

Equality & Diversity Policy

September 2024



1. Introduction

St Patricks invites a wide and diverse population of both students and staff and this very diversity is one of the institution's strengths. In order to consolidate and build upon this diversity, it is essential that equality of opportunity and the absence of unfair discrimination be at the core of all the School's activities. The School recognises the link between equality and quality and will not unfairly discriminate in the recruitment or general treatment of staff or students on the basis of race, colour, ethnicity, ethnic origin, national origin, gender, marital status, disability, religion or belief, sexual orientation, age or any other factor.

St Patricks is committed to promoting and developing equality of opportunity in all its functions and will seek to do this by:

- communicating its commitment to equality and diversity to all members of its community
- communicating where responsibility lies for equality issues
- providing training for decision-makers, and briefing for staff and students
- developing mechanisms for implementation, monitoring, evaluation and review taking positive action to redress any gender, racial or other imbalances in the workforce
- treating acts of discrimination as a disciplinary offence
- consulting with trades unions, interested groups and individuals, internal and external
- This policy brings together the Equality Act 2010

2. Responsibility

The Head of Centre has the responsibility for ensuring that St Patricks operates within the legal framework for equality and for implementing the policy throughout. However, each member of the St Patrick's community is responsible for preventing unfair discrimination which it is within their control to prevent.

The MD is responsible for keeping staff informed of any developments in this area and for making appropriate staff (managerial or supervisory) aware of any specific responsibilities that relate to their work within St Patricks.

3. National Context for Equalities and Diversity

As well as delivering on its commitment to promote equality across all the seven strands of diversity- age, disability, faith and belief, gender, race, sexual orientation and gender identity, St Patrick's has a duty to comply with a large and complex suite of equality legislation. As such, the Single Equality Scheme has been devised to ensure that all our policies and practices meet with all the legislative requirements. (For list of policies see Appendix A)

The Disability, Race and Gender Equality Duties

These duties impose broad obligations on public authorities, including schools, to:

- eliminate discrimination and harassment;
- have due regard to the promotion of equality and opportunity between different groups of people;
- promote positive attitudes;
- encourage participation by minority and under-represented groups in public life and allow their voices to be heard in developing school policies and plans;
- take steps to take account of people's specific needs even when this requires treating some individuals more favourably than others;
- conduct impact assessments, and draw up relevant schemes (and publicise them).

The three duties are broadly similar in their approach and aims, however in order to ensure the school is compliant with all, they are outlined in more detail below:

The Race Equality Duty

What is Race?

A race is a distinct group or population of people distinguished in some way from others most often in terms of physical characteristics but also language, history, ancestry and culture.

What is the Race Equality Duty?

The duty was detailed in the Race Relations Amendment Act 2000 and includes both a general and specific duty.

The General Duty requires a school in carrying out its functions to have due regard to the need to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between different racial groups.

The Specific Duties state that a school should develop a race equality scheme which highlights:

- Those of its functions and policies, or proposed policies, which it has assessed as relevant to its performance of the duty imposed by section 71(1) of the Race Relations Act and its arrangements for:
 - Assessing and consulting on the likely impact of its proposed policies on the promotion of race equality
 - Monitoring its policies for any adverse impact on the promotion of race equality
 - Publishing the results of its assessments, consultation and monitoring,
 - Providing public access to information
 - Training staff in connection with the duties

The Disability Equality Duty

What is the Disability Equality Duty?

There are two duties which apply to schools

The **General Duty** requires the school to:

- Promote equality of opportunity between disabled people and others
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled people that is related to their disabilities
- Promote positive attitudes towards disabled people
- Encourage participation by disabled people in public life; and
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably than others.

The **Specific Duties** require the school to:

- Publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties.
- Involve disabled people in the development of the scheme which outlines:
 - They way in which disabled people have been involved
 - The school's methods for impact assessment
 - Steps which the authority will take towards achieving the general duty
- The school's arrangements for gathering information in relation to employment, education and service delivery
- Deliver the scheme within three years, unless it is unreasonable and impractical to do so

The Gender Equality Duty

What is the Gender Equality Duty

The duty to promote Gender Equality was issued under the Equality Act 2006 which amended the Sex Discrimination Act of 1975. In a similar vein to Race and Disability legislation, it contains both a general and specific duty:

The General Duty on all public bodies is when carrying out their functions, to have due regard to the need to:

- Eliminate unlawful discrimination between women and men
- To promote equality of opportunity between men and women

The Specific Duties are as follows:

- To prepare and publish a gender equality scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives,
- In formulating its overall objectives, to consider the need to include objectives to address the causes of any gender pay gap,
- To gather and use information on how the schools' policies and practices affect gender equality in the workplace and in the delivery of services,
- To consult stakeholders and take account of relevant information in order to determine its gender equality objectives,
- To assess the impact of its current and proposed policies and practices on gender equality,
- To implement the actions set out in its scheme within three years, unless it is unreasonable or impractical to do so.

