

<b>Name of Policy:</b>	Equality, Diversity & Inclusion Policy
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<b>Applicable to:</b>	Whole School Staff and Students
<b>Effective date:</b>	Feb 2022
<b>Date of next review:</b>	Feb 2023

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# Equality, Diversity & Inclusion Policy

## 1. Context

1.1 The BRIT School works actively to create a supportive and inclusive working and learning environment which is free from discrimination, where there is mutual respect and equality for all, and where differences are celebrated and respected. The School is proud of its commitment to diversity and values the way this enriches the life of the School and the experiences of all its community.

1.2 The Equality, Diversity and Inclusion (EDI) policy is set within the context of the School:

*BRIT exists because creativity is the future and young people of all backgrounds should be able to develop their creative talent and craft.*

**BRIT Mission:** to prepare young people for careers in the creative and performing arts.

**BRIT Values:** the individual.

**BRIT Ethos:** Original, Responsible, Ambitious, Inclusive & Kind.

Equality objectives are set and published at five yearly intervals and are addressed by a comprehensive EDI action plan which also implements the aims of this policy.

Other BRIT School policies directly relating to this policy include:

- Anti-Racism Policy
- Anti-Bullying Policy
- Behaviour Policy
- Child Protection and Safeguarding Policy
- Equal Opportunities Policy
- Trans Inclusion Policy

## 2. Purpose

2.1 The EDI policy sets out the requirements and responsibilities of the School for ensuring and advancing, equality for all members of the School community in accordance with the Equality Act 2010 (Appendix 1 and 2) and the Public Sector Equality Duty 2011 (Appendix 3).

2.2 The policy promotes positive attitudes to inclusivity and diversity to create an environment where all are able to participate and fulfil their potential. It seeks to ensure that no person is treated less favourably or unfavourably on the grounds of any of the Protected Characteristics (Appendix 1).

2.3 Each member of the School community has a responsibility to uphold this policy, advance equality and eliminate discrimination, harassment and victimisation.

### 3. Scope

3.1 The policy covers all aspects of the School's educational and business functions and applies to all members of The BRIT School community, including students, staff, governors, visitors, and parents/carers; and those contracted to work at, or for, the School including sub-contractors and employers.

### 4. Key responsibilities

4.1 A number of groups and individuals have a key role in the development and implementation of this policy;

#### 4.2 The **Board of Trustees**

The Board has accountability for approving the policy and for ensuring that it is aligned to the School's strategic objectives.

4.3 The **Principal** and Senior Leadership Team are responsible for ensuring:

- The School meets its legal obligations in relation to equality.
- They champion the EDI policy and associated actions.
- Equality Impact Assessments are undertaken where required.

4.4 A member of the Senior Leadership team has designated responsibility for EDI and leading action planning within The BRIT School.

4.5 The **EDI Committee** is responsible for:

- Supporting the implementation of the EDI policy across the School.
- Setting and monitoring the EDI Action Plan.
- Evaluating EDI data on staff and students in relation to recruitment, admissions, achievement and experience.
- Facilitating internal task groups to develop specific aspects of EDI work.
- Supporting The BRIT School in creating, reviewing and sustaining an inclusive and diverse environment.
- Supporting the BRIT School to fulfil its statutory duties and public duty including annual equality information and reports.
- Providing advice, guidance and support on the application of this policy to all stakeholders.
- Linking with appropriate equality bodies.

- Commissioning relevant training & development.

4.6 All **Managers** are responsible for ensuring:

- Their staff have a clear understanding of the School's approach to EDI, identifying staff development as necessary.
- Bullying, harassment and discrimination are effectively tackled.
- EDI is embedded in all activities.
- They effectively lead by example in treating all staff and students with dignity and respect and by being fair and reasonable in their attitudes and behaviours.

4.7 **Everyone** has a responsibility to give full and active support for the EDI policy by ensuring:

- The policy is understood and implemented.
- Their behaviour always takes into account the uniqueness of others.
- Everyone is treated with respect, courtesy and dignity.
- Behaviour not in accordance with the EDI policy is challenged and acted upon.

## 5. General principles

5.1 The BRIT School is committed to providing the highest quality teaching, support and services to all students and stakeholders. To achieve this aim, EDI must be embedded in the School's culture. EDI priorities are therefore aligned with, and underpin, the School's strategic and operational planning at all levels.

5.2 The School's commitment to advancing equality as an employer and education provider goes beyond legislative compliance to ensure that everyone is able to participate fully, irrespective of their background or personal characteristics.

5.3 The School strongly believes that the diversity of its community is one of its greatest strengths and most valuable assets. Treating people fairly, with dignity and respect, with an equal right to participate in society, to develop and achieve their full potential, is right and makes good business sense.

5.4 The School will comply with its legal responsibilities in carrying out both the general and specific public sector responsibilities (Appendix 3).

