

# Inspecting equalities

Guidance for section 5 inspectors

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**Age group:** All

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## Purpose of the guidance

1. This guidance is intended to help inspectors judge the impact of schools' work in promoting equal opportunity and tackling discrimination. It should be read in conjunction with *The evaluation schedule for schools*.

## Introduction

2. The overarching principles of Ofsted's inspection and regulation are set out in *Ofsted inspects*. They apply to all inspections carried out by, or on behalf of, Ofsted and are intended to ensure that full account is taken of Ofsted's policies on equality and diversity, amongst others. School inspection acts in the interests of children, young people and their parents. It encourages high-quality provision that meets diverse needs and promotes equality.
3. Assessing how well schools promote equality of opportunity, and how effectively they tackle discrimination is a key feature of inspection. Where a school is judged to be inadequate in relation to the extent to which it **promotes equality and tackles discrimination**, inspectors treat this as a 'limiting' judgement; the school's overall effectiveness is also likely to be judged inadequate.

## Equality and discrimination in schools

4. Legislation requires schools to have due regard to the need both to eliminate unlawful discrimination and to promote equality for pupils, staff and others using school facilities. It aims to ensure that people have equality of opportunity in accessing and experiencing public services. Inspectors should discuss with each school whether it is meeting statutory requirements and should evaluate and report on the impact of the school's actions. An overview of the different legislative duties that schools must fulfil can be found at: <http://www.gtce.org.uk/networks/reays/legislation/>
5. Schools must not discriminate against pupils through their admissions policies or in their day-to-day operations, such as in the allocation of pupils to particular classes. There are a few exceptions regarding the following:
  - admissions to schools which are single sex or of a religious character
  - school curriculum and collective worship are not covered by legislation affecting discrimination on grounds of religion or beliefs
  - schools may treat disabled pupils more favourably than others if it prevents them being at a disadvantage
  - age discrimination legislation does not apply to the treatment of pupils or provision of education.

## Guidance for inspectors

6. Schools have a duty to promote equality of opportunity and promote good relations between people of different groups. Schools also have a number of statutory duties to monitor equality and discrimination, including gathering specific evidence and publishing plans. The inspection of equalities therefore has two connected strands:

- compliance with statutory requirements:

**The effectiveness of the governing body in challenging and supporting the school so that weaknesses are tackled decisively and statutory responsibilities met**

- evaluating impact:

**The effectiveness with which the school promotes equality of opportunity and tackles discrimination**

## Compliance with statutory requirements

7. The first step for inspectors in verifying that the school complies with statutory requirements is to check it has reported how well it meets requirements in the SEF. Inspectors should confirm the school's assessment, for example, by asking to see its report on race equality.
8. For a school to be judged at least satisfactory in promoting equality, inspectors must check that the school fulfils the following:
- the production of a **written race equality policy** identifying action to be taken to tackle discrimination and promote equality and good race relations across school activity.
  - the publication of a **disability equality scheme** (from December 2006 in secondary schools and December 2007 for primary and special schools) showing how the school is meeting its general duty to promote disability equality across all its areas of responsibility. Advice on what should be contained in this scheme, and outline plans, can be found in the DCSF guidance *Promoting disability equality in schools*.
  - the publication of a **gender equality scheme** showing how the school intends to fulfil its general and specific duties, such as setting out gender equality objectives. Schools must revise and review this plan every three years and report on progress annually.
  - **monitoring the implementation of these schemes and assessing their impact** on pupils, staff, and parents, in particular the attainment levels of pupils from different racial groups, and taking such steps as are reasonably practical to publish the results of this monitoring annually.

- **recording racist incidents** and reporting them to the local authority on a regular basis.
9. There is no need for schools carry out all these requirements separately. It is acceptable to produce a **single equality plan** covering all aspects of equality but with particular focus on disability, gender and race to meet current requirements set out above. There is no need to repeat any of the content of this equality plan in the broader school plan, though it may be helpful to cross-refer to make clear how equality is embedded in all of the school's policies and practices.
  10. Inspectors will need to check that requirements are in place. As a minimum, the five requirements listed above should be checked, although they may be largely incorporated into a single equality plan. However this only checks compliance, it does not evaluate whether the school is having an impact in complying with the duty to promote equality.

## Evaluating impact

11. In evaluating how effectively the school actively promotes equality of opportunity and tackles discrimination, inspectors should take account of the outline guidance and descriptors in *The evaluation schedule for schools*.
12. An evaluation of the school's work in this area will contribute to a range of judgements, including working in partnership with the community, achievement and standards, care guidance and support, and some aspects of leadership and management.
13. Strategies to evaluate this may include:
  - a discussion with senior staff about attainment data and the relative performance of different groups of learners. Inspectors will want to look for specific evidence that the school is monitoring this data and discussing its strategies to tackle any underachievement with appropriate groups including the governing body. This discussion should link into any evidence presented in the SEF.
  - a discussion with senior staff about how the school is promoting its relationships with parents and learners in 'hard to reach' communities.
  - a discussion with pupils, which should help to evaluate the effectiveness of the school's strategy to promote equality. This includes its initiatives to combat bullying and deal with any racist incidents and can be compared with evidence about the exclusion of particular groups.
  - direct observation of learners in lessons and about the school to evaluate the impact of the school's strategies in promoting outcomes, such as pupils' language and literacy skills, their social and cultural development and the ability of learners from different backgrounds to work together.

14. Schools also have a duty to promote community cohesion. There are some similarities between this duty and the duty to promote equality, and the outcomes will clearly be linked. Inspectors should be aware of the connections but also be aware that the two duties each have a distinctive focus of their own.
15. Inspectors should note that if the school is judged to be inadequate in this strand of the evaluation schedule, its overall effectiveness is also likely to be judged to be inadequate.

## Writing the report

16. Information about the school: This section includes commentary about the school's distinctive features, for example the nature of its pupil population. Where different groups of pupils are mentioned in here, reference to these groups should be made in the 'Outcomes' section of the report. Inspectors should bear in mind that this information provides background information for reporting on equalities.
17. Outcomes for individuals and groups of pupils: Any underperforming groups should be identified, the reasons explored, and particular reference made in the report. Schools have a duty to promote equal opportunity, so any apparent discrepancies between the performance of and outcomes for different groups, for example by gender or ethnicity, should be investigated and significant discrepancies reported.
18. The effectiveness of the provision: The provision should meet the needs of all learners. Inspectors should report, for example, the extent to which a broad and balanced curriculum is designed and modified to meet the needs of individuals and groups of pupils.

The effectiveness of leadership and management: The judgement on the school's effectiveness in promoting equal opportunity and tackling discrimination is a key element of leadership and management. Schools should have strategies for promoting participation by learners in all the opportunities that the school provides and strategies for tackling any discriminatory behaviour between groups of learners. There is an expectation that schools should know about which groups of learners are benefiting, or not. For example, schools should be aware of gender imbalances in 'upper ability' groups, and which groups of learners, by ethnicity, are participating in after-school sport.