

Equality Act 2010: The new Ofsted Framework and its expectations

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Overview

The course will explore:

- the broader responsibilities on all public bodies including schools;
- the concept of due regard;
- the need for schools to publish on their website their equality objectives.

Outcomes

Participants will:

- consider appropriate equality objectives for their own schools;
- share their developing practice with each other;
- be clear about their responsibilities and able to take effective action to secure a positive judgement from Ofsted regarding this aspect of the school's provision.

Equality Act

Impact Assessment – Ofsted’s phased return to inspection – Ofsted (Jan. 2021)

- Equality, diversity and inclusion statement on how Ofsted’s return to routine inspection activity enables us to fulfil the requirements of the Equality Act 2010.

Facts Don’t Lie – The Runnymede Trust (Feb. 2021)

- The failure of successive governments to enact part of the Equality Act, which would have imposed a duty to address socio-economic disadvantaged, has exacerbated inequalities during the pandemic.

9 Guiding Principals:

Principal 1:

- All learners are of equal value.

Principal 2:

- We recognise and respect difference.

Principal 3:

- We foster positive attitudes and relationships and a shared sense of cohesion and belonging.

Principal 4:

- We observe good equalities practice in staff recruitment, retention and development.

Principal 5:

- We aim to reduce and remove inequalities and barriers that already exist.

Principal 6:

- We consult and involve widely.

Principal 7:

- Society as a whole should benefit.

Principal 8:

- We base our practice on sound evidence.

Principal 9:

- Each year we formulate and publish specific and measurable objectives.

11 generic tasks and challenges for governing bodies and senior leadership teams

Tasks and challenges

1. Equality of outcome

Planning and implementing programmes which will close the gaps in achievement between relevant groups and increase the participation of under-represented groups in higher and further education.

2. The equality of participation

Planning and implementing programmes which will close gaps in participation and involvement, for example, increasing the participation of girls in science and mathematics and the participation of boys in literacy-based subjects.

3. The equality of belonging

Enabling all pupils to feel that they belong to their school, are known and respected and have a stake in the school's well-being and flourishing.

Tasks and challenges

4. Curriculum coverage

Including equality and diversity issues and the positive images of under-represented groups in curriculum materials, modules and topics wherever possible and appropriate.

5. Understanding of law and concept

Ensuring all members of the school community understand the requirements of legislation and also certain essential concepts, for example, the social model of disability.

6. Involvement and consultation

Ensuring that members of under-representative groups are involved in the design and implementation of measures and projects intended to be of benefit to them – “Nothing about us, without us” – and are listening to their views and voices.

Tasks and challenges

7. The formation of allies

Fostering and developing the quality skills and insights of allies – pupils who are not themselves directly affected by discrimination and inequality, but who give moral, political and practical support to those who are.

8. The public life of the school

Involving pupils with a wide range of backgrounds and characteristics in the public life of the school.

9. Whole-school approaches

Ensuring senior leadership teams and governing bodies give a strong and explicit lead, both in written documents and in oral communication of various kinds and in their presence at and participations in significant events.

Tasks and challenges

10. Evidence and information

Collecting and using a range quantitative and qualitative evidence and maintaining a robust information base to show the extent and progress towards greater equality.

11. Objectives and action plans

Creating and regularly reviewing plans for creating greater equality, and reporting on progress to governing bodies.

The concept of due regard

**I balanced all,
brought all to
mind**

The Equality Act is concerned with three broad aims.

In legal language, these are to do with **eliminating discrimination, advancing equality of opportunity and fostering good relationships.**

In more homely and every day language, they are to do with treating everyone the same (namely eliminating discrimination), treating everyone differently (namely advancing equality of opportunity) and helping people to get on with each other (fostering good relations).

These three aims are not entirely separate from each other. On the contrary, they effect, reinforce and constrain each other.

Inequality

Unacceptable and indefensible – inequality in schools and society

- We have one of the most stratified and segregated school systems in the world, with a gap between our private schools and the state system, wider than in almost any other developed country.
- On an ethical level, the gap between the rich and the poor is indefensible. Reducing the inequality is not only the guiding ethical imperative of our education policy; it is also an absolute necessity if we are to compete economically on the global stage.

