



**Mayfield School**

# **Equality, Diversity and Inclusion information and objectives policy**

Believe. Achieve. Succeed.

Respectful, Resourceful, Responsible, Reflective, Resilient, Ready

## **Our School Vision**

Our vision is to create a family ethos that raises aspirations and makes a real difference to the life chances of our young people

## **Our mission**

All stakeholders, together, will create an environment of respect and inclusion where all young people are valued, supported, inspired and future ready.

<b>Approved by:</b> Ashley Howard	<b>Date:</b> September 2023
<b>Review frequency:</b> 2 years	<b>Statutory requirement:</b> Yes
<b>Last reviewed:</b> September 2023	<b>Next review due:</b> September 2025

## Contents

1. Aims and Principles.....	3
2. Legislation and guidance .....	3
3. Roles and responsibilities.....	4
4. Mainstreaming Equality into policy and practice.....	5
4.1 Teaching and learning.....	5
4.2 Admissions and exclusions.....	6
5. Equal opportunities for staff.....	6
6. Equality and the law.....	6
6.1 Competitive sport and sex discrimination.....	7
6.2 Occupational Requirement.....	7
6.3 School Curriculum.....	8
6.4 Religious Observance.....	8
6.5 Daily Collective Worship.....	8
6.6 Pupils with a declared disability.....	8
7. Eliminating and tackling discrimination.....	8
7.1 Tackling discrimination.....	9
7.2 What is a discriminatory incident?.....	9
7.3 Types of discriminatory incident.....	9
7.4 Procedures for reporting incidents of prejudicial language or behaviour.....	10
7.5 Primary Section Staff reporting procedures.....	10
7.6 Senior Section Staff reporting procedures.....	10
8. Advancing equality of opportunity.....	11
9. Fostering good relations.....	11
10. Equality considerations in decision-making.....	12
11. Equality objectives.....	12
12. Monitoring arrangements .....	13
13. Links with other policies .....	13
14. Publishing the policy.....	13
15. Key terminology.....	14

---

## 1. Aims and Principles behind this policy

Mayfield School is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination.

Our school aims to meet its obligations under the Public Sector Equality Duty (PSED) by having 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 – between people who share a protected characteristic and people who do not share it
- Ensure our workforce is truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.
- Ensure our school - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

Our school aims to promote respect for difference and diversity in accordance with our school motto; Believe. Achieve. Succeed and through our values referred to as the 6 Rs. These are Ready, Reflective, Responsible, Resilient, Resourceful, Respectful.

We believe that:

- There is no place for discrimination within the school, be it in relation to employment, education, or its learning environment.
- Promoting equality of opportunity will better enable staff and pupils to reach their full potential.
- Employees and pupils should feel able to express their own identity without fear of abuse or discrimination.
- It is important to acknowledge and celebrate the breadth of experience and intellectual resources that people from diverse backgrounds bring to the school community.
- An ethos should be created which promotes equality, develops understanding and challenges myths, stereotypes, misconceptions and prejudices is vitally important to life of the school.
- Monitoring, evaluating and reviewing progress and impact of actions will create a cycle of continuous improvement to advance equality, diversity and inclusivity.
- Mandatory training will raise awareness and enable individuals to be equipped to recognise and challenge assumptions, stereotyping and undertake action that will present the Trust as culturally diverse and inclusive.

## 2. Legislation and guidance

This document meets the requirements under the following legislation:

- [The Equality Act 2010](#), which introduced the Public Sector Equality Duty and protects people from discrimination

- [The Equality Act 2010 \(Specific Duties\) Regulations 2011](#), which require schools to publish information to demonstrate how they are complying with the Public Sector Equality Duty and to publish equality objectives

This document is also based on the Department for Education (DfE) guidance: [The Equality Act 2010 and schools](#).

