

# Ashford CE Primary School



## Equality Policy

**New Policy: September 2014 updated 25 June 2018**

Signed: \_\_\_\_\_P Wells\_\_\_\_\_

**Approved by FGB: 25 June 2018**

Chair of Governors

**Updated to include new Vision statement: Approved by FGB 17.12.18**

# Equality Policy

This single policy is in place to eliminate discrimination, advance equality of opportunity and foster good relations. It reflects the legal duties set out in the **Equality Act 2010** and **non-statutory guidance** set out by the government in December 2011 and March 2012. Part One sets out the school's aims to promote equality of opportunity and comply with the Act; Part Two sets out the legal duties which are referred to in Part One.

We welcome our duties under the Equality Act 2010 as both a provider of education and as an employer.

We believe that all pupils and members of staff should have the opportunity to fulfil their potential whatever their background, identity and circumstances. We are committed to creating a community that recognises and celebrates difference within a culture of respect and co-operation. We appreciate that a culture which promotes equality will create a positive environment and a shared sense of belonging for all who work, learn and use the services of our school. We recognise that equality will only be achieved by the whole school community working together – our pupils, staff, governors and parents/carers and the wider community.

For staff and prospective staff, this policy should be read in conjunction with the school's Safer Recruitment Policy.

## National and Legal Context

We recognise that we have duties under the Equality Act 2010 to the school community to eliminate discrimination, advance equality of opportunity and foster harmony in relation to age (applicable only to staff), disability, ethnicity, gender (including issues of transgender, maternity and pregnancy), religion and belief, sexual orientation and marital status (applicable only to staff).

We also recognise that we have a duty under the Education & Inspections Act 2006 to promote community cohesion, i.e. developing good relations across different cultures and groups.

We also appreciate that these duties reflect the international human rights standards as expressed in the UN Convention on Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

## **Part One**

Ashford CE Primary School is fully committed to offering equality of opportunity to all children and adults. We are underpinned by our Christian Values.

### **Our School Vision**

We are a caring Christian community where everyone adopts an “I can” attitude; everyone feels valued, safe and loved by God. We celebrate our God-given individuality, achievements and talents and we aspire, with God’s help, to become the best that we can be. We believe that each one of us has the ability to achieve our highest potential, living and learning in the fullness of God.

I can do all things through Christ who gives me strength.

*Philippians 4v13*

### **Principles**

At Ashford CE Primary School we believe that all children are entitled to equal access to learning in accordance with their need regardless of disability, ethnicity, gender (including issues of transgender), religion and belief, and sexual orientation. We also believe that no child or adult should be discriminated against on the grounds of class, socio-economic status, culture, language, or special needs.

In line with the current equalities legislation (see below), Ashford CE Primary School will be proactive in promoting equality, eliminating discrimination and eliminating harassment. We will do this in our capacity as an educational provider for our pupils, an employer of staff and a service provider to parents and the public.

We aim for every child and adult at Ashford CE Primary School to achieve the best that they can in all that they do. We encourage everyone to respect the rights of others and to celebrate the wide diversity of our society, in other words, to be tolerant and co-operative in all circumstances.

Any attitude, use of language, action or practice which assumes or implies inherent inferiority or superiority of any group will be dealt with and challenged whether it is overt and intentional, disguised yet deliberate, or unintentional. Any such action, verbal or physical, by pupils will be dealt with rigorously through counselling, staged consequences and parental involvement, where necessary. The guiding principles are for children to understand, take responsibility for, repair damage from and learn from their mistakes/decisions. Any incidents of prejudice and/or bullying are recorded and reported to governors on a regular basis.

Adults are expected to behave in a positive and appropriate manner; failure to do so may result in disciplinary action.

We welcome and actively seek contributions from members of the community including visits, special events, visitors, celebrations and assemblies. We also consult with parents, pupils and governors on how we can improve our provision.

## Duties

As a school we welcome our duties under the Equality Act 2010. The general duties are to:

- eliminate discrimination
- advance equality of opportunity
- foster good relations

We understand the principal of the act and the work needed to ensure that those with protected characteristics are not discriminated against and are given equality of opportunity.

A protected characteristic under the act covers the following groups: age (for employees not for service provision); disability; race; sex (including issues of transgender); gender reassignment; maternity and pregnancy; religion and belief; sexual orientation; marriage and civil partnership (for employees).

In order to meet our general duties, listed above, the law requires us to do some specific duties to demonstrate how we meet the general duties. These are to:

- publish equality information – to demonstrate compliance with the general duty across its functions **(we will not publish any information that can specifically identify any child)**
- prepare and publish equality objectives

To do this we will collect data related to the protected characteristics above and analyse this data to determine our focus for our equality objectives. The data will be assessed across our core provisions as a school. This will include the following functions: pupil achievement/under achievement; behaviour patterns; exclusions; admissions; attendance; parental involvement; staff recruitment or prejudice related incidents. Questions arising from this analysis are investigated and, if necessary, appropriate and reasonable action is put in place to address any significant discrepancies that are found between groups.