5.5 The School will conduct comprehensive and effective monitoring of all aspects of staff and student populations. Data is monitored to ensure services and activities are appropriate, sensitive and meet individual needs. The School will take appropriate measures to protect personal and personal sensitive data, including limiting access and where possible anonymising data taking due regard of data protection principles.

5.6 The School will conduct Equality Impact Assessments on proposed service changes and policies, as a means of identifying any adverse impact and exploring possible solutions to mitigate these.

5.7 The School will make adjustments for students and staff in accordance with identified needs wherever possible and reasonable.

5.8 The School aims to provide a responsive curriculum which offers students the knowledge, skills and understanding they need to live in a global society. The School ensures that curriculum delivery is underpinned by access to support services, including additional educational needs learning support where required.

5.9 The School is committed to the development and delivery of a range of training opportunities for staff in addition to a range of resources to support understanding of individual responsibilities.

5.10 The School aims to ensure that its duty to advance and promote EDI extends to those situations where any of its functions or services are contracted or sub-contracted to others.

5.11 The School may take lawful positive action to advance equality. This may be in the process of student admissions, staff recruitment, provision of educational opportunities in particular groups which are under-represented in a particular area of work or study, facilities or services to meet the needs of people from particular under-represented groups, or to target training. The School will ensure that positive action strategies will not be used once the needs have been met or if under-representation no longer exists.

5.12. The School is committed to eliminating discrimination by challenging inequality, prejudice and discrimination whether direct, indirect, by association or by perception.

## **6. Communication and Engagement**

6.1 The School aims to ensure that this policy is fully effective and that all members of the School community are committed to it. The School undertakes to work in partnership with the recognised trade unions; staff; students and stakeholders in its development and implementation.

6.2 The School will increase staff and student awareness of EDI through a range of media, meetings, workshops, tutorials and activities. EDI will play a key feature in course reviews, self-assessment and departmental outcomes.

6.3 Procedures for reporting bullying, discrimination and unacceptable behaviour are captured within key policies.

## **7. Impact measures**

7.1 This policy will be fully implemented when:

- Teaching, learning and assessment has equality, diversity and inclusion embedded throughout (evidenced in Ofsted and student and learning review feedback).
- All members of the School community actively and effectively promote equality, diversity and inclusion as a result of effective training and development.
- Data is monitored and leads to relevant actions with participation and achievement gaps narrowing.
- Colleague engagement surveys and student views indicate a positive EDI culture.
- The School is recognised externally for its commitment to EDI.

## **8. Breaches of policy and complaints**

8.1 The School takes non-adherence to this policy very seriously and reports of non-compliance will be investigated. The School strongly encourages informal and local resolution of issues or complaints; however, in some circumstances, the School reserves the right to use relevant disciplinary procedures.

8.2 No member of the School community will be victimised as a result of giving information about any act by a person who contravenes this policy.

8.3 Persons making allegations, which are proved to be false, will be dealt with in accordance with the School harassment and disciplinary procedures, as will any person who bullies or harasses another person who they believe has made an accusation against them.

## **Equality Act 2010 – Protected Characteristics**

The Equality Act 2010 applies to the School as both an employer and education provider. The Act identifies nine 'protected characteristics'

### **Age**

The Act protects people of all ages. (Under-18s are only protected against age discrimination in relation to work, not in the 'provision of goods and services'). However different treatment because of age is not unlawful discrimination if an organisation can justify it as a "proportionate means of achieving a legitimate aim".

### **Disability**

Under the Act a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities. HIV, Cancer and MS are included from the point of diagnosis.

### **Sex**

Both men and women are protected under the Act.

### **Gender Reassignment**

The Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts, or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected, so a woman who decides to live as a man but does not undergo any medical procedures would be covered.

### **Marriage & Civil Partnership**

The Act protects employees who are married or in a civil partnership. Single people are not protected.

### **Pregnancy & Maternity**

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and up to 26 weeks after she has given birth.

### **Race**

For the purposes of the Act race includes colour, ethnic origin, national origin and nationality (including citizenship).

### **Religion or Belief**

In the Act religion includes any religion and it includes a lack of religion. A religion must have a clear structure and belief system. Belief means any religious or philosophical belief (e.g. humanism) or a lack of such belief. To be protected a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

### **Sexual Orientation**

The Act protects bisexual, heterosexual/straight, gay and lesbian people.

## Appendix 2

### Equality Act 2010 – Unlawful Behaviours

In the Equality Act people are protected from a range of unlawful behaviours.

**Direct discrimination** occurs when a person treats another less favourably than they treat or would treat others in comparable circumstances because of a protected characteristic.

**Discrimination by association** is direct discrimination against someone because they are associated with another person with a protected characteristic. (This includes carers of disabled people and elderly relatives who can claim they were treated unfairly because of duties that they had to carry out at home relating to their care work). Discrimination by association does not apply to marriage and civil partnerships and pregnancy and maternity.

