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**EQUALITY ACT 2010**

*Information for Trainees*

*This guidance should be read in conjunction with Cumbria Teacher Training Equality, Diversity and Inclusion Policy.*

Under the Equality Act 2010 applicants and trainees have protection against discrimination on the basis of a number of protected characteristics. These are:

* Age
* Disability
* Gender reassignment
* Marriage and civil partnership
* Pregnancy and maternity
* Race
* Religion & beliefs
* Sex
* Sexual orientation

Cumbria Teacher Training makes the appropriate arrangements to meet the specific requirements for trainees with protected characteristics as defined by the Equality Act. Although Cumbria Teacher Training is not the employer we will, as far as possible, follow the requirements as though we were the employer.

It should be noted that the Equality Act recognises that there are usually ‘intrinsic competences’ that applicants for a particular employment must be able to meet; the example that it can be expected that a scaffolder can climb a ladder is often quoted. A reasonable adjustment is something that enables and individual to meet the requirement, it is not an adjustment to the requirement itself. Further information around the competencies for teaching can be found in the Policies Fitness to Study & Fitness to Practice.

**Prejudice-based bullying**

Bullying behaviour may be a result of prejudice that relates to perceived or actual differences.

Bullying behaviour may be a result of prejudice that relates to perceived or actual differences. This can lead to prejudice and discriminatory language or behaviour, including racism, sexism, homophobia, biphobia or transphobia.

[Respect for All](http://www.gov.scot/Publications/2017/11/6766) states: ‘Prejudice-based bullying is when bullying behaviour is motivated by prejudice based on an individual’s actual or perceived identity; it can be based on characteristics unique to a child or young person’s identity or circumstance.’ B

According to research, anti-bullying work which clearly addresses the particular needs of vulnerable or minority groups is more effective. In order to respond effectively to incidents as they arise, we must also address the root cause of prejudice.

To address the years of unfavourable treatment experienced by some groups, The Equality Act 2010 makes it unlawful to discriminate against people with a ‘protected characteristic’. These are:

* Age
* Disability
* Gender reassignment
* Pregnancy and maternity
* Marriage and civil partnership
* Race
* Sex
* Religion or belief
* Sexual orientation

**Prejudice can lead to bullying for a variety of reasons…**

* Prejudice-based bullying includes the protected characteristics, but prejudice can and does extend beyond these and can lead to bullying for many other reasons.
* **Additional support needs** can arise for any reason for any length of time. Additional support may be required to overcome needs arising from learning environment; health or disability; family circumstances or social and emotional factors. A child or young person may be bullied because they have an additional support need and, crucially, being bullied can also lead to an additional support need.
* **Age:**Although prejudice and discrimination based on age is not applicable in school settings, it can affect children and young people in settings such as the workplace, in further and higher education, and in wider society.
* **Asylum Seekers and Refugees:** Stigma, caused by a lack of knowledge and understanding of asylum seekers and refugees, can mean children with this status may be at greater risk of being bullied. In addition, reluctance to burden parents or carers with extra worries can allow bullying to go undetected and continue.
* **Body image and physical appearance** can be hugely important to children and young people, with bullying because of body image having the potential to negatively impact upon their wellbeing.
* **Disablist bullying:** People who bully others may see children and young people with disabilities as being less able to defend themselves and/or tell an adult what has happened. The bullying behaviour is likely to be focused upon their specific disability or disabilities, whether they are in mainstream schooling or in specialist provision.
* **Gypsy/Travellers:** This group of children and young people are a particularly discriminated against and marginalised group, and concerns about bullying are especially acute for secondary schools. Perceived risks about bullying and parents’ own experiences of discriminatory behaviour may lead to low levels of enrolment and poor attendance for Gypsy/Traveller children and young people, as well as early exit from formal education. Other Traveller families, such as Roma, may have similar concerns.
* **Sexual orientation & homophobic bullying:** Bullying based on sexual orientation is motivated by a prejudice against lesbian, gay or bisexual (LGB) people. It is also commonly referred to as ‘homophobic bullying’ but can also be expanded to recognise the specific experiences of bisexual young people using the term ‘biphobic bullying’.

Children and young people do not necessarily have to be gay, lesbian or bisexual themselves to experience ‘homophobic bullying’. This type of bullying may be directed towards young people perceived to be LGB; those that do not conform to gender norms; and those who have gay friends or family. Although homophobic bullying is distinct from sexist and transphobic bullying, it is related to these forms of bullying through underlying sexist attitudes.

