

Equality and Diversity Policy

Higher Bebington Junior School



Approved by: Governing Body **Date:** September 2021

Next review due by: September 2024

Higher Bebington Junior School **Equality & Diversity Policy & Objectives**

1. Core Principle

At Higher Bebington, we recognise the need to celebrate and value the diversity of society as we prepare our children to contribute to life now and in the future. The school is fully committed to the elimination of unlawful and unfair discrimination and values the differences that a diverse workforce brings to the school. The adoption of an equality and diversity policy enables the school to send out a strong message of commitment, both internally and externally.

In accordance with the Equality Act 2010, we believe that no one should be discriminated against and ensure that the nine protected characteristics outlined in the act are adhered to.

There characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual Orientation

Equality of opportunity for all our children and the staff, who work within our school community, is an essential principle. Every person matters at our school and will be given every opportunity to succeed and reach their full potential.

We are committed to ensuring equality of education and opportunity for all pupils, staff, parents and carers receiving services from the school, irrespective of race, gender, disability, religion or belief, or socio-economic background or any protected characteristic. The school will not discriminate because of any other irrelevant factor and values openness, fairness and transparency. We aim to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity and able to participate fully in school life.

The achievement of pupils will be monitored by race, gender, socio – economic background and disability and we will use this data to support pupils, raise standards and ensure inclusive teaching. We will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment which champions respect for all.

2. Statutory Requirements

The equality objectives address our duties under current equality legislation, up to and including the Equality Act 2010. See Appendix 1 for more detail regarding the nine protected characteristics.

In relation to this act our duties require us to have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who do not share it
- Foster good relations across all characteristics and between those who share a characteristic and those who do not share it.

In addition, schools also need to be aware of the other legislation relating to the discrimination of employees:

- Part time workers
- Fixed term workers
- Trade union membership and activities

The Accessibility Plan addresses our duty under the Special Educational Needs and Disability Act (SENDA) 2001.

3. Equality- Policy and Practice

- **Pupil Attainment and Progress**

At Higher Bebington Junior School we expect the highest possible standards. Staff have high expectations of all pupils and continually challenge them to reach higher standards.

At this school, we work hard to ensure that all pupils, no matter what their additional or special needs, have the opportunity to progress and develop academically and socially. Children on the SEN register receive individual targets written in conjunction with parents and any other agencies e.g. SALT and SENNAT. The SENCO closely monitors the delivery of intervention programmes across the whole school and liaises with class teachers and parents to ensure a high standard of provision. Provision and support is tailored to support the requirements of the pupils and the provision is closely monitored by the governing body and leadership team.

We also provide challenging targets for children identified as being able and talented. Children also have access to regional events taking place out of school hours.

Children with English as an additional language are welcomed into our school. Pupils in receipt of pupil premium are tracked and provided with additional support including specialist intervention to enable them to reach their full potential.

The school recognises and values all forms of achievement. We will monitor and analyse pupil performance by race, gender, disability and special educational need and social background. Any disparities which are identified will be addressed through targeted curriculum planning, teaching and support.

- **The quality of provision- Teaching and Learning**

All staff ensure the classroom is an inclusive environment in which pupils feel all contributions are valued. We take account of pupils' experiences and starting points and are responsive to pupils' different learning styles.

Pupil grouping is planned and varied to reflect the requirements of learners and their social development needs. Allocations to teaching groups will be kept under continual review and analysed by race, gender and background.

Our teaching styles include collaborative learning. All pupils will be encouraged to question, discuss and collaborate in problem solving tasks. Pupils will be encouraged to be a resource for their peers.

Staff encourage pupils to become independent and assist them in taking responsibility for the management of their own learning and behaviour.

Staff will use a range of methods and strategies to assess pupil progress. Assessments are analysed for gender, cultural and social bias, and take account of access issues, e.g., print size, paper colour.

This school believes that self-assessment is a teaching-learning strategy, and we will provide all pupils with opportunities to take responsibility for their own learning through regular reflection and feedback on their progress.

- **The quality of provision - Curriculum and other activities**

This school provides an appropriate curriculum for pupils of all backgrounds. We will monitor and evaluate its effectiveness through target setting and attainment analysis.

The curriculum builds on pupils' starting points and is differentiated appropriately to ensure inclusion.

Each area of the curriculum is planned to incorporate the principles of equality and to promote positive attitudes to diversity. All subjects contribute to the spiritual, moral, social, and cultural development of all pupils.

The content of the curriculum reflects and values diversity. It encourages pupils to explore bias and to challenge prejudice and stereotypes.

