

Smallthorne Primary Academy



Equality Policy

Updated: Nov 2017
Review: Nov 2019

Smallthorne Primary Academy believes that:

- everyone has a positive contribution to make to the school community.
- the school values underpin all our activities for both staff and pupils.
- everybody should have an equal opportunity to contribute to and benefit from society.

This Single Equality Scheme for Smallthorne Primary Academy provides a format for addressing the statutory duties of the Equality Act 2010 to promote community and British values.

The policy is a response to ongoing work with pupils, staff, parents and carers. Action will be included within the school improvement plan so that the needs of all groups within the school community are served. This supersedes and brings together all previous statutory duties in relation to race, gender and disability and also addresses the duty to promote community cohesion, thus meeting the schools' statutory duties in these areas.

The scheme also highlights how our school has worked and listened to the staff, pupils, parents and carers to inform development of actions plans and the need and commitment required to ensure the scheme is a success. This is underpinned by a commitment to promoting positive relationships and understanding between all groups within our school community.

This document sets out how pupils with the following protected characteristics (previously known as equality strands) will be protected in our school from harassment and discrimination

- disability
- gender
- race
- religion and belief
- sexual orientation
- gender reassignment

Aims of the Single Equality Scheme

- to articulate the school's commitment to equality which permeates all school policies and practices
- to ensure that everyone who belongs to, or comes into contact with, our school community is valued and respected
- to promote equality of opportunity and eliminate unlawful discrimination, harassment or victimisation
- to comply with statutory duties under equalities legislation in one document.

So that

- every pupil has opportunities to achieve the highest possible standards, and the best possible qualifications for the next stages of their life and education
- every pupil is helped to develop a sense of personal and cultural identity, in which they are confident and open-minded, and that is receptive and respectful towards other identities
- every pupil develops the knowledge, understanding and skills that they need in order to participate in Britain's culturally diverse society and in the wider context of an interdependent world.

All members of the school community have a duty to act if a pupil or pupils are being discriminated as a result of their ability, gender, orientation, disability, colour or ethnic background.

The Head Teacher is responsible for ensuring that

- this policy is communicated and made readily available to staff, parents and guardians and pupils
- the policy is implemented
- staff are aware of their responsibilities
- staff are given appropriate training and support
- appropriate action is taken in any cases of unlawful discrimination

All staff are expected to

- deal with racist incidents and incidents of discrimination whatever the grounds that may occur
- be able to recognise and tackle bias and stereotyping of any sort
- promote equal opportunities for all pupils whatever their needs, and good race relations
- incorporate principles of race equality and diversity into all aspects of their work
- provide appropriate support to pupils in their class for whom English is an Additional Language.
- provide appropriate support to pupils in their class who have a disability

The Governing Body is responsible for ensuring that

- the school fulfils its legal responsibilities and this policy and its related procedures and strategies are implemented, monitored and reviewed.

Policy, Planning and Review

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

- pupils' progress, attainment and assessment
- behaviour, discipline and exclusions
- pupils' personal development and pastoral care
- teaching and learning
- admissions and attendance
- the content of the curriculum
- staff recruitment and professional development
- partnerships with parents and communities.

We will promote equality and challenge racism in a wide range of ways including

- developing opportunities to celebrate the richness and diversity of different cultures
- dealing with issues of prejudice through assemblies and Personal, Social and Health Education
- celebrating pupil achievement
- challenging inappropriate racist comments throughout the school
- reporting all racist incidents
- eliminating the use of racial stereotypes and negative images and promoting the use of positive images wherever possible
- monitoring the progress of pupils with disability.

Monitoring and Evaluation

We will

- ensure that the school makes reasonable allowances for expressions of identity and ease of use for pupils who are disabled (“reasonable allowances” to be limited by the extent to which adaptation of the school uniform might be used to represent an affiliation to a group or belief which might not be in keeping with the other key principles laid out in this policy)
- ensure that, wherever possible and without artificiality or unbalanced representation, there are positive images of the equality groups as identified in this policy, in school policies, in school publications, in learning resources and in displays
- ensure that the school has clear, commonly understood processes for challenging in appropriate language or behaviour and/or prejudice.
- ensure that equality values are represented in the everyday language and behaviour evidence in the school and that the Leadership Team regularly monitor the school climate in relation to this, in order that tolerance levels in relation to language or behaviour are maintained.
- ensure that the school makes the strongest possible efforts to minimise any barrier to the participation and engagement of parents with regard to their child’s development and in other aspects of school life
- the Equal Opportunity Policy will aim to ensure fair and equal treatment of all staff and all applicants for jobs.
- the governing body and managers of the school will operate at all times within the requirements of anti-discrimination legislation and will promote positively equality of opportunity in its staffing decisions
- all decisions, including advertising of vacancies, short-listing, selection, induction, appraisal, training, development, promotion and pay will be based on an objective and fair assessment of need
- all staff will have a right, through the agreed procedures, to challenge any decision or action which they believe to be in breach of these principles. Any member of staff who deliberately and knowingly contravenes the policy will be liable to formal disciplinary action.

