

Who wants to be a millionaire? – Equality Act Special

1. What is the one general duty all schools must meet?

- A. Publish a policy statement
- B. Collect equality data on all staff
- C. Treat all people the same
- D. Have due regard for certain needs

2. Which of the following is a specific duty all schools must meet?

- A. Consult relevant stakeholders
- B. Conduct equality impact assessments
- C. Prepare and publish precise objectives
- D. Bear in mind national priorities

3. Which of the following aims is not explicitly mentioned in the Equality Act?

- A. Promote socio-economic justice
- B. Eliminate discrimination
- C. Advance equality of opportunity
- D. Foster good relations

4. To which organisations does the vast majority of the Equality Act apply?

- A. Public sector
- B. Private sector
- C. Voluntary and community sector
- D. All

5. There are nine areas of unlawful discrimination. What are they known as?

- A. Equality strands
- B. Diversity dimensions
- C. Protected characteristics
- D. Unfairness grounds

6. Which of the following does Ofsted not explicitly inspect?

- A. Attainment gaps between different groups of pupils
- B. Moral development of pupils
- C. Whether pupils feel safe from prejudice-related bullying
- D. Community cohesion

7. Which of the following is explicitly required in the information which a school must publish to show it has due regard for equalities?

- A. The views and perceptions of pupils
- B. The numbers of prejudice-related incidents
- C. Data about the school's composition and differential outcomes
- D. Details of consultative processes with the local community

8. In relation to which of the following did the High Court of Justice find Michael Gove to have acted unlawfully in 2011-12?

- A. Building schools for the future
- B. Raising tuition fees at universities
- C. Abolishing the education maintenance allowance
- D. Introducing the English baccalaureate

9. What's the key date in 2012 all schools must bear in mind?

- A. 31 January 2012
- B. 6 April 2012
- C. 15 June 2012
- D. 5 November 2012

10. What, in the current context, does PC refer to?

- A. The right honourable ladies and gentlemen who will hold you to account
- B. The police officers who will arrest you for wrongdoing
- C. The grounds on which discrimination is unlawful
- D. The mindset of pedantic do-gooders and bureaucrats.

ANSWERS AND NOTES

- 1 The most important single requirement in the new legislation is to have due regard for equalities. The concept of due regard has been defined through case law in recent years and is explained in various guidance documents issued by official bodies. It is good practice for a school to have a policy statement, not least since it is a way of showing due regard, but it is not a legal requirement.
- 2 Schools have two specific duties, one of which is to prepare and publish objectives. The other is to publish information showing how it complies with the general duty to have due regard.
- 3 The Equality Act does not refer explicitly to social justice. It is good practice, however, for a school to integrate its work under the Equality Act with work to reduce socio-economic inequalities, for example through its use of the pupil premium.
- 4 The vast majority of the Equality Act applies to all kinds of organisation. The public sector equality duty (section 149) applies to private and voluntary organisations when they are commissioned, as they often are, to deliver public services.
- 5 The Act is concerned with nine areas or strands of human diversity, known in legal parlance as protected characteristics.
- 6 Ofsted no longer inspects community cohesion explicitly. Schools still have a duty to promote community cohesion, however, and Ofsted has indicated that its longstanding concern with pupils' spiritual, moral, social and cultural development (SMSC) necessarily involves looking at how schools promote community cohesion.
- 7 There is an explicit legal requirement that schools should publish demographic information about their pupil population, and about differential outcomes amongst them. It is good practice to refer also to matters such as prejudice-related incidents and the views and perceptions of pupils, but not legally required.

There is fuller information about the specific duties for schools at <http://www.insted.co.uk/specific-duties.pdf>.

- 8 The Secretary of State for Education was found by the High Court of Justice in 2010-11 to have acted unlawfully by not having due regard for equalities in the decision-making process relating to the building schools for the future programme (BSF).
- 9 Schools must publish information and objectives by 6 April 2012. On the 15th June every year, incidentally, there is a reminder of the long history in Britain of promoting equality through the rule of law, since it is the anniversary of Magna Carta (1215). On the 5th November every year there is a reminder that attempts to challenge and flout the rule of law famously, or infamously, have a long history too.
- 10 The grounds on which discrimination may be unlawful are known as protected characteristics, as mentioned above in the answer to question 5.

Equalities legislation is sometimes criticised as oppressive and punitive, and there is an implication that police constables and even privy councillors may become involved if it is not observed. More seriously, it is sometimes ridiculed as political correctness. Teachers need, in consequence, to be robust and clear in their support for it. Amongst other things, this includes explaining the importance of inclusive and appropriate language, and of using such language oneself. Also, it includes having and showing empathy (not agreement) with people who are genuinely baffled and disoriented by the changing legal landscape relating to equalities, and by wider social change.