

# PUBLIC SECTOR EQUALITY DUTY

## What is the Public Sector Equality Duty?

The single Public Sector Equality Duty (PSED) came into effect in April 2011 as a result of the [Equality Act 2010](#). It requires public bodies to promote equality and replaced three pre-existing duties relating to disability, race and gender equality.

The PSED applies to all maintained and independent schools, including academies, and maintained and non-maintained special schools.

## Protected Characteristics

The Department for Education (DfE) has published [non-statutory advice](#) that sets out schools' obligations under the PSED.

Paragraph 5.1 explains that the PSED extends to the following **protected characteristics**:

- Race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity, gender reassignment

## Three Main Elements

Paragraph 5.1 of the document explains that the PSED has **three main elements**. In carrying out their functions, public bodies are required to have due regard to the need to:

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

## Due Regard

Paragraph 5.4 of the DfE's advice says that '**due regard**' has been defined in case law and means giving "relevant and proportionate consideration to the duty".

For schools, this means:

- Decision makers must be aware of the duty to have due regard when making a decision or taking an action, and must assess whether it may have implications for people with particular protected characteristics
- Schools should consider equality implications before and at the time that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis
- The PSED has to be integrated into the carrying out of the school's functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind

## Specific Duties

The PSED introduces secondary legislation in the form of **specific duties**. The duties require schools to:

- Publish information to demonstrate how they are complying with the PSED. This information must include, in particular, information relating to people who share a protected characteristic
- Prepare and publish equality objectives. Schools are required to update this published information **at least annually** and to publish objectives at least **once every four years**.

### What does our school do to eliminate discrimination?

We have set a **clear vision and values** which expect all our staff to act in a non-discriminating manner and be mindful to avoid actions that will be deemed as such to the public and our wider community.

We have **up-to-date and ratified policies** which set out a clear message that discrimination is not tolerated: staff code of conduct, behaviour, anti-bullying, safeguarding and child protection.

We understand that it is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability and one of our **equalities objectives** addresses this.

The governing body and school leaders involved in recruitment will **avoid unlawful discrimination in all aspects of employment** including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Another one of our **equalities objectives** addresses this.

Through a **structured PSHE curriculum offer, assemblies, workshops and visits**, equalities will be discussed with and taught to the children, exemplifying the **British Values** and **school values** that we believe in.

### Ways we improve equality of opportunity and involve individuals affected by inequality:

- ☒ Is information collected on race, disability and gender with regards to both pupils and staff e.g. pupil achievement, attendance, exclusions, staff training? Is this information used to inform the policies, plans and strategies, lessons, additional support, training and activities the school provides?
- ☒ How has your Equality Plan been shaped by the views, input and involvement of staff, parents and pupils?
- ☒ Is pupil achievement analysed by race, disability and gender? Are there trends or patterns in the data that may require additional action, and has action been taken to address these?
- ☒ Does the curriculum include opportunities to understand the issues related to race, disability and gender?
- ☒ Are all pupils encouraged to participate in school life? Are pupils who make a positive contribution reflective of the school's diversity e.g. through class assemblies / school council?
- ☒ Is bullying and harassment of pupils and staff monitored by race, disability and gender, and is this information used to make a difference to the experience of other pupils? Are racist incidents reported to the governing body and local authority on a termly basis?
- ☒ Are visual displays reflective of the diversity of your school community? How are minority ethnic, disabled and both male and female role models promoted positively in lessons, displays and discussions such as circle time and class assemblies?
- ☒ Does the school take part in annual events such as Black History Month, Deaf Awareness Week and One World Week to raise awareness of issues around race, disability and gender?
- ☒ Is the school environment as accessible as possible to pupils, staff and visitors to the school? Are open evenings and other events which parents, carers and the community attend held in an accessible part of the school, and are issues such as language barriers considered?
- ☒ Are the accessibility needs of parents, pupils and staff considered in the publishing and sending out of information, in terms of race, disability and gender?
- ☒ Are procedures for the election of parent governors open to candidates and voters who are disabled?