

Governors' Information Bulletin

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GENDER EQUALITY DUTY

The Equality Act 2006 amends the Sex Discrimination Act (SDA) to place a statutory duty on all public authorities (including schools), when carrying out their functions, to have due regard to the need:

- to eliminate unlawful discrimination and harassment
- to promote equality of opportunity between men and women.

This is known as the 'general duty' and will come into effect on 6 April 2007.

'Functions' include policy-making, service provision, employment matters, and statutory discretion, as well as decision-making. 'Due regard' means that authorities should give due weight to the need to promote gender equality in proportion to its relevance. This does not simply mean the numbers affected, the seriousness and extent of the discrimination, harassment or inequality, should also be considered even if the number of people affected is small.

To support progress in delivering the general duty, there is a series of 'specific duties' which schools must undertake to help them meet the general duty.

Those specific duties, in brief, are:

- to prepare and publish a gender equality scheme showing how it will meet its general and specific duties and setting out its gender equality objectives;
- in formulating its overall objectives, to consider the need to include actions to address the causes of any gender pay gap;
- to gather and use information on how the school's policies and practices affect gender equality for their children and young people, their parents, carers and staff;
- to consult stakeholders (i.e. employees, pupils and their carers and others, including trade unions) and take account of relevant information in order to determine its gender equality objectives;
- to assess the impact of its current and proposed policies and practices on gender equality;
- to implement the actions set out in the scheme within three years, unless it is unreasonable or impracticable to do so;
- To report against the scheme every year and review the scheme at least every three years.



The first scheme must be published by 30 April 2007.

The specific duties are not an objective in themselves, but a means of meeting the general duty. The main focus should be on outcomes, and schemes are a means to an end. Outcomes need to be monitored and plans reviewed if they are not producing the desired results.

Full details of the legal requirements of the duty are set out in the statutory Code of Practice for England and Wales. View it on the clerks/chairs VLE area or at http://www.eoc.org.uk/Docs/GED_CoP_Draft.doc on the Equal Opportunities Commission website.

In order to understand which of its functions has the greatest relevance to gender equality, schools will need to gather and use information on how girls and boys, women and men are affected by its activities. Schools may already have this information, disaggregated by gender. This information will have a crucial role in helping the school to determine its gender equality priorities, conduct effective gender impact assessments of policies and practices, and monitor progress towards its gender equality objectives.

Schools that do not already have data might look at collecting information in the following areas:

- gender differences in service use and outcomes – attainment and achievement, needs, expectations, barriers, satisfaction rates
- balance of women and men in key roles, such as the leadership team
- the gender profile of their staff, including analysis of patterns for part-time staff and those with caring responsibilities, the extent and causes of the gender pay gap in the school for full-time and part-time staff.
- the prevalence of harassment and sexual harassment/bullying of pupils, staff and other relevant individuals, the number of reports, formal complaints and the outcome of complaints
- issues and barriers affecting transsexual staff and potential staff.

The duty is not just about collecting information, but also analysing and using it, so that schools know where they are being successful and where they need to take action.

INFORMATION AND WEB LINKS TO SUPPORT YOU IN MEETING THE GENDER EQUALITIES DUTY AND DEVELOPING A GENDER EQUALITIES SCHEME:

Gender Equality Duty Code of Practice for England and Wales

http://www.eoc.org.uk/Docs/GED_CoP_Draft.doc

Developing gender equality objectives and a gender equality scheme - Guidance for GB public authorities

http://www.eoc.org.uk/Docs/Developing_gender_equality_objectives_and_scheme.doc#_oc159927332

General guidance: Overview of the duty <http://www.eoc.org.uk/Default.aspx?page=19955>

General guidance: First steps on the duty <http://www.eoc.org.uk/Default.aspx?page=19956>

General guidance: Gathering and using information on gender equality

<http://www.eoc.org.uk/Default.aspx?page=19957>

General guidance: Consulting stakeholders on gender equality

<http://www.eoc.org.uk/Default.aspx?page=19958>

General guidance: Setting objectives and producing a gender equality scheme

<http://www.eoc.org.uk/Default.aspx?page=19960>

General guidance: Meeting the gender duty in your employment functions

<http://www.eoc.org.uk/Default.aspx?page=19961>

General guidance: meeting the gender duty for transsexual staff

<http://www.eoc.org.uk/Default.aspx?page=19962>