



## **Brook Street School**

### **Equality, Diversity and Inclusion Policy**

<b>Policy Document Title</b>	Equality, Diversity and Inclusion Policy
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## Policy Aim

- 1.1 Brook Street School is committed to creating an environment that is welcoming and inclusive and where everyone is treated fairly and with dignity and respect and where discrimination is actively challenged. Everyone will have the opportunity to fulfil their potential regardless of age, disability, gender reassignment and being a transsexual person, pregnancy or maternity, being married or in a civil partnership, race, religion or belief, sex, sexual orientation and socio-economic status. The School aims to create an inclusive and safe learning culture, which contributes to community cohesion and engagement.
- 1.2 To achieve its full potential, the School recognises the importance of meeting the needs of and acknowledging the individual perspectives on life of the diverse community it serves.
- 1.3 The School is proud of its diverse community and takes opportunities to celebrate, evaluate and value the differences between individuals within the whole School, local and wider community
- 1.4 The Equality Duty does not require public bodies to treat everyone the same. Rather, it requires public bodies to think about people's different needs and how they can be met.
- 1.5 The School seeks to ensure that this commitment is reflected in all School environments and through learning in all its contexts. All governors, staff and pupils, partners, visitors, contractors and sub-contractors working on behalf of the School share this commitment.
- 1.6 Our Equality, Diversity and Inclusion Policy underpins our School values of:
  - Trust – We build trust and credibility in the School brand. We are responsive and diligent, move ideas into action, and take initiative to drive actions forward
  - Resilience – We are resilient. We pull through difficult circumstances and seek solutions to problems, and create a safe and supportive environment for pupils and each other
  - Authentic & Collaborative – We build long-term and meaningful relationships by working in partnership with the community and each other for mutual benefit.
  - Nurturing – We are committed to providing the care, attention, and support needed to help our pupils to navigate the world and be successful. We push our pupils and themselves to achieve at the highest level.
  - Inclusive – We are customer focussed. We strive to meet the needs of all members of the communities we serve.

## **Legislation**

- 2.1 The legislative framework is set out in Appendix 2.  
The Equality Policy is set out in Appendix 3.

## **Policy Statements**

- 3.1 Equality and Brook Street School means supporting everyone to fulfil their potential.
- 3.2 Diversity at Brook Street School means respecting that everyone is unique and celebrating the benefits this brings
- 3.3 The School's priorities for Equality, Diversity & Inclusion (EDI) are:
- Supporting everyone to fulfil their potential
  - Involving and consulting widely in Equality, Diversity & Inclusion matters
  - Advancing and celebrating Equality, Diversity & Inclusion
  - Providing training and information for the School community linked to national standards where appropriate where appropriate
  - Measuring the impact of the School activity relating to Equality, Diversity & Inclusion and reporting on progress annually
  - Promoting respect and inclusive values
  - Providing facilities and activities that are fully accessible wherever possible
- 3.4 The School will fulfil its duties under equality legislation. It is the Head of School and Proprietor's responsibility to ensure that Brook Street School:
- Publishes and monitors the School Equality Objectives
  - Consults widely
  - Eliminates unlawful discrimination, bullying and harassment
  - Advances equality of opportunity
  - Fosters good relations

## **Responsibilities**

- 4.1 Everyone involved in the life of the School has the responsibility to:
- Listen to what others have to say and respect their point of view
  - Speak out, or report it, if they witness or are aware of bullying, vindictiveness, verbal or physical aggression – and not assume that it is someone else's responsibility
  - Question their own prejudices and assumptions
  - Familiarise themselves with the responsibilities that equalities legislation places on them
- 4.2 The Head of School has overall responsibility for the operation of the policy.