### 3. Roles and responsibilities

The governing board will:

- Set out its commitment to equal opportunities in this policy and continue to do all it can to ensure that the school is fully inclusive to pupils, and responsive to their needs based on the protective characteristics of the equality Act 2010.
- Ensure that the equality information and objectives as set out in this statement are published and communicated throughout the school, including to staff, pupils and parents
- Ensure that people are not discriminated against when applying for jobs at our school.
- Ensure that the school environment gives access to people with disabilities, and also strive to make school communications as inclusive as possible for parents, carers and pupils.
- Welcome all applications to join the school, whatever a child's socio-economic background, race, sex or disability and all of the protected characteristics in the Equality Act 2010.
- Ensure that no child is discriminated against whilst in our school on account of any of the protected characteristics from the Equality Act 2010.
- Ensure that the published equality information is updated at least every year, and that the objectives are reviewed and updated at least every 4 years
- Delegate responsibility for monitoring the achievement of the objectives on a daily basis to the headteacher

**The equality, diversity and inclusion link governor is Andrew Fraser. They will:**

- Meet with the designated member of staff for equality every term, and other relevant staff members, to discuss any issues and how these are being addressed
- Ensure they're familiar with all relevant legislation and the contents of this document
- Attend appropriate equality and diversity training
- Report back to the full governing board regarding any issues

**The headteacher will:**

- Promote knowledge and understanding of the equality objectives among staff and pupils
- Monitor success in achieving the objectives and report back to governors
- Implement the school's EDI Policy and ensure that they are supported by the Governing Body in doing so.
- Ensure that all staff are aware of the EDI Policy, and that teachers apply these guidelines fairly in all situations.

- Ensure that all appointments panels give due regard to this plan, so that no one is discriminated against when it comes to employment or training opportunities.
- Promote the principle of equal opportunity when developing the curriculum, and promotes respect for other people and equal opportunities to participate in all aspects of school life.
- Treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

**The designated member of staff for equality, diversity and inclusion will:**

- Support the headteacher in promoting knowledge and understanding of the equality objectives among staff and pupils
- Meet with the equality link governor every term to raise and discuss any issues
- Support the headteacher in identifying any staff training needs, and deliver training as necessary

**All staff (teaching and non-teaching)** are expected to have regard to this document and to work to achieve the objectives as set out in section 11. As well as this, they will:

- Ensure that inclusion, equality and diversity are promoted throughout the school Ensure that all pupils are treated fairly, equally and with respect, and will maintain awareness of the school's Equality Policy.
- Strive to provide material that gives positive images based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation, and challenges stereotypical images and all of the protected characteristics in the Equality Act 2010.
- Ensure that pupils feel listened to, safe and secure both in and out of Mayfield Challenge any incidents of prejudice, racism or homophobia, and any discrimination of the protected characteristics of the Equality Act 2010 and record any serious incidents, drawing them to the attention of the headteacher
- Support the work of ancillary or support staff and encourage them to intervene in a positive way against any discriminatory incidents.
- Ensure that they conduct themselves in a manner that is considered non-discriminatory

## **4. Mainstreaming equality into policy and practice**

As well as the specific actions set out in this this policy, the school operates equality of opportunity in its day-to-day practice in the following ways.

### **4.1 Teaching and learning**

We aim to provide all our pupils with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, we will:

- Use contextual data to improve the ways in which we provide support to individuals and groups of pupils;
- Monitor achievement data by ethnicity, gender and disability and action any gaps;

- Take account of the achievement of all pupils when planning for future learning and setting challenging targets;
- Ensure equality of access for all pupils and prepare them for life in a diverse society;
- Use materials that reflect the diversity of the school, population and local community in terms of race, sex, religion, sexual orientation or disability, without stereotyping;
- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice;
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures;
- Seek to involve all parents in supporting their child's education;
- Encouraging classroom and staffroom discussion of equality issues which reflect on social stereotypes, expectations and the impact on learning;
- Including teaching and classroom-based approaches appropriate for the whole school population, which are inclusive and reflective of our pupils.

#### **4.2 Admissions and exclusions**

Our admissions arrangements are fair and transparent, and do not discriminate on race, sex, religion, sexual orientation or disability. Exclusions will always be based on the school's behaviour Policy. We will closely monitor exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

### **5. Equal Opportunities for Staff**

Mayfield School follows the Portsmouth City Council Equal Opportunities Policy for Employment which can be found in the Portsmouth City Council Manual of Personnel Practice here: [Constitution \(portsmouth.gov.uk\)](http://portsmouth.gov.uk).

