

Equality Policy 2018

It is the aim of the Governing Body of Lickey Hills Primary School and Nursery to support the implementation of policies and procedures which support the vision of:

"Dream together, believe together and achieve together for all at Lickey Hills Primary School and Nursery."

Introduction

Lickey Hills Primary School and Nursery is committed to creating a culture in which diversity and equality of opportunity are promoted actively and in which unlawful discrimination is not tolerated; and an environment in which individuals are treated on the basis solely of their relevant merits and abilities. Our intention is for all who study and work at the School, regardless of their disability, age, gender, ethnic or social background to have equality of opportunity.

At Lickey Hills Primary School and Nursery all forms of unlawful or unfair discrimination on the grounds of race, colour, nationality, ethnic origin, gender, disability, religious views, marital status, sexual orientation, political views or trade union membership are unacceptable and are opposed. Our aim is to secure fair and equal treatment for all pupils and, similarly, for all staff.

Every pupil and member of staff is expected to further this aim by contributing personally towards a happy, caring environment, by showing respect for, and appreciation of, each other as individuals, and by helping to oppose and prevent all forms of prejudice, discrimination, harassment and bullying.

Commitment to this policy is shared by pupils, staff, parents and governors.

(Based on the statutory regulations as defined by the Equal Pay Act (1970), the Sex Discrimination Acts (1975 & 1986), the Race Relations Act (1976), the Education Act (1986), the Education Reform Act (1988), The Equality Act (2010) and the Children Act (1989).)

Policy Statement

Lickey Hills Primary School and Nursery believes in the principles of social justice, acknowledges that discrimination affects people in complex ways and is committed to challenge all forms of inequality.

To this end, we will aim to ensure that:

- (a) individuals are treated fairly, with dignity and respect regardless of their age, marital status, disability, race, faith, gender, language, social/economical background or sexual orientation;
- (b) it affords all individuals, pupils and staff the opportunity to fulfill their potential;
- (c) it promotes an inclusive and supportive environment for staff, pupils and visitors;
- (d) it recognises the varied contributions to the achievement of the school's vision made by individuals from diverse backgrounds and with a wide range of experiences

This policy applies to all staff, pupils and visitors to the School, together with those contracted to work at or for the School.

Responsibility

The governors are responsible for:

- (e) making sure the school complies with the relevant equality legislation;
- (f) making sure the school Equality Policy and its procedures are followed;
- (g) meeting the reporting requirements.
- (h) ensuring equality and diversity training are prioritized as part of the school's CPD programme.

The Head Teacher is responsible for:

- (i) making sure the school Equality Policy and its procedures are followed;
- (j) ensuring the PREVENT action plan addresses any areas of concern related to discrimination and providing this information as requested.
- (k) producing regular information for staff and governors about the school's actions for ensuring equality.
- (l) making sure all staff know their responsibilities and receive equality and diversity training and support in order to ensure they adhere to equalities legislation;

- (m) taking appropriate action in cases of harassment and discrimination, including racist bullying, homophobic bullying and bullying related to gender or disability.
- (n) monitor the school's ability to ensure equality for all.

Both the governors and Head Teacher are responsible for regular monitoring and review of these policies as legally required.

All staff are responsible for:

- (o) dealing with racist, homophobic and other hate or discriminatory-incidents;
- (p) being able to recognise and tackle bias and stereotyping;
- (q) promoting equal opportunities and good race relations;
- (r) avoiding discrimination against anyone for reasons of ethnicity, disability or gender;
- (s) keeping up to date with the legislation related to ensuring equality and diversity;
- (t) participating fully in training and learning opportunities.

The Head Teacher is responsible overall for dealing with reports of hate or discriminatory-incidents.

Aims & Principles of the Policy

The aim of this policy is to ensure that in carrying out its activities, Welford School will have due regard to:

- (u) promoting equality of opportunity, across all the activities of the school;
- (v) promoting good relations between people of a diverse background;
- (w) eliminating unlawful discrimination.

