



# Equality, Diversity and Inclusion Policy

## 1. Introduction

- 1.1 Creative Education Trust is committed to developing, maintaining, and supporting an inclusive culture and environment for the benefit of its employees and the communities it serves.
- 1.2 The principles of equality, diversity and inclusion are at the heart of school life, and Creative Education Trust expects all employees, pupils, parents/carers and members of the wider school community to be treated equitably and with respect.

## 2. Purpose

- 2.1 The aims of the policy are:
- to promote equal treatment within the Trust for all members of the Trust community;
  - to communicate the commitment of the Trust to the promotion of equal opportunities;
  - to create and maintain an open and supportive environment which is free from discrimination;
  - to foster mutual tolerance and positive attitudes so that everyone can feel valued within the Trust; and
  - to actively promote and safeguard the welfare of children, staff and others who come into contact with the Trust.
- 2.2 This policy is closely linked to all policies and ensures that the Trust and its schools fulfil their obligations under the Equality Act 2010 (the Act).

## 3. Scope

- 3.1 This policy applies to all:
- Employees and prospective employees (job applicants and prospective job applicants) of Creative Education Trust.
  - Former employees with regards to the provision of an employment reference.
  - All workers, contractors and sub-contractors; consultants; agency workers; employees seconded from other organisations; governors and volunteers.
  - Pupils of Trust schools and their parents/carers
  - Other members of the community which Creative Education Trust serves.
- 3.2 All of these groups are expected to adhere to the principles set out in this policy.

## 4. Regulatory Framework

This policy has been prepared to meet the Trust's responsibilities under:

- Equality Act 2010;
- Statutory framework for the Early Years Foundation Stage (DfE, March 2014);



- Education and Skills Act 2008;
- Children Act 1989;
- Childcare Act 2006;
- Data Protection Act 2018 and General Data Protection Regulation (GDPR); and
- Children and Families Act 2014.

4.1 This policy has regard to the following guidance and advice:

- Equality Act 2010: explanatory notes (2010);
- The Equality Act 2010 and Schools: departmental advice for school leaders, school staff, governing bodies and local authorities (DfE, May 2014);
- Technical guidance for schools in England (Equality and Human Rights Commission, July 2014);
- Special educational needs and disability code of practice: 0 to 25 years (DfE, January 2015);
- Advice and Guidance: How can we stop prejudice-based bullying in schools? (Equality and Human Rights Commission);
- Keeping children safe in education (DfE, September 2019);
- Working together to safeguard children (HM Government, February 2019); and
- Relationships education, relationships and sex education (RSE) and health education guidance (DfE, June 2019)
- Trade Union and Labour Relations (Consolidation) Act 1992

4.2 The following policies, procedures, documents and resource material are relevant to this policy:

- Admission Policy and arrangements;
- Behaviour for Learning Policy;
- School Uniform Policy;
- Anti-Bullying Policy;
- Special Educational Needs and Disability Policy;
- SEN information report;
- Accessibility Plan;
- Public Sector Equality Duty (PSED) statement and objectives;
- Relationships Education/Relationships and Sex Education Policy.

## **5. Publication and availability**

- 5.1 This policy is published on the Trust's website, as well as the website for every Trust school..
- 5.2 This policy is available in hard copy on request from the HR office.
- 5.3 A copy of the policy is available for inspection from the HR office during the school day
- 5.4 This policy can be made available in large print or another accessible format if required.

## **6. Roles and responsibilities**

- 6.1 Creative Education Trust is the Proprietor of all schools within the Trust. In this document, the term "Proprietor" refers to Creative Education Trust (the Trust).



- The Proprietor has overall responsibility for all matters which are the subject of this policy.
- The Proprietor is aware of its duties under the Equality Act 2010 and the requirement to meet the Public Sector Equality Duty. This means in carrying out its functions, the Proprietor is required to have due regard to the need to:
  - eliminate discrimination and other conduct that is prohibited by the Act;
  - advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
  - foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

6.2 The Principal (in this document, the term “Principal” refers to Principals of secondary schools and Headteachers of primary schools) is responsible for:

- Ensuring that all employees, pupils and parents/carers are aware of this policy, of its expectations and the reason why this policy is in place;
- The preparation and implementation of each school's PSED Statement;
- Sharing the equality objectives with the Academy Improvement Board and where appropriate including these in the school development plan;
- Acting as a role model for the school community;
- Ensuring that all employees have access to appropriate training with regards to equality and diversity.

