

Public Sector Equality Duty (PSED) Statement

1. Introduction

This statement provides information about how the Eastern Learning Alliance meets its duties under the Equalities Act 2010 specifically with regard to the Public Sector Equality Duty (PSED). The PSED requires public bodies to promote equality by considering all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. The PSED also requires our academies to publish information to demonstrate how they are complying with the PSED and to prepare and publish equality objectives.

The Eastern Learning Alliance defines the policy expectation through this Statement, but the responsibility for implementation of the policy rests with the Head of Academy and Local Governing Body of each academy.

The Equality Act 2010 uses the term “protected characteristics” to refer to aspects of a person’s identity. Treating a person less favourably because they have one or more of these characteristics would be unlawful. The protected characteristics are:

- Race
- Disability
- Sex
- Age (for academies this is a relevant characteristic in their role as an employer but not in relation to pupils).
- Religion or belief
- Sexual orientation
- Pregnancy and maternity
- Gender reassignment

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 Act
- **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

The PSED introduced secondary legislation in the form of specific duties. These require academies to:

1. Publish information to demonstrate how they are complying with the PSED

2. Prepare and publish equality objectives

Academies had to publish their initial information and first set of objectives by 6 April 2012. Academies are required to update this published information at least annually and to publish objectives at least once every four years.

2. Due regard

'Due regard' has been defined in case law and means giving "relevant and proportionate consideration to the duty".

For our academies, 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
- Academies 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
- The PSED has to be integrated into the carrying out of the academy's functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind

It is good practice for academies to keep a written record to show that they have actively considered their equality duties and asked themselves relevant questions.

3. Specific duties

The PSED introduces secondary legislation in the form of specific duties. Government advice clarifies that the specific duties should not be a burden on academies and if an academy does not routinely collect statistical data already, it would not be expected to do so to meet the duties.

To ensure that the information is accessible Academies will publish the required equality information on their websites or include links to the information.

The **specific duties** require academies to:

3.1 Publish information to demonstrate how they are complying with the PSED.

Academies must publish information relating to persons who share a relevant protected characteristic who are affected by their policies and practices. However, data about employees will not need to be published where a public authority has fewer than 150 employees. An academy may decide to make public some employee-related statistics to demonstrate compliance, so long as this does not conflict with principles of data protection.

- To **eliminate discrimination** the academy needs to show it is aware of the requirements of the Act and will comply with non-discrimination provisions. To do so, it could publish:
 - Policies relating to behaviour, anti-bullying, recruitment and pay, or links to them
 - A note of meetings at which staff or governors have been reminded of their duties under the Act

- Evidence of staff training
- The PSED requires Academies to show they are **advancing equality of opportunity** between people who share a protected characteristic and people who do not share it. To fulfil this aspect of the duty, the Academies will publish:
 - Attainment data for Year 11 and Year 13 (where relevant) showing how pupils with the characteristics are performing (this should focus on sex and disability characteristics)
 - Action the academy is taking in response to analysis of the above data
 - Evidence showing improvements for specific groups, such as a decline in incidents of homophobic bullying
- The PSED requires academies to show they are **fostering good relations** between those who share a protected characteristic and those who do not share it. This aspect could be fulfilled by publishing evidence of:
 - Aspects of the curriculum that promote tolerance, friendship, and understanding of a range of religions and cultures
 - Assemblies dealing with relevant issues
 - Involvement with local communities
 - Initiatives to deal with tensions between different groups of pupils within the academy
 - Engagement with people who have special knowledge that could inform the academy's approach, such as disability equality groups

3.2 Prepare and publish equality objectives

DfE guidance on producing equality objectives explains that objectives should be **specific, measurable and achievable** and used as a tool to help improve the academy experience of a range of different pupils. They should be published once every four years and reported on annually. An academy can set as many objectives as it feels are appropriate and it does not have to address every protected characteristic. Equality objectives would usually address outcomes for pupils. However, they can also aim to reduce or eliminate inequalities for parents, members of the community and the academy workforce.

The follow template should be used to publish the objectives on academy websites:

Objective	Action taken	Evidence of success in 2017/18	Evidence of success in 2018/19	Evidence of success in 2019/20