## We recognise and respect difference

We recognise that treating people equally does not necessarily involve treating them all the same. We recognise that our policies, procedures and activities must not discriminate but must take account of diversity and the kinds of barriers and disadvantage that staff, parents/carers or pupils may face in relation to their protected characteristics:

- Disability – we note that reasonable adjustments may need to be made
- Gender (including transgender) – we recognise that girls and boys, men and women have different needs
- Religion and belief – we note that reasonable requests in relation to religious observance and practice may need to be made and complied with
- Ethnicity and race – we note that all have different experiences as a result of our ethnic and racial backgrounds
- Age – we value the diversity in age of staff, parents and carers

- Sexual orientation – we respect that individuals have the right to determine their own sexual identity and that they should not experience disadvantage as a result of their preference
- Marital status – we recognise that our staff, parents and carers may make their own personal choices in respect of personal relationships and that they should not experience disadvantage as a result of the relationships they have
- Pregnancy and maternity – we believe that our staff, parents and carers should not experience any unfair disadvantage as a result of pregnancy or having recently given birth

## Responsibility

We believe that promoting Equality is the whole school's responsibility.

School Community	Responsibility
Governing Body	Involving and engaging the whole school community in identifying and understanding equality barriers and in the setting of objectives to address these. Monitoring progress towards achieving equality objectives. Publishing data and publishing equality objectives.
Headteacher	As above including: Promoting key messages to staff, parents and pupils about equality and what is expected of them and can be expected from the school in carrying out its day to day duties. Ensuring that all of the school community receives adequate training to meet the need of delivering equality, including pupil awareness. Ensure that all staff are aware of their responsibility to record and report prejudice related incidents.
Senior Leadership Team	To support the Headteacher as above. Ensure fair treatment and access to services and opportunities. Ensure that all staff are aware of their responsibility to record and report prejudice related incidents.
Teaching Staff	Help in delivering the right outcomes for pupils. Uphold the commitment made to pupils and parents/carers on how they can be expected to be treated. Design and deliver an inclusive curriculum. Ensure that you are aware of the responsibility to record and report prejudice related incidents.
Parents	Take an active part in identifying barriers for the school community and in informing the Governing Body of actions that can be taken to eradicate these. Take an active role in supporting and challenging the school to achieve the commitment given to the school community in tackling inequality and achieving equality of opportunity for all.
Pupils	Uphold the commitment made by the Headteacher on how pupils and parents/carers, staff and the wider school

	community in tackling inequality and achieving equality of opportunity for all.
Local Community Members	Take an active part in identifying barriers for the school community and in informing the Governing Body of actions that can be taken to eradicate these. Take an active role in supporting and challenging the school to achieve the commitment made to the school community in tackling inequality and achieving equality of opportunity for all.

**We will ensure that the whole school community is aware of the Single Equality Scheme and our published equality information and equality objectives by publishing them on the school's website.**

### **Breaches**

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

### **Equality Objectives 2018-2020**

<b>Duties</b>	<b>Objective</b>	<b>Success Criteria</b>	<b>Date</b>
Advance equality of opportunity	Robust systems for monitoring student progress in place and monitored regularly.	Data analysis shows equality of attainment/progress for all groups.  Identify groups and individuals at risk of underachievement and plan intervention.	Half Termly
Foster good relations	Increase parental confidence in how effectively the school deals with bullying.	Increased positive response on annual parent surveys.	Autumn 2018
Advance equality of opportunity	Identify further opportunities in the curriculum to look at other cultures/countries, study famous people from ethnic minorities and increase understanding and celebrating diversity.	Data analysis of prejudice related reports shows a decrease in incidents and pupil surveys indicate increased understanding of equality and diversity	Summer 2019

## **Tackling Discrimination**

Harassment on account of race, gender, disability or sexual orientation is unacceptable and is not tolerated within the school environment.

All staff are expected to deal with any discriminatory incidents that may occur. They are expected to know how to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a pupil's individual circumstances.

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 incidents are reported to the governing body and local authority on a termly basis.

