



Elliot Foundation Academies Trust Equality and Diversity Policy

Document Control

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Table of contents

Table of contents	2
Related Policies and Documents	3
Definitions	3
Vision and values	4
Policy statement and objectives	5
Scope and principles	6
Definitions	7
Communication of the equality and diversity commitments and policy	8
Policies and procedures	8
Disability discrimination	8
Responsibilities and accountabilities	9
Employees	10
Pupils	12
Review of this Policy	13
Appendix A: TEFAT Public Sector Equality Duty: Equality Statement	14
Appendix A: Gender Pay Gap Report (April 2018)	17
Appendix A: Equality Student Data (July 2018)	21
Appendix B: TEFAT Public Sector Equality Duty:Equality Objectives	22

Related Policies and Documents

- [Equality Act 2010](#)
- [Teacher Standards](#)
- Disciplinary Policy
- Continuous Professional Development Policy
- Whistleblowing Procedure
- Grievance Procedure
- Appraisal Policy
- Whole Staff Pay Policy
- Managing Absence Policy
- Reorganisation Policy
- Safeguarding Child Protection Policy
- Dealing with Allegations Against a Member of Staff
- Spiritual, Moral, Cultural and Social Development Policy
- Learning and Teaching Policy
- Complaints Policy
- Behaviour Management Policy
- Supporting Pupils with Medical Conditions Policy
- Special Educational Needs Policy
- Gender Pay Gap Report

Definitions

- Where the word 'Trust' or 'TEFAT' is used in this document it refers to The Elliot Foundation Academies Trust.
- Where the term 'CEO' is used it refers to the Chief Executive Officer.
- Where the word 'Governing Body' or term 'LGB' is used it refers to the Local Governing Body of an individual academy within the Trust.
- Where appropriate, local procedures and practices to implement Trust policies will be published by TEFAT head office or the individual academies.

Vision and values

Vision

The Elliot Foundation was created as a safe place for children and teachers where all are nurtured to achieve beyond even their own expectations. Our motto, "Where children believe they can because teachers know they can" reflects our conviction that raising expectations for all children and teachers is at the heart of a successful and inclusive society.

Values

For children

We help children to discover themselves and aspire beyond any limitations that their context might appear to place upon them. We help them understand that they can be, 'Heroes of their own lives' building the foundations for healthy and successful lives.

For schools

In addition to the essential functional skills of reading, writing and mathematics, children need to learn how to learn and to believe that they can continue to do so. They must also possess the critical thinking skills to sift fact from fiction to be able to think for themselves, freely and creatively.

For success

To thrive, whatever their chosen path, children need confidence, curiosity and commitment. We will nurture these attitudes across all their learning experiences.

For communities

Children at Elliot schools will be raised with an awareness of the world around them and their role in shaping a better future through volunteering and contributing in their communities.

1. Policy statement and objectives

- 1.1. The Elliot Foundation Academies Trust (TEFAT) is committed to developing, maintaining and supporting a culture of equality and diversity across all aspects of the Trust's work. The Trust aims to create an environment in which all employees, pupils and stakeholders are recognised as being of equal value and are able to grow and develop through equality of opportunity.
- 1.2. The Trust takes its public sector equality duty very seriously, in particular to have due regard to the need to:
 - eliminate discrimination;
 - advance equality of opportunity; and
 - foster good relations between different groups of people.
- 1.3. The objectives of this policy are to establish, promote and provide accountability in relation to the Trust's commitment to:
 - a. develop an ethos which respects and values all people;
 - b. actively advance equality of opportunity;
 - c. prepare pupils for life in a diverse society;
 - d. create an environment in which diversity is valued and celebrated;
 - e. promote good relations amongst people within each academy's community and the wider communities within which we work;
 - f. eliminate all forms of unfair indirect and direct discrimination, bullying, harassment, victimisation or other oppressive behaviour;
 - g. deliver equality and diversity through the Trust's policies, procedures and practice;
 - h. make reasonable adjustments and do our utmost, within available resources, to remove barriers which limit or discourage access to Trust provision and activities;
 - i. take positive action to provide encouragement and support to individuals and groups whose progress has been limited by protected characteristics, stereotyping and cultural expectations;
 - j. ensure that recruitment and selection procedures and practices within the Trust are open and transparent and ensure that fair and equal selection criteria are applied;
 - k. monitor the implementation of equality and diversity within the Trust.

