



# EQUALITY & DIVERSITY POLICY

**This policy applies to all Leading Edge Schools:**

Mounts Bay Academy  
Five Islands Academy  
Fowey River Academy  
Ludgvan School  
St Hilary School  
St Buryan Academy

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## Document Control

Document version numbering will follow the following format. Whole numbers for approved versions, eg 1.0, 2.0, 3.0 etc. Decimals will be used to represent the current working draft version, eg 1.1, 1.2, 1.3 etc. For example, when writing a procedural document for the first time the initial draft will be version 0.1.

The table below provides details of the changes made to this document, to inform those reviewing and approving the document.

Document Edition	Section	Details of Change
2.0	Introduction	Six Es updated to three
2.1	All	Reviewed and updated 02/11/22

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## Introduction

The Leading Edge Academies Partnership (the 'Trust') is a team of school leaders that aim to be Leading Edge and pioneering in their approach to education and well-being. We are a growing family of like-minded schools that offer a values-based education to the communities we serve and welcome staff, workers, students, parents/carers and volunteers from all different ethnic groups and backgrounds.

The term 'Trust Community' includes all staff, trustees, governors, students, parents/carers, volunteers and visitors.

We are a values based Trust, which means all actions are guided by our three 'Es' as follows:

- **Excellence** – 'Outstanding quality'
- **Evolution** – 'Continuous change'
- **Equity** – 'Fairness and social justice'

This policy is based on the value of **'Equity'**

## Related policies

This Equality and Diversity Policy is consistent with all Trust policies, including:

- Admissions
- Behaviour
- Suspension and Permanent Exclusion
- Accessibility
- Special Educational Needs (SEND)

## Aims

Our school aims to meet its obligations under the Public Sector Equality Duty (PSED) by having due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it
- Foster good relations across all characteristics – between people who share a protected characteristic and people who do not share it

## Legislation and Guidance

This document meets the requirements under the following legislation:

- [The Equality Act 2010](#), which introduced the Public Sector Equality Duty and protects people from discrimination
- [The Equality Act 2010 \(Specific Duties\) Regulations 2011](#), which require schools to publish information to demonstrate how they are complying with the Public Sector Equality Duty and to publish equality objectives

This document is also based on Department for Education (DfE) guidance: [The Equality Act 2010 and schools](#).

## Policy Statement

### Legal duties

We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of

opportunity and foster good relations in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race and ethnicity, religion or belief, sex and sexual orientation.

We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.

We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

We acknowledge that recent global and national events have placed a spotlight on issues of equity and diversity and there has been a growing societal awareness of, and a campaign against, the systemic inequalities that exist for groups who have less power and influence. As a MAT we are opposed to all forms of overt and covert prejudice, harassment, discrimination and actively aim to educate everyone in the Trust to recognise that every person is equal and should be treated with respect. Every Academy is actively developing an ethos and culture that opposes systemic unequal power relations and is reviewing curriculum and other policies to reflect a growing understanding of the challenge faced by everyone.

The recent events and associated movements in 2020 include the following:

- The 'Me Too' movement that has highlighted sexual harassment and violence in the workplace.
- The 'Black Lives Matter' protests across the globe have drawn attention to the endemic racism that still exists in countries across the globe, particularly where there has been a history of colonialism and slavery and associated inequities.
- 'Social Class' has been spotlighted as Covid-19 has disproportionately affected people who are disadvantages as a result of poverty.
- Transgender has been an area of public debate with the J K Rowling tweet about women as a biological category that has caused debate and equity concerns for the LGBT+ groups and others. As a Trust we are committed to equity for all people listed in the Equality Duties Act, including gender reassignment.

### **Guiding principles**

In fulfilling the legal obligations referred to above, we are guided by nine principles:

#### **Principle 1: All learners are of equal worth**

We see all learners, potential learners and their parents and carers as of equal worth:

- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status
- whatever their sex and gender identity
- whatever their religious or non-religious affiliation or faith background
- whatever their sexual orientation

#### **Principle 2: We recognise and respect difference**

Treating people equally does not involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences of life experience, outlook and background and in the kinds of barriers and disadvantages people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
- sex, so that the needs and experiences of girls and boys, women and men are recognised
- gender identity, so that it is accepted that not everyone identifies with the gender ascribed to them at birth
- religion, belief or faith background
- sexual orientation

