



## ST MICHAEL'S CATHOLIC COLLEGE EQUALITIES POLICY WITH ACCESSIBILITY PLAN 2018-19

### Part 1 – The Law

#### **The Equality Act 2010**

The Equality Act 2010 replaced nine major Acts of parliament and almost one hundred sets of regulations which had been introduced over several decades. It provides a single, consolidated source of equality law, covering all types of discrimination, harassment and victimisation that are unlawful. It simplified the law by getting rid of anomalies and inconsistencies that had developed over time, and extended protection against discrimination in several areas.

#### **The Protected Characteristics**

The Equality Act 2010 makes it is unlawful for the “responsible body” of a School/College to discriminate against (either directly or indirectly) an individual or group of individuals by treating them less favourably because they (or somebody they associate with) have one or more of the following characteristics:

Sex;  
Race;  
Religion or belief;  
Sexual orientation;  
Gender reassignment;  
Pregnancy and maternity; and  
Disability.

The Equality Act 2010 also makes it unlawful for the “responsible body” of a school/College to discriminate against (either directly or indirectly) an individual or group of individuals who are not the School/College’s students by treating them less favourably because they (or somebody they associate with) have one or more of the above characteristic or the following characteristics:

Age;  
Marriage and civil partnership.

Specifically, the “responsible body” of a School/College must not discriminate against a student or group of students because they have a protected characteristic (with the exception of age or marriage and civil partnerships):

- In the arrangements it makes for deciding who is offered admission as a student;
- As to the terms on which it offers to admit a prospective student;
- By not admitting a prospective student;
- In the way it provides education for a student (but not in relation to the contents of the curriculum);

- In the way it affords a student access to a benefit, facility or service;
- By not providing an education for a student;
- By excluding a student;
- By subjecting a student to any other detriment (including the imposition of sanctions);

The Equality Act 2010 also makes it unlawful for the “responsible body” of a School/College to harass or victimise an individual or group of individuals because of some of the protected characteristics, or because of something done in reliance on the Equality Act 2010, as outlined in further detail below.

The “responsible body” in an academy is its proprietor, namely the Governing Body. In practice, all persons acting on behalf of the Governing Body (including employees of the College) are personally responsible for ensuring that their actions or omissions are not discriminatory, and the Governing Body will also be responsible for the actions of the College’s employees if it cannot show that it has taken all reasonable steps to prevent the discriminatory actions or omissions being undertaken on their behalf.

The Equality Act 2010 covers discriminatory acts or admissions by the School/College against prospective students, current students and (in some circumstances) former students, as well as against parents (including non-parents with parental responsibility or care of a student), visitors and other people coming into contact with the College.

The Equality Act 2010 does not cover discriminatory acts by one student against another student, such as racist bullying (such behaviour by a student will, in any event, be a breach of the College’s Behaviour Policy and be sanctioned accordingly). However, if the College is aware of a discriminatory act by one student against another and does nothing to prevent it, or treats the act less seriously than it would for other acts, this may in itself be a discriminatory act by the College.

## **Discrimination**

The Equality Act 2010 defines two types of discrimination; direct and indirect:

### **Direct Discrimination**

This occurs where an individual or group of individuals are treated less favourably than others because they or somebody they associate with have (or it is mistakenly thought that they have) a protected characteristic.

### **Indirect Discrimination**

This occurs when a policy, criteria or practice is applied generally to all, which has the indirect effect of discriminating against an individual or group of individuals by putting them at a disadvantage, unless there is a legitimate reason for the policy, criteria or practice and there is no other way to achieve it.

### **Discrimination Arising from Disability**

There are special provisions in the Equality Act 2010 relating to disability discrimination and, in particular, a third type of discrimination called discrimination arising from a disability, as well as failing to make reasonable adjustments for an individual with a disability. The definition of what constitutes disability discrimination is more complex than that for the other protected characteristics, and is set out in further detail under the section relating to disability equality below.

## **Harassment**

The Equality Act 2010 makes it unlawful to harass an individual or group of individuals in relation to certain protected characteristics. Harassment is defined as an unwanted act, related to a relevant protected characteristic, which has the purpose or effect of violating that person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment only applies in relation to the following protected characteristics:

Sex;

Race;

Religion or belief (in relation to those who are not students);

Sexual orientation (in relation to those who are not students);

Pregnancy or maternity;

Disability; and

Age (in relation to those who are not students).

Harassment does not apply to the otherwise protected characteristics of religion or belief, sexual orientation or gender reassignment in relation to students, however any discriminatory acts because of these characteristics are likely to be direct discrimination in any event.

## **Victimisation**

The Equality Act 2010 makes it unlawful to victimise an individual or a group of individuals in certain circumstances. Victimisation is defined as occurring when an individual or group of individuals are treated less favourably as a result of anything they have done in reliance upon the Equality Act 2010, for example by previously making an allegation of discrimination or harassment, even if it was not upheld.

Victimisation will also occur when an individual is treated less favourably as a result of anything their parent, sibling or other person has done in reliance upon the Equality Act 2010, for example where their older sibling has previously made an allegation of discrimination, even if it was not upheld.

## **Positive Action**

The Equality Act 2010 allows (but does not require) the College to take action to tackle disadvantages suffered by a particular group of students as a result of them having a protected characteristic, known as "positive action". This does not mean that the College can give a particular group of students preferential treatment (which would be positive discrimination and unlawful), it merely allows the College to put in place measures which redress the balance between those with the protected characteristic and those without.

The Equality Act 2010 does, however, allow for the College to treat disabled students more favourably than students who are not disabled (positive discrimination). In some cases, schools are required to treat disabled students more favourably than students who are not disabled, by making reasonable adjustments for their disability and providing auxiliary aids where necessary.