2. Scope and principles

2.1. The Equality Act 2010 provides a single legal framework designed to be more effective at tackling disadvantage and discrimination. It places legal responsibilities on the Trust and covers the following nine protected characteristics:

- **age** - a person of a particular age or belonging to a particular age group;
- **race** - a group of people defined by their race, colour, and 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;
- **sex** - a man or a woman;
- **sexual orientation** - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes;
- **gender reassignment** – a person who has undergone the process of transitioning from one gender to another;
- **marriage and civil partnership** – regardless of between a man and a woman or a same-sex couple;
- **pregnancy and maternity** - being pregnant or expecting a baby and the period up to 26 weeks after giving birth, including breastfeeding;
- **religion and belief** - religious and philosophical beliefs, including lack of belief, which affect life choices or the way a person chooses to live.

2.2. Equality of opportunity and inclusivity are fundamental to the vision and values of the Trust. The commitment to equality and diversity is, in part, achieved through the eradication of discrimination and is implemented through appropriate policies, procedures and good practice which reflect the following key principles:

- equality and social justice;
- acknowledging and valuing diversity;
- respect for others;
- compliance with equality legislation;
- elimination of all forms of prejudice and unfair discrimination;
- active challenge to stereotypes and prejudiced attitudes;
- commitment to inclusive education and a working environment which enables and supports all pupils and staff to flourish and meet their potential;
- commitment to the positive development of all staff, governors and Trustees;
- accountability for compliance with this policy by all members of the Trust, academy communities and all those engaged in Trust or academy activities.

- 2.3. All staff, pupils and stakeholders have a duty to act in accordance with both the content and spirit of this policy and treat one another with respect and dignity at all times. The Trust will not tolerate discrimination on the basis of any of the protected characteristics listed above and will treat all instances of such conduct extremely seriously. Conduct which does not comply with this policy may be dealt with under the Trust's Disciplinary Policy (staff) or Behaviour Management Policy (pupils) as appropriate.
- 2.4. This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation with staff and recognised trade unions.
- 2.5. TEFAT Public Sector Equality Duty Statement is attached as Appendix A.
- 2.6. TEFAT Public Sector Equality Objectives are attached as Appendix B.

3. Definitions

- 3.1. **Equality**
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, and believing that no one should have poorer life chances because of where, what or whom they were born, what they believe, or whether they have a disability*".
- 3.2. **Diversity**
Diversity can be described as having or being composed of differing elements. In the context of this policy, diversity exists in both visible and non visible ways through our employees, pupils and stakeholders having physical, religious and cultural differences and varied life experiences and choices, views and perspectives. The Trust aims to foster an environment in which diversity is promoted and celebrated through inclusion, respect and appreciation of one another.
- 3.3. **Direct Discrimination**
Direct Discrimination is the term used in law to describe a situation in which an individual is treated less favourably than someone else has been treated (or would be treated) because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic under the Equality Act (see paragraph 2.1 above). Unless there is a statutory exception, direct discrimination cannot be excused or defended in law.
- 3.4. **Indirect Discrimination**
Indirect discrimination can occur when action is taken which appears to treat everyone equally, but which in practice leads to people from a particular protected group under the Equality Act 2010 (see paragraph 2.1 above) being treated less favourably than others. This may occur through the implementation of policies or procedures and will not be justified unless the action is needed to achieve a legitimate aim, and the means of achieving that aim are appropriate and necessary.

3.5. Victimisation

Victimisation occurs when a person is treated less favourably because they have asserted their legal rights in line with the Equality Act 2010 or supported another individual to do so.