The school is committed to ensuring:

- It will not discriminate against a person, or victimise a person in the arrangements of both deciding who is offered employment and who is not
- It will not discriminate against an employee, or victimise an employee in terms of their employment including opportunities for promotion, transfer, training or any other benefit, facility or service, or in dismissing an employee.
- It will support and make reasonable adjustments where required.
- A candidate or employee is not harassed or harasses another employee, nor is an employee subject to harassment by a third party
- Contract workers receive the protection afforded to them under para. 41 of the 2010 Act

### **6. Equality and the law**

The Equality Act 2010 establishes a single equality duty for all the protected characteristics except for marriage and civil partnership. The equality duty places a pro-active legal requirement on public bodies to have regard, in the exercise of their functions, to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is unlawful under the Act;

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The following are all protected characteristics under the Equality Act 2010. (Those highlighted are relevant to school settings)

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Part 6, Chapter 1 of the Act covers all school activities such as extracurricular and leisure activities, afterschool and homework clubs, sports activities and school trips, as well as school facilities such as libraries and IT facilities. The Act also covers arrangements of tests, assessments or examinations, or in the way in which it provides career education, information, advice or guidance, or work placements.

The protected characteristics of Age, Marriage and Civil Partnerships do not apply to schools with regard to it being unlawful to discriminate against, whether direct or indirect, harass or victimise a pupil or potential pupil:

- in the way in which it provides education for the pupil;
- in the way in which it affords the pupil access to a benefit, facility or service;
- by not providing education for the pupil;
- by not affording the pupil access to a benefit, facility or service; or
- by subjecting the pupil to any other detriment.

### **6.1 Competitive sport and sex discrimination**

The Act includes an exception for sex discrimination in relation to a competitive sport, game or other competitive activity. It will therefore be for the school to determine whether for sporting competitions in which physical strength, stamina or physique are significant factors in determining success or failure, that separate events for boys and girls are held. However, schools must not preclude participation in a given sport on the grounds of sex.

### **6.2 Occupational Requirement**

The Act further allows discrimination because of a person's sex if someone of a particular sex is required for reasons of privacy and decency, or where personal services are provided.

### **6.3 School Curriculum**

Whilst the content of the school curriculum is outside of the Act, the way in which school provides education and the delivery of the curriculum is included. Mayfield takes active steps to ensure that content and resources in all areas of the curriculum are inclusive, representative of modern Britain and promote a greater understanding of equality and diversity. There is acknowledgement of the importance of challenging stereotyping and discrimination in all areas of the curriculum.

### **6.4 Religious Observance**

The school will be supportive and enable, where it is able to, the needs of both pupils and staff to participate in religious observance where it is a fundamental part of their faith.

### **6.5 Daily Collective Worship**

The religion or belief provisions of the Act do not cover the daily act of collective worship, however to raise awareness and for inclusivity, Mayfield celebrates a range of religious festivals and non-religious events to raise pupil awareness of differing faiths and none.

### **6.6 Pupils with a declared disability**

The school understands that the definition of disability is not the same as the definition of special education needs in s20 of the Children and Families Act 2014, and recognises the importance of the need to treat pupils with a disability differently where it would put the pupil on more level footing with pupils without a disability.

The school will consider providing auxiliary aids and services as a reasonable adjustment for pupils where these are not supplied through SEN Education Health and Care Plans (EHCP), or from other sources in line with EHRC published guidance. When considering reasonable adjustments, it is understood that the duty is anticipatory.

Schools will take responsibility to undertake accessibility planning for pupils including emergency evacuation plans. Although ordinarily, the interests of other pupils regarding the reasonable adjustments required by a disabled pupil will be irrelevant, the school recognised there may be limited circumstances in which the provision of a particular reasonable adjustment for a disabled pupil will disadvantage other pupils. For example, where the adjustment results in significant disadvantage for other pupils. In such a case, the school may decide that it is not reasonable to make the adjustment.

## **7. Eliminating and Tackling discrimination**

The school is aware of its obligations under the Equality Act 2010 and complies with non-discrimination provisions.

Where relevant, our policies include reference to the importance of avoiding discrimination and other prohibited conduct.

Staff and governors are regularly reminded of their responsibilities under the Equality Act – for example, during meetings. Where this has been discussed during a meeting it is recorded in the meeting minutes.

New staff receive training on the Equality Act as part of their induction, and all staff receive refresher training every September.