## **Sex Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of their sex or the sex of somebody they associate with.

School/Colleges must not treat a student, parent, visitor or other person coming into contact with the College (or a group of these people) less favourably than others, including indirectly

as a result of the implementation of a general practice or procedure, because of their sex or the sex of somebody they associate with.

### **Race Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of their race or the race of somebody they associate with. Race is defined as including colour, nationality, ethnic or national origins, and would also include travellers whose cultural heritage is traditionally nomadic, for example gypsies and Irish travellers.

Schools/Colleges must ensure that a student, parent, visitor or other person coming into contact with the College (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their race or the race of somebody they associate with. Segregation of students by race will always be unlawful.

### **Religion or Belief Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of their religion or belief or the religion or belief of somebody they associate with. Religion is defined as being any religion, and belief as being any religious or philosophical belief, including a lack of belief in religion (for example, humanism or atheism). Religion will include all of the major faiths, including denomination within the religion. Political beliefs are not included within the definition of religion or belief.

Schools/Colleges must ensure that a student, parent, visitor or other person coming into contact with the College (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their religion or belief or the religion or belief of somebody they associate with.

### **Sexual Orientation Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of their sexual orientation, their parents' sexual orientation or the sexual orientation of somebody they associate with. Sexual orientation includes heterosexuality, homosexuality (gay or lesbian), and bisexuality.

Schools/Colleges must ensure that a student, parent, visitor or other person coming into contact with the College (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their sexual orientation or the sexual orientation of somebody they associate with.

### **Gender Reassignment Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of their gender reassignment. Gender reassignment is defined as applying to anyone who is currently undergoing, has undergone or is proposing to undergo a process or part of a process of reassigning their sex to the opposite sex by changing their physical or other attributes. There is no requirement to

undergo, or plan to undergo, a medical procedure – taking steps to live life as the opposite sex, or planning to live life as the opposite sex, is sufficient.

Schools/Colleges must ensure that a student, parent, visitor or other person coming into contact with the College (or a group of these people) are not treated less favourably than others because they, their parents or somebody that they associate with has undergone, is planning to undergo or is in the process of undergoing gender reassignment. Students must be included within a class of the sex that they identify with.

### **Pregnancy and Maternity Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) because of pregnancy or maternity. Maternity is defined as having had a baby within the preceding twenty-six week period, and includes breastfeeding. It is not discriminatory to treat an individual who is pregnant, has recently had a baby or is breastfeeding a baby more favourably than others who are not.

Schools/Colleges must ensure that a student, parent, visitor or other person coming into contact with the College (or a group of these people) are not treated less favourably than another student or group of students because they are pregnant, have recently had a baby or are breastfeeding a baby.

Schools/Colleges must not take any disciplinary action (including exclusion) against a student because they are pregnant, have recently had a baby or are breastfeeding. Schools/Colleges should not authorise more than eighteen weeks' absence (or "maternity leave") from College to ensure the student's reintegration into education as quickly as possible following the birth of a baby.

### **Disability Equality**

The overriding objective of the Equality Act 2010 is to achieve equality (equal treatment) for all people whether they have a protected characteristic or not. However, the provisions relating to disability are different to those for all of the other protected characteristics, in that it is lawful, and in fact is sometimes a legal requirement, to treat a disabled individual or group of individuals more favourably than an individual or group of individuals without a disability.

### **Definition of Disability**

The Equality Act 2010 defines disability as being where an individual or group of individuals has a physical or mental impairment which has a substantial and long term adverse effect (lasting or recurring, or likely to last or recur, for at least twelve months) on their ability to carry out normal day to day activities.

Some conditions such as being HIV positive, or having multiple sclerosis or cancer, are automatically deemed to be a disability regardless of their effect or longevity. Severe disfigurement will also come within the definition of disability (disfigurement by tattooing or piercing is excluded). Those that are certified as blind, severely sight impaired, sight impaired or partially sighted by a consultant ophthalmologist are automatically deemed to have a disability.

Others conditions are not deemed to be a disability, such as addiction to alcohol (unless it is a symptom of a psychiatric illness lasting or recurring for at least twelve months), legal or illegal substances (unless medically prescribed as treatment), fire-setting, kleptomania, a tendency towards violence or sexual abuse of others. Hay fever sufferers are not deemed to have a disability; however hay fever may be taken into account where it aggravates the effect of another medical condition.

### **Direct Disability Discrimination**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be directly discriminated against or harassed because of their disability.

Schools/Colleges must ensure that a student or group of students are not treated less favourably than another student or group of students, because of their disability, their parents' disability or the disability of somebody they associate with.

Schools/Colleges cannot justify directly discriminating against a student or group of students with a disability by maintaining that their discriminatory act was a proportionate means of achieving a legitimate aim, as was the case under previously disability discrimination legislation.

It is not unlawful for a College to treat a disabled student or group of students more favourably than another student or group of students who are not disabled. This is positive disability discrimination and is lawful.

### **Indirect Disability Discrimination**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be indirectly discriminated against because of their disability, by the implementation of a provision, criterion or practice applied generally to those with or without the disability, unless there is a legitimate reason for the provision, criterion or practice and there is no other way to achieve it.

Schools/Colleges must ensure that a student or group of students are not put at a disadvantage by the implementation of a school/College provision, criterion or practice which applies to all students because of their disability, unless they can show that it was implemented for a legitimate reason and was proportionate way of achieving the legitimate aim.

### **Discrimination Arising from Disability**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against because of something arising in consequence of their disability, unless there is a legitimate reason for discriminatory act and there is no other way to achieve it, and provided that the discriminator knew, or should have known, about the disability.

Schools/Colleges must ensure that a student or group of students are not treated less favourably because of something arising in consequence of their disability, unless they can show that there was a legitimate reason for the less favourable treatment and there was no other way of achieving the legitimate aim.

## **Reasonable Adjustments for Disability**

The Equality Act 2010 requires “reasonable adjustments” to be made for individuals suffering from a disability.