3.6. Harassment

Harassment can be described as unwanted conduct related to one of the protected characteristics under the Equality Act 2010 (see paragraph 2.1 above) which has the purpose or effect of violating the individual's dignity or of creating an intimidating, hostile, humiliating, or offensive environment.

4. Communication of the equality and diversity commitments and policy

4.1. The Trust will take active steps to communicate the existence and/or principles of the Equality and Diversity Policy via appropriate means to all pupils, staff and stakeholders of the Trust.

5. Policies and procedures

5.1. All Trust policies and procedures will be designed to promote equal opportunity and protection against discrimination for all employees, pupils and stakeholders. The impact of any policy changes on equality issues will be considered prior to implementation. In some instances of substantial changes to policies or procedures, a formal equality impact assessment will be required.

6. Disability discrimination

6.1. The Trust supports the ethos of the social model of disability which attempts to remove barriers that restrict life choices for disabled people. The Trust encourages all employees, pupils (or their parents/carers) or stakeholders to alert a relevant member of staff if they are disabled or become disabled in order that the Trust can support them as appropriate.

6.2. If employees, pupils or stakeholders experience difficulties at work or school because of their disability, they (or their parents/carers in the case of a pupil) should speak to their line manager or a senior member of staff to discuss any reasonable adjustments that would help overcome or minimise the difficulty. It may be necessary for the line manager or senior member of staff to consult with other senior staff, the HR Team, the individual (and their parents/carers in the case of a pupil) and their medical adviser(s) about possible adjustments. In the case of an employee, the Trust may also seek advice and guidance from an occupational health advisor. The Trust will consider the matter carefully and try to accommodate the individual's needs. If the Trust consider a particular adjustment would not be reasonable, the reasons will be explained and the Trust will try to find an alternative solution where possible.

6.3. The Trust will monitor the physical features of the organisation's premises and buildings to consider whether they place disabled workers, pupils or stakeholders at a substantial disadvantage compared to other staff, pupils or stakeholders. Where reasonable, the Trust will take steps to improve access for disabled individuals.

7. Responsibilities and accountabilities

7.1. It is important to remember that each individual is responsible for their acts, carried out both within and outside employment. Any person instructing, inducing or encouraging others by inaction or action to behave in a manner which is inconsistent with this policy will themselves be in breach of this policy and will be dealt with accordingly.

7.2. The Trust Board and Local Governing Bodies

The Trust Board and Local Governing Bodies are responsible for:

- ensuring they fulfil the legal responsibilities of the organisation in relation to equality;
- ensuring Trust wide and local policies adopted are designed to support equality and diversity;
- ensuring the academies within the Trust adhere to the equality and diversity policy and other associated policies and procedures.

7.3. Chief Executive Officer (CEO), Executive Principals and Principals

The CEO, Executive Principals and Principals are responsible for:

- providing consistent and high-profile leadership in relation to equality and diversity;
- advancing equality and diversity inside and outside the Trust and academies by promoting a culture in which diversity is celebrated and in which discrimination and inequality are understood by all members of the community to be unacceptable;
- ensuring policies and procedures are in place to comply with all equality legislation;
- ensuring that the academies within the Trust implement the relevant equality and diversity policies and practices and that suitable training is provided by the Trust to senior staff to aid them to do so.

7.4. Senior Leaders

Senior Leaders are responsible for:

- ensuring they promote and monitor compliance with the relevant equality and diversity policies and procedures. This is achieved by setting an appropriate standard of behaviour, led by example and ensuring that those they manage adhere to the policy and promote the Trust's aims and objectives with regard to equal opportunities;
- making sure that all staff know their responsibilities in relation to equality and diversity and receive the support and training necessary to carry them out;
- following the relevant procedures and taking action in cases of unfair discrimination, harassment, bullying or victimisation.

7.5. **All Employees**

All employees are responsible for:

- promoting equality and diversity through their own actions and their work within the Trust and avoiding unfair discrimination;
- ensuring pupils' knowledge and experience of diverse religious and cultural ceremonies, practices and traditions is shared in a positive way where possible;
- actively responding to or reporting to management, as appropriate any incidents of unfair discrimination which relate to protected characteristics perpetrated by pupils, other employees or stakeholders;
- keeping up-to-date with equality requirements and participating in equal opportunities and diversity training.