This policy is guided by the following principles, that:

- (x) all staff, pupils and visitors should enjoy a safe environment free from discrimination and harassment/bullying;
- (y) all pupils and staff should have equal access to quality services that are made available by the School and its partners;
- (z) all staff and pupils should have equal access to opportunities for personal, professional or academic development and career progression and promotion opportunities;

- (aa) all staff and pupils should be able to participate fully in the work and life of the School community and celebrate its diversity;
- (bb) staff and pupils at the School should reflect the diversity of talent, experience and skills from the local, national and international pool from which it draws its pupils and workforce;
- (cc) positive action initiatives continue to be used to redress inequalities and discriminatory practice;

Pupils

Admissions: It is the School's policy to ensure equitable treatment of all applicants in accordance with the school's Admissions Policy. There is a common set of admissions criteria and the same admissions procedure applies to all applicants regardless of gender, sexual orientation, disability, religious, ethnic or social background.

Facilities

It is the School's policy to ensure equitable provision of facilities for all pupils. The School has considered its responsibilities under the Disability Discrimination Act and the Equality Act.

Curriculum

All pupils have equal access to the school curriculum which has breadth, balance, relevance and progression. Our aim is to provide for all pupils in the school according to their needs. It should be noted, however, that equality of opportunity does not ensure equality of take-up.

Delivery of the curriculum must be balanced, objective, and sensitive and have regard to pupils' different learning styles. Resources should be free from racial or sexual bias or discrimination and from portraying stereotypes. Pupils should have access to accurate information about similarities and differences between the sexes and between cultural groups.

PSHE has an essential role in promoting the School's Equal Opportunities policy and in countering racial, sexual or any other form of prejudice, discrimination or harassment.

Religion

Although we expect all pupils to attend school assemblies which are planned around values related to the major World faiths, pupils and staff are free to follow their own religious beliefs, and no attempt is made to influence the views or beliefs of others.

Rewards and sanctions

Rewards and sanctions must be administered fairly and on an equal and uniform basis. It is essential that neither sex feels that the other is treated more leniently in matters of discipline. All pupils are expected to observe the school rules and conduct themselves in an appropriate manner.

Careers Advice

Pupils should not be discouraged from entering non-traditional careers on grounds of gender, disability, religious, ethnic or social background. Literature and illustrative material used should be free from racial or sexual discrimination and from portraying stereotypical roles.

Extra-Curricular Activities

Care must be taken to ensure that opportunities are equally available to all pupils regardless of any differences wherever possible, e.g. there may be clubs specifically for one gender or age group.

Links with the Community: Links with the wider community provide opportunities for pupils to observe and experience the outside world and will inevitably help to inform their own attitudes to and views on gender, sexual orientation, ethnicity and class. It is therefore important to ensure that such experiences are positive. Equally, it is important to ensure that visitors to the school to give lectures, take assemblies etc. are drawn from both sexes and from backgrounds which reflect social and cultural diversity.

Language

Pupils whose first language is not English must feel that their language and/or dialect is valued. They should therefore be allowed to use their home language in school, but never to use it to exclude others.

Staff

The ethos of the School is one that values staff equally on the basis of their merits, abilities, qualifications and experience irrespective of age, gender, sexual orientation, social, ethnic or cultural origins. Similarly, it has equal expectations of staff in their professional conduct, professional development and performance in post.

Appointments & Staffing

All appointments to posts in the School (including teacher training, placements and work experience) are on the basis of equal opportunities. Remuneration and general terms and conditions of service apply equally to men and women (any maternity or paternity pay is in line with National guidelines).

The School's policy of Equal Opportunities must apply at all levels to staff as well as to pupils. Pupils should be given positive role models of both sexes and from different social and ethnic backgrounds and those with a disability.

Professional conduct: Competency, disciplinary and dismissal procedures are the same for all teaching staff, irrespective of age, gender, sexual orientation or status.

Staff review and development and Inset: All staff participate in the teacher appraisal or support staff performance management schemes and through these are enabled to identify their own training needs. Provision for individual training is allocated on a fair and equitable basis, according to need.

Contact time with pupils

In contact time with pupils, all staff should be aware of possible assumptions and bias in their own attitudes and take care to avoid any discriminatory connotations in the language they themselves use.

All staff should be sensitive to pupils' differing experiences and skills, especially on their arrival in the school. Pupils' conditioning in the home and elsewhere may have predisposed them to discriminatory ideas, assumptions or behaviour. Staff may need to clarify expectations of behaviour by promoting fundamental British values and emphasizing the rule of law in the UK.