Schools/Colleges have the following duties:

Where a provision, criterion or practice places a disabled student or group of students at a substantial disadvantage compared to students who are not disabled, reasonable steps must be taken to avoid that disadvantage;

Where a disabled student or group of students would, but for the provision of an auxiliary aid, be placed at a substantial disadvantage compared with students who are not disabled, the College must take reasonable steps to provide the auxiliary aid.

An “auxiliary aid” includes equipment and services. The Equality Act 2010 does not provide a definition of “auxiliary aids”, however the dictionary definition includes helpful, supporting, assistant things or persons. Where a piece of equipment is necessary for all aspects of a student’s life rather than being required in an educational context only (for example, hearing aids), it is likely that it would be considered unreasonable for a College to be expected to provide these.

Factors which a School/College may consider when considering whether the provision of an auxiliary aid to a disabled student is reasonable include the financial or other resources required, its effectiveness, its affect upon other students and health and safety requirements.

Where a student with Special Educational Needs (SEN) is already being provided with an auxiliary aid as part of their SEN provision, there is no need for the school/College to provide the auxiliary aid as part of their “reasonable adjustment” duty. Schools/College should not, however, assume that an auxiliary aid is not required under their “reasonable adjustment” duty for a student with SEN simply because it is not being provided under their SEN provision. In addition, where a school determines that it is unreasonable to provide an auxiliary aid (perhaps, for example, on the grounds of cost), it is not necessarily reasonable for the local authority to refuse to provide the auxiliary aid.

## **Age Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because of their age, unless it can be shown that it is a proportionate means of achieving a legitimate aim. Age is widely defined as being either of a particular age or as being within an age group.

Schools/Colleges must ensure that a parent, visitor or other person coming into contact with the College (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of their age or age group, or the age or age group of somebody they associate with, unless they can show that there was a legitimate reason for treating them less favourably, and there was no other way to achieve it.

Schools/Colleges are **not** under a duty not to treat students less favourably because of their age or age group.

## **Marriage and Civil Partnership Equality**

The Equality Act 2010 makes it unlawful for an individual or group of individuals to be discriminated against (either directly or indirectly) or harassed because they are married or in a civil partnership.

Schools/Colleges must ensure that a parent, visitor or other person coming into contact with the school/College (or a group of these people) are not treated less favourably than others, including indirectly as a result of the implementation of a general practice or procedure, because of they or somebody they associate with are married or in a civil partnership.

Schools/Colleges are not under a duty not to treat students less favourably because they are married or in a civil partnership.

## **Single Sex Sport**

The Equality Act 2010 contains an exception allowing for single sex sports, games or other activities of a competitive nature, where the physical strength, stamina or physique of the average female student would put her at a disadvantage in competition with the average male student. However, schools/Colleges must still allow students of both sexes to have an equal opportunity to participate in the same sporting activities.

## **The Curriculum**

**The contents of the school curriculum is exempt under the Equality Act 2010 to allow schools to explore a full range of issues, ideas and materials, to expose its students to thoughts and ideas of all kinds, however controversial, without fear of legal challenge. However, the way in which the school delivers the curriculum to its students remains subject to the Equality Act 2010.**

## **Assemblies and Collective Worship**

Schools/Colleges are free to have a collective act of worship based upon one religion without acting unlawfully by not providing an equivalent act of worship for other religions. Schools/Colleges are also free to celebrate any religious festivals of their choosing without acting unlawfully by offending those of another religion.

## **Religious Freedom**

Article 9 of the European Convention on Human Rights and Fundamental Freedoms provides:

- 1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.*
- 2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.*

While a student has the right to manifest their religion or belief by, for example, by wearing a specific item of jewellery or clothing, this must be permitted by the College where:

- The act is in fact a manifestation of the student’s religion or belief (the act does not need to be a *requirement* of the religion or belief, but there must be a sufficiently close link between the act and the religion or belief<sup>1</sup>);  
**and;**
- If the act *is* in fact a manifestation of the student’s religion or belief, there is no justification in the College interfering with the student’s right to do so.

In deciding whether the College is justified in interfering with a student’s right to manifest their religion or belief, for example, by wearing a specific item of jewellery or clothing, the College should weigh up how important it is to the student to manifest their religion or belief in this way against the College’s own considerations, for example the value in a College uniform policy being adhered to in encouraging pride in the College, enabling students to feel comfortable in the College environment, ensuring a sense of cohesion in the College, and protecting students from feeling pressure to dress in a certain way, in addition to security and health and safety considerations.

The College’s Uniform Policy provides details of the College uniform to be worn by students, including confirming the College’s policy in relation to religious clothing and jewellery.

### **The Relationship between Religion and Sexual Orientation**

Some people may hold personal views in relation to the protected characteristic of sexual orientation because of their own religious beliefs. While it is not necessarily unlawful for a teacher or other employee of a school/College to express their own personal view, in an appropriate way and in an educational context that takes into account guidance on the delivery of Sex and Relationships Education and Religious Education, employees at a school/College must always remember that they are in a very influential position and their acts must still comply with their duty not to discriminate against individuals or groups of individuals because of their sexual orientation under the Equality Act 2010, and not to manifest their religion or belief in contravention of the limitations prescribed under the European Convention on Human Rights and Fundamental Freedoms (see above).

### **Schools with a Religious Designation<sup>2</sup>**

As a College with a religious designation, St Michael’s is permitted to give priority to applicants because of their religion within their admissions arrangements without breaching the religion or belief equality provisions.

### **Behaviour and Exclusions**

The process for excluding a student must be fair and equitable to students, however in relation to students with a behavioural disability, schools/Colleges must keep in mind their duty to make “reasonable adjustments” for a student with a disability. A “reasonable adjustment” can be a decision to impose a less serious sanction for undesirable behaviour than the sanction which would have been imposed on a student who does not have a behavioural disability, including making a decision not to exclude for behaviour which would usually attract an exclusion.