7.6. **Pupils**

Pupils are responsible for:

- behaving in a way that is consistent with the expectations of the Trust's Equality and Diversity Policy and other associated policies such as the Behaviour Management Policy;
- respecting others in their language and actions.

7.7. **Stakeholders (including parents, regular visitors and volunteers)**

Stakeholders (including parents, regular visitors and volunteers) are responsible for:

- behaving in a way that is consistent with the expectations of the Trust's Equality and Diversity Policy and other associated policies;
- respecting others in their language and actions and avoiding any discriminatory behaviour.

8. **Employees**

Conditions of Service

- 8.1. The Trust will ensure that employee terms and conditions of service are determined and applied in a fair and consistent manner following staff and trade union consultation where applicable.
- 8.2. The Trust will also ensure that any facilities, benefits and practical support offered to employees, such as the employee wellbeing package, are developed, promoted and delivered in a manner which secures accessibility for all staff in a fair and consistent manner. Furthermore, the Trust will seek to identify and remove any access barriers where possible.

Training, Promotion and Pay Progression

- 8.3. The Trust will ensure provision for spiritual, moral, social, cultural and professional development takes account of the diverse staffing group employed by the Trust and is managed in a way which secures equal opportunities for all employees.

- 8.4. Employee training needs will be identified throughout the academic year and during the staff appraisal process. All employees will be given equal, fair and appropriate access to training and developmental opportunities to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.
- 8.5. The Trust will ensure that pay progression processes and decisions are fair and equitable and avoid discrimination of those who have, or are thought to have, protected characteristics.

Discipline, Capability and Termination of Employment

- 8.6. The Trust will ensure that expectations in relation to employee conduct and capability are determined and measured in a consistent manner. Any disciplinary and capability procedures and associated sanctions will be applied on the facts of the case and without discrimination.
- 8.7. The Trust will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

Fixed-term Employees, Casual and Agency Workers

- 8.8. The conditions of service in relation to fixed-term employees, casual and agency workers, will be monitored to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.

Part-time Employees

- 8.9. The conditions of service in relation to part-time employees will be monitored to ensure that they are being offered appropriate access to benefits, training, pay progression and promotion opportunities. The Trust will ensure requests to alter working hours are dealt with appropriately in accordance with the Trust's relevant policies and procedures.

Training and Guidance in relation to the Equality and Diversity Policy

- 8.10. Questions in relation to the content or application of this policy should be directed to the Principal, Executive Principal (where applicable), CEO or HR Team to request training or further information.
- 8.11. Employees will be given appropriate training in relation to equality and diversity awareness and equal opportunities recruitment and selection best practice, as appropriate to role.

Breaches of this Policy

- 8.12. If an employee believes that they may have been treated in a way that is inconsistent with this policy, they are encouraged to raise the matter informally with the individual concerned or their line manager where possible. If this is not possible, or does not resolve the situation, they should raise the matter through the Trust's Grievance Policy or other relevant policy where applicable.

- 8.13. If an employee believes the treatment of a colleague, student or stakeholder by another member of staff constitutes a breach of this policy, they should raise this directly with the individual whose conduct is of concern, or with their line manager or through the Trust's Whistleblowing Policy.
- 8.14. Allegations regarding potential breaches of this policy will be taken seriously and will be investigated in accordance with the relevant policy and procedure. Employees who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under the Trust's Disciplinary Policy.
- 8.15. Any member of staff who is found to have committed an act of discrimination or bullying or harassment will be subject to disciplinary action in accordance with the Disciplinary Policy. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal.

9. Pupils

Access to education and curriculum

- 9.1. The Trust is committed to operating admissions arrangements which reflect a fair and equitable process, ensuring admissions applications are assessed in accordance with each academy's Admissions Arrangements Policy.
- 9.2. The Trust is also committed to delivering high quality academic, vocational and enriched education and curriculum for all its pupils. This is with the aim of enabling each pupil to fulfil their potential academically, socially, morally, spiritually and physically.
- 9.3. All pupils in the care of the Trust, regardless of any protected characteristics, ability or circumstance, are expected to become individual, independent learners and fulfil their potential through appropriate levels of attainment and achievement.