The variety of teaching styles used should take account of pupils' different learning styles and should give all pupils equal access, provision and treatment.

Staff should ensure that attention is given to all pupils in a lesson or activity and that excessive attention is not paid to pupils of either sex, whether singly or in groups.

Discrimination and Harassment

Staff are protected against discrimination on grounds of race, sex, disability, sexual orientation and religion or belief. There are three types of discrimination: direct discrimination, indirect discrimination and victimization:

- (dd) Direct discrimination occurs when a person is treated less favourably on the grounds of their sex, marital status or race than a person of a different sex etc was or might have been.
- (ee) Indirect discrimination occurs when a requirement is imposed on a person which may appear to apply equally but which a considerably smaller proportion of one sex or race or those without disability can comply with and the complainant suffers a detriment and the employer cannot justify it. The justification may be that the requirement was a 'Genuine Occupational Requirement.'
- (ff) Victimization occurs when a person is treated less favourably because they have been involved in a claim under one of the Acts.

The following are the main forms of discrimination and harassment. The list is not comprehensive, and thus is intended as a guideline.

Discrimination against the Disabled

Any attitudes held by a person or group towards an individual with a disability which are offensive, discriminatory or hostile towards the individual are unacceptable. Also unacceptable are acts or expressions that reflect such attitudes, or any incitement to make others adopt such attitudes or behaviour.

Unacceptable behaviour would be, for example:

- physical assault against a person because of his or her disability
- verbal abuse, intimidation, insults, threats and graffiti
- making reference to an individual's disability in the course of discussions, lessons or activities
- refusing to co-operate with an individual or excluding an individual because of his or her disability
- inciting or encouraging others to behave in any of the above ways.

Racism

Any attitude held by a person or group of one ethnic origin towards another individual or group of different ethnic origin which is offensive, discriminatory or hostile towards the individual or group is regarded as racism and is unacceptable. Racism is also considered to exist in acts or expressions that reflect such attitudes or in any incitement to behaviour of that kind.

Unacceptable behaviour, for example, would be:

- physical contact or assault against a person or group because of colour or ethnicity
- verbal abuse, derogatory name-calling, insults, threats and racist jokes
- racist graffiti or caricatures
- the issuing or wearing of racist materials such as leaflets, magazines, insignia
- making racist remarks in the course of discussions, lessons or activities
- refusing to co-operate with other pupils or excluding other pupils because of colour or ethnic origin
- inciting or encouraging others to behave in any of the above ways.

Sexism

Sexism is considered to be any attitude, held by a person or group of one sex, towards an individual or group of the other sex which is offensive, discriminatory or hostile towards the individual or group. Also unacceptable are acts or expressions that reflect such attitudes, or any incitement to behaviour of that kind. Such behaviour need not be repeated or continuous to constitute harassment.

Sexual Harassment is defined as 'any uninvited, unreciprocated and unwelcome physical contact, comment, suggestion, joke or attention which is offensive to the person involved, and causes the person to feel threatened, humiliated, patronised or embarrassed. It may create a threatening or intimidating working environment, adversely affect school work or job performance and, in extreme cases, may cause a person to seek to leave the school'.

Unacceptable behaviour would be, for example:

- uninvited physical contact, physical assault or abuse against a person or group because of their gender
- verbal abuse, intimidation, leering, insults, jokes or gestures of a sexist nature
- using lewd or suggestive vocabulary to patronise or to cause offence or humiliation

- making unwelcome comments of a sexist nature about dress and appearance
- sexist graffiti or other pornographic writing, offensive use of pornographic pictures
- making sexist remarks in the course of discussions, lessons or activities
- offensive reference to an individual's or group's sexuality
- refusing to co-operate with other pupils or excluding other pupils because of their gender or supposed sexuality
- inciting or encouraging others to behave in any of the above ways.

Sexual Orientation

As a result of the Employment Equality (Sexual Orientation) Regulations of 2003, which came into effect on 1st December 2003, it is illegal to discriminate on the grounds of sexual orientation. This legislation covers gay men, lesbians, heterosexual men and women and bisexual men and women. The Discrimination legislation also covers circumstances where someone is discriminated against on account of his/ her association with a third party who belongs to a particular sexual orientation.

