

Equality, Inclusion and Community Cohesion

Answers to FAQs - Frequently Asked Questions

This document is part of a toolkit to support schools to implement the requirements of equality legislation. The toolkit also contains:

- An overview of the toolkit. It would be helpful to read this first as it explains how the toolkit came about and the purpose of the different parts of the toolkit
- A briefing for senior staff and governors
- A framework for a Single Equality Scheme (SES)
- A Governors' audit tool
- A flowchart to develop a SES
- A summary of equality legislation

This document contains brief answers to the following FAQs:

- [What equality legislation applies to schools?](#)
- [Do we have to produce a Single Equality Scheme?](#)
- [We want to produce a Single Equality Scheme. Do we also need to have a separate Race Equality Policy, Disability Equality Scheme and Gender Equality Scheme? And what about our Disability Accessibility Plan?](#)
- [We have worked hard to produce a good Disability Equality Scheme. What happens to it if we now develop a Single Equality Scheme?](#)
- [We want to develop a Single Equality Scheme. Where do we start? Who should be involved in developing our Single Equality Scheme?](#)
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What equality legislation applies to schools?

Schools have duties to promote race, disability and gender equality, and a duty to promote community cohesion. Schools must also eliminate discrimination on the grounds of sexual orientation, age or religion and belief. The duties cover staff, learners and people using the services of the school such as parents. For further information, see the toolkit's 'summary of equality legislation'

Do we have to produce a Single Equality Scheme?

There are no current legal duties on schools to produce a Single Equality Scheme. However, the government has promised a forthcoming Single Equality Act. Taking a single equality approach recognises that people often share more than one aspect of their identity in relation to race, disability, gender, age, sexual orientation and religion and belief.

If you choose not to produce a Single Equality Scheme, then as a minimum you must have in place a three year race equality policy and action plan, accessibility plan, disability equality scheme and action plan, gender equality scheme and action plan, equal opportunities policy that covers sexual orientation, age and religion or belief, and a strategy for promoting community cohesion (in the form of a policy, plan, or working group for example).

Incorporating the above policies, schemes and plans into one overarching Single Equality Scheme will help create a single, more streamlined and coherent document for promoting equality and diversity within your school

Hampshire County Council has developed a Single Equality Scheme and advises schools to take a similar approach.

We want to produce a Single Equality Scheme. Do we also need to have a separate Race Equality Policy, Disability Equality Scheme and Gender Equality Scheme? And what about our Disability Accessibility Plan?

No, you do not need separate equality policies and plans, but can incorporate all the above into a Single Equality Scheme, providing you

- meet your legal duties for each aspect of equality legislation. Following the framework will help you to achieve this
- make explicit within your Single Equality Scheme your separate priorities and actions to promote race, disability and gender equality. The framework is structured to help you achieve this

We have worked hard to produce a good Disability Equality Scheme. What happens to it if we now develop a Single Equality Scheme?

Your hard work needn't go to waste. You could insert your Disability Equality Scheme into section 6 of the framework, which includes your progress and priorities for Disability Equality. Alternatively, you could cut and paste the relevant sections throughout the document, such as involvement activities in section 4 of the framework, monitoring activities in section 5 and achievements and priorities in section 6. You need to make sure that you are meeting your duties under the Disability Equality Duty, and following the framework will help you to do this.

We want to develop a Single Equality Scheme. Where do we start? Who should be involved in developing our Single Equality Scheme?

You might set up a small working party of 3 – 7 people depending on the size of your school. For a primary school, for example, this might include the Headteacher, a parent, a governor and a staff representative. For a secondary school, this might include someone from the senior leadership team, someone responsible for data, someone responsible for staffing, one or two key managers and perhaps the lead governor for equality

You should use the toolkit's 'framework for a Single Equality Scheme (SES)' as a starting point for discussion. You may also find the toolkit's 'flowchart for developing a SES' helpful

Your first activity will probably be to carry out a range of involvement activities to ensure that the full diversity of people have been included in developing your Scheme. Consider disabled people and people from ethnic communities who are staff, learners, parents and from the local community. Section 4 of the framework will give you further ideas. This will help ensure that you meet your legal duties to involve disabled people in developing your Scheme, and you take on board from the outset what they and other members of your diverse community have to say

Where can we get an exemplar school Single Equality Scheme to copy?

If you merely copy another school's Single Equality Scheme then you are unlikely to meet your legal duties or identify your own priorities for your action plan. The equality duties require you to identify barriers faced by people who work, learn or use the services of your own school who share an aspect of their identity in relation to race, disability, gender, age, sexual orientation and religion and belief. You need to set your own equality targets and improved outcomes to achieve. So copying someone else's Single Equality Scheme will be of no use to you. However, the framework provided in the toolkit will help you to develop your Single Equality Scheme within the context of your own organisation, and thereby help you to meet your statutory requirements.

Isn't all this equality legislation just 'political correctness' gone mad?

