

Equality Act 2010 – a quiz

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

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

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

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

3. Which of the following aims is not explicitly mentioned in the duties which schools must observe?

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

4. Which of the following did not take place in the UK?

- A. Death of Emily Davison, 1913
- B. Arrival of Empire Windrush, 1948
- C. Stonewall riots, 1969
- D. Disability Discrimination Act, 1995

5. The Equality Act mentions 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. Spiritual, moral, social and cultural development
- 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 under equalities legislation 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 had to bear in mind?

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

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 bureaucrats and do-gooders.

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 about the school population and to show compliance with the general duty to have due regard.
- 3 Schools do not have an explicit duty under the Equality Act to contribute to socio-economic equality. 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 Equality Act 2010 is the latest stage in a long history of campaigns and struggles for anti-discrimination legislation. The history is international, not confined to the UK. Events which have had great iconic and symbolic importance over the last 100 years include:
 - the death of a campaigner for women's suffrage, Emily Davison, on 8 June 1913, four days after she had stepped in front of the King's horse at the Epsom Derby
 - the arrival of the SS Empire Windrush at Tilbury, London, on 22 June 1948, the symbolic birthday of modern multi-ethnic Britain
 - the Stonewall riots in New York on 28 June 1969, the symbolic start of campaigns for LGBT equality in western countries
 - the Disability Discrimination Act (DDA) in Britain, which introduced the concept of reasonable adjustment into UK law and received royal assent on 8 November 1995.

- 5 The Equality Act 2010 replaced the DDA, and also several other pieces of legislation, and harmonises the law relating to nine areas or strands of human diversity, known in legal parlance as protected characteristics. In alphabetical order, but in some instances using slightly different terms from those which appear in the Act itself, these are to do with:
 - age (not relevant for provision of services to children)
 - disability
 - ethnicity and race
 - gender
 - gender identity and transgender
 - marriage and civil partnership (not relevant for provision of services to children)
 - pregnancy and maternity
 - religion and belief
 - sexual identity and orientation.
- 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 requirement in the legal regulations that schools should publish demographic information about the 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.
- 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 had to publish equality 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 Equalities legislation is sometimes criticised as oppressive and punitive, and is 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 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.