- 4.3 The Proprietor is responsible for ensuring the policy is implemented in all aspects of its work. They are responsible in ensuring the widening of participation in all other aspects of School business and in creating community cohesion in education and employment to meet the needs of pupils.
- 4.4 The School Management Team is responsible for implementing the EDI policy in relation to staff and students their area of responsibility.
- 4.5 All staff have a duty to comply with the requirements of this policy.
- 4.6 Teaching staff will create a classroom environment where all students can thrive together and understand that individual characteristics make people unique and not 'different' in a negative way. They will wherever possible, provide a diverse range of learning opportunities to facilitate access and achievement for the whole community.
- 4.7 Pupils are responsible for their behaviour and conduct and must abide by the Pupil Code of Conduct and the Equality, Diversity and Inclusion Policy. The pupil contract sets out the rights and responsibilities of pupils at the School.
- 4.8 The Head of School is responsible for ensuring the pupil contract is reviewed on an annual basis and communicated to our HE pupils at induction.
- 4.9 All pupils undertake a pupil induction led by a member of the teaching team for their course. The teaching team makes clear to pupil that discrimination, harassment, bullying and victimisation will not be tolerated.
- 4.10 Each tutor will agree a code of conduct with their pupil groups for the classroom or workshop, which will be displayed prominently and be followed by each pupil.

### **Challenging Discrimination, Harassment, Bullying and Victimisation**

- 5.1 Where an incident involving discrimination, harassment, bullying or victimisation occurs in the classroom, the teacher should refer pupils to the pupil Code of Conduct, the pupil induction and the classroom agreed code of conduct.
- 5.2 In addition to 5.1 above, the staff member should refer to the School's Pupil Disciplinary Procedure and take appropriate action.
- 5.3 Where an incident involving discrimination, harassment, bullying or victimisation occurs outside the classroom, the matter will normally be resolved through the School's disciplinary processes.

- 5.4 Staff are responsible for their behaviour and conduct and for the advancement of equality, diversity and inclusion both in their classrooms/ work areas and on premises used by the School. All staff are entitled to, and must attend, a school staff induction. This staff induction includes a mandatory online module for equality, diversity and inclusion.
- 5.5 Staff must report all incidents involving School pupils or staff where discrimination, harassment, bullying or victimisation has occurred relating to the protected characteristics of others, be this on or off premises used by the School.
- 5.6 Staff are also responsible for intervening where they feel this does not put them at personal risk/ harm.
- 5.7 Where an incident involving discrimination, harassment, bullying or victimisation occurs and involves a member of staff, it should be reported to the line manager. This matter will be investigated in accordance with the staff Bullying and Harassment Policy. Further guidance is available in the Whistleblowing Policy, Staff Professional Code of Conduct and the Safer Working Practices CPD.
- 5.8 External partners with which the School works must comply with the School's Equality, Diversity and Inclusion (EDI) Policy and share the School's commitment to EDI, as set on in the policy statement.
- 5.9 When drawing up agreement or contract with external partners, the School must ensure that external partners are made aware of the requirement in 5.8 and must assure itself that the external partner has appropriate policies and procedures in place regarding EDI.
- 5.10 Visitors, contractors and sub-contractors must comply with the School's Equality, Diversity and Inclusion Policy. School staff meeting/ employing visitors, contractors and sub-contractors are responsible for making them aware of the School's Equality, Diversity and Inclusion Policy.

### **Data Collection and Monitoring**

- 6.1 The personal data of pupils and staff are collected and used in line with the School's Data Protection Policy.
- 6.2 Course teams and learning areas monitor enrolment, retention, and achievement data at appropriate points throughout the academic year. They evaluate this data in their self-assessment reports and where there are differences in data for different groups, identify actions to eliminate these differences. These actions are added into quality improvement plans and monitored regularly.

- 6.3 All areas of the School use the data available to them centrally and also ensure that they put in place systems to monitor data for different groups of people. Key data include those relating to staff (applications, interviews, employment, turnover and staff satisfaction) and pupils (enquiries, applications, interviews, admissions, complaints, appeals, disciplinaries, breaches of assessment, additional learning support and pupil satisfaction).
- 6.4 SLT evaluates the full range of data in the School's self-assessment reports and identifies actions to eliminate these differences. These actions are inserted into school quality improvement plans and are monitored regularly.

