



English Martyrs Catholic Primary School,  
A Voluntary Academy  
'Walking with Jesus – God's love in action'

# Special Educational Needs, Disability, Equality Policy & Inclusion Policy

Statutory Policy

This Policy will be reviewed every 2 years

**Date:** Spring 2017

**Date of next intended review:** Spring 2019

## Equality & Diversity

We have considered the impact on equality and diversity on this policy and judge the impact to be neutral.

## **MISSION STATEMENT**

English Martyrs Catholic Primary School, a Voluntary Academy, offers distinctive Catholic education within a caring Christian community where everyone feels loved and valued, confident and secure.

We believe that each person is precious and gifted, unique and loved by God.

With Christ as our inspiration we work in partnership to create a challenging, effective and exciting learning environment where everyone is encouraged to embrace opportunity. We support and value the abilities of all our pupils. It is our duty to provide equal opportunities for every person in our care and a safe and fully equipped learning environment which caters to the needs of every child as an individual. We are committed to inclusion within the school curriculum and participation in all aspects of school life. We provide an exciting, creative and effective learning environment, recognising and responding to individual learning styles. We aim to help each child experience success and to reach their full potential by providing the highest standard of education and care. Our School adopts a 'whole school approach' to special educational needs. All staff work to ensure inclusion of all pupils. The school is committed to ensuring that pupils with special educational needs can fulfil their potential and achieve optimal educational outcomes.

### **Learning and Teaching**

We provide an exciting, creative and effective learning environment, recognising and responding to individual learning styles. We aim to help each child experience success and to embrace every opportunity by providing the highest -standard of education and care. Children take responsibility for and participate fully in their own learning.

Our curriculum will be both balanced and spiritually based and will fulfil all statutory requirements.

### **Catholic Life of the School**

We recognise God in all aspects of our mission. Specifically we will help children to develop their personal relationship with God. We will deliver high quality learning and teaching in religious education rooted in Catholic values and beliefs. We encourage respect for and understanding of other faiths and beliefs. The school environment will speak of Jesus Christ at the heart of our community. Children will be given opportunities to participate in creative and varied worship appropriate to their age and understanding. We are an integral part of the parish and will play an active part in its life.

### **Relationships**

We will help each member of the school community to recognise that we are all precious in God's eyes. We will show love and respect for each other. We will give to each other the affirmation we all need and will try to respond to each other's needs.

### **Parents**

We will work to achieve a creative partnership between parents and school which recognises our different responsibilities in the education of the children.

We will communicate effectively with all parents. We will establish a bond of trust, building a partnership which nurtures the children's learning, spiritual development and pastoral care.

### **Community Cohesion**

We will be an integral part of the local community. We will increase the children's awareness of wider world issues. We will develop their sense of responsibility for and involvement in both of these.

We will ensure that our community life witnesses our Christian values and beliefs in all that we do and say.

Walking with Jesus – God's love in action

### **Disability**

We are a Catholic school. Through all our endeavours we aim to recognise the presence and power of Jesus Christ at the very centre of our existence. As we seek to fulfil the educational needs of the children we strive to live and act according to His will in all that we do and say.

We will help each member of the school community to recognise that we are all precious in God's eyes. We will show love and respect for each other. We will give to each other the affirmation we all need and will try to respond to each other's needs.

We aim to help each child experience success and to reach their full potential by providing the highest possible standard of education.

At all times and in all areas of school life every reasonable measure will be taken to ensure that each member of this school community is enabled to participate as fully as possible, and achieve success and recognition appropriate to age, understanding and any disability.

### **Introduction**

The whole team at the school is committed to providing a welcoming, attractive and stimulating environment to support the needs and develop the learning of the children and families in the community. Every child and family in our community is valued and diversity is celebrated. The school provides a broad and balanced curriculum in a safe, stimulating and caring environment which allows everyone to achieve, develop, learn and grow. All areas of school life are inclusive and the teaching is tailored towards individual learning providing challenge and support; encouraging everyone to reach their full potential. Staff provide a positive ethos to enable the children to work towards the development of 'life skills' and instil life-long learning aspirations for everyone through a range of activities which are fun and enjoyable.

School Address:	Dewsbury Road Wakefield WF2 9DD
Tel:	01924 299244
Head Teacher	Mrs Catherine Flood
SEND Governor:	Mrs Annmarie Glover
SENCO:	Miss Rachel Di Placito

### **INCLUSION STATEMENT**

We endeavour to make every effort to achieve maximum inclusion of all pupils whilst meeting pupils' individual needs. This policy incorporates SEND, Disability and Equality and reinforces the need for quality first teaching that is fully inclusive. The Governing Body will ensure that appropriate provision will be made for all pupils with SEND.

### **1. Aims and Objectives of this Policy**

- \* To reach high levels of achievement for all
- \* To be an inclusive school
- \* To ensure the identification of all pupils requiring SEND provision as early as possible in their school career
- \* To meet individual needs through a wide range of provision
- \* To attain high levels of satisfaction and participation from pupils, parent and carers
- \* To share a common vision and understanding with all stakeholders
- \* To give transparent resourcing to SEND
- \* To provide curriculum access for all
- \* To work towards inclusion in partnership with other agencies and schools
- \* To achieve a level of staff expertise to meet pupil need
- \* We recognise that many pupils will have special needs at some time during their school life. In implementing this policy, we believe pupils will be helped to overcome their difficulties.

