



Equality Duty 2018

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Governors we



- 
- <https://www.youtube.com/watch?v=H0BOdgTLW5w> **Black Priminister**

What is the Equality Duty

- Previously public bodies were bound by three sets of duties to promote disability, race and gender equality. In April 2011 these were replaced by a single public sector equality duty (known as the PSED or the equality duty).
- This new duty extends to all the aspects of a person's identity – known as 'protected characteristics' – that are protected under the Equality Act 2010. These are race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.
- For schools, age is not a protected characteristic in the equality duty in relation to education or the provision of services, it is included however in relation to staff.
- Marriage and civil partnership are also protected characteristics but only in relation to employment.

Equality Duty

General (Due Regard)

Eliminate discrimination, harassment, victimisation.

Advance equality of opportunity between people who do/don't share a protected characteristic.

Foster good relations across all protected characteristics-between people who do/don't share a protected characteristic.

Specific

To publish information to demonstrate how they comply with equality duty.

To prepare and publish one or more specific and measurable equality objectives.

So what does this mean for schools?

- When making a decision or taking an action a school must assess whether it may have implications for people with particular protected characteristics.
- It should consider equality implications before and at the time that it develops policy and takes decisions; not as an afterthought, and it needs to keep them under review.
- It should consciously consider each aspect of the duty (having due regard to the need to eliminate discrimination is not the same thing as having due regard to the need to advance equality of opportunity).
- It should assess the risk and extent of any adverse impact that might result from a policy or decision and the ways in which the risk may be eliminated before the adoption of a proposed policy.
- The equality duty has to be integrated into the carrying out of a school's functions. The analysis necessary to comply with the duty should be carried out rigorously and with an open mind – it is not a question of just ticking boxes.

How does this help schools

- The equality duty supports good education and improves pupil outcomes. It helps a school to identify priorities such as underperformance, poor progression, and bullying. It does this by requiring it to collate evidence, take a look at the issues and consider taking action to improve the experience of different groups of pupils. It then helps it to focus on what can be done to tackle these issues and to improve outcomes by developing measurable equality objectives.

What is positive action

- In some circumstances, schools will need to meet the needs of pupils in different ways so they can receive the same standard of education as everyone else does. The positive action provisions of the Equality Act 2010 permit schools to take proportionate steps to help particular groups of pupils to overcome disadvantages connected to protected characteristics (like gender, race, sexual orientation etc).
- Provided that these steps are based on need/disadvantage/low participation and are not excessive, they will be lawful – for example organising ‘female only’ design and technology taster sessions, where participation of girls in the subject is clearly disproportionately low, or organising separate support classes for ethnic minority children who do not speak English. The [Department of Education guidance](#) contains more information about positive action, with examples and is available at www.gov.uk/government/uploads/system/uploads/attachment_data/file/269341/Equality_Act_2010_-_advice.pdf.

Task 1

- In groups read the following scenario and answer the following;
- What is the equality objective/priority issue?
- What is the protected characteristic?
- What is the general duty?
- Who is responsible?

Attainment

Example

When deciding on what action to take under the equality duty, an inner city academy analyses its data on attainment and identifies a number of issues amongst different groups of pupils. Of particular concern is data showing that at Key Stage 4 Bangladeshi pupils are underachieving compared to other pupils when previous attainment is taken into account. Further investigation of data on post-school destinations reveals that this is impacting negatively on the numbers of Bangladeshi pupils progressing to higher education. As the academy has relatively high numbers of Bangladeshi students this is identified as a priority issue.

The school decides to set an objective under the equality duty to tackle the underachievement of Bangladeshi pupils. In order to achieve this they plan to undertake a range of activities including study skills support, mentoring, additional classes and higher education visits. **These activities are lawful positive action measures that contribute to meeting the duty to have due regard to advancing equality of opportunity.** The school includes monitoring of changes in achievement levels and destinations of Bangladeshi pupils as part of the school improvement plan and is able to report positive impact of its targeted activities (see Frequently Asked Questions for more information on positive action).

Bullying

Example

A primary school becomes aware that there may be an issue with homophobic bullying when a boy in reception is bullied for having same-sex parents. As a result, the head teacher asks all teachers to report incidents of homophobic bullying and name-calling.

Information gathered shows that homophobic name-calling is focused in years 4, 5 and 6. The head teacher asks pastoral staff to research curriculum resources and classroom strategies to tackle this issue.

In the meantime, the parents of the children involved are reminded what the school expects in terms of dignity and respect and behaviour from pupils; clear boundaries are set for pupils who are found to bully other pupils; and support is given to those affected by bullying.

Once pastoral staff have reported back to the head teacher, new measures are introduced to tackle bullying throughout the school with a focus on the areas of greatest need – in years 4, 5 and 6.

As a result, the number of incidents of homophobic bullying decreases.

Improve Careers and progression

Example

A secondary grammar school looks at the destinations of their boys and girls and finds 'occupational segregation' – job stereotyping – with few girls going into science/ technical careers or trades.

It also notes that many boys and girls from Asian backgrounds are not choosing engineering subjects, and that differences between their choices and other racial groups is striking.

As a result the school changes its exam options policy, merging it with its careers policy. It also establishes taster sessions in year 9 for all pupils, and arranges a series of outside speakers who have made non-traditional career choices as role models to share their experiences. Early indications show that there is a greater willingness for girls and Asian pupils to consider non-stereotypical options, with greater numbers choosing science and technical subjects.

