and core extra-curriculum activities independent of cost.
- low aspirations are raised in order to encourage social mobility.

Sexual orientation and reassignment, the school will:

- Ensure no-one within College or using its services experiences discrimination or harassment.
- Ensure employees have received training on equality issues concerning sexual orientation.
- Broaden representation in College to reflect society.
- Ensure services take into account difference and diversity are accessible to all who need them.

Monitoring and Evaluation

Each student’s progress is tracked to monitor gaps in attainment and participation. The resulting data is analysed in respect of disability and special educational needs; gender; where prior attainment may be different from national norms; minority ethnic and students who use English as an additional language; students of different sexual orientation or family grouping; for students who are looked after or young guardians; and students who live in low socio-economic households.

Were changes made to the Policy when received? If YES complete the Partial Equality Analysis table.

Questions for all Policies	Please Tick Box	
	YES	NO
Is it likely that the Policy Revision could have a negative impact:-		
1. On minority ethnic groups?		X
2. Due to gender?		X
3. Due to disability?		X
4. Due to sexual orientation?		X
5. Due to their religious beliefs (or none)?		X

6. On people due to them being transgender or transsexual?		X
Additional questions for Policies relating to Staff Is it likely that the Policy Revision could have a negative impact:-		
7. On people due to their age?		X
8. On people due to their marital or civil partnership status?		X
9. On people with dependants/caring responsibilities?		X

Date of Review 23.03.2017

Did you make changes?

n/a	
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If YES please speak with the Principal as a full Equality Analysis may be required.

Equality and Equal Opportunities Policy

KBA March 17

Last reviewed: N.A

Next review: Sept 2019

**Approved by College Executive:
April 2017**

Approved by Trust Board:

April 2017

Status: Statutory