The school has a designated member of staff for monitoring equality issues, and an equality link governor. They regularly liaise regarding any issues and make senior leaders and governors aware of these as appropriate.

### **7.1 Tackling discrimination**

Harassment or discrimination on account of socio-economic status, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation is unacceptable and is not tolerated within the school environment. All staff are expected to deal with any discriminatory incidents that may occur. They are expected to know how to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a pupil's individual circumstances.

Racist, homophobic, misogynistic, and any other incidents of harassment or bullying related to the protected characteristics of the Equality Act 2010 are dealt with by the member of staff present, escalating to senior leaders where necessary. All incidents are reported on the schools online safeguarding platform as alleged incidents and then confirmed incidents if proven, following investigation. Incidents will be reported to the Governing Body on a termly basis through the headteacher report.

### **7.2 What is a discriminatory incident?**

Harassment on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation or other factors such as socioeconomic status, can take many forms including verbal or physical abuse, name calling, exclusion from groups and games, unwanted looks or comments, jokes and graffiti (see anti-bullying policy for further guidance and definitions).

Additionally, a racist incident is defined by the Stephen Lawrence Inquiry Report (1999) as: 'any incident which is perceived to be racist by the victim or any other person'.

### **7.3 Types of discriminatory incident**

Types of discriminatory incidents that can occur are and not limited to:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or sex;
- Use of derogatory names, insults and jokes;
- Racist, sexist, homophobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia;
- Bringing discriminatory material into school;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully due to victim's race, disability, sex or sexual orientation;
- Discriminatory comments in the course of discussion;
- Attempts to recruit others to discriminatory organisations and groups;
- Ridicule of an individual for difference e.g. food, music, religion, dress etc;
- Refusal to co-operate with other people on grounds of race, sex, disability or sexual orientation.

It should be clear to pupils and staff how they respond to, and report incidents. INSET day training, staff guidance on Homophobia, Trans/ Bi-Phobia, Misogyny and the PCC PEP anti-racism document can all aid staff with this. If in doubt, staff should always seek advice from a member of the Senior Leadership Team and/or the designated member of staff for equality, Diversity and Inclusion.

All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.

#### **7.4 Procedures for reporting incidents of prejudicial language or behaviour**

Individuals should feel able to inform an appropriate person wherever inappropriate or discriminatory practice occurs, without fear of retribution and in the knowledge that the matter will be handled effectively under the school's policies and procedures. Mayfield will be responsible for informing individuals of the named contact. The school will treat any contravention or breach of this Policy very seriously and take appropriate action wherever it is justified. Where a staff member or pupil who, in bad faith, gives false information or evidence (that is, information or evidence that he or she knew was false), or alleges that was false and given in bad faith, would not be protected against victimisation. The original complaint or claim would not be affected, provided that it was not made in bad faith.

#### **7.5 Primary Section Staff reporting procedures**

All incidents of alleged prejudicial language or behaviour should be reported to the class teacher straight away. Staff will make sure that the victim is safe and feels safe. In order to support children, staff on duty wear high-vis clothing so that it is easy for pupils and/ or parents to seek out staff immediately if they need to report an incident during the school day or when pupils are collected at the end of the day.

Staff will listen and speak to all children involved in the incident separately. The facts and events will be identified, and appropriate action will be taken quickly to end the behaviour or language, and staff will reinforce to the perpetrator that their actions are unacceptable. Pupils will be reconciled by ensuring they are made aware of the impact of their behaviour on others and an agreement made to not repeat these behaviours. Support will be given, to help the perpetrator to understand and change his/her/their behaviour and they will be asked to genuinely apologise. This is likely to take place as a restorative meeting with a trained member of staff.

In all confirmed cases of bullying, incidents will be recorded as 'alleged' incidents by staff on the school's ONLINE SAFEGUARDING PLATFORM and only upgraded to 'confirmed' when the behaviour team have investigated all facts and events around the incident and are sure that this is the case; parents will be informed and will be invited to come into school for a meeting to discuss the problem if necessary or if this is a repeat of previous behaviour.