Extra-curricular activities and special events cater for the interests and capabilities of all pupils.

- **The quality of provision – Guidance and support**

We actively promote good personal and community relations within the school.

All staff are expected to foster a positive atmosphere of mutual respect and trust among boys and girls from all ethnic groups and range of abilities.

Staff challenge stereotypes and foster pupils' critical awareness and concepts of fairness, enabling them to detect bias and challenge inequalities.

Our pastoral support takes account of religious, cultural and ethnic differences, special educational needs, disability and the experiences and needs of all children

The school provides appropriate support for pupils learning English as an additional language and pupils are encouraged to use their home and community languages to enhance their learning

Victims of harassment and bullying are given appropriate support using external agencies where appropriate. The perpetrators are dealt with in line with school policy and are provided with relevant support to consider and modify their behaviour.

- **Behaviour and Attendance**

This school expects high standards of behaviour from all pupils, appropriate for their developmental level.

We have procedures for disciplining pupils and managing behaviour that are fair and applied equally to all. All staff are expected to operate consistent systems of rewards and discipline.

It is recognised that cultural background and disability may affect behaviour. Our school takes this into account when dealing with incidents of unacceptable behaviour.

Clear procedures are in place so that all forms of bullying and harassment, including racism and harassment related to disability, sexism, homophobia, transphobia and biophobia are dealt with promptly, firmly, and consistently and are in line with relevant LA policies and guidance. All forms of harassment are recorded, monitored and dealt with in line with relevant school policies.

Adults in school take care to lead through example, demonstrating high expectations of all pupils.

At Higher Bebington exclusions are extremely rare but are reviewed with reference to gender, ethnicity and special educational need. This school will take all reasonable steps to prevent the exclusion of a pupil for a reason related to any disability they may have.

Pupils, staff and parents are aware of policies and procedures for dealing with harassment. They know that any language or behaviour, which is racist, sexist, homophobic, transphobic or biphobic or potentially damaging to any minority group, is always unacceptable.

Information and advice on attendance and exclusion can be made available to parents/carers in accessible formats such as relevant community languages and large print.

There are strategies to reintegrate long-term non-attenders and excluded pupils, which address the needs of all pupils.

Families are aware of their rights and responsibilities in relation to pupil attendance and absence is always followed up in a way that takes account of cultural issues or matters relating to a child's disability.

We make provision for leave of absence for religious observance, for staff as well as pupils.

We monitor attendance by gender, ethnicity and special educational need. Background is also considered. Action is taken in order to address any disparities between different groups of pupils.

The school will fully support children with long-term medical needs who may have an erratic attendance because they are in and out of hospital.

- **Partnership with pupils, parents, carers and the wider community**

We monitor parental involvement and use various strategies to raise participation of underrepresented groups of parents and sections of the community. Information and meetings for parents are made accessible for all.

Progress reports to parents/carers are clearly written to encourage parents to participate in their child's education. Where necessary information can be made available in languages and formats other than English. Parents with a disability or with learning difficulties will be able to access school's information.

Parents are fully involved in the school-based response for their child with special educational needs, understand the purpose of any intervention or programme of action and are told about the parent partnership service when SEN is identified.

The school's premises and facilities are equally available and accessible for use by all groups within the community.

- **Leadership and management**

The school works with the LA to ensure that our school's admission process is fair and equitable to all pupils.

Comprehensive information about pupils' ethnicity, first language, religion, physical needs, diet etc. is included in admissions forms or gathered at admissions meetings.

The school adheres to recruitment and selection procedures which are fair, equitable and in line with statutory duties and LA guidelines.

Equality and diversity issues are reflected in our school's employment practices

Everyone associated with the school is informed of the contents of this policy. All staff and visitors must support the ethos of the school, promoting equality and challenging bias and stereotyping wherever they observe it.

The skills of all staff, including non-teaching and part-time staff are recognised and valued. All staff are given status and support and are encouraged to share their knowledge.

Staff handbooks and regular professional development activities are available for all staff members to support their practice in relation to this policy.

Staff and visitors provide a wide range of role models and the school strives to reflect the diversity of the local and wider community.

Resources and displays in our school reflect the experience and backgrounds of pupils, promote diversity and challenge stereotypes. They are reviewed regularly to ensure that they reflect the inclusive ethos of the school, e.g. the inclusion of images relating to minority ethnic children.

- **Linguistic Diversity**

At Higher Bebington Junior School we have a very small number of children who speak languages other than English. We welcome this diversity, and we look for opportunities to use languages to enrich the curricular experience of all our pupils and we draw upon the expertise of our school community wherever possible.