### **2. ADMISSION ARRANGEMENTS**

No pupil will be refused admission to school on the basis of his or her special educational need. In line with the SEND and Disability Act we will not discriminate against disabled children and we will take all reasonable steps to provide effective educational provision. (Please see school's Admissions Policy).

### **3. MANAGEMENT OF SEND WITHIN SCHOOL**

The governing body has delegated the responsibility for the day to day implementation of the policy to the SENCo who has Qualified Teacher Status. The management of SEND is supported by the administration staff.

All school staff have a responsibility for pupils with SEND in their class, firstly to ensure Quality First Teaching with differentiation and personalisation to meet needs. Staff are aware of their responsibilities towards pupils with SEND, whether or not pupils have an Education, Health and Care Plan, (EHCP). A positive and sensitive attitude is shown towards all pupils by adults in school. Staff responsibilities are identified in individual job descriptions.

Teaching Assistants play a major role in the support of pupils with SEND. The rationale for the deployment of TAs is pupil centred.

### **The SENCo is responsible for:**

- \* overseeing the day-day operation of this policy
- \* co-ordinating provision for children with special educational needs
- \* liaising with and advising teachers
- \* managing learning support assistants
- \* overseeing the records on all children with SEND
- \* liaising with parents of children with SEND (in conjunction with class teachers)
- \* contributing to the in-service training of staff
- \* liaising with external agencies including the LA's support and educational psychology services, health and social services, and voluntary bodies

The SENCO is responsible for reporting to the governor with responsibility for SEND on the day-day management of SEN policy. Annual meetings will take place.

### **4. IDENTIFICATION AND ASSESSMENT**

We accept the principle that pupils' needs should be identified and met as early as possible.

There are four areas of need as stated in the SEND Code of Practice, 2014

- Communication and Interaction (C and I)
- Cognition (Cog)
- Social Emotional and Mental Health difficulties (SEMH)
- Sensory and/or Physical. (S/P)

Whilst these four areas broadly identify the primary need of a pupil we also consider the needs of the whole child, which may also impact on a pupil's progress.

- Disability
- Attendance and punctuality
- Health and welfare
- English as an additional language (EAL)
- Being in receipt of the Pupil Premium. (PP)
- Being a Looked After Child (LAC)
- Being a child of a service woman/man.

The SENCO works closely within the senior leadership team, using whole school tracking data as an early identification indicator.

We use a number of additional indicators of special educational needs.

- the analysis of data, including entry profiles at FS1 and 2 baseline and end of FS data, SATs, reading ages, annual and termly pupil assessments
- the use of our local authority SEND criteria
- the following up of teacher concerns
- following up parental concerns
- tracking individual pupil progress over time

- information from previous schools on transfer
- information from other services

The SENCO maintains a list of pupils identified through the procedures listed; this is called the SEND Register. This list is reviewed each term when a detailed analysis of the list takes place. For some pupils a more in depth individual assessment may be undertaken by the school or other educational or health professionals

## **5. CURRICULUM ACCESS AND PROVISION**

In order to meet the learning needs of all pupils, teachers differentiate work. They work to meet individual learning needs and to mark work and plan homework effectively.

Where pupils are identified as having special educational needs, the school provides for these additional needs in a variety of ways. The provision for pupils is related specifically to their needs. A provision/deployment map records a graduated response to individuals.

The range of provision may include:

- \* in class support for small groups with an additional teacher or Teaching Assistant
- \* small group withdrawal with TA or Teacher.
- \* individual class support / individual withdrawal
- \* further differentiation of resources
- \* study buddies/cross age tutors
- \* homework/learning support club
- \* One Page Profile targets
- \* Interventions
- \* Provision of alternative learning materials/ special equipment
- \* Group support
- \* Provision of additional adult time in devising interventions and monitoring their effectiveness
- \* Staff development/training to undertake more effective strategies
- \* Access to Specialist Teaching and Educational Psychology Service, Learning Support Service or other support services for advice on strategies, equipment, or staff training,

## **6. MONITORING PUPIL PROGRESS**

Progress is the crucial factor in determining the need for additional support. Adequate progress is that which:

- \* Narrows the attainment gap between pupil and peers
- \* Prevents the attainment gap widening
- \* Is equivalent to that of peers starting from the same baseline but less than the majority of peers
- \* Equals or improves upon the pupil's previous rate of progress
- \* Ensures full curricular access
- \* Shows an improvement in self-help and social or personal skills
- \* Shows improvements in the pupil's behaviour

## **7. RECORD KEEPING**

The school will record the steps taken to meet pupils' individual needs. The SENCO will maintain the records and ensure access to them. In addition to the usual school records, the pupil's records will include:

- \* Information from parents
- \* Information on progress and behaviour
- \* Pupil's own perceptions of difficulties
- \* Information from health/social services
- \* Information from other agencies

## **8. TARGETS and ACTION PLANS**

All pupils on our SEND Register will have individual One Page Profiles setting out targets and any provision made that is additional to and different from usual classroom provision.