Gender is not always fixed and the Gender Equality Duty urges public service providers to have due regard to the needs of transgender residents.

Age, Faith & Belief and Sexual Orientation

The three existing public sector equality duties have required public authorities to tackle discrimination and promote equality for race, disability and gender. A new Equality Duty on public bodies will bring together the three existing duties and extend to gender reassignment, age, sexual orientation and religion or belief.

What this means in practice is that the duty will require public bodies to consider how their policies, programmes and services affect different disadvantaged groups at St Patricks and the wider community.

St Patricks is committed to improving its services and the quality of life for all pupils, staff, parents and carers regardless of their race, gender or disability but also their age, faith and sexual orientation.

This scheme is therefore intended to introduce actions which wherever possible cut across all six diversity strands.

Further information on age, faith and sexual orientation is given below.

Age

The Employment Equality (Age) Regulations 2006 came into force on 1st October 2006. They apply to employment and vocational training, and prohibit unjustified direct and indirect age discrimination, as well as harassment and victimisation on grounds of age. The regulations (which do not affect the age at which people can claim their state pension):

- ban age discrimination in terms of recruitment, promotion and training.
- ban unjustified retirement ages of below 65.
- remove the current age limit for unfair dismissal and redundancy rights.

They also introduced:

- A right for employees to request working beyond retirement age and a duty on employers to consider that request.
- A new requirement for employers to give at least six months notice to employees about their intended retirement date so that individuals can plan better for retirement, and be confident that "retirement" is not being used as cover for unfair dismissal.

Faith & Belief

As a result of the Employment Equality (Religion or belief) Regulations (2003), it is unlawful to discriminate against someone on grounds of their religion or belief in the provision of goods, facilities and services. For schools this means admissions, benefits and services for pupils, staff, parents and carers and treatment of these groups.

School uniform policies / acceptable dress code must be fair and reasonable and should take account of pupils from particular religious groups. Appropriate actions for faith and belief will be developed through the implementation of this scheme.

Sexual Orientation

Gay men, lesbians and bisexuals are protected at work by the Employment Equality (Sexual Orientation) Regulations of 2003, which in a similar way as faith regulations; prevent discrimination and harassment at work as a result of sexual orientation. St Patrick's will

implement these regulations and works to ensure no discrimination takes place amongst its workforce.

St Patricks is committed to creating a community where everyone has equal access to its services and feel accepted and valued. As such renewed efforts will be made to consult and involve gay, lesbian and bisexual people in the development of St Patrick's services.

Discrimination and Harassment

The school is committed to developing an environment which values learning and all students equally, in which opportunities for success are offered to all and in which all students are treated with dignity and respect. Discrimination and/or harassment on any grounds will not be tolerated and all students, staff and parents and carers are made aware of this.

Equality Impact Assessments

Equality Impact Assessments are a crucial mechanism for ensuring the embedding of equalities and diversity. Impact assessments will be carried out covering all 7 equality and diversity strands (race, religion, disability, age, gender, sexual orientation and gender identity) and will identify both good practice as well as areas where our performance in ensuring diversity could be improved. In line with statutory requirements our equality impact assessment process will be applied to any relevant policies as well as relevant existing policies and functions on an agreed 3 year programme.

4. The Legal Framework (See Appendix A for further detail)

Unlawful discrimination can take the following forms:

Direct Discrimination - This occurs where a person is treated less favourably than others because of their colour, race, ethnicity, ethnic origin, nationality, national origin, gender, disability, religion or belief, and sexual orientation.

Indirect Discrimination - This occurs by applying a provision, criterion or practice which disadvantages people on the grounds of race, gender, religion or belief, age or sexual orientation and which cannot be justified as a proportionate way of achieving a legitimate aim.

Victimisation - This occurs where an individual has exercised their rights under equality legislation (or has indicated that they intend to do so) and is treated less favourably as a direct result. It applies equally to a person who is supporting (or indicates that they intend to support) another person who is exercising their rights under the legislation.

Positive Action - Positive Action is a term within the Sex Discrimination Act 1975, the Race Relations Act 1976, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations

2003. Positive Action is allowed when an employer can demonstrate underrepresentation within the organisation as a whole or at certain levels or in certain types of jobs. In these circumstances the employer can offer encouragement to the under-represented group(s) to apply for job or training opportunities, or can offer training to those groups to help them compete for opportunities.

Staffing & Employment Matters

Job Description and Person Specification

The duties of a job, and the requirements of a person to perform it, will be identified to ensure that the job is fulfilling the needs intended and that the educational qualifications, work experience and personal attributes required are essential to the performance of the job. These should be regularly reviewed to ensure they remain valid.