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<sup>1</sup> *Following the ruling by the European Court of Human Rights in the Eweida case, which may subsequently be overruled and will therefore be kept under review.*

The College's Behaviour Policy sets out the College's expectations in relation to the way its students behave, including the sanctions which will be imposed if the Behaviour Policy is breached.

### **The School as an Employer**

The College also has responsibilities to comply with the Equality Act 2010 in its role as an employer, in relation to which separate HR policies apply. This policy applies to students, parents, visitors and other persons coming into contact with the College only.

## **Part 2 – The College’s Equality Duties**

### **The Public Sector Equality Duty**

#### **The General Duty**

The Equality Act 2010 makes provision for a single “public sector equality duty” which extends to all protected characteristics. As a result of this provision, schools/Colleges are required to have due regard to the need to:

- **Eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010;**

and;

- **Advance equality of opportunity between those who share a relevant protected characteristic and those who do not, by having regard to the need to:**
  - remove or minimise disadvantages connected to a relevant protected characteristic; and
  - take steps to meet the different needs of those sharing a relevant protected characteristic; and
  - encourage those who share a relevant protected characteristic to participate in College life and activities in which participation is disproportionately low;

and;

- **Foster good relations between those who share a relevant protected characteristic and those who do not, by having regard to the need to:**
  - tackle prejudice; and
  - promote understanding;

The above duty is often referred to as the **General Duty**.

The reference to “relevant protected characteristics” includes the protected characteristics of sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity and age (except that the public sector equality duty does not apply to age where it relates to the provision of education to students in schools, or the provision of benefits, facilities or services to students in Schools/Colleges).

Having “due regard” means giving relevant and proportionate consideration to the public sector equality duty.

*DfE guidance on what this means in practice sets out the following:*

- *Decision makers in Schools/Colleges must be aware of the public sector equality duty to have due regard to the three principles set out above when making decisions or taking action. Decision makers must assess whether their decision or action will have implications for a student or group of student with a protected characteristic;*
- *Schools/Colleges must have due regard to the three principles set out above when drafting and amending policies and procedures, and this should be at the forefront of their mind in advance, rather than an afterthought. Policies and procedures should be kept under review on a continuing basis;*
- *The public sector equality duty must be integrated into the day to day functioning of the College, and the analysis required to comply with the duty must be carried out seriously, rigorously and with an open mind;*
- *Schools/Colleges must not delegate their public sector equality duty to anyone else.*

## **The Specific Duty**

Schools have a **Specific Duty** to:

- **Publish information to demonstrate how the College is complying with its public sector equality duty**, which must be updated at least annually, and re-published at least once every four years;
- Prepare and publish their **Equality Objectives**.

The **Specific Duty** exists to assist schools fulfil their obligations under the **General Duty**.

*DfE guidance confirms that the publication of information to demonstrate how schools are complying with their public sector equality duty is not intended to be a “tick box” bureaucratic procedure, but rather a flexible, light touch exercise. Data about employees does not need to be published by schools which have fewer than 150 employees, although schools can choose to publish such information if they feel it would demonstrate their compliance. All data must be published in compliance with the Data Protection Act 1998 which means that, broadly speaking, individuals are not able to be identified in the published data. Schools are not required to publish any information which they do not already routinely collect, for example through RAISE online. The information published does not need to be statistical, it can be a reference to school policies or Governing Body meeting minutes, which are published online.*

## **The Accessibility Plan**

The college fulfils its legal requirement to provide an **Accessibility Plan** to:

- Increase the extent to which disabled students can participate in the curriculum;
- Improve the physical environment of the College to increase the extent to which disabled students are able to take advantage of education and benefits, facilities or services provided or offered by the College; and
- Improve the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are determined after taking into account the students’ disabilities and any preferences expressed by them or their parents.

The Accessibility Plan is kept under review throughout the period to which it relates and revised if necessary. The college, through this, ensures that it implements the Accessibility Plan, and that we have adequate resources to implement it. A school inspector can ask to see the Accessibility Plan and may consider the preparation, publication, review, revision and implementation of it.

### **Part 3 – Compliance with the General Duty**

The College has in place the following policies and procedures in order to comply with its general duty to eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act 2010, advance equality of opportunity between those who share a relevant protected characteristic and those who do not, and foster good relations between those who share a relevant protected characteristic and those who do not.

#### **Sex Equality**

We welcome the requirements of the Gender Equality Duty and this section sets out our commitment to meeting the duty. We will give due regard to the need to:

- Eliminate unlawful discrimination and harassment on the grounds of sex, including domestic violence, sexual violence, bullying and exploitation.
- Promote equality of opportunity between women and men in all our functions.

#### **How we gather gender monitoring information:**

Through the College census

Through application information

#### **Our Targets for Pupil achievement by gender:**

Targets are set on the basis of prior attainment and by using CATS scores. Pupil progress is analysed by gender to measure equality issues but no account of gender is taken when setting the targets.

#### **To address gender stereotyping in subject choices, careers advice and work related learning: we**

- Use materials that reflect both genders, without stereotyping; as well as challenging stereotypes when they do appear
- Promote attitudes and values that will challenge sexist and discriminatory behaviour;
- Seek to involve all parents in supporting their child's education;
- Provide educational visits and extra-curricular activities that reflect all pupil groupings and which all pupils have an equal opportunity to attend
- Take account of the performance of all pupils when planning for future learning and setting targets;
- Make best use of all available resources to support the learning of all groups of pupils.
- Support students to make choices on the basis of their abilities and skills and not on the basis of gender
- Where it is considered in the best interests of gender equality, single sex groups are formed for the delivery of some topics.