For pupils with an EHCP, provision will meet the recommendations on the plan. In subjects where all children have curriculum targets these are used to inform the One Page Profile. Curriculum targets are recorded in exercise books, homework diaries, target cards, Pupil Progress Books, etc.

Strategies for pupils' progress will be recorded in an individual One Page Profile containing information on

- \* Short-term targets
- \* Teaching strategies
- \* Provision made
- \* Date for review
- \* Success and/or exit criteria
- \* The outcomes recorded at review

The One Page Profile will record only that which is different from or additional to the normal differentiated curriculum, and will concentrate on three or four individual targets that closely match the pupil's needs. The One Page Profile will be created through discussion with both the pupil (age appropriately) and the parent or carer.

### **8.1 REVIEWING ONE PAGE PROFILES**

Individual One Page Profiles will be reviewed at regular intervals with the inclusion of parents, carers and pupils' views.

## **9. CODE OF PRACTICE GRADUATED RESPONSE**

The school adopts the levels of intervention as described in the SEN Code of Practice. The Code of Practice advocates a graduated response to meeting pupils' needs.

If the school decides, after consultation with parents, that a pupil requires additional support to make progress, the SENCO, in collaboration with teachers, will support the assessment of the pupil and have an input in planning future support and add the pupil to the SEND Register. The class teacher will remain responsible for planning and delivering individualised programmes. Parents will be closely informed of the action and results.

Placement of a pupil on the SEND Register will be made by the SENCO after full consultation with parents and a One Page Profile review. External support services may advise on targets for a new One Page Profile and provide specialist inputs to the support process.

One Page Profile intervention will usually be triggered when despite receiving differentiated teaching and a sustained level of support, a pupil:

- Still makes little or no progress in specific areas over a long period
- Continues to work at National Curriculum levels considerably lower (one year lower) than expected for a pupil at a similar age
- Continues to experience difficulty in developing literacy/numeracy skills
- Has emotional problems that substantially impede their learning
- Has sensory or physical needs requiring additional specialist equipment or visits/advice from specialists.
- Has communication or interaction problems that impede the development of social relationships, thus presenting barriers to learning

Parental consent is sought before any external agencies are involved. The resulting One Page Profile may incorporate specialist strategies. These may be implemented by the class teacher but involve other adults.

### **9.1 REQUEST FOR STATUTORY ASSESSMENT**

The school will request a Statutory Assessment from the LA when, despite an individualised programme of sustained intervention within SEN Support, and after completing a My Support Plan, the pupil remains a significant cause for concern. A Statutory Assessment might also be requested by a parent or outside agency. The school will have the following information available:

- Records from past interventions

- Current and past One Page Profiles
- Records and outcomes of regular reviews undertaken
- Information on the pupil's health and relevant medical history
- National Curriculum levels.
- Other relevant assessments from specialists such as support teachers and educational psychologists
- The views of parents
- Where possible, the views of the pupil
- Social Care/Educational Welfare Service reports
- Any other involvement by professionals

### **Education, Care and Health Plans**

An EHCP will normally be provided where, after a Statutory Assessment, the LA considers the pupil requires provision beyond what the school can offer. However, the school recognises that a request for a Statutory Assessment does not inevitably lead to an EHCP.

An EHCP will include details of Long Term Outcomes for the child. These are used to develop targets that are:

- \* Matched to the longer-term objectives set in the EHCP
- \* Of shorter term
- \* Established through parental/pupil consultation
- \* Set out in an One Page Profile
- \* Implemented in the classroom
- \* Delivered by the class teacher with appropriate additional support where specified

### **Reviews of an EHCP**

EHCPs must be reviewed annually. The LA will inform the head teacher at the beginning of each school term of the pupils requiring reviews. The SENCO will organise these reviews and invite:

- \* The pupil's parent
- \* The pupil if appropriate
- \* The relevant teacher
- \* A representative of the SEN Inclusion and Assessment Team
- \* The Educational Psychologist
- \* Any other person the SENCO or parent/carer considers appropriate

### **The aim of the review will be to:**

- \* Assess the pupil's progress in relation to the outcomes on the EHCP
- \* Review the provision made to meet the pupil's need as identified in the EHCP
- \* Consider the appropriateness of the existing EHCP in relation to the pupil's performance during the year, and whether to cease, continue, or amend it
- \* If appropriate to set new outcomes for the coming year

At Key Stage Phase transitions Reviews, receiving schools should be invited to attend in order to plan appropriately for the new school year. It also gives parents the opportunity to liaise with teachers from the receiving school.

Within the time limits set out in the Code, the SENCO will complete the annual review forms and send it, with any supporting documentation to the LA. The school recognises the responsibility of the LA in deciding whether to maintain, amend, or cease an EHCP of SEN.