### **Principle 3: We foster positive attitudes and relationships and a shared sense of cohesion and belonging**

We intend that our policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between disabled and non-disabled people and an absence of discrimination, harassment and victimisation of disabled people
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, national origin or national status, religion, belief or faith background and an absence of racist and religiously motivated bullying and incidents
- mutual respect and good relations between sexes, and an absence of sexual harassment and harassment, discrimination and victimisation because of sex
- mutual respect and good relations between pupils, parents and carers regardless of sexual orientation and an absence of discrimination and victimisation because of sexual orientation
- positive attitudes towards transgender people and an absence of discrimination, harassment and victimisation because of gender identity

### **Principle 4: We observe good equalities practice in staff recruitment, retention and development**

We ensure that policies and procedures benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whatever their age
- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status, religion, belief or faith background
- whatever their sex and with full respect for legal rights relating to pregnancy and maternity
- whatever their gender identity
- whatever their sexual orientation
- whatever their status with regards to marriage and civil partnership

### **Principle 5: We aim to reduce and remove inequalities and barriers that already exist**

In addition to avoiding or minimising possible negative impacts, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- sexes.
- cisgender and transgender people
- heterosexual, lesbian, gay, and bisexual people
- older and younger people

### **Principle 6: We consult widely**

We engage with a range of groups and individuals to ensure that those affected by a policy or activity are consulted and involved in the design of new policies and in the review of existing ones. We consult and involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious and non-religious backgrounds
- people of different sexes
- lesbian, gay and bisexual people as well as heterosexual people
- transgender people as well as cisgender people
- older and younger people

### **Principle 7: Society as a whole should benefit**

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled
- people of a wide range of ethnic, cultural and religious and non-religious backgrounds
- people of different sexes
- lesbian, gay and bisexual people as well as heterosexual people
- transgender people as well as cisgender people
- older and younger people

### **Principle 8: We base our policies and practice on sound evidence**

We collect and publish quantitative and qualitative information, which shows our compliance with the Public Sector Equality Duty (PSED) set out in clause 149 of the Equality Act 2010 and use this information to inform our practice. Evidence related to equality is integrated into our self-evaluation documentation.

### **Principle 9: We work towards measurable equality objectives**

We create and publish specific and measurable equality objectives, based on the consultations we have conducted and the evidence we have collected and published.

The objectives we have identified take account of national and local priorities and issues as appropriate.

Our equality objectives are devised in consultation with the Board of Trustees and integrated into the school improvement plan.

We keep our equality objectives under review and report annually on progress towards achieving them.

### **The curriculum**

We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the principles listed above.

### **Ethos and organisation**

We ensure that the principles listed above apply also to the full range of our policies and practices, including those that are concerned with:

- learners' progress, attainment and assessment
- learners' personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance
- staff recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- safeguarding
- working in partnership with parents, carers and guardians
- working with the wider community.

## **Policy Procedures**

### **Addressing prejudice and prejudice-related bullying**

The Trust is opposed to all forms of prejudice that stand in the way of fulfilling the legal duties referred to on page 3:

- prejudices around disability and special educational needs
- prejudices around racism and xenophobia, including those that are directed against Travellers, refugees and people seeking asylum
- prejudices against religious groups and communities, for example anti-Semitism and Islamophobia
- prejudices reflecting sexism, homophobia, biphobia and transphobia.

We keep a record of prejudice-related incidents, including the type of incident, seriousness and how the incident was dealt with.

### **Roles and responsibilities**

The Trust Board is responsible for ensuring that the school complies with legislation and that this policy and its related procedures and action plans are implemented.

A member of the Trust Board has a watching brief regarding the implementation of this policy.

The Headteacher/Principal is responsible for implementing the policy; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.

A senior member of staff has day-to-day responsibility for co-ordinating implementation of the policy.

All staff are expected to:

- promote an inclusive and collaborative ethos in their classroom
- deal with any prejudice-related incidents that may occur
- plan and deliver curricula and lessons that reflect the principles referred to on pages 3-5.
- support pupils in their class for whom English is an additional language
- keep up-to-date with equalities legislation relevant to their work.

### **Information and resources**

We ensure that the content of this policy is known to all staff, trustees and governors and, as appropriate, to all pupils and their parents and carers. All staff, trustees and governors have access to a selection of resources that discuss and explain the concepts of equality, diversity and community cohesion in appropriate detail.

### **Religious observance**

We respect the religious beliefs and practice of all staff, pupils and parents and comply with reasonable requests relating to religious observance and practice.