Since the Civil Partnership Act of 2004, the status of a civil partner is comparable to that of a spouse

Religion and Belief

Since 1st December 2003, it has been illegal to discriminate on the grounds of religion, religious belief or similar philosophical belief.

Age Discrimination

The final regulations concerning age discrimination came into force in October 2006. Age discrimination or apparent age discrimination is prohibited. The upper age limit for unfair dismissal and redundancy rights has been removed and older workers have the same rights to claim unfair dismissal or receive a redundancy payment as younger workers, unless there is a genuine retirement. Age limits for Statutory Sick Pay, Statutory Maternity Pay, Statutory Adoption and Statutory Paternity have also been removed.

In rare circumstances, however, it may be necessary to fix a minimum age to qualify for certain advantages linked to employment in order to recruit or retain older people. Equally, the fixing of a maximum age for recruitment or promotion may be necessary so that the training needs required for a particular post or the need for a reasonable period in post before retirement are given due consideration. In such cases, discrimination may be defended as a 'proportionate means of achieving a legitimate aim'.

Incidents of Discrimination or Harassment

The effect of discrimination or harassment on its victims is to cause distress and tension. It can lead to fear, anxiety, stress-related illnesses and a general inability to cope as the victim's self-esteem is undermined. Furthermore, both discrimination and harassment undermine the ethos of the School. All staff and pupils are held to be of equal value.

In all cases, complaints must be treated in a serious but sympathetic manner. Victims may find it difficult to make a complaint for fear that their response to discrimination or harassment is interpreted as a lack of sense of humour or an overreaction to what others perceive as normal working or social relationships. Others may fear reprisal.

In cases where a member of staff is subjected to harassment, either by a pupil or a colleague, the victim may feel his or her authority or professionalism undermined if he or she raises the issue.

It is therefore important for there to be established complaints procedures which are known and understood in the appropriate sections of the school.

Discrimination against or Harassment of Staff by Staff

The following courses of action are recommended:

A person whose behaviour is offensive should initially be made aware of this by the victim or by a confidant of the victim, so that he or she has received due warning. The victim should take avoidance action as far as possible, e.g. not being alone in a room with the person concerned.

If harassment continues, the victim may keep a written record of incidents and may call on the evidence of any colleagues who have been witnesses. The victim should inform the Deputy Head Teacher, who will report the matter to the Head Teacher and interview the member of staff accused. Written, signed statements will be taken at interview.

If harassment persists, the matter should be reported again to the Head Teacher, who will decide the extent to which any formal disciplinary procedure should be implemented.

Discrimination against or Harassment of a Pupil by a Member of Staff

Evidence of discrimination or harassment may take a number of forms, such as:

- the witnessing of the discrimination or harassment by another member of staff
- evidence provided by a pupil or pupils confiding in another member of staff
- a formal letter of complaint by a parent or guardian.

Any such incident must be reported to the Head Teacher or, in her/his absence, to the Deputy or Assistant Head Teacher. In minor cases, such as a careless racist or sexist remark, an oral caution or warning to the member of staff and an apology to the pupil concerned may be sufficient. However, persistent or more serious allegations may be deemed to constitute abuse, and the specific procedures laid down by the Children Act must be followed.

Discrimination against or Harassment of a Member of Staff by a Pupil

The following courses of action are recommended:

Except in cases of actual physical assault or gross indecency (when the Head Teacher must be informed immediately), the incident should be dealt with in the first instance by the member of staff concerned issuing a reprimand and an oral warning. A senior member of staff (who could be the Head Teacher, the Deputy Head or Assistant Head) should be informed.

If harassment continues, then the member of staff should officially refer the matter to the senior member of staff. The Head Teacher should be informed. Written records should be kept of incidents and any steps taken.

Should a pupil make an allegation of sexual harassment against a member of staff as a means of harassing the member of staff, it is vital that procedures are followed to the letter so that the integrity and professionalism of the member of staff are respected throughout any investigation which might ensue.

In order to ensure that pupils are not presented with any opportunity to make unfounded allegations, members of staff are urged never to put themselves in any position which might be misconstrued as compromising their professionalism. Pastoral staff dealing with confidential matters, staff involved in assisting with Games, and staff involved in residential trips are urged to exercise particular caution.