Our school is committed to equality – one school's declaration

- Our school is committed to equality. Therefore – we welcome the emphasis in the Ofsted Framework on the importance of narrowing gaps in achievement, which affect:
 - Pupils from certain cultural and ethnic backgrounds;
 - Pupils who belong to low income households;
 - Pupils who have special educational needs;
 - Boys in some subjects and girls in certain other subjects.
- We welcome our specific duties under the Equality Act 2010 to publish information every year about our school population; to explain how we have due regard for equality; to publish equality objectives which show how we plan to tackle particular inequalities and reduce or remove them.

Our school is committed to equality – one school's declaration

- We welcome our duty under the Education and Inspection Act 2006 to promote community cohesion and our duty under the Equality Act 2010 to foster good relations between people of different backgrounds.
- We recognise that these duties reflect international human rights standards, as expressed in the UN Convention on the rights of the child, UN Convention on the rights of people with disabilities and the Human Rights Act 1998.
- We recognise that people have different needs and we understand that treating people equally does not always involve treating them all exactly the same.

Our school is committed to equality – one school's declaration

- We recognise that for some pupils extra support is needed to help them to achieve and be successful.
- We try to make sure that people from different groups are consulted and involved in our decisions, for example, through talking with pupils, parents/carers and to our school council.

Ofsted inspection

- The bringing together of the Equality Act and the narrowing of social economic gaps is a feature of the Ofsted Framework.
- The inspection is primarily about how individual pupils benefit from their school.

In any one school, such pupils may include:

- Disabled pupils and those who have special educational needs;
- Boys;
- Girls;
- Groups of pupils whose prior attainment may be different from that of other groups;
- Those who are academically more able;
- Pupils for whom English is an additional language;
- Pupils from minority ethnic backgrounds, including Gypsy, Roma and traveller children and young people;
- Those with poor mental health;
- Those suffering bereavement;
- Looked after children;
- Pupils from lower income households, for example those known to be eligible for free school meals and the Pupil Premium;
- Lesbian, gay and bisexual pupils and those who are questioning their sexual identity;
- Transsexual pupils;
- Young carers;
- Pupils who have a family member in prison;
- Pupils who are refugees or are seeking asylum.

Being smart – choosing and writing objectives

Introductory Notes:

- Equality objectives have to be specific and measurable and to be outcome-focused, as distinct from being focused primarily on making improvements in provision, crucially important though such improvements are.
- This means the vast majority of equality objectives are likely to be about the closing and narrowing of gaps or else about fostering good relations. Some examples of such objectives are cited in the following slides.
- Further, equality objectives have to be related to issues highlighted in the information which a school publishes to demonstrate compliance with the Public Sector Equality duty (PSED).
- A possible way of writing equality objectives is shown on the following slides.

Narrowing the gaps

- To narrow the gaps in the English at all key stages between boys and girls and between pupils for whom English is an additional language and other pupils.
- To narrow the gap in attendance rates between Gypsy Roma traveller children and other children throughout the school.
- To narrow the gaps in mathematics and science between children of certain specific minority ethnic backgrounds and other children at Key Stage 2.

Narrowing the gaps

- To narrow the gap in the experience of punishments and sanctions between pupils from lower income households and other pupils (please note: This is not an equality objective within the meaning of the Equality Act 2010, since belonging to a low/ lower income household is not a protected characteristic named in the act. The school might well, however, wish to adopt such an objective along with objectives which do count as equality objectives within the meaning of the act).
- To narrow the gap in participation in the public life of the school between disabled pupils (including learning disabled pupils) and other pupils.
- To narrow the gap in mathematics between boys and girls at the end of Key Stage 1.

Fostering good relations

- To reduce the incidents of prejudiced-related bullying, hostility and suspicion, particularly in relation to homophobia and sexism and hostile attitudes and behaviours towards people who are disabled.
- To promote and enhance community cohesion and a sense of shared belonging in the school and in the school's neighbourhood.
- To promote spiritual, moral, social and cultural (SMSC) development through the teaching of English and literacy, with particular reference to issues of the Equality Act.