#### **How issues around gender violence and domestic violence are tackled within the College and how the needs of victims are assessed and met:**

This is a child protection issue and we refer to the Child protection policy (which is subject to review using the equality impact assessment)

#### **How we provide classroom based lessons on gender issues such as sexual bullying, sexual exploitation:**

These issues are dealt with during the sex education days in Years 8 and 9. Single sex groups are formed for this.

## **How we respond to the information children receive from the internet, films and magazines where women are objectified or portrayed in a demeaning way:**

In our lessons and across the College we

- Use materials that reflect both genders, without stereotyping; as well as challenging stereotypes when they do appear
- Promote attitudes and values that will challenge sexist and discriminatory behaviour;
- Seek to involve all parents in supporting their child's education;
- Provide educational visits and extra-curricular activities that reflect all pupil groupings and which all pupils have an equal opportunity to attend
- If this is deemed to be a child protection issue then it would be referred to the child protection officer.

## **Race Equality**

St Michael's College recognises and welcomes its responsibilities under the race relations (Amendment) Act 2000. Since the 31<sup>st</sup> May 2002 we have had in place a written statement of our Race Equality policy, and we have implemented the arrangements for developing a race Equality Policy to meet the General Duty.

The purpose of our Race Equality policy (REP) is to help us to:

Prevent racial discrimination, and to promote equality of opportunity and good relations between members of different racial, cultural and religious groups.

Expand access across all communities and in all areas of College activity

Eliminate unlawful racial harassment

Ensure that the policy is also part of planning arrangements that the College already makes and our actions and objectives are met through our Race Equality Action Plan (REAP).

We have developed our REAP for putting our REP into practice and it is part of the College Improvement Plan.

## **Race Equalities Action plan:**

### **Outcomes**

All policies and practice in the College promote equality of opportunity for all groups; both staff and students

The Colleges equality scheme is in place as a public document and is understood by all stakeholders

The College actively promotes the duty and enables all staff and students to succeed.

### **Actions**

- 1) Yearly review of race equality Policy by CSA and governing body
- 2) Monitoring of the progress of groups of students to take place using internal data, raise on line and national benchmarks (SLT and Leaders of learning)
- 3) Annual review of SOW and Curriculum to ensure that equality issues are addressed and that no stereotyping of any group takes place (By HODs)
- 4) Monitor attendance at parents' evenings and other after College events ( Leaders of Learning)
- 5) Monitoring of views through student voice and parental survey to take place yearly (LCA)
- 6) Review of staffing policy (Gender and age discrimination) by the Governors staffing Committee yearly.

- 7) Monitoring of College census.
- 8) Monitoring of racist/ discriminatory incidents in the racial incident book MCN
- 9) Monitoring of behaviour log/ exclusions (SLT)
- 10) Continue to ensure that opportunities for promoting and valuing diversity are actively sought out
- 11) Ensure that Governors and SLT are trained in the general duty

Monitoring and evaluation:

- 1) Through log books of incidents
- 2) Feedback from Parents and students
- 3) Tracking data and analysis of performance
- 4) Annual Governor training regarding race and equality issues.

### **Religion or Belief Equality**

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Our College recognises the need to consider the actions outlined by the equality Act 2010 (Religion and belief) which requires us to assess the impacts of our policies, functions and procedures have on promoting equality for people based on their religion, belief and non belief.

Procedures that will be equality impact assessed in terms of promoting equality with regards to religion or belief are the admissions policy and procedure and the appointments policy and procedures.

### **Sexual Orientation Equality**

Our College recognises the need to protect students from unlawful discrimination and harassment on grounds of sexual orientation as required by the equality Act (Sexual orientation) regulations 2007 we are committed to taking a proactive approach to preventing all forms of homophobia within the College and will assess the impacts of our policies, functions and procedures on promoting sexual orientation equality as part of our equality impact assessment process.

Images of a range of motivational and inspirational people are used in lessons, in assemblies and around the College. What we consider to be important is not the sexuality of that person but the action that they took that was inspirational 'By their deeds you shall know them'.

### **How homophobic bullying, language and stereotyping will be challenged within the College:**

Our behaviour policy states that all bullying for whatever reason is unacceptable.

We challenge stereotypes when they do appear

We challenge and discourage language that would be considered offensive to any group of people as part of our Christian and Catholic ethos that we are all children of God.

### **Gender Reassignment Equality**

Our practice is governed by our faith and belief as part of our Christian and Catholic ethos that we are all children of God. Gender reassignment equality forms part of the College Single equality scheme, which details the College's actions in relation to the General Duty.

## **Pregnancy and Maternity Equality**

Our practice with regard to pregnancy equality is stated within our pay policy and sex education policy.

We ensure that any person; student, parent, visitor or other person coming into contact with the College (or a group of these people) is not treated less favourably than another student or group of students because they are pregnant, have recently had a baby or are breastfeeding a baby.

The College does not take any disciplinary action (including exclusion) against a student because they are pregnant, have recently had a baby or are breastfeeding. The College will not authorise more than eighteen weeks' absence (or "maternity leave") from school to ensure the student's reintegration into education as quickly as possible following the birth of a baby.

## **Disability Equality**

We welcome the requirements of the Disability Equality Duty and this section sets out our commitment to meeting the duty. Our scheme shows how we promote disability equality across all areas of the College, to disabled pupils, staff, parents, carers and other College users.

When carrying out our functions, we will have due regard to the need to:

- Promote equality of opportunity between disabled people and other people
- Eliminate discrimination that is unlawful under the Equalities Act 2010
- Eliminate disability related harassment
- Promote positive attitudes towards disabled people
- Encourage participation of disabled people in public life
- Take steps to meet disabled people's needs, even if this requires more favourable treatment
- Monitor staff and pupils by disability
- Have a Disability Equality Scheme (DES)

We plan to increase access to education for disabled pupils by:

- Increasing the extent to which disabled pupils can participate in the College curriculum
- Improving the environment of the College to increase the extent to which disabled pupils can take advantage of education and associated services
- Our commitment is to develop a culture of inclusion and diversity in which people feel free to disclose their disability and to participate fully in College life. Policies relevant in terms of disability equality are those relating to: attainment, curriculum, accessibility, Special educational needs, admission and attendance, pastoral care, bullying, good community and race relations, health and safety. The strategies in place address monitoring and reviewing the disability equality scheme, the involvement of people with a disability, relevant consultation activities, timescales and responsibilities for each of the above.

