



CYFLAWNNI TEGWCH A RHAGORIAETH  
MEWN ADDYSG A GWELL LLES I BAWB  
EQUITY AND EXCELLENCE IN EDUCATION  
AND ENHANCED WELLBEING FOR ALL

## Education and Inclusion Services Directorate

### Agenda Item No.

## Strategic Equality Plans – Equality Act 2010

### 1. Background

The Council and all of its schools are required to meet its commitment to equality and account for how the legal obligations contained within the **Equality Act (2010)** will be met. The Equality Act 2010 provides protection from discrimination, harassment and victimisation of individuals who have one of the protected characteristics set out in the 2010 Act.

Under the Equality Act 2010, it is against the law to discriminate against someone because of: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. These are called **protected characteristics**

### 2. Requirements of the Equality Act (2010) and the Public Sector Equality Duties

**The Equality Act 2010** brought together and replaced previous anti-discrimination laws into a single Act and introduced a new general duty on the Council when making decisions and delivering services to have due regard how to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To fulfil the three aims of the general duty outlined in the Act, schools have three sets of specific duties:

- to collect, analyse and publish information about their progress in achieving the three aims of the 2010 Act
- to decide on certain specific and measurable objectives that they will pursue over the coming years to achieve the three aims and publish these objectives

and when undertaking the first two sets of specific duties:

- to engage with people who have a legitimate interest – including all staff, all parents/carers and learners, and local groups, organisations and individuals as appropriate.

**The Public Sector Equality Duty** came in to force in April 2011 (s.149 of the Equality Act 2010) and requires schools to take action to improve outcomes for learners with different protected characteristics. It is a legal requirement, under the 2010 Act, which schools in Wales must follow.

The ultimate aim of the Act is to ensure that public bodies such as schools consider how they can positively contribute to a fairer society through advancing equality and good relations in their day to day activities. In essence, it aims to remove or minimise any disadvantage experienced by individuals due to their protected characteristics and ensures that appropriate actions are taken to overcome any barriers, particularly if participation in aspects of public or school life is disproportionately low. It also aims to develop positive relations by tackling prejudice and discrimination, and by promoting understanding between individuals who share a protected characteristic and those who do not.

Meeting the duty may involve treating some people more favourably than others, as long as that does not contravene other provisions within the Act.

### **3. What are the duties for Governing Bodies?**

Under the Public Sector Equality Duty there are also specific duties on school governing bodies to enable better performance of the general duty.

School governing bodies **must**:

- publish the school's four year strategic plan and relevant equality objectives and review them within four years
- publish a statement which sets out the steps it has taken or intends to take in order to achieve each equality objective and compliance with the Public Sector Equality Duties and Equality Act (2010)
- make appropriate arrangements to monitor its progress and effectiveness
- (when planning equality objectives) give due regard to relevant information that it holds and seek the involvement of those persons that it considers represents the interests of persons who share one or more of the protected characteristics.

Governors should also consider appointing an Equalities and Diversity Champion (see Welsh Government attachment).

### **4. Summary**

In summary, it is a statutory requirement for every school to have a Strategic Equality Plan which clearly sets out how they have met their legal responsibilities in developing the 4 year plan and details each setting's specific equality objectives for the duration of the Plan. They should also include detail on how the equality objectives were identified, the approach taken in respect of engagement and the results, together with an action plan that sets out how the objectives will

be delivered. Governing Bodies Must comply with the requirements of the Act and ensure that the Plan is closely reviewed, with annual updates on progress provided to the Governing Body.

## **5. Further Advice and Guidance**

The Authority has provided a template and guidance in the link below that governors and school leaders may adopt or adapt in complying with these requirements. These templates can be modified to meet individual school's needs but must include the details specified above.

Related documents/guidance can be accessed via the following links:

Education Accessibility Strategy Guidance  
Schools Strategic Equality Plans Guidance  
Strategic Equality Plan (SEP) Annual Reporting Guidance Template  
[Strategic Equality Plan | Rhondda Cynon Taf County Borough Council](https://www.rctcbc.gov.uk/strategic-equality-plan)  
([rctcbc.gov.uk](https://www.rctcbc.gov.uk))

## **6. Specialist Support**

If you require further information please contact the Equality and Diversity Team on [01443 444531](tel:01443444531) or e mail [equality@rctcbc.gov.uk](mailto:equality@rctcbc.gov.uk).

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