## **10. PARTNERSHIP WITH PARENTS/CARERS**

The school aims to work in partnership with parents and carers. We do so by:

- keeping parents and carers informed and giving support during assessment and any related decision-making process about SEN provision
- working effectively with all other agencies supporting children and their parents
- giving parents and carers opportunities to play an active and valued role in their child's education
- making parents and carers feel welcome
- ensuring all parents and carers have appropriate communication aids and access arrangements
- providing all information in an accessible way
- encouraging parents and carers to inform school of any difficulties they perceive their child may be having or other needs the child may have which need addressing
- instilling confidence that the school will listen and act appropriately
- focusing on the child's strengths as well as areas of additional need
- allowing parents and carers opportunities to discuss ways in which they and the school can help their child
- agreeing targets for the child
- making parents and carers aware of the Parent Partnership services. This information will be included in with the new parent packs.
- involving parents in decision making as to how a pupil's individual budget may be allocated to provide support for their child.

## **11. INVOLVEMENT OF PUPILS**

We recognise that all pupils have the right to be involved in making decisions and exercising choice (SEN Code of Practice). Where appropriate all pupils are involved in monitoring and reviewing their progress. We endeavour to fully involve all pupils by encouraging them to:

- state their views about their education and learning, using The Child's Voice
- identify their own needs (self assessment and self evaluation, Assessment for Learning)
- share in individual target setting across the curriculum
- self-review their progress and set new targets

In addition pupils who are identified as having SEND are invited to participate in:

- One Page Profile discussions with Class Teacher and setting of individual targets
- Regular meetings with named adults
- Where appropriate, working with learning mentors
- Annual reviews

## **12. SPECIAL PROVISION**

The school has the following special facilities:

Signage in braille and pictorial;

Wheelchair access;

Disabled toilets with hand rails;

All mainstream classrooms are: carpeted (excluding cloakroom and practical areas), have rubber soled tables and chairs, high frequency lighting and acoustic ceiling tiles giving improved acoustic conditions for all pupils, and in particular, for hearing-impaired pupils.

Blinds and curtains in classrooms to reduce glare; (Important for lip-reading)

Ramps to outside doors to allow for wheelchair access;

Access to low vision aids;

Access to specialist aids, equipment or furniture;

Regular and frequent access to specialist support;

Individual adaptations will be made for specific pupils e.g. chair supports and individual work stations;

## **13. LINKS WITH EDUCATION SUPPORT SERVICES**

We aim to maintain useful contact with support services in Children and Young People's Services. For pupils on our SEND Register any one or more of the following agencies may be involved:

- \* Educational Psychology Service EPS
- \* Learning Support Service LSS
- \* Educational Welfare Service

The SENCO will maintain links with other SENCOs through the SENCO network meetings.

## **14. LINKS WITH OTHER SERVICES AND SCHOOLS**

Effective working links are maintained with:

Wakefield Education Psychology Service;

Learning Support Service;

Behaviour Support Service;

Social Services

Speech and Language Service;

Specialist Outreach Services;

Representatives from voluntary organisations and other external agencies are invited

to liaison meetings throughout the year to discuss SEND provision and progress and keep staff up to date with legislation.

In cases where a child is under observation or a cause for concern, focused meetings will be arranged with the appropriate agency. Parents will be invited to and informed about any meetings held concerning their child.

## **15. INSET**

In order to maintain and develop the quality of our provision, staff undertake appropriate training and further professional development. Recent courses and in service training opportunities undertaken are detailed in the Headteacher's report to governors each term.

## **16. RESOURCES**

The provision for SEN/AEN is funded through the main revenue budget for the school. Funds are deployed to implement the SEND policy.

## **17. COMPLAINTS**

If there are any complaints relating to the provision for pupils with SEN these will be dealt with in the first instance by the Headteacher. The chair of governors may be involved if necessary. In the case of an unresolved complaint the LA may be involved. Please see the school's Complaints Procedure.

## **18. REVIEW OF THE SEND POLICY**

The school considers the SEND Policy document to be important and, in conjunction with the Governing Body, undertakes a thorough review of both policy and practice every two years. The outcomes of this review are used to inform the School Improvement Plan.

### **The Disability Equality Duty (DED)**

The Equality Act 2010 places a general duty on schools, who need to have due regard for the following when carrying out their functions:

- Promoting equality of opportunity between disabled people and other people;
- Eliminating discrimination that is unlawful under the DDA;
- Eliminating harassment of disabled people that is related to their disability;
- Promoting positive attitudes towards disabled people;
- Encouraging participation in public life by disabled people;

- Taking steps to meet disabled people’s needs, even if this requires more favourable treatment.

This is also known as the Disability Equality Duty (DED) and applies to all disabled pupils, staff, parents and those using services provided by schools.

## **The Disability Equality Duty (DED)**

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### **Monitoring**

All aspects of school life will be monitored to identify whether there is an adverse impact on children and young people with disabilities. The following will be monitored annually:

- Achievement of pupils by disability.
- Disabled staff (including numbers, type of disability and satisfaction rates in staff surveys etc.)

### **Additional implications for schools:**

#### **The role of a school as a service provider**

We have additional implications as a service provider to make our buildings accessible when we hire out rooms or parts of the building.

#### **Contact with parents and carers**

When providing newsletters and information for parents and carers, we will try to make this information available in accessible formats.