## **Age Equality (Other than Students)**

The College is committed to promoting equality of opportunity for older and younger people. We recognise that society has negative attitudes, stereotypes and myths about youth, ageing,

younger and older people. These attitudes and beliefs can lead to both younger and older people being marginalised social and economically disadvantaged, and excluded. We believe that younger and older people have the right to equality of opportunity and that they make a significant and valuable contribution to the community at large.

Age equality means securing the equal participation in society of people of every age, securing a balance between equal citizenship, equality of opportunity, equality of outcome and respect for difference.

## **Part 4 – Compliance with The Specific Duty**

**The College publishes the following information in compliance with its specific duty to publish information to demonstrate how the College is complying with its public sector equality duty, and publish its equality objectives.**

**The College will update the information contained in this part at least annually and republish it at least once every four years.**

### **The Duty to Eliminate Discrimination, Harassment, Victimisation and other Prohibited Conduct**

*DfE guidance states that relevant information to satisfy the specific duty under this heading will include confirmation that the school is aware of the requirements of the Equality Act 2010 and has taken steps to comply with it. References to other school policies may be appropriate where they have been amended to have regard to the equality provisions. Reference to any Governing Body meetings where equality has been on the agenda may also be appropriate. Evidence of staff training on equality and the gathering and monitoring of equality issues may also be appropriate.*

Our College clearly states that all forms of bullying and discrimination are unacceptable and will not be tolerated. We have set out the measures that our College will take to address bullying and discriminatory incidents in our Anti Bullying Policy. We submit data regarding bullying and discriminatory incidents to the Children and Young People's Service in Southwark Council.

Our anti bullying policy, gender policy, race equality policy, disability policy and equality and diversity policy, as well as our Single equality scheme, reflect our commitment to preventing harassment and bullying on grounds of race, disability, gender, religion or belief and sexual orientation. We actively oppose any form of bullying or harassment on any grounds as part of our central duty to care for the staff, young people and community of St Michael's.

Our Anti Bullying Policy is reviewed yearly, in line with Southwark Local Safeguarding Children Board Anti Bullying and Discriminatory framework.

Staff receive training in relation to bullying and discriminatory incidents relating to homophobia, racism, disability harassment, sexual and gender bullying and religious harassment through the induction programme held for all new staff. Governors have received equalities Training on the General Duty and this is updated as appropriate.

We are committed to recording, analysing and reporting bullying and discriminatory incidents. We ensure that this information is used to prevent other issues.

We pass on bullying and other discriminatory incident forms to Southwark Council's Children's Services department.

### **Employment Practices**

In our College we ensure that we observe the principles of Equal Opportunities in how we employ, develop and treat our staff.

### **Our Arrangements for Recruitment and Selection:**

All posts are advertised nationally

Selection procedures are through application form and Interview. Candidates are shortlisted by the head teacher in conjunction with the prospective line manager. Interviews for salaried posts above £20,000 always have a member of the governing body on the panel. All interviews are undertaken by at least two members of staff including the Principal. Common questions are agreed and adhered to and records are kept of the interviews.

### **Training and Developing Staff**

All teaching staff and classroom support staff attend whole College training days. These provide training on matters arising from the SIP.

Other training opportunities arise from performance management and all staff are encouraged to take their professional development seriously.

### **Performance Management:**

All staff have regular, yearly performance management – please refer to the performance management policy and the statement on performance management in the staff handbook.

### **Our Monitoring Arrangements:**

We have a fair process for recruitment, which involves safer recruitment.

Restructuring is undertaken in consultation with unions.

Training and development opportunities are monitored through CPD monitoring and written responses

Promotion opportunities and promoted appointments are reviewed yearly by the Principal to ensure a balance of appointments in terms of gender, ethnicity and disability.

The College follows statutory pay guidelines for pay bonuses and allowances, as well as for performance appraisal.

Our procedures for Grievance, disciplinary, harassment and discrimination are clearly stated in our policies, which are screened yearly through equality impact assessments.

### **Equality Impact Assessments**

We are reviewing key policies, functions or procedures that have been assessed as relevant to meeting the duties set out under race, gender, disability and religion or belief legislation. In line with best practice we will also assess the impact of our key policies, functions and procedures on promoting sexual orientation equality.

The main system by which we will assess the impact of our current policies, functions or procedures will be by carrying out Equality Impact assessments.

### **Equality Scheme Objectives**

This section sets out the objectives we have identified in order to eliminate discrimination and harassment and promotion of equality in relation to gender, race, disability, religion or belief and sexual orientation.

All policies and practice in the College promote equality of opportunity for all groups; both staff and students

The Colleges equality scheme is in place as a public document and is understood by all stakeholders

The College actively promotes the duty and enables all staff and students to succeed.

Our actions to ensure that this is achieved are as follows:

- 1) Yearly review of race equality Policy by Charlotte Sayed and the Governing body
- 2) Monitoring of the progress of groups of students to take place using internal data, raise on line and national benchmarks (SLT and HOFs)
- 3) Annual review of SOW and Curriculum to ensure that equality issues are addressed and that no stereotyping of any group takes place (By HODs/ HOFs)
- 4) Monitor attendance at parents' evenings and other after College events
- 5) Monitoring of views through student voice and parental survey to take place yearly (FCO)
- 6) Review of staffing policy (Gender and age discrimination) by the Governors staffing Committee yearly.