Questions arising

With regard to each objective which a school decides on, it will need to consider questions such as the following:

1. Why have we chosen this objective? For example, what relevant data do we have?
2. Specific activities – what are the principal things we shall do in order to pursue this objective?
3. Measurable success indicators – what will count as relevant and measurable evidence that we are succeeding or have succeeded?
4. Timing – by when do we expect to see signs of progress or success?
5. Responsibilities – who will be responsible for ensuring the objective is pursued and achieved?

Questions arising

With regard to each objective which a school decides on, it will need to consider questions such as the following:

6. Training – do some or all staff need special training?
7. Learning from others – what plans do we have for finding out what has worked well elsewhere?
8. Expense – how much are we budgeting and on what items of expenditure in particular?
10. Problems – what problems or difficulties might arise and how shall we deal with them? Who might be opposed or lukewarm and how shall we respond?
11. Engagement with stakeholders – who have we consulted when deciding on this objective?

Gathering and using data – a self-evaluation checklist

Statement	Strongly agree	Agree	Disagree	Strongly disagree
The school has clearly identified its disadvantaged pupils				
The school knows how well disadvantaged pupils are performing on key performance indicators				
The school knows the gap between the performance of disadvantaged pupils and others and how this compares to National and local averages				
The school tracks the performance of disadvantaged pupils.				
The school targets interventions, based upon the findings of the tracking system				
The school supports all disadvantaged learners, including middle and high ability				
The school has an agreed and public strategy that directly tackles disadvantaged				
The school meets the needs of all pupils, without compromising on high academic standards				
The school's annual self-evaluation update includes explicit reference to the performance of disadvantaged learners				
The school's development plan shows how the school is raising the performance of disadvantaged learners				
A senior leader has managerial responsibilities for overseeing and co-ordinating the work on improving the standards achieved by disadvantaged learners				
Disadvantaged pupils have equal access to the best teachers in the school				
The school has strategies to improve pupils' social and emotional skills				
The school has strategies to develop pupils' confidence and self-esteem				
The school tracks pupils' personal development as well as their academic performance				
The school works systematically with parents to support disadvantaged pupils				
The school has many high quality extra-curricular and out-of-school-hours provision and monitors the participation of disadvantaged pupils				
There are suitable arrangements to ensure that disadvantaged pupils have a genuine chance to have their say				
There is well-organised on-site support for pupils to do their homework after school or to have ready access to specialist ICT equipment				
The school actively seeks to work with a wide range of support agencies in the local community, including Social Services, health services and the voluntary sector				
Teaching assistants are trying to work effectively with disadvantaged pupils				
Primary schools enable a quick start on entry to school, through early assessment and intervention				
Transitional arrangements for Key Stage 2 to Key Stage 3 take account of the ne needs of disadvantaged pupils				

Narrowing gaps – measures on projects to make a difference

- What can and should schools do to improve the life chances of children and young people who are currently failing to achieve much from their education, particularly those who are affected by economic disadvantage?
- Here are some of the things that are sometimes said or thought

Which five do you consider most important and can you rank them in order:

1. Include more stories and narratives in the curriculum about individuals and groups who fought successfully for better lives or themselves.
2. Show more empathy and sympathy for children and young people, families and households who struggle to make ends meet, both financially and emotionally.
3. Insist more on traditional teaching methods and content – whole-class instructions, streaming, setting high standards in all subjects of spelling and grammar, traditional, not modern subject history and geography, not sociology or economics.
4. Monitor the extent to which pupils from low income households are achieving expected levels of attainment and also the extent to which they are involved in extra-curricular activities, the public life of the school, school trips and sports teams and take conscious steps to improve the situation if inequalities are identified.
5. Give a high-profile to social and emotional aspects of learning.
6. Focus on the teaching of academic literacy in all subjects – key terminology, appropriate grammar and ways of talking etc.
7. Teach more about controversial issues in the locality and the wider society.
8. Organise homework clubs, extended stays, Saturday schools, summer schools etc.
9. Organise more team teaching and partnership teaching.
10. Place greater focus on both generic and subject-specific thinking skills.
11. Place greater focus on speaking and listening skills in all subjects and therefore on collaborative group work.
12. Give more time to the visual and performing arts, including new media.
13. Put more emphasis on key transition times, particularly primary/ secondary transfer.
14. Provide mentoring by adults who are not teachers.
15. Older pupils acting as mentors, instructors and tutors for younger pupils.

What next?