### **Curriculum development, delivery and impact measures**

- 7.1 Key issues including equality, diversity and inclusion are included as part of the review of curriculum programmes.
- 7.2. These actions are included in quality improvement/ action plans and are called equality, diversity and inclusion impact measures.
- 7.3 This policy will be reviewed on an annual basis further to a review of the impact measures.

### **Communication and Engagement**

- 8.1 Brook Street School will take every opportunity to celebrate the diversity of our pupils, staff, volunteers and local community. We highlight our commitment to this every year during our Equality, Diversity and Inclusion Week as well as through our Equality and Diversity Calendar and other School enrichment events that support our local community and create a sense of social awareness.

## Appendix 2 – Legislative Framework

### 1. Overview

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

Before the Act came into force there were several pieces of legislation to cover discrimination, including:

- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995

Provisions of the Act were brought in at different times (known as commencement dates).

Equality Act provisions which came into force on 1 October 2010:

- the basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions, work, education, associations and transport
- changing the definition of gender reassignment, by removing the requirement for medical supervision
- providing protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic
- clearer protection for breastfeeding mothers
- applying a uniform definition of indirect discrimination to all protected characteristics
- harmonising provisions allowing voluntary positive action

*Provisions relating to disability:*

- extending protection against indirect discrimination to disability
- introducing the concept of “discrimination arising from disability” to replace protection under previous legislation lost as a result of a legal judgment
- applying the detriment model to victimisation protection (aligning with the approach in employment law)
- harmonising the thresholds for the duty to make reasonable adjustments for disabled people
- extending protection against harassment of employees by third parties to all protected characteristics

- making it more difficult for disabled people to be unfairly screened out when applying for jobs, by restricting the circumstances in which employers can ask job applicants questions about disability or health

*Provisions relating to work:*

- allowing claims for direct gender pay discrimination where there is no actual comparator making pay secrecy clauses unenforceable
- extending protection in private clubs to sex, religion or belief, pregnancy and maternity, and gender reassignment
- introducing new powers for employment tribunals to make recommendations which benefit the wider workforce

Equality Act provisions which came into force in April 2011:

- positive action - recruitment and promotion
- public sector Equality Duty (see section below)

Ministers are considering how to implement the remaining provisions in the best way for business and for others with rights and responsibilities under the act. Their decisions will be announced in due course which will inform policy updates as appropriate.

The Equality Act 2010 includes provisions that ban age discrimination against adults in the provision of services and public functions. The ban came into force on 1 October 2012 and it is now unlawful to discriminate on the basis of age unless:

- the practice is covered by an exception from the ban
- good reason can be shown for the differential treatment ('objective justification')

The ban on age discrimination is designed to ensure that the new law prohibits only harmful treatment that results in genuinely unfair discrimination because of age. It does not outlaw the many instances of different treatment that are justifiable or beneficial.

Exceptions under the Order are:

- age-based concessions
- age-related holidays
- age verification
- clubs and associations concessions
- financial services
- immigration
- residential park homes
- sport

These specific exceptions are in addition to:

- general exceptions already allowed by the Act

- positive action measures
- 'objective justification'

There are no specific exceptions to the ban on age discrimination for health or social care services. This means that any age-based practices by the NHS and social care organisations need to be objectively justified, if challenged.

### **Public sector Equality Duty**

The [public sector Equality Duty](#) came into force across Great Britain on 5 April 2011. It means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.

It also requires that public bodies have due regard to the need to:

- eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities

### **Types of discrimination**

Discrimination can come in one of the following forms:

- direct discrimination - treating someone with a protected characteristic less favourably than others
- indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage
- harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them
- victimisation - treating someone unfairly because they've complained about discrimination or harassment

### **Types of discrimination ('protected characteristics')**

It is against the law to discriminate against anyone because of:

- age
- gender reassignment
- being married or in a civil partnership
- being [pregnant](#) or on maternity leave
- [disability](#)
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex

- sexual orientation

These are called 'protected characteristics'.