#### **7.6 Senior Section Staff reporting procedures**

All incidents of witnessed or alleged prejudicial language or behaviour must be dealt with by staff straight away. Staff must also record the details using online safeguarding platform as soon as possible after the event. At this point staff will make sure that the victim is safe and feels safe, and may take appropriate action or ensure that other staff do so if this is necessary. This could mean referring the pupil to talk with a 'safe' member of staff or placing them in a room or space which is deemed 'safe'.

A member of staff will take statements, and interview all involved parties (separately) as soon as possible to determine the extent of the problem. Initial support will be offered to the victim.

If after investigating all the facts and events, the member of staff determine that the incident is deemed to be bullying:

- The incident will be upgraded on ONLINE SAFEGUARDING PLATFORM to a confirmed incident.
- Details of the incident will be passed to the relevant Heads of House. At this point the victim will be offered appropriate further levels of support in agreement with the pupil's parents.
- The perpetrator will receive an appropriate sanction determined by the severity of the incident and whether this is a repeat of previous behaviour.

Should the behaviour not cease after these steps then a suspension, including an alternative to suspension (time in another school) or time in our alternative provision may be applied.

## 8. Advancing equality of opportunity

As set out in the DfE guidance on the Equality Act, the school aims to advance equality of opportunity by:

- Removing or minimising disadvantages suffered by people that are connected to a particular characteristic they have (e.g. pupils with disabilities, or gay pupils who are being subjected to homophobic bullying)
- Taking steps to meet the particular needs of people who have a particular characteristic (e.g. enabling Muslim pupils to pray at prescribed times)
- Encouraging people who have a particular characteristic to participate fully in any activities (e.g. encouraging all pupils to be involved in the full range of school societies)
- In fulfilling this aspect of the duty, the school will:
  - Publish attainment data each academic year showing how pupils with different characteristics are performing
  - Analyse the data referenced above to determine strengths and areas for improvement, implement actions in response and publish this information
  - Make evidence available identifying improvements for specific groups (e.g. declines in incidents of homophobic or transphobic bullying)
  - Publish further data about any issues associated with particular protected characteristics, identifying any issues which could affect our own pupils

## 9. Fostering good relations

The school aims to foster good relations between those who share a protected characteristic and those who do not share it by:

- Promoting tolerance, friendship and understanding of a range of religions and cultures through different aspects of our curriculum. This includes teaching in RE, citizenship and personal, social, health and economic (PSHE) education, but also activities in other curriculum areas. For example, as part of teaching and learning in English/reading, pupils will be introduced to literature from a range of cultures
- Holding assemblies dealing with relevant issues. Pupils will be encouraged to take a lead in such assemblies and we will also invite external speakers to contribute
- Working with our local community. This includes inviting leaders of local faith groups to speak at assemblies, and organising school trips and activities based around the local community

- Encouraging and implementing initiatives to deal with tensions between different groups of pupils within the school. For example, our school council has representatives from different year groups and is formed of pupils from a range of backgrounds. All pupils are encouraged to participate in the school's activities, such as sports clubs. We also work with parents to promote knowledge and understanding of different cultures
- We have developed links with people and groups who have specialist knowledge about particular characteristics, which helps inform and develop our approach

## 10. Equality considerations in decision-making

The school ensures it has due regard to equality considerations whenever significant decisions are made.

The school always considers the impact of significant decisions on particular groups. For example, when a school trip or activity is being planned, the school considers whether the trip:

- Cuts across any religious holidays
- Is accessible to pupils with disabilities
- Has equivalent facilities for boys and girls

The school keeps a written record (known as an Equality Impact Assessment) to show we have actively considered our equality duties and asked ourselves relevant questions. This is recorded at the same time as the risk assessment when planning school trips and activities. The record is completed by the member of staff organising the activity and is stored electronically with the completed risk assessment.

## 11. Equality objectives

### Objective 1

Promote a culture of racial equity and a celebration of diversity through a curriculum which is planned to represent our community, educate our students about equality and celebrates diversity. Furthermore, ensure that high quality Personal Development provision is in place which enhances the curriculum and enriches students' wider understanding of diversity and sexuality.

### Objective 2

To eradicate the use of homophobic, sexist, racist and other discriminative language by students in the school through the promotion of an ethos which does not tolerate sexual harassment and the use of derogatory terminology with a behaviour system that gives all staff a framework to consistently challenge all discriminatory language and behaviour.