6.3 All managers within the Trust are responsible for:

- Ensuring that all employees that they line manage have access to this policy;
- Co-operating with any measures introduced by the school or Trust in relation to equal opportunities and diversity;
- Managing their employees in a way which is consistent with this policy;
- Setting a good example and ensuring all employees understand the standards expected of them;
- Following agreed procedures in relation to equality and diversity;
- Ensuring that they have undertaken relevant equality and diversity training;
- In conjunction with the Principal, ensuring that members of their staff have undertaken relevant equality and diversity training.

6.4 All employees are responsible for:

- Complying with this policy at all times when dealing with each other, managing other employees, and in their relationships with children, parents, carers, governors and other stakeholders;
- Treating colleagues, governors, pupils, volunteers, visitors, and members of the public with dignity and respect;
- Embracing a culture that provides supportive and positive working relationships and behaviour, which underpins the trust's vision and values;
- Being alert to discrimination and taking action to avoid becoming involved in any form of discrimination;
- Making colleagues aware if their conduct or behaviour is inappropriate and/or reporting this to the Principal, or, if the inappropriate behaviour comes from the Principal, to the Chief Executive of Creative Education Trust;
- Providing support to employees who are subject to inappropriate conduct or



- behaviour;
- Acting as positive role models in their approach to all issues relating to equality of opportunity;
- Promoting good community and workplace relations to foster and encourage an atmosphere of tolerance and support so that there is no place for behaviours which would negatively impact upon the community, Trust or school.

## 7. Discrimination under the Equality Act 2010

7.1 The Trust recognises the benefits of having a diverse community, with individuals who value one another, and the different contributions everyone can make. Pupils will be taught to value and respect others. The Trust is committed to be an equal opportunities education provider and is committed to equality of opportunity for all members of the Trust community.

7.2 The Equality Act 2010 brings together previous legislation to protect people from discrimination in the workplace and in wider society. The act covers nine 'protected characteristics' which qualify for protection from discrimination under the act. These are as follows:

- Age<sup>1</sup>
- Disability
- Gender reassignment
- Marriage and civil partnership<sup>2</sup>
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

7.3 Whilst not a protected characteristic under the Act, the Trust will not discriminate on the grounds of trade union membership or activities as set out in the Trade Union and Labour Relations (Consolidation) Act 1992.

7.4 The Trust also opposes all bullying and unlawful discrimination on the basis that a person has special educational needs or learning difficulties, or because English is an additional language.

7.5 Under the Act, there are three main types of discrimination, as set out below. Discrimination may be direct, indirect, or arising from disability and may occur intentionally or unintentionally:

- **Direct discrimination** (including direct discrimination by association and direct discrimination by perception): Direct discrimination occurs when a person is treated less favourably than another person because of a Protected Characteristic. For example, rejecting an applicant of one race because it is considered they would not "fit in" because of their race. This would be a decision based on grounds of their

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<sup>1</sup> Age is not a protected characteristic in relation to the provision of education or services to pupils, but it is a relevant protected characteristic in respect of staff and others.

<sup>2</sup> Marriage and civil partnership are not protected characteristics in relation to education or the provision of education or services to pupils, it is included however in relation to staff and others.



race and would be direct discrimination. Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy or maternity). For example, if a pupil is harassed or victimised because a sibling is disabled, this would be direct discrimination against that pupil.

- **Indirect discrimination:** indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which is applied to all but puts them at a particular disadvantage because of, for example, their sex or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with sex, they would be indirectly discriminatory on the grounds of sex.
- **Discrimination arising from disability:** discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a pupil with cerebral palsy who is a wheelchair user is told they will be unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

7.6 Under the Act, it is also unlawful to subject pupils or staff to harassment, or victimisation.

## 8. School Environment

8.1 Equality and diversity principles will be embedded in school daily practices, policies and the processes of decision-making, including but not limited to:

8.2 Admissions and induction:

- The Trust, as the Admission Authority for each school, accepts applications from, and admits pupils irrespective of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, or religion or belief or special educational needs (SEN) and will not discriminate on these grounds in the terms on which a place is offered. The Trust will treat every application in a fair, open-minded way.
- The Trust ensures that each school's Admission Policy and arrangements reflects the Trust's approach towards equal opportunities for prospective pupils and is consistent with this policy.