Additionally, events for parents and carers such as open evenings, meetings with teachers, will be held in accessible parts of the building.

#### **Hiring transport**

When hiring transport, Section 6 of the Act puts new duties on transport providers, including the bus and coach companies, and the taxi and private hire car trade. The requirement to provide accessible vehicles is extended to include these transport providers. Bus companies will not be able to refuse a job because, for example, it may take longer to pick up disabled students.

## **Election of parent governors**

The election of parent governors is also covered by the Equality Act 2010, and the Governing Body will ensure that the procedures for candidates to stand for election and for parents to vote for candidates are accessible to disabled people. However, the result of the election is not covered and disabled candidates will not be able to claim that they were not elected simply because they were disabled. Once a disabled parent governor is elected, our school Governing Body functions in relation to that parent are covered and we will ensure that they can participate fully in school life.

## **Involvement and consultation**

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The school has consulted with disabled pupils, staff and carers in the development of our SEND and Equality Scheme by:

Consultation with disabled staff, parents and carers to determine their priorities for the school with regard to disability equality over the next three years by way of questionnaires with feedback slips, assemblies and lessons in class and focus groups with parents.

## **Making things happen**

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In order to ensure that action is taken to meet the Disability Equality Duty, we have drawn up an action plan to make things happen, which outlines how the requirements of the Equality Act 2010 will be met. This action plan has been shaped in consultation with disabled people as outlined in the previous section, and may include some of the good practice examples below.

### **Good practice examples**

The following examples were gathered from Special Educational Needs Co-ordinators at other schools, and provide good practice suggestions on how disability equality can be promoted in a school environment.

#### **Promoting equality of opportunity between disabled people and other people.**

- Increase awareness of the ways in which parents of disabled children and young people can help to support their learning, for example through

workshops.

- Ensuring that the talents of disabled pupils are represented accordingly through the Gifted and Talented Register.

### **Eliminating discrimination that is unlawful under the Equality Act and harassment of disabled people that is related to their disability.**

- Monitor incidents of harassment and bullying of disabled pupils. Encourage pupils to report and take action against offenders.
- If a number of incidents have been prevalent within a particular year group, use circle time, story time or assembly to investigate and address the issue with all pupils.

### **Promoting positive attitudes towards disabled people.**

- Use the school environment to promote positive attitudes to disability.
- Celebrate and highlight key events such as the Deaf Awareness Week.

### **Encouraging participation in public life by disabled people.**

- Ensure that disabled pupils are represented and encouraged to participate in class assemblies, plays, events and on the school council.

### **Monitoring and Reporting**

The impact of the action taken to ensure that progress is being made towards meeting the Disability Equality Duty will be monitored by the Governing Body, to ensure that no adverse impact is occurring as a result of the actions.

## **WHAT WE MEAN BY EQUALITY?**

At the heart of Catholic education is the Christian vision of the human person. We at English Martyrs Catholic Primary School believe that the human individual is created '*in the image of God*' (Genesis 1: 27) and that '*being in the image of God, the human individual possesses the dignity of a person, who is not just something but someone*' (CCC. 357). '*We believe each person possesses a basic dignity that comes from God*' and from Christ Jesus, the Son of God, who became one of us (John 1: 14) '*and not from any human quality or accomplishment, not from race, or gender, age or economic status*' (The Common Good in Education, Catholic Education Service, p. 6, 1997).

This Christian vision, derived from Christ, his Church and Scripture, is expressed and explored in the Catholic life of our school and understood as a '*work of love*' (The Catholic School on the Threshold of the Third Millennium, §15). Through Christ's command to '*love*

*one another as I have loved you' (John 15: 12)* we understand equality to mean treating everyone with equal dignity and worth valuing their particular characteristics such as their age, disability, gender, ethnicity, religion or belief, sexual orientation and socio-economic circumstances.

In his teachings and actions, Christ focused on the poor and vulnerable in society and purposely included in his ministry those who were excluded by prejudice and discrimination. Following Christ's example we further understand that people have different needs, situations and goals and therefore achieving equality requires the removal of discriminatory barriers that limit what people, especially children and young people can do and can be. We recognise that inequality can be experienced in a variety of ways such as through outcomes, access to services, the degree of independence to make decisions affecting lives and inequality of treatment, including in relation to employment, through direct and indirect discrimination or disadvantage imposed by other individuals, groups, institutions or systems intentionally or inadvertently.

## **OUR GUIDING PRINCIPLES**

In fulfilling the legal obligations outlined further on in this scheme, we at English Martyrs Catholic Primary School are guided by seven principles which are underwritten by the theological foundations outlined above.

### **Principle 1: all members of the school and wider community are of equal value**

We see all members of the school and wider community of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or socio-economic circumstances
- whichever their gender and sexual orientation
- whatever their age

### **Principle 2: we recognise and respect diversity**

Treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences in 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 recognised
- gender and sexual orientation so that the different needs and experiences of girls and boys, women and men are recognised.
- age

**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 socio-economic circumstances, and an absence of prejudice-related bullying and incidents
- mutual respect and good relations between boys and girls, women and men, and an absence of sexual harassment
- positive intergenerational attitudes and relationships.