We recognise the positive role the home language has to play in the development of English language learning and in pupils' cognitive development. Bilingual pupils are encouraged to use their home language in school and parents are welcome to share their cultural richness with the school community through themed weeks and special events

We recognise and celebrate the linguistic diversity in British society. We look for opportunities to enrich the curricular experience of all our pupils by:

- highlighting how English has borrowed from other languages in simple terms
- raising awareness of the similarities and differences between English and other languages
- reflecting the multilingual nature of wider society in our resources and displays

4. Equal Opportunities for Staff

This section deals with aspects of equal opportunities relating to staff at Higher Bebington Junior School.

We are committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment. All staff appointments and promotions are

made on the basis of merit and ability and in compliance with the law. However, we are concerned to ensure, wherever possible, that the staffing of the school reflects the diversity of our community. The school will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

- **Employer duties**

As an employer we need to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within our workforce. Equality aspects such as age, gender, race, disability, sexual orientation, gender re-assignment and faith or religion are considered when appointing staff and particularly when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, to ensure decisions are free from discrimination.

Actions to ensure this commitment is met include:

- Monitoring recruitment and retention including bullying and harassment of staff;
- Continued professional development opportunities for all staff;
- Senior Leadership Team support to ensure equality of opportunity for all.

- **Recruitment and Selection**

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

- **Employment Practices**

The school will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the school considers it has good reasons, unrelated to any protected characteristic, for doing so. The school will comply with its obligations in relation to statutory requests for contract variations. The school will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability

- **Access to training opportunities**

The school will ensure that access to training and development opportunities is provided to all existing and new employees and others engaged to work at the school, in line with this policy, E.G. a wheelchair user should not be denied access to training due to access issues at the training venue.

It is important to ensure all employees have the same access to training, including part time workers and older employees, for example.

- **Training and development on the application of equal opportunities**

The school will provide appropriate development opportunities for senior leaders, governors and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The school will provide appropriate development opportunities for all existing and new employees and others engaged to work at the school to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment. The school will provide additional training to managers to enable them to deal more effectively with complaints of bullying and harassment.

5. Equal Opportunities Monitoring

• Monitoring Requirements

The school will monitor all categories outlined in section 2 (where possible) the composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

• Equality Impact Assessment

The school is committed to an ongoing programme of equality impact assessments on existing new policies and practice to remove any potential disadvantage to another.

Copy of Equality Impact Assessment form in Appendix 2.

• Equality and diversity in the Wider Community (Including pupils, parents/carers, visitors and suppliers and contractors)

Staff should not discriminate against or harass a member of the public in the provision of services or goods. The school will not discriminate unlawfully against 'customers' using or seeking to use goods, facilities or services provided by the school.

Staff should report any bullying, harassment or victimisation by parents/carers, visitors and suppliers and contractors or others to the appropriate person who will take appropriate action.

• Dealing with Dignity at work concerns

The School has a separate dignity at work policy concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with.

6. Equality and the Law

There are a number of statutory duties that must be met by every school in line with legislation from the Race Relations (Amendment) Act (2000), Disability Equality Duty (2005) and Equality Act (2010). The action plan at the end of this Equality Policy outlines the actions Higher Bebington Junior School will take to meet the general duties detailed below.

• Race Equality

This policy reflects the general and specific duties of schools as detailed in The Race Relations Act 1976 and as amended by The Race Relations (Amendment) Act 2000.

The General Race Equality Duty requires us to have due regard to the need to:

- Eliminate racial discrimination;
- Promote equality of opportunity;
- Promote good relations between people of different racial groups.

Under our specific duty we will:

- Prepare an Equality Policy which includes our written policy for race equality;
- Monitor the impact our policies have on pupils, staff and parents towards raising the achievement of minority ethnic groups.
- Review and revise this policy every year.

In our school we will:

- strive to eliminate all forms of racism and racial discrimination.
- promote equality of opportunity.
- promote good relations between people of different racial and ethnic groups.

We believe it is the right of all pupils to receive the best education the school can provide, with access to all educational activities organised by the school. We do not tolerate any forms of racism or racist behaviour. Should a racist incident occur, we will deal with it in accordance with school procedures (see our Behaviour and Anti-Bullying policies). We endeavour to make our school welcoming to all. We actively promote the British value, 'Mutual respect and tolerance of those with different faiths and beliefs' through whole school celebrations of a wide range of religious festivals throughout the year.

Through our RE curriculum we develop in our children an understanding of diverse cultures and our children have a zero tolerance towards prejudice of any kind. The school have developed links with a number of places of worship in the local area including Christian churches, a Mosque and the Synagogue. Children visit these each year as part of our RE themes. Our respect for other cultures is reflected in the displays of pupils' work shown around the school.