### **Sex Equality**

Within the single equality scheme the College publishes data on the gender breakdown of both staff and students. The scheme provides the means by which this information is both gathered and monitored. The College uses raise on line and internal tracking methods to monitor student progress to their targets. All targets are generated from KS2 levels and follow a common formula.

### **Race Equality**

The College race equality action plan is reviewed yearly. Within the single equality scheme we publish the breakdown of ethnicity of both staff and students. The scheme provides the means by which this information is both gathered and monitored. The College uses raise on line and internal tracking methods to monitor student progress to their targets. All targets are generated from KS2 levels and follow a common formula.

### **Religion or Belief Equality**

As a College with a religious designation, St Michael's is permitted to give priority to applicants who are Catholic without breaching the religion or belief equality provisions. The College reports on the religious breakdown of staff within its single equality scheme, the information for which is gathered through applications.

### **Sexual Orientation Equality**

All incidences of bullying are recorded by the College. Records are kept of incidences of bullying that may include discriminatory language. Bullying and forms of bullying are monitored by the Senior leader in charge of behaviour.

There have been no incidences of students, parents, visitors or other persons coming into contact with the College being treated less favourably than others, including indirectly, as a result of their sexual orientation.

### **Gender Reassignment Equality**

There have been no reported incidences of students, parents, visitors or other persons coming into contact with the College being treated less favourably than others, including indirectly, as a result of the fact that they, their parents or somebody they associate with has undergone, is planning to undergo or is in the process of undergoing gender reassignment.

### **Pregnancy and Maternity Equality**

The College is fully compliant with the law regarding pregnancy and maternity equality. There have been no reported incidences of anyone feeling that they have been discriminated against either directly or indirectly because of pregnancy or maternity.

## **Disability Equality**

The College has a disability equality scheme that is reviewed yearly, along with the disability equality targets. Disability data is gathered through application forms. The progress of all students is tracked and monitored internally

## **Age Equality (Other the Students)**

Within the single equality scheme the College publishes a breakdown of staff by age group. The staffing policy is reviewed by the governors staffing committee yearly

## **The Duty to Advance Equality of Opportunity between those who share a protected Characteristic and those who do not**

*DfE guidance states that attainment data (for example, data on RAISE online) will be relevant in helping to identify areas of inequality which need addressing. Information about steps taken by the school to address inequalities will be relevant, which may be contained in reports which have already been prepared by the school.*

## **Meeting Our Duty**

The College uses internal data tracking systems and external systems such as raise online, ALPS and the Sixth Form Panda to evaluate the performance of different groups of students within the College. These external systems allow us to judge performance against national norms for all students and all groups of students. Raise on line 2016 and the sixth form panda show that there are no gaps in performance between any designated groups of students. Where any variability in performance is identified, either through these external systems or through our termly internal tracking, actions and interventions are put into place to address these and again, these are tracked through in College systems.

We use student voice and parental surveys to assess the effectiveness of our provision and support and our policies in ensuring these are effective. These surveys are undertaken at least yearly and outcomes form part of discussion around improvement among SLT.

Issues identified through the involvement of disabled staff and pupils have been carefully considered in the new build and have resulted in the improved access to classrooms (including the width of doors for manoeuvrability), provision of lifts and the creation of a more open and inclusive environment for learning.

Parents, staff, students, Governors, the local authority and national guidelines were consulted in the creation of our race, gender and disability objectives. The College takes pains to remove barriers to consultation and has worked hard with hard to reach parents (see percentage increase of parents attending parents evenings and curriculum evenings). We have undertaken training with the local authority in order to overcome these barriers and are flexible in our timings to ensure that no group is inhibited in their attendance at meetings. The College has an open door policy and every person is spoken to within 24 hours of making a request to contact a member of staff.

We have improved working relations with the College and disabled pupils, staff, parents and members of the community by consulting them about our priorities and by actively seeking opportunities to involve them in the life of the College.

The College reviews its equalities targets every year and these are published on the College website as well as within this document.

## **The Duty to foster good relations between those who share a protected characteristic and those who do not**

*DfE guidance states that fostering good relations will be evidenced in many ways, such as referring to parts of the curriculum which promote tolerance, respect and understanding in relation to equality issues, assemblies addressing equality issues, the school's Behaviour Policy and Anti-Bullying Policy, involvement with the local community and twinning with a foreign school.*

### **Fostering Good Relations;**

We understand that all communities should work actively to foster good relations in order to ensure that different groups and individual people get on well together. It should also allow for new residents and existing residents to adapt to one another.

### **How we build on what we are already doing – creating a sense of shared values**

As a Christian Catholic College all members of the community are valued, this is made clear through weekly shared assemblies held by year group, weekly mass which is open to all members of the community and the shared act of worship that takes place at the start of each lesson.

Shared values are transmitted through the College mission statement and reiterated with staff regularly at staff meetings, at all levels.

Our values are shared with students through our daily interactions with them; the way we treat them and the way they see staff treat other adults.

Weekly assemblies cover a range of themes from the church calendar as well as issues that would be relevant to equalities such as refugee Week. These assemblies are published a term in advance.

We also use celebration of achievement evenings to promote a shared aspiration for success.

Through the House system and related house activities, students develop a greater sense of belonging and community

Student leadership activities such as sixth form mentoring and focus groups ensure that values are shared across all year groups

### **How we develop an understanding in our students that they all have a shared future**

Through assemblies, students are regularly encouraged to think about themselves as part of a community. In addition, the college firmly believes that Faith is best shown through action: students are encouraged, through charitable appeals such as the House charity as well as food collection at Christmas, to understand their contribution to the community around them and to our shared future. Yearly trips abroad foster this awareness of a global community and these are encouraged and open to all students within the relevant year groups. The College promotes these ideas through our British values – please see British Values policy and departmental statements with regard to British values.

