

## **PUBLIC SECTOR EQUALITY INFORMATION AND OBJECTIVES**

### **What is this guide about?**

On 6 April 2012 schools were required to publish information showing how they comply with the new equality duty and setting equality objectives. They will need to update the published information at least annually and publish objectives at least once every four years.

### **Why should we comply with this?**

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. See the Frequently Asked Questions section below for more details on inspections.

According to research commissioned by the Equality and Human Rights Commission, schools are working hard at equality. The research, however, also found that schools need more tailored guidance to help them use the equality duty to bring about more improvements for pupils.

### **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.

The equality duty has two main parts: the 'general' equality duty and 'specific duties'.

The general equality duty sets out the equality matters that schools need to consider when making decisions that affect pupils or staff with different protected characteristics. This duty has three elements. In carrying out their functions public bodies are required to have 'due regard' when making decisions and developing policies, to the need to:

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

Having due regard to the need to advance equality of opportunity is defined further in the Equality Act 2010 as having due regard to the need to:

1. Remove or minimise disadvantages
2. Take steps to meet different needs
3. Encourage participation when it is disproportionately low.

In order to help schools in England meet the general equality duty, there are two specific duties that they are required to carry out. These are:

- To publish information to demonstrate how they are complying with the equality duty.
- To prepare and publish one or more specific and measurable equality objectives.

## **What does this mean for schools?**

For a school, having 'due regard' means:

- 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.
- 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.
- Schools need to do this themselves and cannot delegate responsibility for carrying out the duty to anyone else

## **How does it 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.

## **Issues that the equality duty will help to address**

### ***Attainment***

The equality duty will help to focus attention on performance gaps between groups of pupils, for example girls and boys, black, white and Asian pupils, and disabled and non-disabled students.

### ***Participation in school activities***

The equality duty provides a framework for identifying pupil needs, and weighing them against other education priorities when making any relevant decisions including those decisions on participation in school activities.

### ***Ensuring pupils engage effectively in learning***

The general equality duty reminds us that equality is not necessarily about treating people the same way, but about developing different strategies to meet the different needs of pupils. This will be familiar to schools through the SEN framework or through providing additional support to groups of pupils who need it.

Schools should consider how each decision and policy may affect pupils with different protected characteristics. This can help identify priorities.

### ***Bullying***

The equality duty reminds schools that they have to think about the interests of all of their pupils. One of the key aims of the equality duty is to foster good relations. To help ensure this happens it is useful to ask:

- Does the policy/decision help the school to tackle prejudice?
- Does the policy/decision promote understanding between different groups of pupils and parents?

### ***Improve careers and progression***

Analysing evidence of where pupils go after they leave school will help schools to maximize the potential of all their pupils. The following case study shows that the disaggregation of data can feed into school policy and good practice.

### ***Exclusion***

The general equality duty explains what issues need to be borne in mind before making significant decisions. Turning these into questions or prompts can help schools when they are considering policies or making decisions. The first question a school might ask could be: Is the policy/decision likely to result in discrimination?

### ***Policy making***

The equality duty can help policy making in schools become more relevant to all groups of pupils and help the school decide on its priorities. The duty applies to all your policies and procedures. It also applies to what may not be written down, i.e. practices.

Applying the equality duty can help to identify issues and shape policies around the needs of different groups of learners whose interests are protected by it. When reviewing a policy the school needs to consider emerging equality issues.

### ***Making effective use of data and information***

Collating and analysing information and data on all aspects of school life can lead to policies and practices that are more attuned to the needs of different groups of pupils.

The duty to have 'due regard' to equality considerations is a continuing one, so monitoring the success of any initiative is important to ensure that it is an effective use of resources. Whilst statistical data can be an important source of information in monitoring, a great deal of useful information can also be obtained from individual tracking of attainment, lesson observation and talking to pupils and parents.

### ***Supporting effective partnerships***

The equality duty supports effective partnerships by encouraging initiatives among local authorities, schools, parents, carers, and members of local communities. This includes discussions on what actions are needed to improve education for groups of pupils and to foster good relations across all protected characteristics.

### ***An opportunity to reconsider how schools treat their pupils***

One of the aims of the equality duty is 'advancing equality of opportunity'. With that aim in mind, when schools consider adopting a new policy or making a decision, they may find it useful to pose three questions, or prompts:

1. Does this policy/decision remove or minimize disadvantages suffered by pupils with particular protected characteristics?
2. Do we need to adopt different approaches for different groups of pupils?
3. Is there any way we can encourage these groups of pupils to become more involved with the school or open up opportunities for them that they wouldn't otherwise enjoy?

In practice this means that schools should always try to use information about pupils with different protected characteristics to mitigate adverse effects or bring about positive ones.

### ***The specific duties and positive action***

On 6 April 2012, under the specific duties, schools had to:

- publish information to demonstrate compliance with the general equality duty
- publish one or more specific and measurable equality objectives

Schools will need to update the published equality information at least annually and to publish objectives at least once every four years. Further details are at the start of this guide under the section 'What are the equality duties?'

The equality objectives that a school publishes as part of the specific duties will be clearly defined and measurable commitments. It makes sense if the objectives address key equality issues identified by the school and are contained in the school's published equality information. By publishing the objectives, the school is making public its priorities for equality.

The objectives will be agreed with the governing body and it would be good practice to include them in the school development plan. Both the specific duties aim to promote transparency in schools and to increase accountability to parents, carers and regulators. The publication of non-confidential equality-related data and information about a school and its pupils will help parents to understand what the school is doing to eliminate any potential discrimination, advance equality of opportunity and foster good relations.

Published information will also be a resource for decision-makers within the school.

Objective	Aim
To ensure pupils are accepted for who they are and that any discrimination is challenged. Appreciate and value the differences in others	Challenge stereotypes – gender, ethnic background, culture, religion.  Build on pupil awareness so that pupils can detect bias and challenge discrimination
To increase social and emotional skills for pupils with BESD (Behavioural, emotional and social difficulties)	Improved ability by pupils to handle difficult situations.
To promote good relations between people from different backgrounds	Improved understanding of Manningshams community and the diversity within it.
To increase pupil, staff and governors awareness of legal and human rights and the responsibilities that underpin society	For pupils to understand they have rights, how they can exercise their rights and understand how rights link to responsibilities.

### Declaration of Responsibility

This Public Sector Equality Information and Objectives Policy was reviewed and formally adopted on

..... Date

..... Signed Named Governor

..... Signed Principal