You're protected from discrimination:

- at work
- in education
- as a consumer
- when using public services
- when buying or renting property
- as a member or guest of a private club or association

You're legally protected from discrimination by the [Equality Act 2010](#).

You're also protected from discrimination if:

- you're associated with someone who has a protected characteristic, for example a family member or friend
- you've complained about discrimination or supported someone else's claim

### **Reasonable Adjustment**

The Equality Act 2010 requires reasonable adjustment to be made for someone with a disability. The duty to make reasonable adjustment comprises three requirements. For education providers, these requirements are to take reasonable steps to:

- avoid the substantial disadvantage where a provision, criterion or practice puts disabled pupils at a substantial disadvantage compared to those who are not disabled;
- remove or alter a physical feature or provide a reasonable means of avoiding such a feature where it puts disabled pupils at a substantial disadvantage compared to those who are not disabled;
- provide an auxiliary aid where disabled pupils would, but for the provision of such an auxiliary aid, be put at a substantial disadvantage compared to those who are not disabled. Examples of auxiliary aids are:
  - qualified interpreters
  - notetakers
  - screen readers
  - Computer Aided Real-Time Transcription (CART)
  - Written materials
  - Video interpreting services
  - Email
  - Text messaging

- Qualified readers
- Taped texts
- Audio recordings
- Braille materials
- Large print materials
- Material in electronic formats

## **Positive Action**

Positive action means offering targeted assistance to people so that they can take full and equal advantage of particular opportunities. Putting it another way, positive action means taking action to ensure that all groups of people have equal opportunity of access to the School's services. Positive action is optional, not a requirement. Positive action is lawful.

Positive action is not the same as positive discrimination. Positive discrimination means explicitly treating people more favourably on the grounds of a protected characteristic. Positive discrimination is unlawful except in the case of disability. In The case of disability positive discrimination is lawful as long as it is appropriate to achieve equality of opportunity between disabled people with different impairments.

## **Appendix 3 Brook Street School's Equality Policy**

The following sections set out the detail of our policy designed to protect our staff, pupils and visitors;

### **1. Disability**

A person who has a disability is someone who has a physical or mental impairment, the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Brook Street School's Disability Equality Scheme forms part of this Equality policy and will continue to drive activities that further promote equality of opportunity between disabled and other people; eliminate discrimination and harassment; promote positive attitudes to disabled people; encourage participation by disabled people in public life, and take steps to meet disabled people's needs if this requires more favourable treatment.

### **2. Gender**

Brook Street School's Gender Equality Scheme forms part of this Equality policy undertaking its general duty to promote equality of opportunity between men and women and eliminate unlawful sex discrimination and harassment.

### **3. Gender Reassignment**

A person has the protected characteristic of gender reassignment when the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.

Brook Street School ensures that the needs and rights of people planning to undergo, undergoing or having undergone the process (or part of the process) are met.

- We will provide information that develops an understanding of our duty to prevent discrimination, harassment and bullying; and
- The School will provide internal and promote access to external support mechanisms for those who are from the LGBT community with our staff and pupils.

#### **4. Race Equality**

Race means a person's colour, and/or nationality (including citizenship), and/or ethnic or national origin and a racial group is composed of people who have or share a colour, nationality or ethnic or national origins.

A person has the protected characteristic of race if they belong to a particular racial group, such as 'British people'.

We recognise and celebrate staff and pupil's defining activities that fulfil our duty to eliminate discrimination, harassment and victimisation to promote equality of opportunity and good relations between persons of different racial groups.

Through monitoring and reviewing opportunities we will improve School's policies and procedures, ensure that it is compliant and ensure that race equality is fully embedded into the strategic framework of the School.

- We will include arrangements for gathering and using information on race equality in employment, services and functions; and
- Create opportunity to celebrate the diversity and cultures of our pupils, staff and local community

#### **5. Age Equality**

The Act defines age by reference to a person's age group and when it refers to people who share the protected characteristics of age, it means they are in the same age group.

