

Lakeside Primary School



EQUALITY POLICY

Approved by Governors:- 27.2.12

Reviewed November 2017

Review Date – Nov 2019

Lakeside Primary School Equality Policy

Overview

The governing body is committed to providing equal opportunities for all staff, pupils and visitors to the school ensuring that we take all possible steps to avoid any form of unlawful discrimination. We will prevent discrimination, promote equality of opportunity and good race relations by providing an environment and education which offers justice and equality to all. We believe in education as the key to creating a fair society which values all the people living and working in it. All members of our school community, regardless of race, class, religion, culture, gender, sexual orientation or disability have an equal right to respect and education in an environment free from humiliation or abuse so that they can develop and achieve their full potential. We demonstrate our commitment to this in every area of school life, through our ethos, policies, practices and curriculum. We are aware of our responsibility to challenge attacks on individuals on the grounds of difference of any kind. We aim to ensure that equal opportunities are applied to:-

- Progress, attainment and assessment
- Behaviour, discipline and exclusion
- Personal development and pastoral care
- Teaching and learning
- Admission and attendance
- Curriculum
- Staff recruitment and professional development
- Partnerships with parents, guardians and communities.

Parents should feel confident that if discriminatory or racist incidents occur, they will be thoroughly investigated and dealt with and that help and support will be given to all involved. This policy supports us in putting this commitment into practice. Compliance with this policy should also ensure that employees do not unwittingly commit unlawful acts of discrimination.

The Law

Legal framework

1. We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations in relation to age (as appropriate), disability, ethnicity, gender, religion and sexual identity.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.
4. It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as 'protected characteristics'.

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

5. We expect all our staff to act in a non-discriminating manner and be mindful to avoid actions that will be deemed as harassment in the services we provide to the public and our wider community.

6. 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, as service providers, we have an obligation to think ahead and address any barriers that may impede disabled people from accessing the services we provide.

Definitions

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

Indirect discrimination 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.

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.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and - according to guidance from the Government and ACAS - pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under *The Equality Act 2010*, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their 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.

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.

Guiding principles

In fulfilling the legal obligations cited above, we are guided by nine principles:

Principle 1: All learners are of equal value.

We see all learners and potential learners, and their parents and carers, as of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status
- whatever their gender and gender identity
- whatever their religious or non-religious affiliation or faith background
- whatever their sexual identity.

Principle 2: We recognise and respect difference.

Treating people equally (Principle 1 above) does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate but must nevertheless take account of differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognized
- gender, so that the different needs and experiences of girls and boys, and women and men, are recognized
- religion, belief or faith background
- sexual identity.

Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging. We intend that our policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between disabled and non-disabled people, and an absence of harassment of disabled people
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice-related bullying and incidents
- mutual respect and good relations between boys and girls, and women

Principle 4: We observe good equalities practice in staff recruitment, retention and development.

We ensure that policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or national status
- whatever their gender and sexual identity, and with full respect for legal rights relating to pregnancy and maternity.

Principle 5: We aim to reduce and remove inequalities and barriers that already exist.

In addition to avoiding or minimising possible negative impacts of our policies, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- girls and boys, women and men.

Principle 6: We consult and involve widely

We engage with a range of groups and individuals to ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones. We will seek to consult and involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious backgrounds
- both women and men, and girls and boys.
- All people not identifying with the sex/gender they were assigned at birth. This may include young people who identify as cisgender, non-binary, gender variant, inter-sex, gender dysphoria.

Principle 7: Society as a whole should benefit

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled
- people of a wide range of ethnic, cultural and religious backgrounds
- both women and men, girls and boys
- all people not identifying with the sex/gender they were assigned at birth. This may include young people who identify as cisgender, non-binary, gender variant, inter-sex, gender dysphoria

Principle 8: We base our practices on sound evidence

We monitor, evaluate and publish quantitative or qualitative information about our progress towards greater equality in relation to:

- disability
- ethnicity, religion and culture
- gender.

Principle 9: Objectives

We formulate and publish specific and measurable objectives in the form of the Accessibility Plan, Community Cohesion Plan and School Development Plan:

- disability
- ethnicity, religion and culture
- gender.

Promotion of British Values

Through our curriculum and ethos we actively promote the British values defined in the 2011 Prevent Strategy to keep our pupils safe and prepare them for life in modern Britain:-

- Tolerance
- Mutual respect between those of different faiths and beliefs
- Democracy
- The rule of law
- Individual liberty

Equal opportunities in employment

The governing body will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

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.