### **Staff development and training**

We ensure that all staff, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

### **Our objectives**

- To narrow the gap between Pupil Premium students and non-Pupil Premium students to zero
- To improve our attendance rate for Pupil Premium and SEN students to above national average
- To ensure the achievement and progress opportunities for boys and girls are the same

### **Disability and Special Educational Needs (SEN)**

We are an inclusive Trust which welcomes members of the Trust Community with disabilities and special educational needs and we will not treat a member of the Trust Community less favourably on these grounds without justification.

We will endeavour do all that is reasonable to ensure that the Trust's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Policy on Special Educational Needs is consistent with this policy. Copies of these policies can be obtained from the respective Trust Academies.

Definitions: Children have Special Educational Needs if they have a learning difficulty which calls for special educational provision to be made for them. A disability is a physical or mental impairment which has a "substantial and long-term adverse effect" on a person's ability to carry out normal day-to-day activity (Equality Act 2010). For further clarification, please refer to the policies referred to above.



## **Reasonable adjustments**

The Trust has a duty to make 'reasonable adjustments' for disabled pupils and pupils with special educational needs in respect of the education and associated services provided to ensure that such pupils are not placed at a substantial disadvantage in comparison with other pupils. This is a broad expression that covers all aspects of academy life, for example:

- the curriculum
- classroom organisation and timetabling
- access to College facilities
- clubs and visits
- College sports and
- College policies

Reasonable adjustments may typically include:

- allowing extra time for a dyslexic child to complete an exam
- providing examination papers in larger print or a reader/scriber for a child with a visual impairment
- rearranging the timetable to allow a pupil to attend a class in an accessible part of the building
- arranging a variety of accessible sports activities.

The Trust is not legally required to make adjustments that include:

- physical alterations such as the provision of a stair-lift or new ground floor facilities, or a new library. In making 'reasonable adjustments' the Trust is required to provide auxiliary aids and services for disabled pupils, where to do so would be reasonable. Trust academies will carefully consider any proposals made by parents/carers and will not refuse any reasonable requests for such aids and services.

## **Pupils with statements of special educational needs and Education, Health and Care (EHC) plans**

The Trust's Policy on Special Educational Needs includes details about the welfare and educational provision for pupils with Statements of Special Educational Needs and EHC plans.

## **Where can you get help?**

There are many sources of help and some of the more common sources are listed below:

- Line manager
- Occupational Health (via Line Manager and HR)
- General Practitioner
- ACAS – [www.acas.org.uk](http://www.acas.org.uk)
- The Equalities and Human Rights Commission – [www.equalityhumanrights.com](http://www.equalityhumanrights.com)
- The Government Equalities Office – [www.homeoffice.gov.uk/equalities](http://www.homeoffice.gov.uk/equalities)

## **Reporting and recording incidents of discrimination**

If you have any questions about the content or application of this policy, you should contact the CEO.

We aim to resolve concerns or complaints by informal means wherever possible. Informal concerns can be reported using the confidential Informal Report Form on page 9.

In the event an anonymous report is submitted, the Trust will not be able to act on the information or respond to you in person. We therefore encourage you to use the Informal Report Form if you feel comfortable to do so.

Complaints: If you believe that you have received less favourable treatment on any of the unlawful grounds listed on page 2, or if you feel that this policy has been breached in any way to your detriment, you are encouraged to raise the matter through the Trust's formal Complaints Procedure. A copy of the Trust's Complaints Policy is available from the website [www.leadingedgeacademies.org](http://www.leadingedgeacademies.org) or from the COO.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the complaints procedure.

Reports: If you would like to report a breach of this policy that does not constitute a complaint (explained above), please contact the COO.

## **Enforcement**

We will treat seriously and urgently investigate every complaint and report. Disciplinary action may be taken against any member of the Trust Community who is found to have acted in contravention of this policy.

Employees may also be personally liable for any acts of discrimination prohibited by this policy that they commit, meaning they can be sued by the victim.

## **Informal Report Form**

This form is for students and staff to use and is confidential. You can still report anonymously.

### **What will happen if I submit an informal report?**

A member of the Executive Team will contact you to begin a conversation about your report and how best to proceed. If you do not wish to be contacted, you can use the anonymous reporting form.

### **How will my information be used?**

The specific information you provide will remain confidential and will not be passed to anyone else without your permission. The only exception to this is if we feel there is an unacceptable risk to an individual or to the Trust or any academy/school within the Trust.

The Trust will use the information you provide to help us to understand what kind of incidents are taking place within our community and take positive action.

**Your details**

Name: .....

Email: .....

Telephone: .....