The school purchases the services of MEAS (Minority Ethnic Achievement Service) which provides support for any pupils for whom English is an additional language. The service also supports the school in responding to any racial incidents through the delivery of whole school or class assemblies. Children in Year 6 are also taught the 'Show Racism the Red Card' scheme of work.

- **Disability**

This section should be read in conjunction with the school's Special Educational Needs Policy and Accessibility Plan.

Page 5 Definition of disability The Disability Discrimination Act 2005 (DDA) defines a disabled person as someone who has 'a physical or mental impairment which has a substantial or long-term adverse effect on his or her ability to carry out normal day-to-day activities'.

The DDA 2005 has also extended the definition of disability as follows:

- People with HIV, multiple sclerosis and cancer (although not all cancers) are deemed disabled before they experience the long-term and substantial adverse effect on their activities;
- Section 18 has been amended so that individuals with a mental illness no longer have to demonstrate that it is "clinically well-recognised", although the person must still demonstrate a long-term and substantial adverse impact on his/her ability to carry out normal day-to-day activities.

Legal duties

The Disability Discrimination Act (DDA) 2005 placed a general duty on schools, requiring them to have due regard for the following when carrying out and delivering services:

- Promoting equality of opportunity between disabled people and other people;
- Eliminating discrimination and harassment of disabled people that is related to their disability;
- Promoting positive attitudes towards disabled people;
- Encouraging participation in public life by disabled people;
- Taking steps to meet disabled people's needs, even if this requires more favourable treatment.

Under our specific duty we will:

- Prepare and publish an Equality Policy which covers the requirements for a Disability Equality Scheme identifying our disability equality goals and actions to meet them;
- Review and revise this policy every year.

At Higher Bebington Junior School we are committed to providing an environment that allows disabled children full access to all areas of learning.

- Teachers modify teaching and learning as appropriate for children with disabilities. For example, they may give additional time to complete certain activities, or modify teaching materials, or offer alternative activities where children are unable to manipulate tools or equipment.
- The Year 4 and Year 6 residential sites have been chosen to allow any pupils with physical disabilities to play a full and active part.
- School visits are planned accordingly, and individual children's needs are risk assessed.
- Staff provide alternative ways of giving access to experience or understanding for disabled pupils who cannot engage in particular activities, for example some forms of exercise in physical education
- Teachers and teaching assistants have the necessary training to teach and support disabled pupils and staff seek to remove all barriers to learning and participation
- 1:1 teaching assistants work with a range of children with complex needs and seek advice from the SENCO and external agencies to support them appropriately.
- Areas to which pupils, staff and visitors have access are well lit.
- Emergency and evacuation systems are set up to inform ALL pupils, including pupils with SEN and disability.
- Alarms with both visual and auditory components would be considered if a child was admitted with such needs.
- The school building has been modified to include the fitting of a lift (February 2018) for pupils and adults with mobility difficulties or requiring the use of a wheelchair.

- **Gender Equality**

The Gender Equality Duty 2006 places a general and specific duty on schools to eliminate unlawful discrimination and harassment on the grounds of gender and to promote equality of opportunity between female and male pupils and between women and men and transgender people.

Under our general duty we will actively seek to:

- Eliminate unlawful discrimination and harassment on grounds of sex and gender reassignment;
- Promote equality between men and women.

Under our specific duty we will:

- Prepare and publish an Equality Policy which covers the requirements for a Gender Equality Scheme identifying our gender equality goals and actions to meet them;
- Review and revise this policy every year.

We are committed to all individuals and groups of pupils making the best progress possible in our school. We plan our curriculum to ensure activities and content meet the needs of all children, regardless of their gender.

- **Sexual Orientation**

The Equality Act 2010 made provision for regulations to be introduced to extend protection against discrimination on grounds of sexual orientation. The Equality Act (Sexual Orientation) Regulations 2007 came into force on 30 April 2007 and they make discrimination unlawful in the area of goods, facilities and services on grounds of sexual orientation. For school this means admissions, benefits and services for pupils and treatment of pupils.

- **Community cohesion**

The Education and Inspections Act 2006 inserted a new section 21(5) to the Education Act 2002, introducing a duty on the governing bodies of state schools to promote community cohesion. Community cohesion encompasses promoting good relations between pupils from different races, faiths / beliefs and socio-economic backgrounds. The duty came into force on 1 September 2007.

