



THE CONSORTIUM
ACADEMY TRUST

Shaping Positive Futures

Promoting Equal Opportunities Policy (Learners)

The Consortium Academy Trust (TCAT)
An Exempt Charity Limited by Guarantee
Company Number 07665828

Status:	Live
Policy Owner (position)	Director of Improvement and Standards
Statutory / Recommended	Statutory
Date Adopted	December 2020
Revision	1
Review Period	24 months
Last Review	February 2023
Next Review	Under Review
Advisory Committee	Trust Board
Linked Documents and Policies	Anti-Bullying Policy Behaviour Policy Child Protection and Safeguarding Policy Curriculum Policy Data Protection Policy External Complaints Policy LAC Policy LGBTQ+ Policy RSE Policy Special Educational Needs and Disabilities Policy Supporting Learners with Medical Conditions Policy Whistleblowing Policy

**NB – This document can only be considered valid when viewed on The Consortium Academy Trust website. If the copy is printed or downloaded and saved elsewhere the Policy date should be cross referenced to ensure the current document is referenced*

Contents:

Statement of intent

1. Legal framework
2. Roles and responsibilities
3. Data protection
4. Protected characteristics
5. Sex
6. Race and ethnicity
7. Disability
8. Religion and belief
9. Sexual orientation
10. Gender reassignment
11. Pregnancy and maternity
12. Looked After Children (LAC)
13. The curriculum
14. Promoting inclusion
15. Supporting learners with medical conditions
16. Learners that have left academy
17. The Public Sector Equality Duty
18. Bullying and discrimination
19. Staff training

Statement of intent

The Consortium Academy Trust (the Trust) understands that, under the Equality Act 2010, there is a duty to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality between different groups;
- Foster good relations between different groups; and
- Promote mental health and wellbeing.

Our Trust values are underpinned by our statutory duties under the Equality Act 2010. We are dedicated to ensuring that every learner receives an education that offers them the best chance at fulfilling their potential, and to promoting mental wellbeing. We have developed this policy to provide a clear framework for how we will achieve our aims.

To achieve our aims, we will adopt the following methods:

- Embedding equality within teaching and resources
- Using key data indicators to understand the needs and characteristics of our learners
- Promoting community cohesion
- Promoting parental engagement
- Investing in regular staff training
- Using key data, such as measures of wellbeing, to monitor the progress of learners with protected characteristics
- Regularly reviewing our equality policy to ensure it reflects current trends and issues

1. Legal framework

1.1. This policy has due regard to statutory legislation, including, but not limited to, the following:

- Human Rights Act 1998
- The Equality Act 2010
- Data Protection Act 2018

1.2. This policy has due regard to statutory guidance, including, but not limited to, the following:

- DfE (2014) 'The Equality Act and schools'
- DfE (2018) 'Promoting the education of looked after children and previously looked after children'
- DfE (2018) 'Gender Separation in mixed schools'
- DfE (2014) 'Equality Act 2010: advice for schools'
- DfE (2018) 'Mental health and wellbeing provision in schools'

1.3. This policy is related to the following other Trust or academy based policies:

- Anti – Bullying Policy
- Behaviour Policy
- Child Protection and Safeguarding Policy

- Curriculum Policy
- Data Protection Policy
- External Complaints Policy
- LAC Policy
- LGBTQ+ Policy
- Relationships and Sex Education (RSE) Policy
- SEND Policy
- Supporting Learners with Medical Conditions Policy
- Whistleblowing Policy

2. Roles and responsibilities

2.1. The Local Governing Board will:

- Be responsible for ensuring the academy complies with the appropriate equality legislation and regulations and successfully implements the Trust policy.
- Take all reasonable steps to ensure learners and potential learners will not be discriminated against, harassed or victimised in relation to:
 - Admissions.
 - The way the academy provides education, in its broadest sense, for learners.
 - How learners are given access to benefits, facilities and services.
 - The exclusion of a learner or subjecting them to any other detriment.

2.2. The Headteacher will:

- Implement this policy, ensuring that all staff and learners apply its guidelines fairly in all situations.
- Conduct regular training sessions to ensure all members of staff are aware of their responsibilities, as well as to develop their skills and knowledge.
- Ensure that appropriate counselling is made available for learners who require immediate interventions, parental assistance and personal counselling.