Access to other opportunities

- 9.4. Each academy will ensure that access to wider opportunities will be made available to all pupils in a fair and equitable manner and one which is consistent with the principles of this policy.

Recognition of positive behaviour and behaviour sanctions

- 9.5. Each academy will ensure that any recognition of positive behaviour is based on merit and determined and applied in a consistent manner in order that all pupils have opportunity to be rewarded, recognised and motivated as appropriate.
- 9.6. Each academy will ensure that expectations in relation to student behaviour are determined and measured in a consistent manner. Any behaviour sanctions will be applied in accordance with the appropriate Behaviour Policy and on the facts of the situation and without discrimination.

Training and Guidance

- 9.7. Pupils are offered a wide range of opportunities to deepen their knowledge about all aspects of their local, national and wider community. This is achieved in part through high quality assemblies and other relevant sessions. Academies ensure that the personal, social, health and economic education (PHSE) and spiritual, moral, social and cultural development (SMSC) curriculums are underpinned by the celebration of equality and diversity.

Breaches of this Policy

- 9.8. Pupils and/or their parents or carers are encouraged to speak to a member of staff that they trust if they feel that they or anyone else is being treated in a way that is inconsistent with this policy. Regular assemblies and other activities in school promote the roles of the adults within school and aim to create an environment in which pupils feel able to be open about their concerns.
- 9.9. If a student's behaviour is not consistent with the Trust's expectations in relation to equality and diversity, then action will be taken in line with the relevant academy's Behaviour Management Policy. Ensuring a fair investigation, and an educative approach should be the focus for dealing with any student who breaches the expectations.

10. Review of this Policy

- 10.1. This policy will be reviewed by the Board to ensure legal compliance and effectiveness every two years, save for circumstances in which an earlier review is necessary.
- 10.2. The Trust's Public Sector Equality Duty: Equality Statement will be reviewed and updated annually.
- 10.3. The Trust's Public Sector Equality Duty: Equality Objectives will be updated every four years and will be subject to interim review.

Appendix A: TEFAT Public Sector Equality Duty: Equality Statement

The Elliot Foundation Academies Trust is committed to developing, maintaining and supporting a culture of equality and diversity across all aspects of the Trust's work. In order to achieve this, the Trust is collecting and using evidence on equality to develop our policy and decision making and to inform the Trust's Equality Objectives (Appendix B).

The Trust is committed to operating as an equal opportunities employer and recognises that a diverse workforce enables us to serve our pupils and communities more effectively. This commitment is embedded in our recruitment material, policies and practices. The Trust's Equality Workforce Data with effect from July 2018 can be found overleaf, along with the Trust's Gender Pay Gap Report dated April 2018.

The Trust is also committed to ensuring equality of opportunity for all children in an environment in which they are nurtured and are recognised as being of equal value in order to help them fulfil their potential. The Trust's Equality Student Data with effect from July 2018 can be found overleaf.

Appendix A: Equality Staff Data (July 2018)

Gender	F	1426	90.42%
	M	151	9.58%
	Total	1577	100%

Race	Any other ethnic background	0	0.00%
	Asian or Asian British, Any other Asian Background	17	1.08%
	Asian or Asian British, Bangladeshi	5	0.32%
	Asian or Asian British, Indian	46	2.92%
	Asian or Asian British, Pakistani	49	3.11%
	Black or Black British, African	5	0.32%
	Black or Black British, Any other Black background	4	0.25%
	Black or Black British, Caribbean	17	1.08%
	Chinese	0	0.00%
	Mixed White and Asian	3	0.19%
	Mixed, any other mixed background	7	0.44%
	Mixed, White and Black Caribbean	7	0.44%
	Not Obtained	4	0.25%
	White, any other White Background	88	5.58%
	White, British	432	27.39%
	White, Irish	3	0.19%
	Unknown	890	56.44%
	Total	1577	100%