Employment

The governing body will

- demonstrate commitment to equality in all aspects of employment, including recruitment, career development, training, promotion and welfare
- take positive action with a view to ensuring that their workforces at all levels reflect the communities they serve
- inform all employees of equality of opportunity and of their rights to protection from discrimination, harassment or victimisation.
- treat failure to comply with this equality of opportunity as a disciplinary offence.

Advertising of Vacancies

All vacancies will be advertised openly and will be available for members of staff in the school to apply. In most cases vacancies will be advertised externally unless there are exceptional reasons why this should not occur, for example, in situations of potential redundancy.

Selection for Appointment or Promotion

All decisions relating to appointments or promotions will be conducted in accordance with the following principles

- a detailed job description will be drawn up which accurately describes the duties of the post
- any objective and sufficiently detailed person specification will be defined from this job description
- from these documents, a list of objectively assessed selection criteria will be drawn up
- job descriptions, person specification and selection criteria will be available to all candidates
- short listing will be carried out against the selection criteria and a written record retained of the assessment of each candidate
- selection decisions will be made against the agreed criteria and no other criteria will be used
- a written record of the selection decisions relating to the agreed criteria will be retained.

DISABILITY EQUALITY POLICY

Definition

Statutory regulations provide disabled people with new rights under the law and employers with new duties. Amendments to the Disability Discrimination Act came into effect on October 1st 2004.

Discrimination in the work place occurs when there is direct discrimination or through failure to carry out certain actions i.e.

a) Direct discrimination – an employer's treatment of a disabled person amounts to direct discrimination if:

- the treatment is on the grounds of his/her disability and
- the treatment is less favourable than the way in which a person not having that particular disability is (or would be) treated.

b) Failure to comply with the duty to make reasonable adjustments - schools have a duty to make reasonable adjustments for disabled job applicants or staff when a policy or practice or a physical feature of their premises, places the disabled person at a substantial disadvantage.

Some examples of reasonable adjustments are:

- altering the person's working hours
- allowing absences during working hours for medical treatment
- giving additional training
- getting special equipment or modifying existing equipment
- changing instructions or reference manuals
- providing additional supervision and/or support.

c) treating a disabled person less favourably - The law says that an employer's treatment of a disabled person amounts to less favourable treatment if:

- the treatment is for a reason related to their disability, and
- the treatment is less favourable than the way others would be treated.

The Disability Discrimination Act differs from other discrimination legislation in that there is a duty to consider **reasonable adjustments** is different from other equality legislation in its requirement for positive action. For employers this has implications for:

- the selection process
- job content / personnel specification
- access.

In respect of an employee or applicant who is known to be a disabled person, an employer considering possible adjustments, or rejecting adjustments which may be judged to be reasonable, is likely to be found by a tribunal to be illegally discriminating.

Therefore the governing body will make every effort to:

- ensure job descriptions and person specifications do not contain unnecessary requirements
- not discriminate against disabled candidates who meet the minimum requirements for the post, or who could do so if reasonable adjustments to premises, working practices and equipment were made
- encourage employees to make full use of the "Access to Work" scheme
- endeavour to provide car parking near to their work location for blue badge holders, if this is possible.

RACE EQUALITY POLICY

Definition

Racism exists in many forms; direct and indirect; deliberate or out of ignorance. The Race Relations (Amendment) Act 2000 and the Race Relations Act 1976 (Statutory Duties) Order 2001 were created in order to ensure that everyone has equal access to services and to opportunities for employment, irrespective of race, nationality, culture or religion.

The Governing Body is responsible for making their employees aware of their commitment to race equality and for identifying and taking action to prevent instances of racial discrimination. Failure to comply with this policy will be a disciplinary offence.

Scope of the Legislation

The Governing Body will not discriminate, in respect of:

- recruitment
- appointment
- selection for promotion
- selection for transfer
- training
- other employment benefits.