7. Consultation and Involvements

It is a requirement that the development of this policy and the actions within it have been informed by the input of staff, pupils and parents and carers. We have achieved this by using the following to shape the policy:

- Feedback from parent questionnaires, Parents' Evenings, and Parent Governors;
- Input from staff through surveys, staff meetings / INSET;
- Feedback from the School Council, the Rights Respecting School Committee, PSHE lessons, whole school surveys on children's attitudes to self and school;
- Feedback at Governing Body meetings.

8. Responsibilities

Our Governing Body and Headteacher are responsible for:

- drawing up, publishing and implementing the school's equality objectives.
- ensuring that the Governing Body monitors all relevant equality data relating to the strategic management of the school e.g. pay progression.
- making sure the school complies with the relevant equality legislation.
- monitoring progress towards the equality objectives and reporting annually,
- taking all reasonable steps to ensure that the school environment gives access to people with disabilities and strive to make sure that school communications are as inclusive as possible for parents, carers and pupils.
- welcoming all applications to join the school, whatever background or special needs that a child may have.
- taking all reasonable steps to ensure that no child or adult is discriminated against whilst in our school on account of their sex, religion, sexual orientation or race.
- ensuring all children have access to the full curriculum and regulations regarding school uniform are applied equally to boys and girls. If a child's religion has a bearing on school uniform then the school will deal with each case sensitively and with respect for cultural traditions.
- seeking to ensure that people applying for jobs at HBJS are not discriminated against and that the nine protected characteristics outlined in the Equality Act 2010 are adhered to.

The Governing Body has set out its commitment to equal opportunities in this policy statement, and it will continue to do all it can to ensure that all members of the school community are treated fairly and with equality.

The Headteacher is responsible for:

- making sure steps are taken to address the school's stated equality objectives ensuring that the school's Equality policy is implemented and supported by the Governing Body.
- making sure the Equality Policy and Accessibility Policy are readily available and that the governors, staff, pupils and their parents know about them.
- producing regular information for staff and governors about the policies and plans and how they are working.
- making sure all staff know their responsibilities and receive appropriate training and support in carrying these out.
- taking appropriate action in cases of harassment and discrimination, including prejudice-related incidents and treating all incidents with due seriousness.
- ensuring all reported incidents of discrimination are appropriately recorded and dealt with in line with the policy.
- enabling reasonable adjustments to be made, in relation to disability, in regard to pupils, staff, parents / carers and visitors to the school.
- ensuring that all appointments panels give due regard to this policy so that no one is discriminated against when it comes to employment or training opportunities.
- promoting the principle of Equality when developing the curriculum.
- promoting respect for other people in all aspects of school life, e.g. through assemblies and displays around school.

All staff (teaching and non-teaching) are responsible for:

- promoting equality and ensuring that all pupils are treated fairly and with respect.
- paying due regard, when selecting teaching materials, to sensitivities of all members of the class and not to provide material which is racist or sexist in nature.
- avoiding unlawful discrimination against anyone and being able to recognise and tackle bias and stereotyping.
- striving to provide material that gives positive images of all ethnic minorities and that challenge stereotypical images of minority groups.
- using this policy to guide them, both in the choice of study themes and in how to approach sensitive issues, when planning and delivering the curriculum.
- fostering good relationships between groups.
- actively supporting all support staff in challenging incidents of prejudice or racism, encouraging them to intervene in a positive way against any occurrence of discrimination.
- Reporting any prejudice related incidents to the Head/SLT immediately, informing her of actions taken and they will decide if any further action needs to be taken.
- avoiding unlawful discrimination against anyone.
- fostering good relations between groups.
- dealing with prejudice-related incidents.
- understanding that they can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination.

NB Staff who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the organisation's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Professional Associations/Trade Unions

- Trade Unions are available to advise and support their members involved in a complaint.
- Promote equality and diversity in their work
- Attend relevant meetings

Wider School Community

(Including volunteers, agency staff, visitors and contractors)

- Visitors and contractors are responsible for following relevant school policy.
- Be aware of and comply with, the school's Equality and Diversity Policy

9. Tackling discrimination

Harassment on account of race, gender, disability or sexual orientation is unacceptable and is not tolerated within the school environment. We strive to eliminate all forms of discrimination.

All staff are expected to deal immediately with any discriminatory incidents that may occur. They are expected to know how to identify and challenge prejudice and stereotyping.

Racist and homophobic incidents and other incidents of harassment or bullying are dealt with by the member of staff present, escalating to a class teacher / headteacher where necessary.

All incidents are reported to the headteacher and racist/homophobic incidents are recorded on the Local Authority proforma. We also do all we can to support the victim, and if necessary their families too, in overcoming any difficulties they may have. All racial/homophobic are reported regularly to the Governing Body and will be submitted to the Local Authority when requested.