Age category	Under 20	3	0.19%
	20-30	302	19.15%
	31-40	464	29.42%
	41-50	446	28.28%
	51-60	301	19.09%
	61 Plus	61	3.87%
	Total	1577	100%

Appendix A: Gender Pay Gap Report (April 2018)

TEFAT Gender Pay Gap Report



Introduction

The gender pay gap reporting legislation requires employers with 250 or more employees to publish statutory calculations every year showing how large the pay gap is between their male and female employees. Employers with more than 250 employees are required to report on these figures by April 2018.

The Elliot Foundation Academies Trust employ more than the minimum 250 employees across the Trust. This reports captures information processed in March 2017 regarding all of the schools within the Trust and will be kept for a minimum of 3 years.

At the end of the report will be a summary response from Hugh Greenway (Chief Executive Officer).

Requirements of the legislation

In line with the Equality Act 2010, this report will capture information relating to;

- The difference in the mean hourly rate of pay between male and female
- The difference in the median hourly rate of pay between male and female
- The proportion of male and female full pay relevant employees in each of four quartile pay bands
- The difference in mean bonus pay between male and female
- The difference in median bonus pay between male and female
- The proportion of male and female relevant employees who received bony pay

The calculations for calculating the mean and median averages are;

The **Mean** calculation is the **average** of the total numbers. This can be calculated by adding up all of the numbers, then dividing this number by how many numbers there actually are.

The **Median** is calculated by putting all the numbers in numerical order, and selecting the exactly in the middle once this has been numerically rearranged.

Gender split at TEFAT

The workforce split across the Trust is;

	Numbers
Male	10.33% (164 staff)
Female	89.67% (1423 staff)

There is a massive and significant variance in the primary sector to employ females instead of males. The majority of females work within Teaching, where there have been challenges to recruit.

The Elliot Foundation Academies Trust has recently partnered with ETEACH to support with recruitment into teaching roles, and will continue to explore new and innovative ways to recruit teachers.

Gender Pay Gap at TEFAT

The Median and Mean hourly rates are;

	Median hourly rate of pay	Mean hourly rate of pay
Male ¹	14.32	18.56
Female	11.21	14.39

The Median gender hourly pay gap percentage is 28.9%. The Mean gender hourly pay gap percentage is 27.7%

	Upper quartile mean	Upper middle quartile mean	Lower middle quartile mean	Lower quartile mean
Male	£28.34 ²³	£13.29	£9.92	£3.91 ⁴
Female	£24.51 ⁵	£13.35	£9.88	£4.64