8.3 Pupils' progress and achievement.

- **Equal access:** The Trust will afford all pupils equal access to all benefits, services, facilities, classes and subjects including all sports, irrespective of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, or religion or belief or special educational needs, subject to overriding considerations of safety and welfare.
- **Positive action:** The Trust may afford pupils of a particular racial group, or pupils with a disability or special educational needs, access to additional education or training to meet the special needs of the pupils in that group, for example, special language training for groups whose first language is not English.



- **Exclusions:** a Trust school will not discriminate against any pupil by excluding them from school, or by subjecting them to any other detriment, on the grounds of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, or religion or belief, or special educational needs.
- **Teaching and educational materials:** Efforts are made to recognise and be aware of the possibility of bias (for example, on the grounds of sex or racial), so that this can be eliminated in both the Trust's teaching and learning materials and teaching styles. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias.
- **Pupil interaction:** All pupils are encouraged to work and play freely with, and have respect for, all other pupils, irrespective of their sex, gender reassignment, race, disability, sexual orientation, religion or belief, or pregnancy and maternity or special educational needs, subject to considerations of safety and welfare. Positive attitudes are fostered towards all groups in society through the curriculum and ethos of the Trust, and pupils will be encouraged to question assumptions and stereotypes. Each school's PSHE and relationships education/ relationships and sex education curriculum encourage respect for other people, with particular regard to the Protected Characteristics.
- **Bullying:** The Trust will not tolerate bullying or cyberbullying for any reason. Specific types of bullying include:
  - Bullying relating to race, religion, belief or culture;
  - Bullying related to SEN, learning difficulties or disabilities;
  - Bullying related to appearance or health conditions;
  - Bullying relating to sexual orientation;
  - Bullying of young carers or looked after children or otherwise related to home circumstances;
  - Sexist or sexual bullying or bullying related to gender reassignment.

See the Trust's Anti-Bullying Policy.

#### 8.4 School uniform

- **Each School's Uniform Policy is consistent with this policy:** The same School Uniform Policy applies equally to all pupils, irrespective of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, or religion or belief or special educational needs, subject to considerations of safety and welfare. However, each school will consider reasonable requests to alter the uniform, for example, for genuine religious requirements and reasonable adjustments for disabled pupils.
- **Symbols of faith:** Certain items of jewellery, such as the Kara bangle worn by Sikhs, and certain items of headwear, such as the turban and headscarves may be worn by pupils when doing so is genuinely based on manifesting religious or racial beliefs or identity. This is subject to considerations of safety and welfare and each Trust School's Uniform Policy] principles (in regard to, for example, the school's colours). Where there is uncertainty as to whether an item may be worn under this section, the issue must be referred by the pupil or parents to the Principal /Headteacher, whose decision will be final,



subject to the school's Complaints Policy.

- **Disabled pupils:** Reasonable adjustments may be required to the school uniform for disabled pupils who require them. The pupil or parents should refer the matter to the Principal /Headteacher to ensure all reasonable adjustments are made to accommodate the pupil.

#### 8.5 Religious belief

- **Religion:** The Trust's religious ethos, services and school timetable are set in accordance with the Christian tradition, but the Trust respects the right and freedom of individuals to worship in accordance with other faiths, or no faith, subject always to their respecting the rights and freedoms of the Trust's community as a whole and considerations of safety and welfare.