**Intersectionality:** It’s important to understand the different and unequal social and economic outcomes for particular groups, based on interactions between race, class, gender, sexual orientation, disability, age and ethnicity.

In the context of anti-bullying, we must consider people’s experiences of belonging to one or more of these groups, people’s prejudice towards them and how this can lead to inequality in attainment and wellbeing.

**Care Experienced children and young people:** are vulnerable to bullying behaviour for a number of reasons, such as regular changes in schools or where they are placed. Forming relationships with peers and adults can be made even more difficult due to early childhood adversity.

**Marriage/Civil Partnership:** Whilst it is unlikely that a school-aged pupil will experience direct prejudice and discrimination as a result of being in a same sex marriage or civil partnership, there could be instances of indirect discrimination if they are associated with someone who is.

This type of discrimination can also affect children and young people in other settings, such as workplaces, further and higher education and in wider society.

**Racial bullying:** Children and young people from minority ethnic groups often experience bullying based on perceived differences in dress, communication, appearance, beliefs and/or culture as well as their skin colour and accent.

The status of the ethnic group a child belongs to (or people assume they belong to) can often lead to a child or young person experiencing bullying behaviour. This can arise from a misguided and/or learned belief that they are less valued and ‘deserve’ to be treated differently, or with less respect.

**Religion and belief:** Lack of knowledge and understanding about the traditions, beliefs and etiquette of different faiths can lead to religious intolerance.

Lack of awareness about the differences in practices of religions such as prayer times, dietary requirements, fasting and the wearing of religious clothing or articles of faith can result in misunderstandings and stereotyping, which may lead to bullying. People who have no religion or belief are also protected under the Equality Act.

**Sectarianism:** Most people understandably associate Sectarianism with religion, however the reality of prejudice means that your family background, the football team you support, the community you live in, the school you attend and even the colour of your clothing can mark you out for sectarian abuse - whatever your beliefs may be.

In Scotland, sectarianism is most often related to Protestant and Roman Catholic divisions within Christianity but can also relate to other religions, such as Sunni and Shia Muslims within Islam, and Orthodox and Reform Jews within Judaism.

**Sexism and gender:** Bullying in the form of derogatory language and the spreading of malicious rumours can be used to regulate both girls’ and boys’ behaviour. These terms can be of an explicit sexual nature and it is worth noting that many can involve the use of terms for people who are gay and lesbian as a negative towards a person’s masculinity or femininity.

Sexism and gender stereotypes feed into homophobia, biphobia and transphobia. Gender stereotyping, based on the notion of acceptable and unacceptable male and female behaviour, can leave children and young people who are not perceived to conform to these notions vulnerable to indirect and direct bullying.

**Gender identity and transphobic bullying:** The term ‘transgender’ is an umbrella-term for those whose ‘gender identity’ or expression differs in some way from the gender assigned to them at birth. Gender identity reflects an individual’s internal sense of self as being male, female, or an identity between or outside the two.

Transgender people face significant societal prejudice, largely because they are perceived as not conforming to gender stereotypes, expectations and norms. As a result, transgender or gender ‘variant’ children and young people can be particularly vulnerable to bullying, such as transphobic and homophobic name calling or deliberately mis-gendering them.

An individual may also experience transphobic bullying as a result of a perception that a parent, relative or other significant figure is transgender.

**Young Carers:** The lives of young carers can be significantly affected by their responsibility to care for a family member who has a physical illness or disability, mental health problem, sensory or learning disability or issues with the misuse of drugs or alcohol.

Young carers are at risk of bullying for a variety of reasons. Depending on responsibilities at home, they may find themselves being unable to fully participate in school or after-school activities or ‘fun stuff’. This can make it difficult for them to form relationships; it can hinder successful transitions or lead to educational difficulties.

**Socio-economic prejudice:** Bullying due to socio-economic status can take place in any community. Small differences in perceived family income, living arrangements, social circumstances or values can be used as a basis for bullying behaviours.

These behaviours, such as mocking speech patterns, accents, belongings, clothing, etc. can become widespread through those considering themselves to be in the dominant social economic group. Bullying of children who endure parental substance misuse can also be prevalent.