It might be easy to see equality legislation as yet another burden on schools. However, they should really be seen as part of a broader response to raising standards. All good schools respect and celebrate diversity, striving to achieve the very best opportunities for all their young people, and for those who work in the school, irrespective of background, identity or circumstance, within a culture of respect. Promoting equality, inclusion and good community relations will be at the heart of all that they do

Implementing the requirements of equality legislation will help schools to

- create a diverse learning community where there is a shared commitment to value diversity and respect difference
- deliver more effective education, responsive to the needs of individual learners
- raise standards and achieve key outcomes, such as Every Child Matters, and personalised learning
- promote a greater knowledge and understanding of equality and human rights, to the benefit society at large

What alternative formats should be made available for our Scheme?

Examples of alternative formats include large print, electronic, audio tape, Braille and translation into other languages.

Many people with visual impairments do not use Braille, and therefore routinely producing copies of your Single Equality Scheme in Braille is probably unnecessary and expensive. However, you should have arrangements in place to produce a copy in Braille in anticipation that someone may ask you for this format. Similarly, you will know the community that your school serves, and whether routine translation of your Scheme into different languages is appropriate.

How can we involve disabled staff when we don't have any?

It is highly likely that you do have disabled staff in your school, as 15 - 20% of people of working age are covered by the definition of a disabled person. So the issue for you is probably more about how you identify staff in your school who are disabled

Schools will want to explore strategies to create an environment where staff feel comfortable to disclose. The answer to the next question suggests some tips on how you might go about this

How can we encourage staff to disclose a disability?

To help establish a positive environment where people feel comfortable to disclose a disability, learning difficulty or medical condition, schools may wish to consider:

- **how** they ask people to disclose. Many people who are covered by the DDA definition, such as people with mental health difficulties, medical conditions, or specific learning difficulties, may not consider themselves to be 'disabled'. Questions on monitoring forms should therefore define disability or choose words to include the above groups of people.
- **why** they ask people to disclose. The benefits of disclosure should be stressed, such as the opportunity to ensure that the school recruits the full diversity of staff, or to ensure adjustments are put in place effectively, or to ensure that the experiences of disabled staff match their non disabled peers. Disabled staff may choose not to disclose if they perceive a negative consequence, such as an increased risk of being made redundant or being overlooked for promotion
- **when** people are asked to disclose. Recruitment is an obvious time, but providing opportunities during induction are also important. 70% of people will acquire a disability during their working lives, and schools should have processes in place for updating staff data on an ongoing basis
- providing clarity on **what** happens to the information when people disclose. An explicit explanation of what happens to information that is disclosed, and how this will be kept confidential are two essential factors in encouraging disclosure. It is also important to explain to staff how the school will use the information, for example to promote equality and achieve improved outcomes for disabled people
- **who** asks disabled people to disclose. Staff may, in the first instance, be happier to disclose on an anonymous basis, or to other disabled staff or to union representatives, particularly if disabled staff are uncertain about the consequences of disclosure

Other factors that encourage staff disclosure may include having

- role models in management who champion equality and inclusion
- strategies to ensure equality and diversity is visibly valued by the school
- robust and transparent processes in place to explain how adjustments are discussed and implemented following staff disclosure of a disability, learning difficulty or medical condition
- 'success stories' of adjustments that have been arranged for staff, with staff consent, published in newsletters

Why do we need to produce an annual report? Do we need to produce separate annual reports for race equality, gender equality and disability equality? What should be in the annual report?

Under the race, disability and gender equality duties, you are legally required to report annually on your progress and performance in respect of each of these aspects of equality. Under the DDA Part 4 Planning Duties, you are also legally required to report annually on your progress to improve access for disabled pupils, including access to the curriculum, physical access and access to written materials. Taking a single equality approach will allow you to incorporate all of these requirements into one annual report

Your annual report could include, for example

- The results of your information gathering activities for race, gender and disability
- The use made of such information
- The outcomes of involvement activities with men and women who are disabled or from ethnic communities
- Your key achievements for the year, such as the improved outcomes and achievement of priorities (including the above access improvements for disabled people)
- Equality impact assessments that have been carried out on policy or practice during the year
- Key priorities and targets for next year

Providing your annual report clearly identifies your progress, performance and improvements in relation to race, disability and gender equality, and in relation to improved disability access, you do not need to produce separate annual reports.

How often do we need to review our Single Equality Scheme?

You must formally review your Single Equality Scheme every three years. However, you will want to review your progress and performance in achieving your priorities, on at least an annual basis. Your Action Plan should be embedded within your School Improvement Plan to ensure regular oversight by senior staff and governors. Your Action Plan should be updated at least annually in the light of your review and activities undertaken throughout the year such as your information gathering activities.

What if we don't produce a Single Equality Scheme? What might happen?

Assuming you also do not have the required equality policies, schemes and action plans in place as an alternative (see the answer to the question '[Do we have to produce a Single Equality Scheme?](#)'), then you run the risk of compliance action

being taken against your school by the Equality and Human Rights Commission. Ofsted will report when a school is not complying with the duties.

It will also count badly for you if someone makes an allegation of discrimination against your school, which results in court action.

You will also not reap the benefits of implementing equality legislation.