## **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**

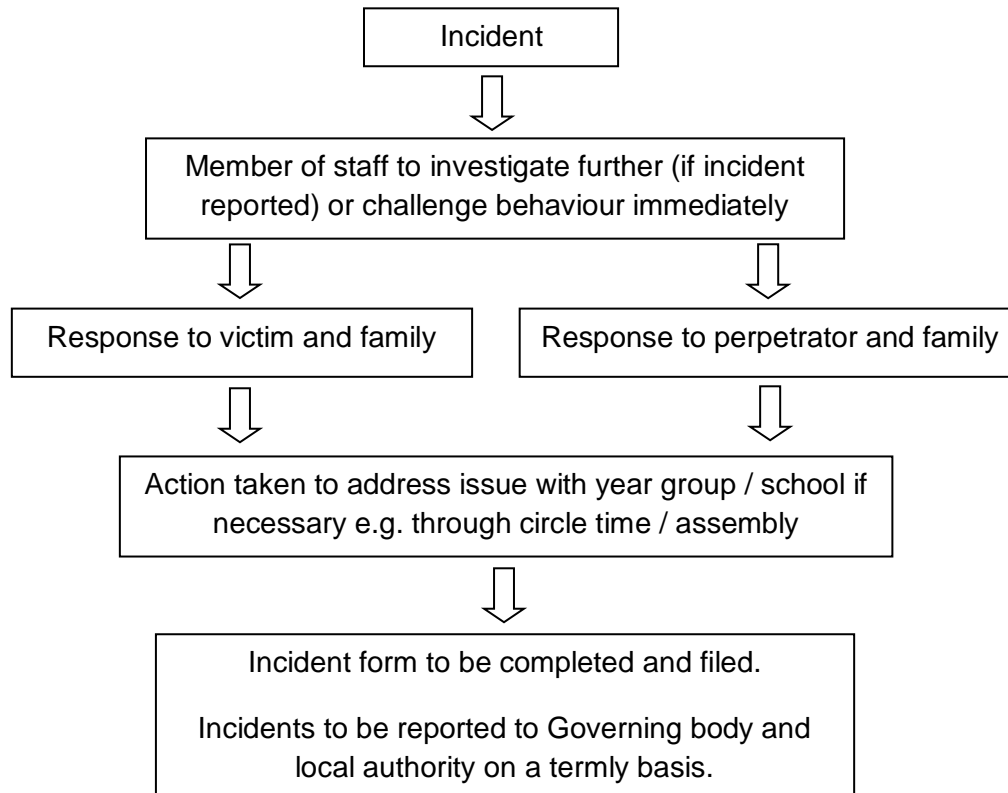
Types of discriminatory incidents that can occur are:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender;
- Use of derogatory names, insults and jokes;
- Racist, sexist, homophobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia;
- Bringing discriminatory material into school;
- Posting comments on social media which are perceived as prejudice or liking or following sites which do not support British Values
- Verbal abuse and threats;
- Incitement of others to discriminate or bully due to victim's race, disability, gender or sexual orientation;
- Discriminatory comments in the course of discussion;
- Attempts to recruit others to discriminatory organisations and groups;
- 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.

## Responding to and Reporting Incidents

It should be clear to pupils and staff how they report incidents. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.



## Part Two

### Our Legal Duties

Legislation relating to equality and discrimination is laid out in the Equality Act 2010. This legislation covers employment (work), the provision of services and public functions, and education. Employers (schools) are liable for discriminatory acts of their employees if they did not take reasonable steps to prevent such acts. Employees can be liable for acts (where an employer took reasonable steps to prevent such acts).

### The 'Protected Characteristics' within equality law are:

**Age** - A person of a particular age (e.g. 32 year old) or a range of ages (e.g. 18 – 30 year olds). Age discrimination does not apply to the provision of education, but it does apply to work.



**Disability** - A person has a disability if s/he has, or has had, a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It includes discrimination arising from something connected with their disability such as use of aids or medical conditions. HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.

**Gender reassignment** - A person (usually with 'gender dysphoria') who is proposing to undergo, is undergoing or has undergone gender reassignment (the process of changing physiological or other attributes of sex, therefore changing from male to female, or female to male). 'Trans' is an umbrella term to describe people with this 'Gender Identity'. 'Intersex' or 'Third Sex' is not covered by the Act but the school will treat Intersex children with the same degree of equality as children with gender dysphoria. Children as young as five may begin to show signs of gender dysphoria and therefore it is relevant in any school environment. (The Intercom Trust in Devon supports schools in supporting children undergoing gender reassignment).

**Marriage and civil partnership** - Marriage and civil partnership discrimination does not apply to the provision of education, but it does apply to work.

**Pregnancy and maternity** - Maternity refers to the period of 26 weeks after the birth (including still births), which reflects the period of a woman's Ordinary Maternity Leave entitlement in the employment context. In employment, it also covers (where eligible) the period up to the end of her Additional Maternity Leave.

**Race** - A person's colour, nationality, ethnic or national origin. It includes Travellers and Gypsies as well as White British people.

**Religion and belief** - Religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. Religion and belief discrimination does not prevent a school from carrying out collective worship or other curriculum-based activities, but pupils may withdraw from acts of collective worship.