Publicising Vacancies

In selecting the most effective methods for publicising vacancies, managers should carefully consider any under-represented groups and how best to target them, whilst making it clear that the final selection will be solely on the basis of suitability for the post.

In all job advertisements St Patricks will include a statement that it aims to be an Equal Opportunities Employer.

Short-listing

Applicants will be short-listed against the criteria given in the person specification or course requirements, and by no other criteria.

Selection

All employees involved in recruitment and selection should be fully aware of their responsibilities under the School policy and legislation with regard to equal opportunities. Training will incorporate equal opportunity issues. More than one person should be involved in selection, to minimise the possibility of subconscious prejudice or stereotyping.

Probation and Promotion

The procedures for each of these will be regularly reviewed with regard to equal opportunities. Promotion and reward procedures will be examined to ensure that:

- access to them and information about career development are equally available to all employees, and
- the criteria and procedures are clearly defined and known to all employees within the relevant category, and
- the procedures are operated fairly.

Flexible working

St Patricks will develop and disseminate policies on work-life balance issues to staff. Subject to operational requirements, the St Patricks will consider whether the introduction of part-time, term-time, seasonal working, job-sharing and flexitime might improve efficiency, enlarge the potential labour market or improve job opportunities for those with, for example, domestic responsibilities.

Grievance and Disciplinary

All acts of discrimination will be treated as a disciplinary offence. St Patricks will move towards a common procedure for all staff for disciplinary and grievance situations, to prevent any discrimination against particular groups.

Training and Staff Development

Training will be provided to ensure that St Patricks complies with the relevant legislation. The aim, however, is to go beyond compliance and empower staff and students to act positively and equitably by creating and maintaining an environment where equality of opportunity is promoted.

All staff will have access to and information on training and development opportunities, including part time staff and those for example on maternity or research leave who have expressed an interest in receiving this information, including that on the scheduling of Staff Development and Review interviews. Use of regular staff development and review and career development interviews will assist in the process of identifying and rectifying areas of imbalance in the provision of training and promotional opportunities. Those with managerial or supervisory duties have responsibility for implementing the principles enshrined in this policy. Training will be provided for managers and supervisors to ensure that they are aware of their responsibilities under the law and to St Patricks.

Implementing Single Equality Scheme**The Managing Director will:**

- ensure that staff and parents are informed about the Single Equality Scheme
- ensure that the scheme is implemented effectively and is embedded into the culture of St Patricks, across planning and practice
- ensure that the action plans arising from this policy are part of St Patrick's Improvement Plan

- review the scheme every 3 years
- manage any day to day issues arising from the policy whether for students or for St Patricks as an employee
- ensure staff have access to training which helps to implement the scheme
- liaise with external agencies regarding the policy so that the school's actions are in line with the best advice available
- provide appropriate support and monitoring for any pupils to whom the scheme has direct relevance, with assistance from relevant agencies.

Parents/Carers will:

- have access to the scheme
- be encouraged to support the scheme and adopt its principles
- have the opportunity to attend any relevant meetings/awareness raising sessions related to the scheme
- have the right to be informed of any incident related to this scheme which could directly affect their child

St Patrick's Staff will

- accept that this is a whole school issue and support the Single Equality Scheme
- engender and embody the principles of the scheme
- be aware of the Single Equality Scheme and how it relates to them
- make known any queries or training requirements

Students will

- be involved in and made aware of the scheme
- be expected to act in accordance with the principles of the scheme

Appendix A:

KEY LEGISLATION

Area	Legislation
Gender (sex)	<p><u>Sex Discrimination Act 1975, as amended</u> <u>Equality Act 2006</u></p> <p>A duty on public authorities to promote equality of opportunity between men and women (the ‘gender duty’). It also makes discrimination on the grounds of religion or belief in the provision of goods, facilities, services, premises, education and the exercise of public functions unlawful, and provides powers to outlaw discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, including adoption.</p>
Gender (reassignment)	<p><u>Sex Discrimination (Gender Reassignment) Regulations 1999</u></p> <p>Protects transsexual people against discrimination in employment and vocational training. This protection begins from the time when a transsexual person makes it known that he or she intends to undergo gender reassignment, and continues indefinitely when the gender reassignment is complete. In addition, the Equality Act 2006 also applies in relation to people who intend to undergo, are undergoing or have undergone gender reassignment.</p>
Race	<p><u>Race Relations Act 1976, as amended</u> <u>Race Relations (Amendment) Act 2000</u></p> <p>Introduced to prevent discrimination on the grounds of race, colour, nationality, ethnic and national origin in the fields of employment, the provision of goods and services, education and public functions. The 2000 amendment to the act introduced onto public authorities the general duties to promote racial equality and eliminate unlawful discrimination.</p>
Disability	<p><u>Disability Discrimination Act 1995, as amended</u> <u>Special Educational Needs and Disability Act 2001</u> <u>Disability Discrimination Act 2005</u></p> <p>Gives disabled people rights in a wide range of key areas such as employment, education, access to goods, facilities and services and buying or renting land and property.</p> <p>They require public bodies to promote equality of opportunity for disabled people, and organisations to take reasonable steps to tackle policies, practices and physical features that act as a barrier to disabled people who want to access their services.</p>
Sexual orientation	<p><u>Employment Equality (Sexual Orientation) Regulations 2003, as amended</u></p> <p>Outlaws discrimination in employment and vocational training on the grounds of religion, belief or sexual orientation. It prevents both direct and indirect discrimination as well as harassment and victimisation on these grounds.</p>