2.3. Staff will:

- Be alert to the possible harassment of learners, both inside and outside of the academy (including cyber harassment), and to deal with incidents of harassment as the highest priority.
- Carry out their statutory duties relating to equal opportunities, inclusivity and pertaining to their specific roles.

- Have due regard to the sensitivities of all learners, and not provide material that may cause offence.

3. Data protection

- 3.1. The Trust will adopt secure controls on sensitive personal data, ensuring all data is accurate, secure and processed fairly and lawfully.
- 3.2. The Trust will gain consent from learners and parents before any sensitive personal data is processed.
- 3.3. The Trust will respect all learners' right to privacy and will not disclose a learner's trans^{1*} status or sexual orientation to any other learners, staff members or third parties.
- 3.4. The Trust holds a Data Protection Policy containing further information addressing data protection.

4. Protected characteristics

- 4.1. We will not discriminate against, harass or victimise a learner, or prospective learner, because of their:
 - Sex
 - Race
 - Disability, which includes mental health, encompassing prejudiced assumptions, attitudes or behaviours related to mental health
 - Religion or belief
 - Sexual orientation
 - Gender reassignment
 - Pregnancy or maternity
- 4.2. We will not discriminate against a learner, or prospective learner, because of a characteristic related to a person, such as a parent, with whom the learner or prospective learner is associated.
- 4.3. We will not discriminate against a learner, or prospective learner, because of a characteristic that they are believed to have, even if the belief is mistaken.
- 4.4. We will regularly review our practices to ensure that they are fair with regard to all the protected characteristics listed in 4.1.

5. Sex

- 5.1. For the purpose of this policy, sex refers to the biological assignment at birth depending on their reproductive organs. We understand some learners may wish to identify with another gender or no gender, and we will support learners through their transitioning phases.

¹ Trans* is an umbrella term that refers to all of the identities within the gender identity spectrum.

- 5.2. We will always use our best endeavours that learners of one sex are not singled out for different or less favourable treatment from that given to learners of other sexes.
- 5.3. There may be occasions where we deem it necessary to teach some subjects in single-sex classes, but we will always use our best endeavours that such classes do not give learners an unfair disadvantage when compared to learners of the other sex in other classes and they happen rarely.
- 5.4. The academy will only separate learners by sex where there is reasonable justification or if one of the following applies:
 - Girls or boys will suffer a disadvantage connected to their sex
 - Girls or boys have needs that are different from the needs of the other sex
 - Participation in an activity by girls or boys is disproportionately low
- 5.5. Boys and girls will be offered an equal opportunity to undertake any activity in the academy
- 5.6. Occasions where boys and girls are separated to be taught in single-sex classes will be documented and the separation justified ensuring parents, Ofsted and, where necessary, the wider community can understand the reasons behind such segregation.
- 5.7. Where a subject is taught in a single-sex class, learners undergoing gender reassignment will be allowed to attend the single-sex class that corresponds with the gender they identify with, they will be consulted with empathy and understanding in making their decision.
- 5.8. Learners' age and stage of development will be taken into consideration before segregating sports teams
- 5.9. Both sexes will have equal opportunities to participate in comparable sporting activities; where segregation is deemed necessary, the single-sex sports teams will receive the same quality and amount of resources.

6. Race and ethnicity

- 6.1. We will always use our best endeavour that learners of all races and ethnicities (including those who have English as an additional language (EAL)) are not singled out for different and less favourable treatment from that given to other learners,
- 6.2. We will not segregate learners on the basis of their race or ethnicity, understanding that claims of 'separate but equal' will not be tolerated, and that such actions will always be viewed as direct discrimination.
- 6.3. We may, however, take positive action, e.g. organising open days for learners and families of a specific race that is under-represented, to address the particular challenges affecting learners of one racial or ethnic group, where this can be shown to be a proportionate way of dealing with such issues.