#### 8.6 Disability and special educational needs

- **Our approach:** We are an inclusive Trust and our schools welcome members of the Trust's community with disabilities and special educational needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the Trust and we will not treat a member of the Trust community less favourably on these grounds without justification.
- At present, our facilities, physical and otherwise, for the disabled and those with special educational needs are limited. However, we will do all that is reasonable to ensure that each Trust school's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Special Educational Needs and Disability (SEND) Policy is consistent with this policy. A copy of this policy is available on the website.
- **Reasonable adjustments:** The Trust has an on-going duty to make reasonable adjustments for disabled pupils and pupils with special educational needs in respect of the education and associated services provided to ensure that such pupils are not placed at a substantial disadvantage in comparison with other pupils. This is a broad expression that covers all aspects of school life, for example:
  - The curriculum;
    - Classroom organisation and timetabling;
    - Access to the Trust's facilities;
    - Clubs and visits;
    - School sports; and
    - The Trust and each school's policies.
  - Reasonable adjustments may typically include:
    - Making arrangements for a pupil in a wheelchair to attend an interview in an accessible ground floor room;
    - Allowing extra time for a dyslexic child to complete an exam;
    - Providing examination papers in larger print for a pupil with a visual impairment;
    - Rearranging the timetable to allow a pupil to attend a class in an



- accessible part of the building;
  - Arranging a variety of accessible sports activities;
  - Providing a pupil with a behavioural disability with a time-out card, access to a time-out room or agreeing that they sit in a particular place.
- In making reasonable adjustments, the Trust is required to provide auxiliary aids and services for disabled pupils where to do so would be reasonable (for example, a 1 to 1 support worker, a fiddle toy or a wobble cushion). The Trust will carefully consider any proposals made by parents and will not unreasonably refuse any requests for such aids and services.
  - As well as providing educational services, the Trust provides services to the public, for example at:
    - Open days;
    - Parents' evenings;
    - Concerts and plays;
    - Exhibitions;
    - Conferences (including residential conferences during holiday periods);
    - Use of sports facilities.
  - When providing such services, the Trust will make reasonable adjustments to ensure that disabled people are able to use the Trust's services as far as is reasonable to the same extent and standard as non-disabled people.
  - **Informing the Trust:** Parents of pupils are required to notify the relevant Principal in writing if they are aware or suspect that the pupil (or prospective pupil) has a disability or the pupil (or prospective pupil), has a learning difficulty. Parents must provide copies of all written reports and other relevant information upon request. Providing the school with such information will enable it to support the pupil as much as possible. Confidential information of this kind will only be communicated on a "need to know" basis. The Trust will have due regard to any request made by a parent or pupil (who has sufficient understanding of the nature and effect of the request) to treat the nature or existence of the person's disability as confidential.
  - **Access:** The Trust will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to other users. Where possible and proportionate, the Trust will take steps to improve access for disabled users of the premises. The Trust has an Accessibility Plan for each school, which is kept under review and revised as necessary. The Accessibility Plan is available on request from the School Business Manager

#### 8.7 Pupils with Education, Health and Care (EHC) Plans

- The Trust's Special Educational Needs and Disability (SEND) Policy includes details about the welfare and educational provision for pupils with EHC Plans.

#### 8.8 Pupils with English as an additional language

- Pupils with English as an additional language will receive additional learning support if necessary. The Trust will consult with the pupil and the parents as appropriate. The Trust has appropriate welfare support for all such pupils.





The Trust will ensure that:

- Home-school links are made to involve Parents directly in the work of each Trust school;
- Interpretation and translation services are made available as quickly as possible;
- Links are established within the local community;
- Staff work effectively with other local services;
- Learning support for ethnic minority pupils is efficient and effective;
- Provision is made for spiritual, moral, social and cultural education, supported by appropriate resources and information; and
- Pupils' names should be accurately recorded and correctly pronounced. Pupils should be encouraged to accept and respect names from cultures other than their own.

## 8.9 Provision for pupils with particular religious, dietary, language or cultural needs

8.9.1 Special diets are an important part of the catering provision we offer within the Trust. The kitchen teams and contractors will deliver food that will cater for alternative diets for children with intolerance to specific foods and to those who require an alternative due to religious beliefs.

The Trust will ensure it caters safely for:

- Ethnic minority groups
- Vegetarians
- Food intolerance
- Food allergy
- Food aversion
- Medical conditions

The Trust requires the catering teams to ensure menus always include a meat and a vegetarian option at every service and to ensure that specific dietary requirements, for example vegan, Halal, Kosher, or allergy requirements are fully accommodated.

Where necessary, staff may provide advice, training and guidance to parents and school teams on all aspects of the provision of meals. Catering teams will ask the parents of children with special dietary requirements to complete a form detailing their needs.