Discrimination against or Harassment of a Pupil by another Pupil (Racist or sexist discrimination or harassment)

This may differ from other forms of bullying in that it is not simply a personal attack but is indiscriminately and offensively aimed at a whole group to which the victim happens to belong. It is the School's responsibility to ensure that there is a sufficiently supportive and positive climate to enable any pupil who is the victim of racist or sexist discrimination or harassment to inform a member of staff and be confident that effective action will be taken. It is important that the victim and, where appropriate, his or her parents are given reassurance that the School does not tolerate such behaviour:

Should racist or sexist comments occur in a lesson or during the course of a school activity, the member of staff should immediately make it clear to the whole class or group that such remarks are unacceptable. The Head Teacher must be informed and where relevant, any offensive material should be confiscated, a careful record made, and any appropriate action taken.

In the case of a pupil persistently causing offence, the Head Teacher must again be informed, written records of incidents must be kept and consideration given to contacting the parents, stating the nature of the problem and inviting them to come to school to discuss it. Counseling for the victim or the offender may need to be considered.

It is recommended that topics to do with discrimination should only be discussed in class when they are part of the curriculum and have been carefully planned. Recognition should be given to the richness of a diverse and pluralistic society.

Disability Discrimination-A General Statement

The Disability Discrimination Act of 1995 introduced laws aimed at the prevention of discrimination to disabled people in a number of areas, i.e.

- Employment
- Access to Goods and Services.
- Buying or renting land or property.
- Public Transport.

The Special Educational Needs and Disability Act 2001 has amended the 1995 Act and extended the overall aim of the legislation to include fully pupils in Schools. Both Acts are or will be supplemented by Regulations, Codes of Practice and Guidance.

The term 'disabled' is widely defined and relates to any person 'with a physical or mental impairment which has a substantial and long term adverse effect upon their ability to carry out normal day to day activities'. Impairment covers both physical and mental impairments whilst day to day activities relate to such matters as mobility, manual dexterity and speech, hearing and eyesight.

The Governors of Lickey Hills Primary School and Nursery fully recognise that the 1995 & 2001 Acts impose duties upon them in two main areas: that as employers and as the providers of education. Part 2 of the 1995 Act contains provisions relating to employment issues and Part 4 of the Act as amended by the 2001 Act concerns pupils.

In both cases, the prime requirement is that a disabled person should not be treated less favourably than a non-disabled person unless such treatment is justified. It is the policy of the Governors to take all reasonable measures to meet the legislative requirements.

Justification may arise because reasonable adjustments cannot be made on grounds of Health and Safety. The Governors' current Health and Safety policy statement was signed in 2014 and the Accessibility Plan was introduced in 2008

The 2001 Act also requires the preparation (in writing) of an Accessibility Plan designed to:

- Increase the extent to which disabled pupils can participate in the school curriculum.
- Improve the physical environment.
- Improve the delivery in writing of information to disabled pupils provided to other persons.

The Accessibility Plan is available upon request.

Training, Monitoring and Evaluation

Staff Development and INSET

Regular school INSET will be provided to ensure that staff members are kept fully aware of their responsibilities in respect of equal opportunities, discrimination and harassment.

The induction programme for new staff and newly qualified staff at the School should include familiarisation with the School's Equal Opportunities policy.

Breach of the Policy

The Governors of Lickey Hills Primary School and Nursery will take seriously any instances of non-adherence to the Equalities policy by pupils, staff or visitors. Any instances of non-adherence will be investigated and where appropriate will be considered under the relevant disciplinary policy for staff or pupils. With regard to any breach of the policy by visitors, the School will take appropriate action in relation to the nature of the incident.

Relevant Legislation

Lickey Hills Primary School and Nursery will implement its Equality Policy in accordance with current legislation and codes of practice including:

- EU Anti-Discrimination Directives (which currently include the Race Relations Act 1976 (Amendment) Regulations 2003, Religion and Belief Regulation 2003 and Sexual Orientation Regulation 2003
- Special Educational Needs and Disability Rights in Education Act 2001
- Race Relations Amendment Act 2000
- Human Rights Act 1998
- Disability Discrimination Act 1995
- Race Relations Act 1976
- Sex Discrimination Act 1975
- Equal Pay Act 1970 and Amendment 1983

Monitoring and Review

The Equalities Policy will be monitored in accordance with the Equalities Plans set out in Appendices to this policy.

The policy will be reviewed annually.