

## MONTHLY GATESHEAD HEALTH STAFF ADVICE BULLETIN

### ISSUE 19: BACK TO SCHOOL ADVICE - PART 2

This bulletin follows on from our June edition focusing on back to school advice. As the summer break is upon us, we want to give parents, guardians, and other concerned parties, a 'heads-up' on issues that might arise during term-time.

This newsletter offers advice on complaints, discrimination, and disability discrimination in education. When unfair treatment occurs, it can sometimes be difficult to know if discrimination has happened and what the correct steps to take are. We can offer guidance on identifying unlawful discrimination and what you can do about it. Even if you haven't needed to make a complaint before, it is valuable to know where to go and what to do.

#### **Discrimination in Education**

If you're treated unfairly by an education provider and it's because of who you are, it may be unlawful discrimination. If you've experienced unlawful discrimination, you may be able to do something about it.

The Equality Act 2010 sets out the following as 'protected characteristics': disability, gender reassignment, pregnancy or maternity, race, religion or belief, sex, and sexual orientation.

#### What's the Unfair Treatment?

Education providers mustn't discriminate against you in relation to the following things:

- Admissions, the provision of education, exclusion, access to benefits.
- Facilities or services, school meals, sports and other activities, school trips, libraries and IT facilities, careers services and information.
- School policies and procedures relating to discipline, exams and school uniforms, any other detriment.

#### How Is the Treatment Unfair ?

There are different types of discrimination that can be encountered in education:

If your child is treated differently or worse because of who you are, or who they think you are, this could be **direct discrimination**. For example, not allowing a child's same-sex parents to attend parent's evenings.

If your child is treated differently or worse, because they are connected to someone with a protected characteristic, this could be **direct discrimination by association**.

If the school has a policy or rule that applies to everyone, but puts you at a disadvantage compared with others, this could be **indirect discrimination**. For example, if the school says that no headwear can be worn in class, but your religion requires the wearing of headwear.

If you have a disabled child and the school does not make reasonable adjustments to accommodate that disability, this could be **discrimination arising from disability**.

If your child is treated in a frightening, degrading or humiliating way, this could be **harassment**.

If your child is punished because you have raised an issue with the school, this is **victimisation**.

More details of these types of discrimination can be found on our [website](#).

### What To Do

When deciding what action to take about discrimination, you will need to think about what you're trying to achieve? You will also need to think about how quickly you need to get a result?

Sometimes it can be better to try and resolve the problem informally first, as this can stop the problem getting worse and avoid legal expenses. Informal channels may include talking to the head of year, student support services, or the head teacher.

You should ask for a copy of the school's or institution's complaints procedure if you want to raise a discrimination issue. This may have answers to some of your questions, or highlight possible solutions you may not have considered.

If this does not resolve the problem, independent adjudicators, education agencies, local educational authorities, or school proprietors, can be contacted to take the complaint further.

Click here to find out more about [taking action on discrimination](#)

### **Disability Discrimination in Schools**

In some situations, schools must also take positive steps so that disabled pupils can access and participate in the education and other activities they provide.

The Equality Act calls this the duty to make 'reasonable adjustments'.

[Check if you or your child are disabled under the Equality Act](#)

The duty to make adjustments applies to all of the school's activities and the decisions that are made by teachers and staff.

If your child is disadvantaged by something at school because of their disability, there are 2 things you can ask them to do:

- Change the way things are done in the school, like a policy, rule or practice.
- Provide extra aids or services - for example, extra staff assistance, a BSL interpreter, specialist equipment like an induction loop or an adapted keyboard.

**Remember, if you think you or your child might be facing any sort of discrimination, you can get in touch with your Citizens Advice Gateshead team for impartial advice, information, and guidance.**

**Email [qestaffswa@citizensadvicegateshead.org.uk](mailto:qestaffswa@citizensadvicegateshead.org.uk) or call 0191 490 4231 and we'll be back in touch with you within 1 working day Monday to Friday.**