**Discrimination by perception** is direct discrimination against someone because others think they have a protected characteristic. It applies even if the person does not actually possess that characteristic. Discrimination by perception does not apply to marriage and civil partnerships and pregnancy and maternity leave.

**Indirect discrimination** is putting in place a policy or practice that has a differential (positive or negative) impact on someone with a protected characteristic than someone without that characteristic, when this cannot be objectively and legitimately justified. Pregnancy and maternity is not protected by indirect discrimination.

**Discrimination arising from disability** is treating a disabled person unfavourably because of something connected with their disability when this cannot be objectively justified. For example, prohibiting an employee from taking time off or breaks for medical treatment.

**Failing to make reasonable adjustments** - Employers and service providers have a duty to make reasonable adjustments for disabled employees and service users to enable fair access. Adjustments apply where a disabled person is placed at a substantial disadvantage in comparison to non-disabled people. This duty is anticipatory and must be reviewed on a regular basis to ensure adjustments made are appropriate. Failing to do so may be direct disability discrimination.

**Harassment** is unwanted conduct which has the purpose or effect of violating someone's dignity, or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic. The Act also offers protection to people who do not have a "protected characteristic" but find behaviour offensive, even if not directed at them.

**Victimisation** is treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting someone who is doing so.

## Exceptions

There are exceptional circumstances which legitimise some forms of discriminatory practices. The Equality Act 2010 gives a definition which describes legitimate justification; this being '*a proportionate means of achieving a legitimate aim*'.

To be legitimate, the aim of the provision, decision or practice must be legal and non-discriminatory and represent a real objective consideration. In the context of the School, examples of legitimate aims might include:

- Ensuring that education, benefits, facilities and services are targeted at those who most need them.
- Preventing fraud or other forms of abuse or inappropriate use of services provided
- Maintaining academic and/or business standards.
- Ensuring the health and safety, welfare and dignity of stakeholders.

Although reasonable business needs and economic efficiency may be legitimate aims, an education provider simply aiming to reduce costs cannot expect to satisfy the test. For example, the education provider cannot simply argue that to discriminate is cheaper than not to discriminate.

Even if the aim is legitimate the means of achieving it must be proportionate. Proportionate means 'appropriate and necessary', but 'necessary' does not mean that the provision or practice is the only possible way of achieving the legitimate aim.

## Appendix 3

### Public Sector Equality Duty 2011

As a public sector organisation the School has an additional duty under the **Public Sector Equality Duty, 2011**. This is made up of a General Equality Duty which is supported by specific duties.

The General Equality Duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The Specific Duty requires public sector organisations to show functional transparency by:

- Preparing and publishing one or more equality objectives which can be achieved to do any of the things mentioned in the aims of the General Equality Duty, by 6 April 2012, and at least every four years thereafter.
- Ensuring that those equality objectives are specific and measurable.
- Publishing those equality objectives in such a manner that they are accessible to the public.

## **Appendix 4**

*written by Lenny Henry & Marcus Ryder 2021*

### **96 per cent Majority Manifesto**

#### **1. We are the 96 percent. We believe we are the majority**

Straight able-bodied white men living in London make up 3.5 per cent of the population. Companies, organisations and society must restructure the way they operate so they benefit and reflect everyone they serve and the environment they operate in.

#### **2. We believe the best solutions are achieved together**

No one group has a monopoly on the truth and best solutions. We arrive at better outcomes when we are all involved in the decision-making process.

#### **We believe the time is now**

Solutions must be implemented now to address inequality and under-representation. The wait for a more equal society and better representation for all has been far too long.

#### **4. We believe in the power of allies**

People in positions of privilege and influence must demonstrate how they are actively support others to address inequality.

#### **5. We believe in individuality**

Those in power must recognise that we are all human beings and not just convenient boxes to be ticked. As individuals we demand recognition, and for our true potential to be realised and rewarded.

#### **6. We believe in structural change**

Structural solutions solve systemic problems. We are fighting against cosmetic changes that have no substantive impact. We reject lip service and demand real engagement.

#### **7. We believe in setting specific measurable goals**

All goals and targets must be measurable in order for those in charge to be held accountable. There must be tangible consequences if the objectives are not met.

### **8. We are fighting for a power share, not a power grab**

This is not just a battle to erase the symptoms of all forms of prejudice. We demand a fundamental change in the status quo, an equal share and access to the real power and how it is distributed throughout society. Whether you're a company an organisation or a publicly funded institution, these issues concern you. So what are you going to do about it?

### ***Access all Areas - The Diversity Manifesto for TV & Beyond***

*written by Lenny Henry & Marcus Ryder (2021)*

*faber: ISBN 978-0-571-36512-8*