The governing body will consider any possible indirect 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 governing body considers it has good reasons, unrelated to any protected characteristic, for doing so. The governing body will comply with its obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

The school will monitor the ethnic, gender and age 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.

Dignity at work

The governing body has adopted a separate policy that covers issues of bullying and harassment on any ground and how complaints of this type will be dealt with.

Customers, suppliers and other people not employed by the school

The school will not discriminate unlawfully against customers using, or seeking to use, goods, facilities or services provided by the school.

Employees should report any bullying or harassment which they experience from the wider community (parents, suppliers, visitors or others) to their manager who will take appropriate action.

Training

The governing body will ensure that appropriate training is provided on equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The governing body will also provide information to all existing and new employees and others engaged to work at the school to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment. The governing body will ensure that managers are able to access additional training to enable them to deal more effectively with complaints of bullying and harassment.

Roles and responsibilities

The governing body is responsible for:-

- ensuring that the school complies with legislation, and that this policy and its related procedures and action plans are implemented.
- A member of the governing body has a watching brief regarding the implementation of this policy.

The headteacher is responsible for:-

- implementing the policy; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.
- The Headteacher and Senior Leadership Team have day-to-day responsibility for co-ordinating implementation of the policy.

All staff are expected to:

- promote an inclusive and collaborative ethos in their classroom
- deal with any prejudice-related incidents that may occur
- plan and deliver curricula and lessons that reflect the principles in this policy, including the promotion of British values
- support pupils in their class for whom English is an additional language
- keep up-to-date with equalities legislation relevant to their work.

Every employee is required to assist the governing body and the whole school to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees should be aware that they can be held personally liable as well as, or instead of, the governing body for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or parents and their families are disciplinary offences and will be dealt with under the school's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If any member of staff considers that they have experienced unlawful discrimination, they may use the school's grievance procedure to make a complaint. The governing body will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith. Use of the governing body's adopted grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

Development Planning

We recognise that the actions resulting from a policy statement such as this are what make a difference. Every three years, accordingly, we draw up a **Community Cohesion Plan and an Accessibility Plan** action plan within the framework of the overall **School Improvement Plan** and processes of self-evaluation, setting out the specific equality objectives we shall pursue. The objectives which we identify take into account national and local priorities and issues, as appropriate. We keep our equality objectives under review and report annually on progress towards achieving them.

The curriculum

We keep each curriculum subject or area under review in order to ensure that curriculum content is relevant to our community and that teaching and learning reflect the principles set out above.

Ethos and organisation

We ensure the principles listed above apply to the full range of our policies and practices, including those that are concerned with:

- pupils' progress, attainment and achievement
- pupils' personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance
- staff recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- working in partnership with parents, carers and guardians
- working with the wider community.

Addressing prejudice and prejudice-related bullying

The school is opposed to all forms of prejudice which stand in the way of fulfilling the legal duties referred to above:

- prejudices around disability and special educational needs
- prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example antisemitism and Islamophobia, and those that are directed against Travellers, migrants, refugees and people seeking asylum
- prejudices reflecting sexism and homophobia.

We take seriously our obligation to report regularly to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school. Prejudice-related incidents are identified, assessed, recorded using the CPOMS on line recording system and dealt with.

Information and resources

We ensure that the content of this policy is known to all staff and governors and to all pupils and their parents and carers via the website.

Staff and governors have access to a selection of resources which discuss and explain concepts of equality, diversity and community cohesion in appropriate detail.

Religious observance

We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

Staff development and training

We ensure that all staff, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

Breaches of the policy

Breaches of this policy will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the Headteacher and Governing Body.

Monitoring and evaluation

We collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate. In particular, we collect, analyse and use data in relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, national origin, deprivation and gender.

February 2012

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This Policy should be read in conjunction with the:-

- Anti-Bullying Policy
- Community Cohesion Plan
- Accessibility Plan
- Disability Equality Scheme
- Staff Code of Conduct
- British Values Statement

Notes

- The term ethnicity is used in preference to race or racial group, on the grounds that it better reflects the intentions and concerns of race relations legislation.
- There are references where appropriate to religious affiliation and identity.
- There are references where appropriate to sexual identity and to challenging homophobia.
- The duty to promote community cohesion is integrated into the policy particularly but not only in the third of the seven principles.
- The phrasing reflects the specific duties required by the Equality Act 2010, particular the duties to publish information (principle 8), to engage with interested groups and individuals (principle 6), and to formulate and publish objectives (principle 9).