

# Equality and Equity Toolkit

## 3. A Guide to Equality and Equity

Created by Connect - [www.connect.scot](http://www.connect.scot)



A 'Learning Together' - Equalities and Equities Fund project supported by the  
Scottish Government



### 3. A Guide to Equality and Equity

In this section, we will think about what Equality and Equity mean, what they look like and why they are important.

When you finish this section, you will have a clear understanding of:

- the Equality Act 2010 and the protected characteristics
- why school communities should have an Equity Policy
- what the policy should include.

#### What is Equality and Equity?

The [Equality and Human Rights Commission](#) describes equality as: ‘Ensuring that every individual has an equal opportunity to make the most of their lives and talents.’ In other words, *equality* means ensuring everyone has equal opportunities, receives fair, non-discriminatory treatment and the support they need to fulfil their potential. *Equity* is a policy principle that supports equality principles and is increasingly focussed on poverty and financial hardship.

#### Why should we think about Equality and Equity?

Every school community involves families from many different backgrounds. An Equality and Equity Policy which is accessible to all will highlight the importance of everyone’s obligations under the Equality Act 2010 and the need to involve and engage parents of all backgrounds in the school community and children’s learning.

An Equality and Equity Policy also highlights the importance of mutual respect and the fact that all families have something to bring. It recognises that some groups may face extra barriers or be more likely to experience discrimination. An Equality and Equity policy can reflect the legal duty on public bodies to actively promote equality, eliminate discrimination<sup>1</sup> and foster good relations between people with different characteristics.

The Equality Act enables schools to take action (known as positive action) to tackle the particular disadvantage, different needs or disproportionately low participation of a particular group of pupils or families, provided certain conditions are met.

---

<sup>1</sup> Unlawful discrimination is defined in the Act as: Direct discrimination (including discrimination based on perception or association). Indirect discrimination. Discrimination arising from disability. Failure to make reasonable adjustments (for disabled people).

This could include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged pupil.

## What is the Equality Act 2010?

The Act legally protects people from discrimination in the workplace and in wider society, including schools. As well as protecting individuals from unfair treatment, this law also promotes a fair and more equal society. Specifically, Section 149<sup>2</sup> of the Equality Act 2010 Act places a general duty on public authorities to have due regard to: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations between persons who share a protected characteristic and those who do not.

## What does the Equality Act 2010 say?

There are nine characteristics<sup>3</sup> protected under the Equality Act; listed below. This means a person with these characteristics cannot be discriminated against.

- **Age** - a particular age group (for example, 18 year olds) or range of ages (for example 18 to 30 year olds).
- **Race** - race, colour, nationality (including citizenship) ethnic or national origins.
- **Disability** - 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.
- **Religion or belief** - religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief.
- **Gender reassignment** - proposing to reassign gender, is undergoing a process to reassign gender, or has completed this process.
- **Marriage and civil partnership** - legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is currently between partners of the same sex (NB the law is to be changed to extend civil partnership to a woman and a man).
- **Pregnancy and maternity** - in a non-work situation, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
- **Sex** - being a man or a woman.

---

<sup>2</sup> [Section 149 of the Equality Act 2010](#)

<sup>3</sup> [Protected Characteristics](#)

- **Sexual orientation** - heterosexual, gay, lesbian or bisexual, or perceived to have a particular sexual orientation, or connected to someone who has a particular sexual orientation.

It is worth noting that these characteristics can combine, and people can experience multiple forms of discrimination e.g., if they are from a minority ethnic group but also disabled and older.

**Under the Equality Act<sup>4</sup> it is unlawful to discriminate, harass or victimise another person because they have any of the protected characteristics so a person could make a complaint if they believe they have been subject to less favourable treatment because of any of these characteristics.**

Other areas you may want to consider under the equity heading are:

- those families who are on low incomes or facing financial difficulties
- people who don't read or write well and what might be required to produce information that is accessible to them
- people who may have less internet access and availability of devices (computers etc)
- separated/divorced parents or people who are sharing parenting.
- those families with a parent in prison
- kinship, foster, adoptive parents/carers.

## **Why should we have an Equality and Equity Policy?**

This would show clearly that everyone:

- is working to include all the school community
- is aware of diversity
- has respect for all
- believes everyone matters
- appreciates families may require varying levels of support
- recognises and is committed to meeting our obligations under the Equality Act 2010.

---

<sup>4</sup> <https://www.equalityhumanrights.com/en/equality-act/equality-act-2010>

## What should an Equality and Equity Policy say?

Every school community is unique so there is no one single Equality Policy that your school community can simply download and adopt unchanged, although this Toolkit does include a sample policy to use as a guide. Equality and Equity are more about meeting the general principles rather than having a fixed set of rules. A school community should be working to make sure it remains open and inclusive for everyone. An Equality and Equity Policy should be co-produced by school staff, children and young people, and parents to make sure under-represented groups have a voice.

Things to consider are listed below:

- **Diversity** - does the work try to represent all social groups in the school community?
- **Inclusion** - are any groups/people excluded or discriminated against in the school? (Don't forget, discrimination can sometimes be unintentional, and indirect, for example when a rule that looks straightforward doesn't apply equally to everyone - e.g. if certain hairstyles are banned, does that impact on different religions?)
- **Access** - is the school community and its activities accessible to all parents/carers? Is information available in different languages, for instance?
- **Is everyone in the school community aware of the policy?** - this includes pupils, all staff, parents and families, volunteers and friends/supporters of the school
- **Reviewing the policy** - how often will this be done and by whom?

When using or sharing this Toolkit, please acknowledge Connect as the source. We welcome your comments and feedback.

Connect, Mansfield Traquair Centre, 15 Mansfield Place, Edinburgh, EH3 6BB

Contact us at [info@connect.scot](mailto:info@connect.scot)

Website [www.connect.scot](http://www.connect.scot)



[ConnectScot](https://www.facebook.com/ConnectScot)



[@connect\\_scot](https://twitter.com/@connect_scot)

July 2021