**Who are you reporting on behalf of?**

- Myself  Current student  Former student
- Someone else unknown to me  Other  Prefer not to say

**And you are a:**

- Current student  Former student  Current staff member
- Former staff member  Other  Prefer not to say

**When did the incident(s) take place?**

- It is ongoing  In the last week  In the last month
- In the last year  Between 1-5 years ago  Over 5 years ago
- I do not know  Prefer not to say

**Where did the incident(s) occur?**

- Within the Trust: MBA  FIA  FRA  LUD  STH
- Other school location  Travelling to/from  Online
- On school business elsewhere  No specific area  I do not know
- Prefer not to say

Please describe the situation

Who was involved? Please give as many details as you can

Has any action already been taken? If so, please give details

Was this the first or a repeat incident? First  Repeat  I do not know

Have you already submitted an anonymous report about this incident? No  Yes

**What was the behaviour experienced?** (please tick all that apply. Refer to the Glossary of Terms for definitions)

Harassment  Bullying  Sexual  
 Online  Stalking (in person/online)  
 Physical  Verbal  
 Racist behaviour  Other harassment

Direct or indirect discrimination  Less favourable treatment regarding social activities  
 Less favourable treatment regarding teaching and education  
 Less favourable treatment regarding access to employment opportunities  
 Other discrimination

Violence and abuse  Controlling or coercive behaviour  
 Domestic violence or abuse  
 Hate crime

Violence and abuse continued  Intimidating behaviour  
 Physical misconduct (hitting, pushing, spitting)  
 Sexual violence or abuse  
 Other violence or abuse

I do not know

None of these

Prefer not to say

**What do you think was the reason for this incident? (Please tick all that apply)**

My/the target's:  Age  
 Disability (including hidden disabilities and mental health)  
 Gender reassignment/transgender  
 Marriage or civil partnership

- Pregnancy or maternity leave
- Race (including colour, nationality, ethnic or national origin)
- Religion, belief or lack of religion/belief
- Sex
- Sexual orientation
- I do not know
- None of these

Please send completed Informal Report forms in an envelope marked 'Private & Confidential' for the attention of the Headteacher's/Principal's PA at your academy/school.

## **Glossary of Terms**

**The Equality Act 2010 defines the following:**

### **Direct discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below), or because they associate with someone who has a protected characteristic (see discrimination by association below).

### **Discrimination by association**

Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

### **Perception discrimination**

Already applies to age, race, religion or belief and sexual orientation. Extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

### **Indirect discrimination**

Already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. Extended to cover disability and gender reassignment.

Indirect discrimination can occur when you apply a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business ie that it is 'a proportionate means of achieving a legitimate aim'. A legitimate aim might be any lawful decision you make in running your business or organization, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful.

Being proportionate means being fair and reasonable, including showing that you have looked at 'less discriminatory' alternatives to any decision you make.

### **Harassment**

Harassment is 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behavior that they find offensive, even if it is not directed at them and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

### **Third party harassment**

Already applies to sex. Extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation.

The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your organisation, such as customers or clients. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

## **Victimisation**

Victimisation occurs when an employee is treated less favourably because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

## **Protected characteristics**

The Equality Act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the Act protects everyone against unfair treatment.

### **Age**

The Act protects people of all ages. Different treatment because of age is not unlawful direct or indirect discrimination if you can justify it ie if you can demonstrate that it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination.

### **Disability**

The Act has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

### **Gender reassignment**

The Act provides protection for transsexual people. A transsexual person is someone who proposed to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered.

### **Marriage and civil partnership**

The Act protects employees who are married or in a civil partnership against discrimination. Single people are not protected.

### **Pregnancy and maternity**

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. You must not take into account an employee's period of absence due to pregnancy related illness when making a decision about her employment.

### **Race**

For the purposes of the Act 'race' includes colour, nationality and ethnicity or national origins.

### **Religion or belief**

In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour. Denominations or

sects within a religion can be considered a protected religion or religious belief.

Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

### **Sex**

Both men and women are protected under the Act.

### **Sexual orientation**

The Act protects bisexual, gay, heterosexual and lesbian people.

### **Positive action**

As with previous equality legislation, the Equality Act 2010 allows you to take positive action if employees or job applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic, or if their participation in an activity is disproportionately low.

Other relevant terms include:

### **Institutionalised Racism**

MacPherson defines institutionalised racism as:

*'The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.'*

### **Violence and abuse**

The intentional use of power or physical force, threatened or actual, against oneself, another person or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm maldevelopment or deprivation.