Exclusion

Examples

- As part of its equality duty, a school reviews its data on exclusions and finds that a disproportionate number of pupils who have been either temporarily or permanently excluded are Black Caribbean boys. The school also looks at data held at the local and national level which supports its own evidence. The school recognises that its exclusion policy needs to be re-written to set out clear exclusion thresholds that are applied consistently for all pupils. It then runs some focus groups with teachers, pupils and parents from Black Caribbean backgrounds to identify other measures that can be taken to reduce the high numbers of exclusions amongst this group of pupils. Following the consultation, the school implements a range of actions including parent/pupil workshops, visits from Black role models, learning mentors and classes on emotional literacy, assertiveness, socialisation and behaviour management skills. Over time, the number of exclusions of Black Caribbean boys declines significantly.
- A local authority offers vocational but not academic courses to excluded pupils through its pupil referral unit (PRU). Aware from national statistics that a high proportion of black boys are excluded from school, it recognises the potential for indirect discrimination if academic courses are not offered at the PRUs. As a result, its PRU starts offering academic options to all pupils referred there. The local authority includes this change of policy as part of the information it publishes to demonstrate compliance with the equality duty.

Policy Making

Example

A secondary school decides to revise its literacy policy. Detailed analysis of its English results at Key Stage 3 reveals that there is a significant gap opening up between boys and girls in year 8. When reviewing its literacy policy, the head teacher asks those who are developing the policy to consider this gap.

As a result the school proposes to invite male authors to come and describe their work, plus developing lessons in English that seek to break down stereotypes and misconceptions about boys, for example, that they are not interested in arts or academic success. The school also stresses that the needs of girls who are falling behind in English will not be overlooked.

When the policy has been written, it is discussed with the school governing body at committee before being approved at a full governors meeting. The head teacher agrees to include the measures in the school development plan and report back to the school governing body. The governor/committee with responsibility for inclusion is given the task of overseeing the implementation of the new policy.

TASK – Write down some of the Equality Objectives/Priority issues that your school currently has?

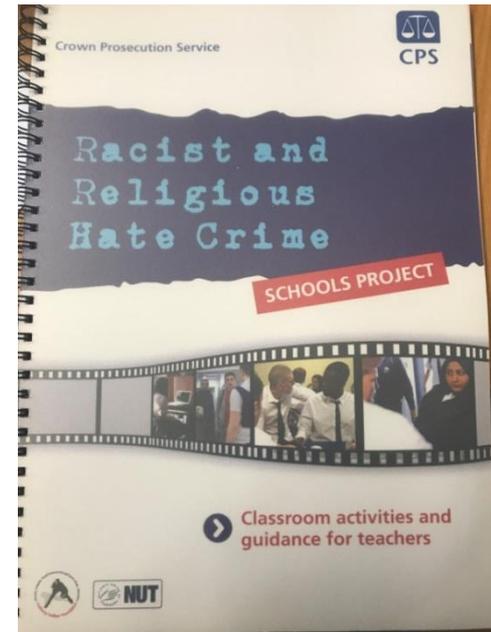
Equality Objectives	Protected Characteristics	General Duty	Responsibility	Measureable success indicator	Timing	Review
Provide information in a range of formats to support inclusion	Race Gender Disability Age	Eliminate discrimination Foster good relationships	Admin SLT Governors	Parents with varying needs able to access information and participate fully in school activities	Termly	June 2018
Ensure that resources and displays promote diversity	Race Religion Gender Disability Age	Eliminate discrimination Foster good relationships	Head & SLT Governors	Termly learning walk feedback recognises range of diverse displays and information	Termly	June 2018
Increase male involvement in the school	Gender	Eliminate discrimination Advance equality of inclusion	SLT Governors	Male staff, parents and governors in centre on a regular basis	Termly	July 2018

Why this can help you as a Governor

- Compliance with the equality duty is a legal requirement for schools, but meeting it also makes good educational sense.
- The equality duty helps schools to focus on key issues of concern and how to improve pupil outcomes.
- These are also central to the OFSTED inspection framework.

Equality and Diversity training resources for schools April 2018

- Equality and Diversity resource packs
- Partnership With CODE
- Racist and Religious Hate Crime Pack designed by the CPS, NUT and The Anthony Walker Foundation
- Racism in the work place comics



Race Relations Road Show



THE READING AGENCY AND LIBRARIES PRESENT

ANIMAL AGENTS

SUMMER READING CHALLENGE 2017

“We are not taught enough about our ethnicity's history, whereas we are taught the UK's history as part of the curriculum, even though we are not all descendants of the UK and therefore don't feel that it relates to us. Our White peers probably do and therefore feel more accepted and included into the system.” **Black Caribbean respondent, HE**

Useful links

- The Commission is also an authoritative source of information about current equality and human rights issues in education. Please see its triennial review: www.equalityhumanrights.com/about-us/our-work/key-projects/how-fair-is-britain and Human Rights Review: www.equalityhumanrights.com/about-us/our-work/human-rights/human-rights-review
- www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010
- There is also more generic guidance on the equality duty on the Equality and Human Rights Commission's website: www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/meeting-the-duty/guidance
- Primary schools can also tackle 'occupational segregation' by encouraging children to think more broadly about the sorts of roles boys and girls can take in employment, for example by arranging for pupils to talk to men and women who work in non-stereotypical jobs. The Commission has developed a Key Stage 2 curriculum resource, 'Equal Choices, Equal Chances' to tackle stereotyping around employment, available free at: www.equalityhumanrights.com/private-and-public-sector-guidance/education-providers/primary-education-resources
- Additional information and guidance on exclusions can be found in the Schools Exclusions Inquiry report from the Office of the Children's Commissioner: 'They Never Give Up on You', available at: www.childrenscommissioner.gov.uk/content/publications/content_561
- The Commission's Key Stage 3 curriculum resource, 'Equal Rights, Equal Respect' is available free at: www.equalityhumanrights.com/private-and-public-sector-guidance/education-providers/secondary-education-resources

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