7. Disability

- 7.1. We will always use our best endeavours that learners with disabilities are not singled out or treated less favourably than other learners simply because they have a disability, which includes any mental health issue.
- 7.2. We will always use our best endeavours that we do not discriminate against learners with a disability and will not implement any rule that could have an adverse effect on learners with disabilities only (for example, making physical fitness a basis for admission, or asking all learners to deliver a presentation, as this could be unfair towards learners with anxiety), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.
- 7.3. We will always use our best endeavours that we do not discriminate against learners with disabilities because of something which is a consequence of their disability (for example, by not allowing a learner on crutches outside at break time because it would take too long for him/her to get in and out), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.
- 7.4. We will make any reasonable adjustments, and provide any auxiliary aids, necessary to ensure the full inclusion of learners with disabilities, especially where the learner also has an identified SEND but does not necessarily have an EHC Plan.
- 7.5. We will meet our duty to undertake accessibility planning for learners with disabilities
- 7.6. The Trust adheres to our SEND Policy containing further information addressing equal opportunities for learners with SEND.

8. Religion and belief

- 8.1. We will always use our best endeavours that learners are not singled out or treated less favourably because of their religion or belief, regularly reviewing our practices to ensure that they are fair.
- 8.2. We will always use our best endeavours that learners are provided with the appropriate respectful and consistent space in which they can practice their faith, e.g. to perform their daily prayers.
- 8.3. Absences in relation to religious observances will be handled in accordance with the Trust's Attendance Policy.
- 8.4. We will recognise and support families who wish to celebrate festivals important to their religion without negatively impacting on the learning experience of children and young people for example, where Ramadan falls during external examination periods

9. Sexual orientation

- 9.1. We will always use our best endeavours that all gay, lesbian and bi-sexual learners, those identifying with other sexual orientations or the children of gay,

lesbian or bi-sexual parents, are not singled out for different or less favourable treatment from that given to other learners.

- 9.2. In our secondary academies we will ensure that learners are taught about the nature of marriage, including same-sex marriage by presenting the facts of English and Welsh law – teachers will not offer personal opinions when discussing marriage in RSE in line with the July 2019 Statutory Guidance.
- 9.3. We will always use our best endeavours that any religious beliefs concerning sexual orientation are taught to learners in an educational context, in a manner that is not prejudicial or discriminatory.
- 9.4. RSE lessons will be taught in accordance with our Relationships and Sex Education Policy.
- 9.5. We will always use our best endeavours to ensure that there is a designated safe space within our academies where learners can discuss issues of sexual orientation without fear of discrimination.

10. Gender reassignment

- 10.1. We will always use our best endeavours that learners are not singled out or treated less favourably because they have undergone, or are proposing to undergo, gender reassignment, or have trans* parents.
- 10.2. We will make reasonable adjustments to accommodate absence requests for treatment and support of trans* learners by external sources. Any such absences will be recorded accurately and sensitively by the academy to ensure the privacy of the learner.
- 10.3. Learners have the right to dress in accordance with their true gender identity within the constraints of our dress code, outlined in each of our academies Uniform Policy (which are non-gender specific).
- 10.4. We will always use our best endeavours to provide suitable toilet and changing facilities for learners to use, including:
 - Unisex toilets and changing facilities (which may be identified as Staff Facilities)
 - Gender specific toilets and changing facilities
 - Private changing facilities
- 10.5. The facilities will be made available to all learners and learners can use the facility they feel most comfortable in e.g. a trans* learner using a private changing room. This will usually be following a discussion of wider support with the learner.
- 10.6. We will always use our best endeavours to provide a designated safe space within our academies where trans* learners can discuss issues of gender without fear of discrimination.
- 10.7. The Trust abides by our LGBT Policy containing further information addressing equal opportunities for trans* learners.

11. Pregnancy and maternity

- 11.1. We will always use our best endeavours to ensure that learners are not singled out or treated less favourably because they become pregnant, or have recently given birth, or because they are breastfeeding.
- 11.2. We will make reasonable adjustments to accommodate absence requests for the treatment and support of learners who are pregnant or have just given birth.

12. Looked after children (LAC)

- 12.1. LAC, and previously LAC (PLAC), will be given the highest priority for admissions, as per the requirements of our academy Admissions Policy.
- 12.2. We will ensure learners are not singled out or treated less favourably because they are looked after, or have previously been looked after, by the state.
- 12.3. A Personal Education Plan will be created, and implemented, for all LAC and PLAC, to ensure that their education and development needs are fully covered, including appropriate transition and catch-up support to ensure that they do not fall behind.
- 12.4. We will ensure that any SEND that a LAC or PLAC has, are duly taken into account and addressed, whether this is with or without an EHC Plan.
- 12.5. Each academy adheres to our Trust LAC Policy containing further information addressing equal opportunities for LAC.