An age group can:

- Mean people of the same age group or a range of ages;
- Be wide such as 'people under 50';
- Be narrow such as 'people in their mid-50s' or people born in a particular year;
- Be relative, such as 'older than me' or 'older than us'; and

- Be linked to actual or assumed physical appearance which may bear little relation to chronological age such as ‘the grey workforce’.

Brook Street School will ensure that people of all age groups are not discriminated against in accessing services, work or study.

- The School will consider best practice in the areas of employment, retirement, redundancy, statutory sick pay and, discrimination, harassment and or victimisation in the workplace or at study (whether it be directed at them or another party).

## **6. Religion and Belief Equality**

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief.

A religion need not be mainstream or well known to gain protection as a religion. It must though, be identifiable and have a clear structure and belief system. Demonstrations or sects within religions may be considered a religion.

Cults and new religious movements may also be considered religions or beliefs.

Belief means any religious or philosophical belief and includes a lack of belief.

‘Religious belief’ goes beyond beliefs about and adherence to a religion or its central articles of faith and may vary from person to person within the same religion.

A belief which is not a religious belief may be philosophical belief, such as humanism or atheism.

A belief need not include faith or worship of a god or gods, but must affect how a person lives their life or perceives the world.

- It must be genuinely held;
- It must be a belief and not an opinion or viewpoint based on information available at the moment;
- It must be a belief as to a weighty and substantial aspect of human life and behaviour.
- It must attain a certain level of cogency, seriousness, cohesion and importance;
- It must be worthy of respect in a democratic society;
- It must be compatible with human dignity and not conflict with the fundamental rights of others;
- Brook Street School will create opportunities to share in celebration activities that aim to nurture openness and understanding between all faiths and none; and
- We will provide information that develops an understanding of our duty to prevent discrimination, harassment and bullying.

Brook Street School endeavours to welcome pupils, staff and visitors regardless of their religion or belief preferences. Everyone is regarded as an individual and the contributions they make to the diversity of the School are encouraged and valued. We will:

- accommodate religious needs, such as requested for time off to observe religious festivals, and accept a person's religious belief system;
- Meet specific dietary requirements, such as halal food

## **7. Sexual Orientation Equality**

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to.

- Some people are only attracted to those of the same sex (lesbian women and gay men);
- Some people are attracted to people of both sexes (bisexual people); and
- Some people are only attracted to the opposite sex (heterosexual people).

Everyone is protected from being treated less favourably because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.

The School will provide internal and promote access to external support mechanisms for those who are from the LGBT community with our staff and pupils.

## **8. Pregnancy & Maternity**

The Equality Act and other aspects of employment law means that a woman is protected against discrimination on the grounds of pregnancy or maternity in the protected period in relation to a pregnancy of hers, if she is treated unfavourably:

- Because of the pregnancy, or
- Because of illness suffered by her as a result of it.

The School will support staff and pupils who become pregnant during the course of their work or studies.

## **9. Marriage & Civil Partnership**

The School recognises the rights of individuals whether married or married within a civil partnership, the School will recognise and not discriminate against pupils or staff on the basis of their marital status or civil partnership.

## **10. Socio-economic Duty**

Brook Street School will ensure we consider the impact that our strategic decisions have on narrowing socio-economic inequalities.

We will look at data regarding indices of multiple deprivation of the wards we serve.

We will seek to understand new ways to encourage pupils from these wards to raise their aspirations and seek a route to improved economic wellbeing through positive interventions.

As a response the School gives priority access for financial support to students from disadvantaged households.

It will communicate in a way that is both accessible and broad in style and method. Hard copies, in a variety of formats will be available upon request.

The Equality Policy is published and included on the School website and intranet, and will be reviewed in 2021/22 and priority actions acknowledged annually, adapting to the identified need and reflecting new learning.

The Equality policy recognises the need to continue to engage with a diverse range of groups in shaping the services of Brook Street School to ensure that every individual working for the School, studying here, or visiting feel that they are welcome, valued and treated fairly.