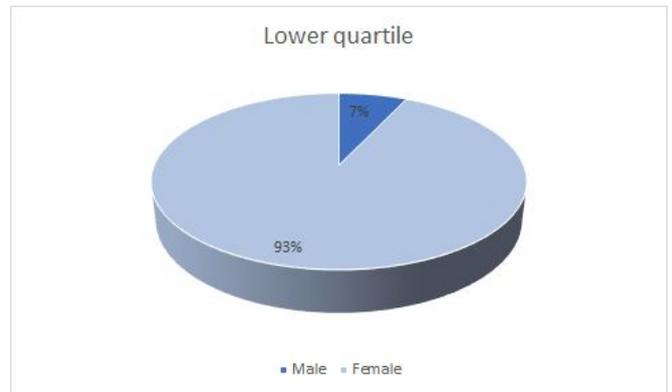
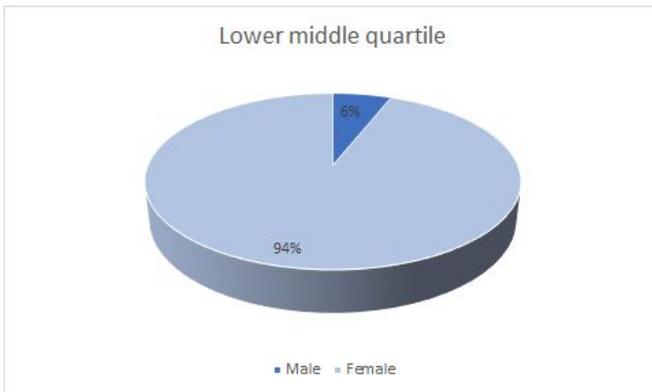
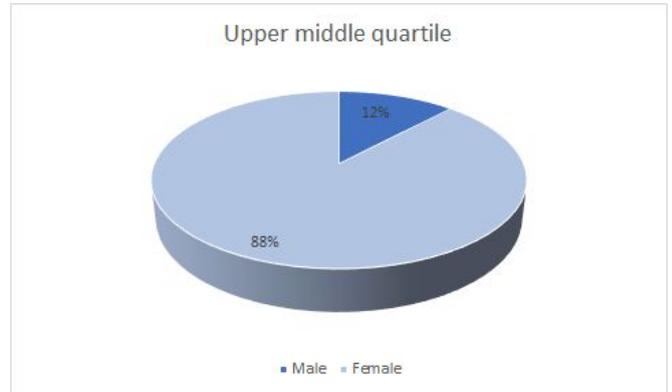
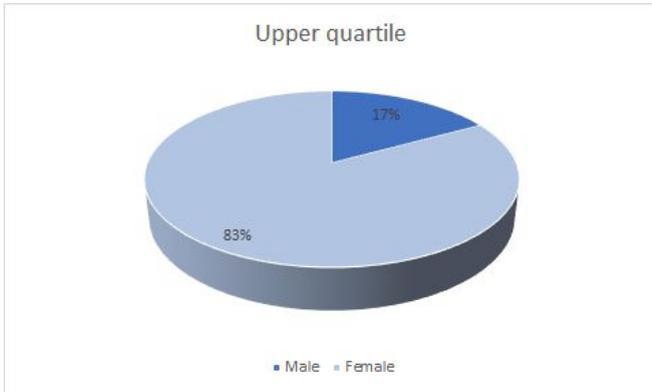
¹ Of the 1587 staff in the trust 167 are men

² Just over 40% of all the men employed by the Trust are in the Upper quartile pay bracket

³ The highest paid male is the CEO

⁴ 174 staff have a Snapshot hourly rate of £0

⁵ The highest paid female is the CFO



No staff were in receipt of a bonus.

Conclusion

The Elliot Foundation Academies Trust is a Living Wage Employer and an adherent to the Green and Burgundy books, consequently the significant gender pay gap⁶ for both mean and median are a surprise and likely, on reflection, to have multiple causes:

- The massively one sided gender of our employees 90% female, which is common for the primary education sector
- The almost total absence of men as employees in the lowest quartile (only 27 of 397), which includes part-time and shift work
- The fact that the most significant percentage 68% of men are employed in the upper two quartiles with 40% in the top quartile

It is interesting to note that women are paid better than men in the upper middle quartile reflecting the success of the organisation retaining them to middle and middle senior management positions. But the comparatively small number of men overall employed by the trust is skewed by the fact that the top three earners are male.

⁶ Excluding the top and bottom 5% of the sample, the gender pay gap drops to 13%

The Trust needs to explore if it is losing potential female senior executive talent and whether, despite the fact that the Trust Board is 50% female, there is a lingering unconscious bias in its remuneration practices.

Appendix A: Equality Student Data (July 2018)



Appendix B: TEFAT Public Sector Equality Duty: Equality Objectives

	Objective	Relevant Equality Duty Aim/s
1	To raise awareness of equality and diversity across the Trust through the delivery of appropriate staff training	Duty 1: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
		Duty 2: Advance equality of opportunity between people who share a protected characteristic and those who do not
		Duty 3: Foster good relations between people who share a protected characteristic and those who do not
2	Achieve a sustained improvement of overall attendance in relation to pupils who have special educational needs or disabilities (SEND) by September 2022	Duty 2: Advance equality of opportunity between people who share a protected characteristic and those who do not
		Duty 3: Foster good relations between people who share a protected characteristic and those who do not