Religion or belief	<u>Employment Equality (Religion or Belief) Regulations 2003, as amended</u> <u>Equality Act 2006</u> Outlaws discrimination in employment and vocational training on the grounds of religion, belief or sexual orientation. It prevents both direct and indirect discrimination as well as harassment and victimisation on these grounds.
Age	<u>Employment Equality (Age) Regulations 2006</u> The Regulations apply to employment and vocational training. They prohibit unjustified direct and indirect age discrimination, and all harassment and victimisation on grounds of age, of people of any age, young or old.
Community Cohesion	<u>Duty to Promote Community Cohesion (Schools)</u> The Education and Inspections Act (EIA) 2006 requires the governing bodies of maintained schools to promote community cohesion. All schools, whatever the mix of pupils they serve, are responsible for equipping those pupils to live and thrive alongside people from many different backgrounds. In addition schools need to provide opportunities for interaction between pupils from different backgrounds and consider how aspects of their work support integration and community harmony.

Equality Act 2010

Timeline

October 2010 – general duty comes into force

April 6th 2011 – specific duties come into force

Summer 2011–Draft code of practice for schools

31st December 2011 – schools to publish equality information

6th April 2012 – all public bodies (including schools) to publish equality objectives

General Duty

Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to –

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to –

- (a) tackle prejudice, and
- (b) promote understanding.

Specific Duties

Publish sufficient information to demonstrate compliance with the general equality duty across functions.

This information must include:

- Information about impact that policies and practices have on people who share a relevant protected characteristic
- Evidence of analysis undertaken
- Details of the information that they considered
- Details of engagement undertaken

Prepare and publish equality objectives.

- Publish equality objectives that are needed to achieve one or more aims of the general equality duty
- Publish details of the engagement undertaken in developing these objectives.
- Publish how progress will be measured.

Changes from previous legislation

- Protection against discrimination is extended to pupils who are pregnant or about to give birth and pupils undergoing gender reassignment.
- It is now unlawful for employers to ask health related questions of applicants before an offer of a job is made. The DfE are currently considering the implications of this and further guidance will follow.
- Positive Action provisions will allow schools to target measures that are designed to alleviate disadvantage or meet the needs of pupils with particular protected characteristics.
- It is unlawful to victimise a pupil for anything done in relation to the act by a parent or sibling.
- The reasonable adjustment duty is extended to require schools to provide auxiliary aids and services to disabled pupils. This duty is being considered and will come into effect at a later date.

Specific Duties – points to remember

Delivering the duty

- Build on your experience from the race, disability, and gender equality duties.
- Take action proportionate to your size, your resources and to the relevance of the issue to equality and good relations.
- Key tools like objectives, using equality information, reporting, and reviewing functions are still relevant and important.
- The specific duties are there to help you to meet the general equality duty.
- The equality duty applies to all of your work, including services, policymaking, employment, planning, procurement and statutory decision-making.
- Clear leadership from your senior management and governing body is crucial. This includes ensuring that staff across your functions are aware of their obligations under the duty.

Equality information

- Collecting and using equality information will help you to identify priorities for action, design better policies and measure progress made.
- Establishing what information you have and a timetable for filling in gaps is particularly important for the new protected groups.
- People are more likely to provide information about their equality characteristics if they know why this is done and how it will be used and if they know it will be treated confidentially.

Engagement

- Engagement will help you to understand key equality issues and define your priorities for action. You can undertake this with other public authorities.
- Be mindful of diversity within protected groups and of the multiple barriers that many people face. Don't limit your engagement to representative bodies only.

Equality objectives

- Equality objectives will help you focus your efforts where your information shows the key issues are and demonstrate improvements to stakeholders.

Equality analysis

- Whatever approach you take to equality analysis, keep a dated, written record of the steps you have taken. This will help you to check compliance and it will be useful if your decisions are challenged.

Further Information

Department for Education:

<http://www.education.gov.uk/schools/pupilsupport/inclusionandlearnersupport/inclusion/equalityanddiversity/a0064570/the-equality-act-2010> - associated resources: Advice for School Leaders

Equalities and Human Rights Commission:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/new-public-sector-equality-duty-guidance/>