**Sex** - A man or a woman.

**Sexual orientation** - A person's sexual orientation towards the same sex (lesbian or gay), the opposite sex (heterosexual) or to both sexes (bisexual). Although children may not identify as gay or lesbian when very young, promotion of sexual orientation equality is as relevant in a primary school environment as it is in a secondary school. For example, a child may have an older sibling or parent who is gay. Children may experience friends 'questioning' or 'coming out' when they are in secondary school or college. Schools with a particular religious ethos cannot discriminate against lesbian, gay or bisexual pupils. It is also unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the pupil is associated. So, for example, a school must not discriminate by refusing to admit a pupil because his parents are gay men or lesbians. It would be race discrimination to treat a white pupil less favourably because she has a black boyfriend.

### **'Prohibited Conduct' (acts that are unlawful):**

**Direct discrimination** - Less favourable treatment because of a protected characteristic.

**Indirect discrimination** - A provision, criteria or practice that puts a person at a particular disadvantage and is not a proportionate means of achieving a legitimate aim.

**Harassment** - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It includes harassment by a third party (e.g. customer or contractor) in the employment context.

**Victimisation** - Subjecting a person to a detriment because of their involvement with proceedings (a complaint) brought in connection with this Act.

**Discrimination arising from disability** - Treating someone unfavourably because of something connected with their disability (such as periods of absence from work or medical conditions) **and failure to make reasonable adjustments.**

**Gender re-assignment discrimination** - Not allowing reasonable absence from work for the purpose of gender-reassignment in line with normal provision such as sick leave).

**Pregnancy/maternity related discrimination** - Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman or girl because she is breastfeeding.

**Discrimination by association or perception** - For example, discriminating against someone because they “look gay”, or because they have a gay brother; discriminating against someone because they care for a disabled relative. Schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

### **Public Sector Duties (applies to schools):**

A school must, in the exercise of its functions, give due regard to the need to (in relation to protected characteristics above):

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality of opportunity (remove or minimise disadvantage; meet people’s needs; take account of disabilities; encourage participation in public life).
- Foster good relations between people (tackle prejudice and promote understanding).

In practice, ‘due regard’ means giving relevant and proportionate consideration to the duty, so decision makers in schools must have due regard when making a decision, developing a policy or taking an action as to whether it may have implications for people because of their protected characteristics.

### **Reasonable Adjustments and Accessibility Plans (Schedule 10)**

Schools are required to:

- Take reasonable steps to avoid disadvantage caused by a provision, criteria or practice or a physical feature that puts a disabled person at a substantial disadvantage compared to a non-disabled person. This involves removing or avoiding a physical feature, for example steps and lifts.
- Take reasonable steps to provide auxiliary aids/services.
- Provide information in an accessible format.
- Develop and implement (by allocating appropriate resources) Accessibility Plans which will
  1. Increase disabled pupils’ access to the school curriculum
  2. Improve the physical environment
  3. Improve provision of information.

The duty is an anticipatory and continuing one that schools owe to disabled pupils generally, regardless of whether the school knows that a particular pupil is disabled or whether the school

currently has disabled pupils. The school will need to plan ahead for the reasonable adjustments that it may need to make, working with the **relevant admissions authority** as appropriate.

**For more information download guidance from the DfE:**

<http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010>

**Equality Human Rights website:**

<http://www.equalityhumanrights.com> which includes the guidance for education providers (schools)

Aspects of educational legislation have also promoted equal opportunities, for example the Education Act includes a duty for local authorities to educate children with special educational needs in mainstream schools wherever possible.

## **Definitions:**

### **Equality**

This is more clearly defined as equality of opportunity and outcome, rather than equality of treatment. This means treating people fairly and according to their needs as some people may need to be treated differently in order to achieve an equal outcome.

### **Inclusive**

Making sure everyone can participate, whatever their background or circumstances.

### **Diversity**

Recognising that we are all different. Diversity is an outcome of equality and inclusion.

### **Cohesion**

People from different backgrounds getting on well together (good community relations). There is a shared vision and sense of purpose or belonging. Diversity is valued. Relationships are strong, supportive and sustainable. Cohesion is an outcome of equality and inclusion.

### **Community**

From the school's perspective, the term "community" has a number of meanings:

- The school community – the students we serve, their families and the school's staff.
- The community within which the school is located – in its geographical community, and the people who live and/or work in that area.
- The community of Britain – all schools by definition are part of it.
- The global community – formed by European and international links.

**Gender dysphoria**

Is a recognised condition in which a person feels that there is a mismatch between their biological sex and their gender identity.

**Biological sex**

Is assigned at birth, depending on the appearance of the infant. Gender identity is the gender that a person “identifies” with, or feels themselves to be.