**Principle 4: we will ensure that the recruitment, retention and ongoing development of staff is undertaken in a fair and equitable manner to support our school's vision and values**

*'The Catholic Church has always deplored the treatment of employment as nothing more than a form of commercial contract. This leads to a sense of alienation between the worker and his or her labour ... Work is more than just a way of making a living: it is a vocation, a participation in God's creative activity. When properly organised and respectful of the humanity of the worker, it is also a source of fulfillment and satisfaction.'* (The Common Good in Education, Catholic Education Service, p. 18, 1997)

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 socio-economic circumstance
- whichever their gender and sexual orientation

- whatever their age

\*Employment: the Equality Act 2010 provides that for schools with a religious character it will not be unlawful discrimination to do things permitted by the School Standards and Framework Act 1998. The existing exemptions as they relate to schools with a religious character are therefore retained. This means for Catholic schools that, in common with other voluntary aided schools with a religious character, they may give preference in connection with the appointment, remuneration or promotion of teachers at the school, to those whose religious beliefs or religious practice is in accordance with the tenets of their denomination, i.e. the Roman Catholic faith. Likewise they may give similar preference to those who give or who are willing to give religious education at the school in accordance with the tenets of the Catholic Church.

Conduct of a teacher which is incompatible with the precepts of the Church, or which fails to uphold its tenets, may be taken into consideration in determining whether the teacher's employment should be terminated. In addition, the governing body of a voluntary aided school, (like other schools with a religious character) has the power to dismiss an RE teacher, without the consent of the local authority, on the grounds that s/he fails to give religious education efficiently and suitably.

Preference can therefore be given to practising Catholics in appointments to teaching posts and this has also been extended to allow preference to be given to practising Catholics in non-teaching posts where there is a genuine Occupational Requirement. This latter point in relation to support staff is set out in Schedule 9(3) of the Equality Act 2010 which states that 'where the employer has an ethos based on religion or belief they do not contravene the Act by applying a requirement to be of a particular religion or belief if having regard to the nature of the work it is an occupational requirement and is a proportionate means of achieving a legitimate aim.' This right was termed a 'genuine occupational requirement' in previous guidance see Diversity and Equality Guidelines, Appendix II, p. 16, Catholic Bishops' Conference of England & Wales, 2005.

At English Martyrs Catholic Primary School it is an occupational requirement that the most senior roles i.e. the posts of Headteacher, Deputy Headteacher and RE Co-ordinator be filled by a baptised and practicing Catholic in good standing with the Church.

#### **Principle 5: we aim to reduce and remove inequalities and barriers that already exist**

In addition to avoiding or minimising possible negative impacts, 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 and socio-economic backgrounds

- girls and boys, women and men
- people of different sexual orientation
- people whatever their age (where appropriate)

**Principle 6: We consult widely**

People affected by a policy or activity should be consulted and involved in the design of new policies, and in the review of existing ones. We involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious and socio-economic backgrounds
- both women and men, and girls and boys.
- people of different sexual orientation
- people from different age groups

**Principle 7: the community 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 and socio-economic backgrounds
- both women and men, girls and boys.
- people of different sexual orientation
- people of different ages and between generations

**Principles in themselves are not enough**

In the light of the principles stated above, we have identified practical priorities and plans of specific action, in order to promote equality in:

- disability
- ethnicity
- gender
- sexual orientation\*
- religion and belief
- age
- socio-economic circumstances

*\*'The Catholic community includes people of heterosexual, homosexual and bi-sexual orientation. Every human being, whatever his or her sexual orientation, has the right to live a life free from discrimination and harassment ... Moreover, people of all sexual orientations have a right to take a full and active part in the life of the Catholic community. Catholic teaching, of course, makes a distinction between sexual orientation and sexual activity, and it holds that all men and women are called to a life of chastity, and to fidelity if they choose to marry. Catholic organisations and institutions ask their members and staff to respect this teaching.'* (Diversity and Equality Guidelines, paragraphs 28-29, Catholic Bishops' Conference of England & Wales, 2005)

These are outlined in our School Development Plan, in particular Priority 1b, 2c and 4, and the Single Equality Protocols (Appendix 1).

## **ACTION PLANS**

We recognise that the actions resulting from a policy are what make a difference. Each year we draw up an action plan within the framework of the overall school improvement plan, setting out the specific actions and projects we shall undertake to implement the principles above.

Our current action plan is set out in our Single Equality Scheme Action Plan.

## **THE CURRICULUM**

We will actively seek opportunities to review the curriculum (including the hidden curriculum) and curriculum subject or areas in order to ensure that teaching and learning reflect the seven principles outlined above.\*

\*Curriculum: the content of the curriculum is excluded from discrimination law following the Equality Act 2010. The Act does, however, explicitly include the delivery of the curriculum i.e. the way in which education is provided. Schools will need to ensure that the way in which issues are taught does not subject individual pupils to discrimination. Catholic schools can, as before, teach in line with their religious ethos and 'provided that their beliefs are explained in an appropriate way in an educational context that takes into account existing guidance on the delivery of Sex and Relationship Education and Religious Education then schools should not be acting unlawfully. Further that it would not be unlawful for a teacher in any school to express personal views on sexual orientation

provided that it is done in an appropriate manner and context.’ (draft guidance from the DfE cited in Equality Act 2010, Guidance Note, CES, July 2011).