What is a discriminatory incident?

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic status, can take many forms including verbal or physical abuse, name calling, exclusion from groups and games, unwanted looks or comments, jokes and graffiti.

A racist incident is defined by the Stephen Lawrence Inquiry Report (1999) as: 'any incident which is perceived to be racist by the victim or any other person'.

Types of discriminatory incident

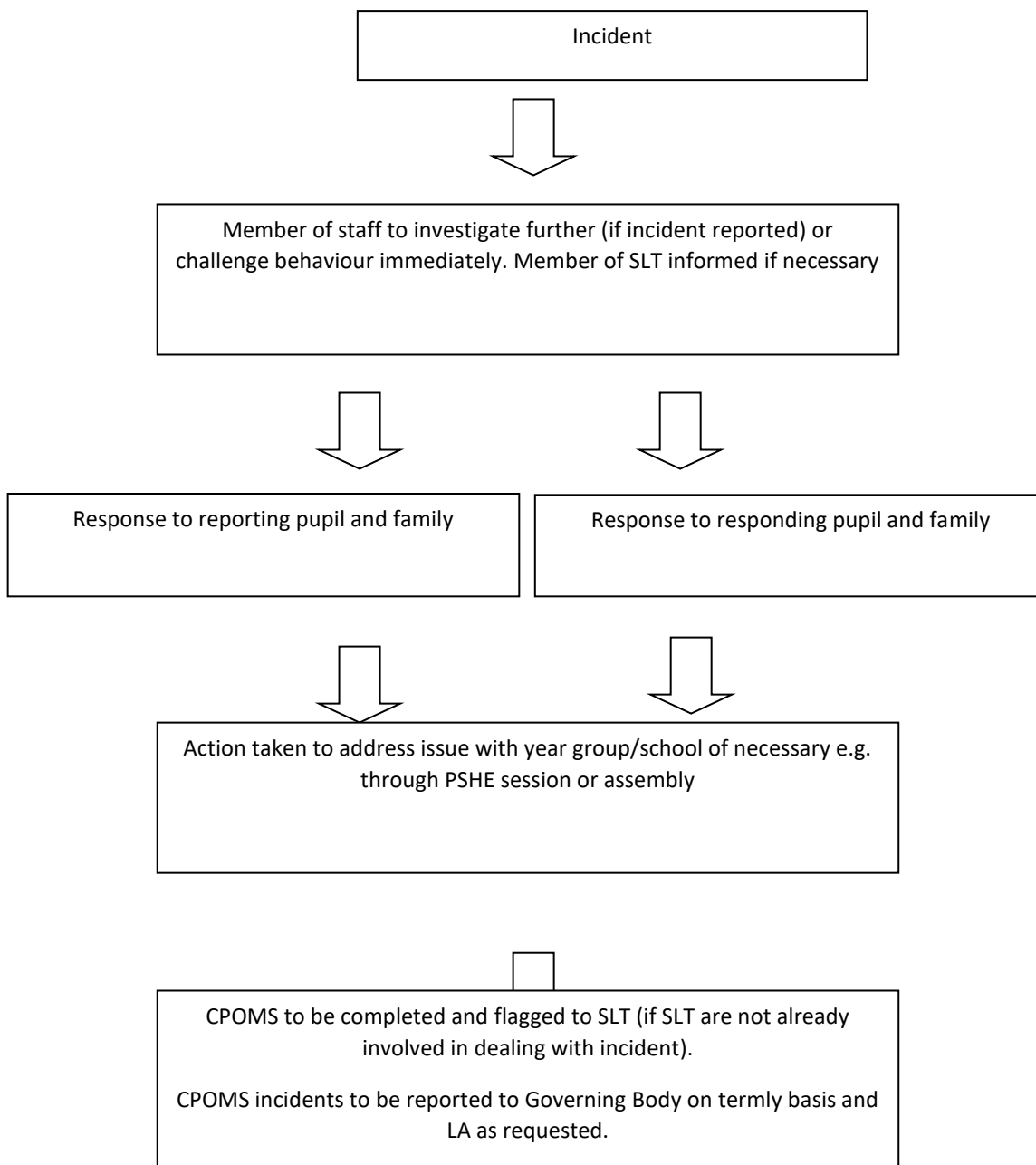
Types of discriminatory incidents that can occur are:

- Physical or any form of verbal assault against a person or group because of their race, disability, sexual orientation or gender, this explicitly includes homophobic, biphobic and transphobic;
- Use of derogatory names, insults and jokes;
- Racist, sexist, homophobic, biphobic, transphobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic or any form of discriminatory badges or insignia;
- Bringing discriminatory material into school;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully due to victim's race, disability, gender or sexual orientation (or any protected characteristic)

- Discriminatory comments in the course of discussion;
- Ridicule of an individual for difference e.g. food, music, religion, dress etc.;
- Refusal to co-operate with other people on grounds of race, gender, disability or sexual orientation.