Responding effectively to the requirements of equality legislation helps schools to

- create a diverse learning community where there is a shared commitment to value diversity and respect difference
- deliver more effective education, responsive to the needs of individual learners
- raise standards and achieve key outcomes, such as Every Child Matters, and personalised learning
- promote a greater knowledge and understanding of equality and human rights, to the benefit society at large

Once we have written our Scheme, what will we do with it? Who is going to monitor it?

Your Scheme is a public document and therefore anyone could ask to see it. You should make it widely available, perhaps by placing it on your website, having copies available in reception, and a summary in your prospectus. See section 9 of the framework for further ideas

Your real test of progress will be to use your Scheme to achieve improved outcomes for people who share an aspect of their identity in relation to race, gender, disability, sexual orientation, religion and belief and age. Your Scheme should be a 'living document' reflecting your current and future plans for implementing the requirements of the equality duties and therefore, like any business plan or strategy should be monitored, reviewed and revised on a regular basis. Implementing your Scheme effectively to achieve improved outcomes will therefore be crucial. One way to ensure this is to embed your Action Plan within your School Improvement Plan, which will have regular oversight by senior staff and governors.

Ofsted should check that you have a three-year Single Equality Scheme in place (or a separate three-year race equality policy and action plan, accessibility plan, disability equality scheme and action plan, gender equality scheme and action plan, equal opportunities policy that covers sexual orientation, age and religion or belief, and a strategy for promoting community cohesion (in the form of a policy, plan, or working group, for example).

However, Ofsted will often be more interested in the **impact** of your Single Equality Scheme (or separate equality policies, schemes and action plans) – for example

- how is the Scheme making a difference?
- what have you achieved in promoting equality, inclusion and community cohesion?

- how have you reduced equality gaps, for example provision, progress and achievement of underperforming or under-represented groups?
- how is equality promoted and embedded within school life?
- what targets and priorities do you have for further promoting equality, inclusion and community cohesion?

Who might ask to see our Single Equality Scheme?

Ofsted may ask to see it (see above question), or your School Improvement Partner. However, your Scheme is a public document and therefore anyone could ask to see it, including staff, learners, prospective and current parents and people in the local community. The Equality and Human Rights Commission may ask to see it.

You should therefore make it widely available, perhaps by placing it on your website, having copies available in reception, and a summary in your prospectus. See section 9 of the framework for further ideas

Who is responsible for the Single Equality Scheme?

The governing body carries the ultimate responsibility for implementing equality legislation and governors play a key role in supporting senior staff to drive forward equality, inclusion and community cohesion. Governors may want to use the toolkit's 'audit tool' to help monitor the progress their school has already made, and further action their school intends to take to promote equality, inclusion and community cohesion

What is an equality impact assessment?

An equality impact assessment is a detailed analysis of the effects of a proposed or existing policy or practice on a group of people who share an aspect of their identity in relation to gender, disability, race, age, sexual orientation or religion or belief. 'Policy and practice' is a broad term that covers every aspect of a school's function.

The impact assessment process looks for positive impact that may have been missed or better exploited, as well as detecting any actual or negative impact on a particular group of people.

The impact assessment process should lead to positive changes for different groups of people who work, learn or use the services of the organisation. It is a way to make sure we think carefully about the likely impact of our work on different groups of people, and take action to improve policy and practice where possible

Equality impact assessments are designed to be a challenging process, but they are not intended to be overly complicated or about 'getting it right'. They are about having a 'mindset' of equality and inclusion and taking a common sense approach.

How can schools meet their duties to carry out equality impact assessments?

Your first step might be to map all relevant policies and functions, and to prioritise these in relation to their impact on race, disability and gender equality. You will want to ensure that men and women who are disabled and men and women who are from ethnic communities help you in this prioritisation process

Your second step might be to schedule a programme of impact assessments within the three year life span of your action plan. You will also want to identify a range of sources to provide evidence to help inform the impact assessment process.

Your third step might be to arrange training for key staff to 'demystify' the impact assessment process and to provide skills and confidence to carry this out effectively

The Commission for Race Equality, the Disability Rights Commission and the Equal Opportunity Commission all produced guidance on carrying out impact assessments. These commissions have now merged into the Equality and Human Rights Commission but their guidance materials are still available on the EHRC website www.equalityhumanrights.com

Your fourth step will be to set up a team or identify a member of staff who will

- receive results of impact assessments to ensure that these have been completed appropriately
- check that the programme of impact assessments is adhered to

Where can we get further advice?

Schools will find a wealth of advice on the following websites:

<http://www.teachernet.gov.uk/whole-school/equality>

Information for staff on equality including information on race, gender, disability, age, sexual orientation and religion and belief equality

<http://www.teachernet.gov.uk/whole-school/communitycohesion/>

Information for staff on community cohesion

http://www.teachernet.gov.uk/whole-school/equality/school_workforce

Information for staff on equality and the workforce

<http://www.governornet.co.uk>

Information for governors

www.equalityhumanrights.com

The website of the Equality and Human Rights Commission

<http://www.dcsf.gov.uk/sreguidance/>

Guidance on sex and relationship education to support schools, teachers and governors