We will ensure staff are offered the opportunity to engage in appropriate training and development to support the achievement of the seven principles.

## **ETHOS AND ORGANISATION**

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

- learners' progress, attainment and assessment
- learners' and staff personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance\*
- staff and governor 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.
- Participation of groups in wider school activities
- Preparing all members of the learning community for living and positively contributing to a diverse society

\*Admissions: under the provisions of the Equality Act 2010, Catholic schools may continue to give priority to Catholics where the school is oversubscribed in accordance with the provisions of the School Admission Code.

## **ADDRESSING PREJUDICE AND PREJUDICE-RELATED BULLYING**

The school is opposed to all forms of prejudice which stand in the way of fulfilling legal duties for all aspects of equality:

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

Procedures are in place to record, respond to and monitor prejudice related incidents. These are in line with our Behaviour and Bullying Policy. 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 and how they were dealt with in line with existing and future legal requirements.

## **ROLES AND RESPONSIBILITIES**

The governing body is responsible for ensuring that the school complies with current legislation, and that this policy and its related procedures and strategies are implemented.

A dedicated member (Mrs Annemarie Glover) of the governing body has a watching brief regarding the implementation of this policy.

The head teacher is responsible for implementing the policy; for ensuring that all staff, governors and visitors 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 has 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
- challenge and deal with any prejudice-related incidents that may occur
- identify and challenge bias and stereotyping in the curriculum
- support pupils in their class for whom English is an additional language
- keep up-to-date with equalities legislation relevant to their work.
- Pupil's have the opportunity to have their voices heard with regards to equality issues

## **Visitors and Contractors**

The school governors and the Headteacher will ensure that any school visitor or contractor understands and complies with the school's Equality policy

## **Pupils – Personal Development, Attainment and Progress:**

- The school has equally high expectations of all pupils and is committed to encouraging and enabling all pupils to achieve the highest standards.
- The school recognises and values all forms of achievement.
- Pupil attainment and progress is monitored and evaluated to identify trends and patterns of underachievement.
- Pastoral support takes account of religious and ethnic differences, and the experiences and needs of particular groups of pupils such as BAME, EAL, Travellers, refugees/asylum seekers.. We currently employ a child and family support worker for 2 days per week from Catholic Care.
- The school will provide support to any pupil who experiences racism or racial harassment whilst on work experience and take action to ensure that it does not re-occur.
- Appropriate support will be given to victims of racism and racial harassment, using the support of external agencies where appropriate.
- Personal Development is also contributed to under our Statements To Live By.

## **INFORMATION AND RESOURCES**

We ensure that the content of this policy is known to all staff and governors and, as appropriate, to all pupils and parents and carers.

All 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.\*

\*The daily act of collective worship is not covered by the religion or belief provisions of the Act, which means that schools will not be acting unlawfully if they do not provide an equivalent act of worship for other faiths. For maintained schools a daily act of collective worship remains a mandatory requirement. It continues to be the case that in any maintained school collective worship is to be *wholly or mainly of a broadly Christian character* except where a determination otherwise has been successfully obtained.

A school must of course comply with any request by a parent for a pupil to be wholly or partly excused from attending RE. Parents have the right to withdraw their children from collective worship.

The character and content of collective worship in a voluntary aided school continues to be determined by the governing body and for a VA school with a religious character will be in accordance with the schools trust deed or in accordance with the beliefs of the religion or denomination specified for the school. For Catholic schools this will be in accordance with the teachings of the Catholic Church.

Schools are also free to celebrate religious festivals and would not be discriminating against children of other faiths e.g. putting on a nativity play. Further, Catholic schools will still be able to mark or celebrate events specific to their religion and ethos. Parents, guardians or carers will not be able to claim that their children have been discriminated against simply because an equivalent celebration of events of significance to their particular religion is not arranged.

## **STAFF DEVELOPMENT AND TRAINING**

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

## **BREACHES OF THE POLICY**

1. Breaches of this scheme will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the head teacher and governing body.

## **MONITORING AND EVALUATION**

2. We collect study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.
3. In particular we collect, analyse and use data relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin, socio-economic circumstances, gender and age.
4. To review good practice we make use of a range of auditing schedules.

## **DEVELOPING AND IMPLEMENTING THE POLICY.**

Key to this process for our school is the implementation of **Equality Impact Assessments (EQUIAs)**

We use this tool as a common sense measure of determining whether a policy, practice or project will impact on all groups equally or whether it potentially may have a differential impact on one or more particular group (either positively or negatively). It helps us to ensure that there is no unlawful discrimination against certain individuals or groups and those positive duties are promoted equally. It is a way to ensure we meet the diverse needs of our pupils/students and staff and that diversity, equality and inclusion run through all areas of school life.

School Policies that have been ratified by the Governing Body have been considered for the impact they may have on equality and diversity.