### **How we emphasise mutual respect and honesty between different groups, including staff and students**

We uphold the staff code of conduct and the Behaviour Policy

As a Catholic College we actively promote mutual respect in our dealings with everyone that we encounter.

### **How the curriculum makes visible the necessity of fairness and trust.**

All students are enabled to access the curriculum and tracking procedures monitor the progress of all students and all groups of students at both departmental and whole College

level. Judgments about groupings are made on the basis of objective data, with common, moderated assessment tasks being the deciding factor in pupil movement between classes.

We will evidence in the SEF and other College documentation and evaluations:

A shared sense of the contribution of different communities to the shared vision

A strong sense of individual rights and responsibilities within the College community

All children and parents feel they are being treated fairly and have the same opportunities

(student and parental surveys)

Children trust the College to act fairly (Student voice surveys)

Strong and Positive relationships (staff well-being survey, student voice survey and parental survey)

### **The School's/College's Equality Objectives**

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DfE guidance states that the school is free to choose its own equality objectives which best suit the school's students and wider school community. Like compliance with the duty to publish information, the publishing of equality objectives is not intended to be a "tick box" bureaucratic exercise. Equality objectives must be specific and measurable, and should be a tool for the school to use to improve the school experience for all students, particularly those with protected characteristics. Once an area of inequality has been identified, schools should formulate equality objectives to address them. Examples of equality objectives might be to reduce exclusion rates for Asian boys, to encourage girls to consider entering professions against the sex stereotype, to raise attainment in English for boys. After the first year, equality objectives should include progress made in meeting equality objectives previously set.

### **Equality Objectives for St Michael's Catholic College**

Our main aim as a College is to continue to maintain the highest levels of achievement and personal development for all our students. We recognise our duty in setting specific, measurable equality objectives and have included the following four objectives in our College development plan.

### **Equality Objectives**

To ensure that the pupil premium is used to provide targeted additional support strategies resulting in every student, however financially disadvantaged, being able to:

Improve their levels of attainment and progress

Close attainment gaps relative to College averages

Have full access to our curriculum,

And ensure equality of opportunity at every level and for all students.

These objectives are reviewed yearly.



## St Michael's Catholic College Accessibility Plan

To meet the requirements of the Equality Act 2010 and the SEND Code of Practice 2014 to:

**Promote equality of opportunity for disabled people: pupils, staff, parents, carers and other people who use the College or may wish to.**

In conjunction with our Disability Equality Action Plan

Objectives	Actions	Resources	Outcomes
To ensure that the teaching and learning environment is accessible to all students and teachers and visitors	<ul style="list-style-type: none"> <li>• To review yearly the college equipment and facilities ensuring that they allow access for all college users. Led by SEND department termly and ongoing</li> <li>• Regular training for staff on access for students with disabilities by SEND department/ inclusion faculty, according to the CPD/ Friday briefing calendar and as needed</li> </ul>	<p><b>Building</b> – for example Specialist wide spaced desks in classrooms Lift Automatic doors Ramps Disabled parking facilities Wheelchair accessible toilets on each floor</p> <p><b>Learning resources</b> - for example Laptops iPads Coloured overlays Accessible learning resource for those with sensory disabilities</p> <p><b>Accessible information</b> Information provided in a format to support any additional need</p>	The building and resources are compliant with the Equalities Act 2010
To ensure safe site access for the whole community	<ul style="list-style-type: none"> <li>• Yearly review of evacuation plans, signage of evacuation procedures, fire drill and other H and S procedures and policies. By WGA in conjunction with the Principal.</li> </ul>	Policies Evacuation plan H and S audit.	All people on site are safe. The college is fully compliant with H and S legislation
Trips and visits are accessible for all students and staff	<ul style="list-style-type: none"> <li>• Venues and means of transport are checked for suitability. By trip organiser and monitored by CMN</li> </ul>	Risk assessments Health care plans	All trips and visits are compliant with the equalities act and

	<ul style="list-style-type: none"> <li>• Trip providers are compliant with the Equalities Act as established by CMN in compliance with their legal duty</li> <li>• Appropriate risk assessments are carried out and adjustments are made where necessary in the light of individual health care plans by trip organiser and monitored by HHO</li> </ul>		accessible for everyone.
To ensure that all stakeholders have access to relevant information	<ul style="list-style-type: none"> <li>• All materials should be accessible on the college website; including access to a range of support agencies. SEND department ensure that support agencies are publicised on the website</li> <li>• All policies and access arrangements are published on the website by SSH and updated as reviewed yearly</li> <li>• College nurse to email out to all staff health care needs for students and to keep records of staff needs to be shared with their relevant designated support. September 2018 and ongoing as required.</li> <li>• Governors to ratify Medical Conditions Policy January 2018 and SEND department to publish this on the website to inform parents. September 2018</li> <li>• SEND department to regularly update staff on the individual needs and progress of students. Ongoing on Sims and updated as requested by staff following set changes.</li> </ul>	Health care plans College nurse Website Medical Conditions Policy EHCPs	Information is shared accurately and appropriately so that staff and students are safe. Information shared with parents. The website includes all relevant policies, access arrangements and information regarding support agencies
To ensure that all staff have access to training for awareness raising of	<ul style="list-style-type: none"> <li>• To promote training for staff by advertising it through briefings SEND and inclusion faculty ongoing as appropriate</li> </ul>	Friday briefing SEND department External courses and speakers.	Staff have relevant and appropriate knowledge about disabilities and

disability issues	<ul style="list-style-type: none"> <li>To use Friday briefings and whole staff meetings as appropriate to deliver relevant training using the SEND department / outside speakers as appropriate.</li> </ul>		access arrangements.
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**Reviewed June 2018**

**Signed:..... Date:.....**  
**Chair of the Health & Safety Committee**

**Signed:..... Date:.....**  
**Chair of the Governing Body**

**Review Date: 2019**