13. The curriculum

- 13.1. We believe that learners should be exposed to thoughts and ideas of all kinds, however challenging or controversial, and will not make any unjustified changes to our curriculum content on the grounds of any protected characteristics that a learner may have or as a result of community pressure.
- 13.2. We will ensure, however, that the curriculum is as balanced as possible and delivered in such a way that prevents discrimination, and the promotion of prejudicial stereotypes or ideology of one adult within a position of responsibility and trust within our organisation.
- 13.3. The observation of inclusive teaching strategies is a key aspect of the SLT's programme of monitoring.
- 13.4. We will respect the right of parents to withdraw their child from aspects of RSE where this is a right. In the secondary phase this will be a conversation with the parent to ensure they understand the rationale and teaching methodologies before the request is granted. There is no right for removal from statutory elements of the RSE curriculum.

14. Promoting inclusion

- 14.1. We will promote inclusion and equality through:
 - Ensuring that learners are called by their preferred names, taking into account the correct spelling, structure and pronunciation.

- Ensuring, as far as possible, that our Local Governing Boards and staff reflect the full diversity of our local community.
- Providing an environment where prejudiced assumptions, attitudes and behaviours are continually challenged.
- Instilling in learners an awareness of prejudice, giving them confidence that it can, and must, be eradicated.
- Providing a variety of educational and residential visits that expose learners to a wide range of cultural experiences.
- Ensuring equal access to opportunities, such as extra-curricular activities, enrichment and the curriculum.
- Taking care in the use of language and the choice of resources, so that teaching and non-teaching staff avoid reinforcing stereotypical views of society.
- Valuing the cultural experiences and contributions of all learners, regardless of any protected characteristic that they may have.
- Communicating this policy to parents to gain their understanding, agreement and support for its provisions.
- Promoting equality of opportunity within the wider society.

15. Supporting learners with medical conditions

15.1. We will always use our best endeavours that any medical conditions related to a learner with a protected characteristic is fully supported in line with our Trust Supporting Learners with Medical Conditions Policy.

16. Learners that have left school

16.1. Our responsibility not to discriminate, harass or victimise does not end when a learner has left school. It will continue to apply with regards to subsequent actions related to our previous relationship with the learner, such as the provision of references.

17. The Public Sector Equality Duty

17.1. We will meet our duty to publish:

Annual information to demonstrate how the Trust is complying with the Public Sector Equality Duty, taking into account the specific circumstances surrounding learners who have any of the protected characteristics outlined in section 4.

17.2. There are some protected characteristics where statistical data is less likely to be readily available, and learners will not be pressured into providing information related to any characteristic that they may identify with.

18. Bullying and discrimination

18.1. Our Anti Bullying Policy will be used in conjunction with this policy in order to prevent, and effectively deal with, any discriminatory incidents.

- 18.2. Any incidents of a child protection or safeguarding nature will be reported, recorded and dealt with in line with the process in our Child Protection and Safeguarding Policy.
- 18.3. It is the responsibility of the Headteacher to decide whether it is appropriate to notify social services, and/or the police, of any incident.
- 18.4. Concerns about the handling of bullying and discrimination incidents will be dealt with via the procedures outlined in our External Complaints Policy.

19. Staff training

- 19.1. New staff will receive relevant training on the provisions of this policy during their induction.
- 19.2. Whole-school staff training will be delivered on an annual basis.
- 19.3. Staff will receive the appropriate equalities training that will:
 - Focus on staff specialisms in relation to equality, for example, a focus on homophobic bullying to address a planned approach towards inclusion.
 - Ensure all staff are aware of, and comply with, current equalities legislation and government recommendations.
 - Ensure all staff are aware of their responsibilities and how they can support learners with protected characteristics.
 - Provide support for all staff to effectively manage any discrimination towards learners with protected characteristics.
 - Provide up-to-date information on the terms, concepts and current understandings relating to each of the protected characteristics.
 - Develop appropriate strategies for communication between parents, educators and learners about any issues related to a protected characteristic.
 - We will always use our best endeavours that each academy is aware of, and participates in a range of relevant awareness days, such as Black History Month, Holi, World Disability Day, Transgender Day of Remembrance, PRIDE, and International Women's Day.