8.9.2 Academies use the opportunity of assembly time and the curriculum to reflect the philosophy of inclusion and understanding of different cultures.

## 9. Equality, Diversity and Inclusion in Employment

### 9.1 Recruitment

9.1.1 All job descriptions and advertisements will be written to ensure that they do not discriminate or exclude any potential candidates due to any protected characteristics and that the vacancy is open to all suitable candidates that meet the criteria for the role.

9.1.2 A decision to recruit will be based solely on the merits of the individual and how they



performed during the selection process.

9.1.3 Reasonable adjustments during recruitment process that have been requested by candidates who have declared that they have a disability will be considered. This is to ensure that no candidate suffers any disadvantages during the selection process.

9.1.4 There are limited circumstances where an employer may act in a way which is discriminatory, but where it can objectively justify discrimination as 'a proportionate means of achieving a legitimate aim'. This includes stating an 'occupational requirement' when applicants for a job must have a particular protected characteristic under the Equality Act. This is a complex area, and advice must be sought from the Director of Human Resources if a Principal determines that a specific role has an occupational requirement or that they would like to consider any forms of positive action in an employment context.

## **9.2 Employee Development**

9.2.1 All staff will receive training to equip them with an understanding of equalities, diversity and inclusion.

9.2.2 All staff will receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

## **9.3 Reasonable Adjustments**

9.3.1 Where a member of staff has declared a disability, reasonable adjustments will be considered, following advice from a medical professional and/or Occupational Health. Further details can be found in the Absence Management Policy.

9.3.2 In circumstances where reasonable adjustments are agreed, these will be documented in the Disability Passport

## **9.4 Positive Action**

9.4.1 Underrepresented groups may be encouraged to apply for training and employment opportunities within the Trust. Recruitment to all jobs will be strictly on merit.

## **9.5 Managing complaints of discrimination**

9.5.1 The Trust takes any complaint of discrimination extremely seriously. Where an employee considers that they have been unlawfully discriminated against they may use the Grievance Policy to make a complaint, or if the complaint involves alleged bullying or harassment they should use the Harassment and Bullying Policy,.

9.5.2 Where employees commit an act of unjustified or unlawful discrimination, or allow discrimination to occur without taking appropriate action, then action under the terms of the Disciplinary Policy will be considered.

## **10. Equality information**

10.1 As part of schools' obligations under the Equality Act 2010, each school will publish information to demonstrate its compliance with the general equality duty. This information must include, in particular, information relating to people who share a protected characteristic who are:



- Its employees, and
- People affected by its policies and practices.

For further information see the relevant school PSED Statement.

## 11. Monitoring, allocation of tasks and review

11.1 To ensure that efficient discharge of its responsibilities under this policy, the Trust has allocated the following tasks:

Task	Allocated to	When/frequency of review
Keeping the policy up to date and compliant with the law and best practice	Director of HR	Every 3 years or as a result of legislative changes
Monitoring the implementation of the policy (ensuring its accessibility and availability), relevant risk assessments and any action taken in response and evaluating effectiveness	Principals and Headteachers	Annually
Seeking input from interested groups (such as pupils, staff and Parents) to consider improvements to the school's processes under the policy	Principals and Headteachers	As required when policy changes

11.2 The success of this policy will be assessed through consideration of (though not limited to):

- Records of individual pupil progress
- Staff appraisals and exit questionnaires
- Pupil and parent comments
- Feedback from teachers
- Examination results
- Ofsted inspection reports
- Profile of candidates in the recruitment process

## 12 Training

12.1 The Trust ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.

12.2 The level and frequency of training depends on the role of the individual member of staff.

12.3 The Trust maintains written records of all staff training.

## 13. Record Keeping



- 13.1 All records created in accordance with this policy are managed in accordance with the Trust's policies that apply to the retention and destruction of records.
- 13.2 All reported breaches of this policy will be recorded and this record will be reviewed annually by Principals and Headteachers for breaches related to pupils and the Director of HR for staff.
- 13.3 The information created in connection with this policy may contain personal data. The Trust's use of this personal data will be in accordance with data protection law. The Trust has published privacy notices on its website which explain how the Trust will use personal data