### Objective 3

Staff training on Equality and the implementation of the equalities policy is regularly planned for and is part of the induction for all new staff. This includes ensuring that Guidelines for discussion are in place to ensure that teachers do not enable hate speech and that it is corrected or dealt with appropriately.

### Objective 4

Set challenging goals for the recruitment of a diverse staff and governing body based on the protected characteristics after analysis of recruitment data and trends. Report on this to the staffing and pay sub-

committee of the governing board, review the analysis and increase the representation of teachers from local Black and minority ethnic communities over a 4-year period (from this July to July in 4 years' time), so that this group increases from 10% to 25% of the teaching workforce.

The aim of the above objectives is to ensure that:

- Prejudice is always challenged;
- Tolerance is always promoted;
- Cultural appreciation is always shared;
- And that Mayfield is seen as a beacon school with respect to equality, diversity and inclusion.”

## 12. Monitoring arrangements

The governing board and the headteacher in collaboration with the designated member of staff for equality, diversity and inclusion will update the equality information we publish at least every year.

Alongside this, there will be monitoring of the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy. Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

This document will be reviewed by the governing board at least every 4 years.

This document will be approved by the equality, diversity and inclusion link governor and the governing board.

## 13. Links with other policies

This document links to the following policies:

- Accessibility plan
- Risk assessment
- School Improvement Plan
- SEN policy
- Behaviour and Staff Code of Conduct policy

## 14. Publishing the policy

In order to meet the statutory requirements, we will publish an Accessibility Plan and share our Equality Objectives, by:

- Publishing our policy on the school website;
- Raise awareness of the policy through the school newsletter, assemblies, staff meetings and other communications;
- Make sure hard copies are available on request.

## 15. Key terminology

### Equality

The right of different groups of people to have a similar social position and receive the same treatment

### Diversity

The fact of many different types of things or people being included in something; a range of different things or people

### Inclusion (Inclusivity)

The act of including someone or something as part of a group, list, etc., or a person or thing that is included

### Age

A person belonging to a particular age or range of ages.

### Disability

A person is defined under the Act as disabled if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

The length of time for which the effect of the condition has lasted or will continue must be 'long term', which means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months, or the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition, but it is likely to recur, or if the person no longer has the condition, he or she will be considered to be a disabled person.

The activities upon which the impairment has a substantial adverse effect must be 'normal day-to-day activities'. Just because the activity is mainly undertaken at work does not mean that it is not a normal day-to-day activity.

'**Substantial**' means more than minor or trivial. The condition must have this impact without taking into account the effect of any medication that the person is taking, or any aids or assistance or adaptations that he or she uses, like a wheelchair, walking stick, assistance dog or special computer software. The exception to this is the wearing of glasses or contact lenses, for which it is the effect while the person is wearing the glasses or contact lenses that is taken into account.

The Act's definition of disability is not the same as the definition of special educational needs in section 20 of the Children and Families Act 2014. The Children and Families Act 2014 states that, 'a child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her'. In relation to school-age children, the learning difficulty could mean that they have much

greater difficulty in learning than the majority of their peers, and/or that a disability stops or hinders them from using the educational facilities typically available in schools in the area. There will be some pupils who are covered by the Equality Act 2010's definition of disability, but not the Children and Families Act 2014's

definition of special educational needs, and vice versa, although a significant number of pupils are covered by both.

### **Gender reassignment**

Gender reassignment involves a person moving away from his or her birth sex to his or her preferred sex and thus expressing that sex in a way that differs from, or is inconsistent with, the physical sex with which he or she was born.

### **Race**

Race refers to a group of people defined by their race, colour and/or nationality (including citizenship), ethnic or national origins. Racial groups can comprise two or more distinct racial groups, such as 'British Asians'.

### **Religion or belief**

This refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. A belief need not include faith or worship of a god or gods, but must affect how a person lives his or her life or perceives the world.

### **Sex**

A person's sex refers to whether he or she was assigned male or female at birth

### **Sexual orientation**

Sexual orientation means the attraction that a person feels towards one sex or another (or both), which determines with whom he or she forms intimate relationships or to whom he, she or they are attracted.

Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation, such as someone's appearance, the places that he or she visits or the people with whom he, she or they associate.