10. Responding to and reporting incidents

Pupils and staff know how to report incident and are reminded of the process at regular intervals. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.



11. Review of progress and impact

In line with legislative requirements, the Headteacher and Governing Body will review the Equality Policy and progress against the objectives annually and review the entire action plan on a three year cycle- or earlier if considered necessary.

We make regular assessments of pupils' learning and use this information to track pupil progress. As part of this process, we regularly monitor achievement by race, gender and disability, to ensure that all groups of pupils are making the best possible progress and take appropriate action to address any gaps.

In addition, monitoring of this policy will also include:

- Taking into serious consideration any complaints regarding equal opportunity issues from parents, staff, children or visitors to the school.
- Monitoring the behaviour policy so that children from minority groups are not being unfairly treated.
- Monitoring the staff appointment process, so that no-one applying for a post at the school is discriminated against.

How we conduct equality impact assessment

Whenever any policy documentation or other school procedures and practices are reviewed we will carefully consider any potential impact in terms of:

- race
- religion or belief,
- socio-economic background,
- gender and gender identity/ reassignment,
- pregnancy and maternity
- disability,
- sexual orientation,
- age.

Publishing the plan

In order to meet the statutory requirements to publish a Disability Equality Scheme and Gender Equality Scheme, we will:

- Publish our plan on the school website;
- Raise awareness of the plan through the school newsletter, assemblies, staff meetings and other communications;
- Make sure hard copies are available.

Appendix 1: The Nine Protected Characteristics

The **Equality Act 2010** defines direct discrimination as less favourable treatment because of a nine specified protected characteristics. The protected characteristics under the Equality Act 2010 are;

(i) Age

The Act protects employees from discrimination, harassment and victimisation because of age, either 'younger' or 'older' than a relevant and comparable employee. For example, if an organisation has a training policy excluding employees aged 60 or more from applying for courses then this is likely to be discriminatory. Or advertising for a post which requires at least 10 years' experience may be discriminatory for younger applicants.

(ii) Disability

A Disability is defined as "any 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."

There is a requirement for employers to consider reasonable adjustments in order to accommodate the employee's disability.

The Act does not list the types of day to day activities which a disabled person must demonstrate that they cannot carry out.

(iii) Gender reassignment

The Act defines this as someone who proposes to, starts, or has completed a process to change his or her gender and is referred to as a 'transsexual'.

Previously, people reassigning their gender had to be under medical supervision to be covered, but this is no longer the case. For example, a male employee who decides to live as a woman, but has had no medical procedures, must not be harassed if using female toilet facilities.

It is discriminatory to treat a transsexual employee less favourably for being absent from work if they are due to undergo, are undergoing or have undergone gender reassignment. They must not be treated differently than others who are ill or injured.

Cross-dressers not regarded as transsexual as they do not intend to live permanently in the gender opposite to their sex at birth as cross-dressers, but if they are harassed because they are perceived to be transsexual or to have a particular sexual orientation, they may be in a position to claim discrimination under the relevant protected characteristics.

(iv) Marriage and civil partnership

The Act protects employees from direct discrimination, indirect discrimination and victimisation because of marriage or civil partnership, for example, an employee must not be ignored for promotion because they are in a civil partnership.

NB Couples in relationships not legally recognised are not protected.

There may be circumstances where harassment of an employee in a marriage or civil partnership amounts to discrimination because of their sex or sexual orientation, or it could be deemed to be sexual harassment.

An employee in a civil partnership may also have grounds to bring a claim of sexual orientation discrimination.

(v) Pregnancy and maternity

The Act protects an employee from one type of direct discrimination and victimisation because of their pregnancy, or for taking or seeking to take maternity leave, for example, an employer must not take into account pregnancy-related illness when considering sickness absence or employment decisions.

A woman who is pregnant or on maternity leave must not be treated unfavourably i.e. no need to show that she has been treated less favourably than a man, or a woman who was not pregnant or on maternity, just that she was in fact treated detrimentally because of pregnancy or maternity.