This includes:

- the arrangements made to decide who will be offered employment
- the terms offered for the employment
- refusing or omitting to offer the employment

- provision of opportunities for promotion, transfer, training or other benefits, facilities, etc., or exclusion from access to any of the foregoing
- dismissal.

Therefore the governing body accepts:

The following are regarded as **genuine occupational qualifications** in respect of race:

- where it involves acting or participating in the dramatic performance or other entertainment where a person of a particular racial group is required for authenticity
- where the job involves personal welfare, education or similar services, which can most effectively be provided by a person of a particular race or racial group
- the Governing Body will undertake to ensure that all management and supervisory staff and particularly staff responsible for training matters dealing with advertising, recruitment and promotion are fully aware of the implications of the legislation and that it may be necessary to justify actions against accusations of discrimination. Accordingly, in situations where there is the possible risk of an accusation of discrimination, the reasons for actions should be adequately documented.

Discrimination on Grounds of Gender

The governors are opposed to any direct or indirect discrimination based on gender or marital status when employing a member of staff. Therefore governors will not discriminate in any of the following processes

- recruitment
- appointment
- selection for promotion
- selection for transfer
- training
- other employment benefits.

This includes

- the arrangements made to decide who will be offered employment
- the terms offered for the employment
- refusing or omitting to offer the employment
- provision of opportunities for promotion, transfer, training or other benefits, facilities, etc., or exclusion from access to any of the foregoing
- dismissal.

There are occasions when restrictions do not apply because where being of a particular sex is a **genuine occupational qualification** for the job.

In respect of gender the following are reasons for discriminating in favour of one sex. Reasons for this decision will be discussed with staff beforehand

- for reasons of decency or privacy
- where the work is required to be carried out by a member of one sex because of the nature of the special care establishment
- where there are personal welfare, education or similar services, which can most effectively be provided by a person of one sex.

Under the above Equality legislation it is unlawful to

- discriminate indirectly against anyone – that is, to apply a criterion, provision or practice which disadvantages people of a particular sexual orientation unless it can be objectively justified
- subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances including the perception of the victim
- victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of sexual orientation
- discriminate against someone, in certain circumstances, after the working relationship has ended
- the regulations apply to all employees, self-employed workers, contract workers (from the first day of employment) and job applicants.

Practical Implications

□ **Recruitment:** job applicants must not be treated less favourably because of their sexual orientation or their perceived sexual orientation. Care should be taken with the wording on application forms. It is most unlikely, for instance, that an organisation needs to know the marital status of the applicant. If such information is required for purposes such as security clearance, it can be sought in confidence when the selection process has been completed.

□ **Family Friendly Policies:**

Employees are entitled to the same provisions irrespective of their sexual orientation. For example, with Parental Leave, eligibility should be based on being the parent of or having a parental caring role on a continuous basis for a child and not limited by reasons such as sexual orientation. The eligibility of the employee requesting the leave and the child to which the leave relates, will often be known to the manager. Where this is not clearly known, Management has the right to make reasonable enquiries of the employee and, if need be, request evidence. In doing this, managers should be mindful of the need to have regard for confidential or sensitive relationship issues; equal treatment of applicants regardless of such factors as their marital status and sexual orientation; and not unfairly discouraging applicants.

□ **Managing Grievance – Discrimination, Harassment & Victimisation:**

Investigate thoroughly and promptly complaints of discrimination, victimisation or harassment or any other hate crime by employees in accordance with the approved Disciplinary and Grievance procedures. Organisations may be held responsible for the actions of their staff as well as the staff being individually responsible. If harassment takes place in the workplace or at a time and place associated with the workplace, for example a work related social gathering, the organisation may be liable and may be ordered to pay compensation unless it can be shown that it took reasonable steps to prevent harassment. Acts of discrimination, victimisation or harassment by employees should be treated as serious disciplinary offences.

Action Plan

We will monitor and evaluate the progress of all pupils within the school. As a result targets will be identified to improve the quality of learning for those who are not making good progress. Resources will be provided to support all staff in meeting the needs of the

school's diverse community. These will include

- professional development and in-service training for teaching staff and support staff and training for the governing body
- identification of resources to meet the needs of staff, governors and pupils in appropriate ways

In addition the school will

- use qualitative and quantitative data to monitor the attainment and progress of all pupils, and to set targets
- monitor racist incidents, take appropriate preventative action and provide support, and report such incidents to the LA

All racist incidents will be regarded as a serious matter. Sanctions for pupils will be set out in the school's behaviour policy. Any example of racism by a member of staff will be treated as a serious disciplinary matter and dealt with in accordance with the school's personnel procedures