(vi) Race

The Act protects employees from discrimination, harassment and victimisation because of race, which may include four aspects:

- **Colour** – tends to overlap, particularly with the concepts of ‘ethnic origin’ and ‘national origin’, e.g. black and white.
- **Ethnic origin** – may include racial, religious and cultural factors which give a group of people a distinct social identity with a long and shared history, e.g. *Sikhs, Jews, Romany Gypsies and Irish Travellers*.
- **National origin** – birthplace, the geographical area and its history can be key factors, e.g. Welsh and English.
- **Nationality** – usually the recognised state of which the employee is a citizen, i.e. what is on their passport.

The Act does not cover more local or regional distinctions.

(vii) Religion or belief

The Act protects employees from discrimination, harassment and victimisation because of religion or belief.

Employees or job applicants are protected if they do not follow a certain religion or belief, or have **no religion or belief** (except potentially in faith schools). Religion has a clear structure and belief system. Belief is any religious or philosophical belief. Denominations or sects within a religion can be considered a protected religion or religious belief.

A belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour, worthy of respect in a democratic society and does not conflict with the fundamental rights of others.

(viii) Sex

The Equality Act protects both male and female employees from discrimination, harassment and victimisation because of sex (gender)

Employees are protected against sexual harassment, which is unwanted conduct that is of a sexual nature and/or relates to the protected characteristics of sex and/or gender reassignment. Examples may be either verbal or physical, and may include staring or leering, or a display of explicit material

(ix) Sexual Orientation

The Act protects employees from discrimination, harassment and victimisation because of their sexual orientation - bisexual, gay and lesbian. For example, an employer must ensure that an employee perceived to be bisexual (***whether they are or are not is irrelevant***) is not bullied by colleagues.

NB Heterosexuals are also covered by this Act

Indirect discrimination against individuals because they have a relevant protected characteristic is also covered, although pregnancy and maternity does not come under the indirect discrimination provisions in the Equality Act 2010.

Appendix 2: Discrimination of Other Groups

In addition, the following groups also have protection against less favourable treatment:

a) Part Time Workers

Part-time workers have the right not to be treated less favourably than a full time worker doing the same or similar work regarding the terms of employment (for example holiday entitlements and hourly pay rates should be pro rata).

Part-time workers have the right to request a written statement of reasons for any treatment which is less favourable than a comparable full time worker.

Part-time workers should be selected as a full time worker would be for promotion or redundancy.

b) Fixed term workers

Fixed term workers have the right not to be treated less favourably than a permanent staff doing the same or similar work regarding the terms of employment (for example holiday entitlements and hourly pay rates should be pro rata).

c) Trade union representatives

Where a union is recognised by the employer, trade union representatives and stewards are entitled by law to certain arrangements to assist them in doing their job as elected representatives. These include:

- Reasonable time off for undertaking trade union duties and for training.
- Facilities to help you do the job, including access to telephones, computers and email systems, use of notice boards, lockable filing facilities and in some cases use of dedicated office space.
- Access to information relevant to negotiations or change in the workplace.

1. Types of unlawful discrimination

1.1 Direct discrimination

This is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement e.g. PE teacher of a specific gender, appointing a practicing catholic in catholic schools (see appendix a)

NB The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

1.2 Indirect discrimination

This is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

1.3 Harassment

Is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

1.4 Associative discrimination

Is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

For example, a candidate who has been told she is getting a job is suddenly deselected after revealing she has a severely disabled child with complicated care arrangements. The withdrawal of the job offer could amount to discrimination because of her association with a disabled person (disability being a protected characteristic).

Discrimination by association does not apply to all protected characteristics. Marriage and civil partnership, and pregnancy and maternity are not covered by the legislation.

1.5 Perceptive discrimination

Is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

1.6 Victimisation

Occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare his/her treatment with someone who has not made or supported a complaint under the Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments, and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

1.7 Failure to make reasonable adjustments

Is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

1.8 Vicarious Liability

Employers are responsible for the discriminatory actions of their employees where such actions have been carried out during the course of their duties. The only defence for employers is to show that they have done everything reasonably practicable to prevent an employee committing an unlawful act.

In practice, courts and tribunals have regarded the following as 'reasonable steps':

- Publishing a comprehensive equality and diversity policy.
- Clearly communicating the policy to all staff.
- Providing awareness training on the potential for, and implications of, discrimination.

1.9 Statutory Equality Duties for schools

These duties impose broad obligations on schools to;

- Eliminate discrimination and harassment
- Incorporate a Gender Equality Scheme into the school's Equality & Diversity Policy Statement
- Have due regard to the promotion of equality of opportunity
- Promote positive attitudes
- Encourage participation by minority and under-representative groups in public life
- Take steps to take account of people's specific needs
- Conduct Impact Assessments