## LEGAL DUTIES

1. We welcome our duties under the Race Relations 1976 as amended by the Race Relations Amendment Act 2000; the Disability Discrimination Acts 1995 and 2005; and the Sex Discrimination Act 1975 as amended by the Equality Act 2006 and the Equalities Act 2010.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these four sets of duties are essential for achieving the five outcomes of the Every Child Matters framework, and that they 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. Summaries of our legal obligations under the three main equality strands of disability, ethnicity and gender are outlined below. After each of the three equality strand we have also outlined the outstanding key issues for our school to address as priorities for the forthcoming three years, which will be included in our action plan as well highlighting the successful impact we have already had in our school.

## SUMMARY OF LEGISLATIVE REQUIREMENTS

### The legal frameworks

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Equality impact assessments of new policies have been required since 2002 in the case of ethnicity, since 2006 in the case of disability, and since 2007 in the case of gender. The requirements are contained within frameworks which distinguish between a) 'the general duty' and b) 'specific duties'.

A further distinction is drawn between a) specific duties concerned with policy development and service delivery and b) those concerned with employment.

The three main frameworks are summarised in below. As first published, they are:

The Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005  
Statutory Instrument 2005 No. 2966

The Race Relations Act 1976 (Statutory Duties) Order 2001  
Statutory Instrument 2003 No. 3458

The Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006  
Statutory Instrument 2006 No. 29

# **FOR REFERENCE ONLY**

## **DISABILITY EQUALITY – Please also refer to the Disability Equality Policy**

### ***The general duty***

The Disability Discrimination Act 1995, as amended by the Disability Discrimination Act 2005, places a general duty on public authorities to promote disability equality. The duty came into force on 4 December 2006 and requires public authorities to:

- promote equality of opportunity between disabled persons and other persons
- eliminate unlawful discrimination
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life
- take steps to take account of disabled persons' disabilities, even where that involves treating disabled people more favourably.

### ***Specific duties***

The specific duties relating to policy development and service delivery require public authorities to:

- produce and publish a disability equality scheme (DES) demonstrating how they intend to fulfil their general and specific duties
- involve disabled people in the development of the scheme
- produce an action plan setting out the key actions an authority will take to promote disability equality
- explain the methods they use for assessing the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality for disabled persons
- assess and consult on the likely impact of proposed policies on the promotion of disability equality
- monitor policies for any adverse impact on the promotion of disability equality

- publish the results of these assessments, consultation and monitoring
- report annually on the progress of the action plan
- review the scheme every three years.

As an employer, the local authority has a specific duty to monitor the effect of its policies and practices on disabled people and in particular, the effect on the recruitment, development and retention of disabled employees.

## **FOR REFERENCE ONLY**

### **RACE EQUALITY**

In 2001, the Race Relations Act 1976 was amended to give public authorities a new statutory duty to promote race equality.

#### ***The general duty***

The general duty requires public authorities to have due regard to the need to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between persons of different racial groups.

#### ***Specific duties***

The specific duties relating to policy development and service delivery are to do with the content of a race equality scheme (RES). Schemes should set out an authority's functions and policies, or proposed policies that are assessed as relevant to the general duty to promote ethnicity equality and should set out an authority's arrangements for:

- assessing and consulting on the likely impact of its proposed policies on the promotion of race equality
- monitoring its policies for any adverse impact on the promotion of race equality
- publishing the results of such assessments and consultation
- ensuring public access to information about the services that it provides
- training staff in connection with the general and specific duties
- reviewing the scheme every three years.

The specific duties covering an authority's role as an employer are to:

- monitor by ethnicity the numbers of staff in post and the applicants for employment, training and promotion.
- monitor by ethnicity the numbers of staff who receive training; benefit or suffer detriment as a result of performance assessment procedures; are involved in grievance procedures; are the subject of disciplinary procedures; cease employment
- report and publish annually the results of staff monitoring, and actions taken towards achievement of overall ethnicity equality objectives.

## **FOR REFERENCE ONLY**

### **GENDER EQUALITY**

#### ***The general duty***

The Equality Act 2006 amends the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women

#### ***Specific duties***

The specific duties relating to policy development and service delivery require public authorities to:

- produce and publish a gender equality scheme (GES) showing how they will meet the general and specific duties and setting out their gender equality objectives
- gather and use information on how their policies and practices affect gender equality
- assess the impact of their policies and practices, or the likely impact of their proposed policies and practices, on equality between women and men
- consult stakeholders in the development of the scheme
- assess functions and policies, or proposed policies, which are relevant to gender equality

- implement the actions set out in the scheme within three years
- report annually on the progress of the action plan
- review the scheme every three years.

The specific duties covering an authority's role as an employer are to:

- consider the need to have objectives that address the causes of any differences between the pay of men and women that are related to their sex
- gather and use information on how its policies and functions affect gender equality in the workforce.

## **FOR REFERENCE ONLY**

### **COMMUNITY COHESION**

*'An insight of Christian faith in the Trinity is the knowledge that the desire to belong to human society is God-given. Human beings are made in the image of God, and within the one God is a divine society of three Persons, Father, Son and Holy Spirit. Communities are brought into being by the participation of individual men and women, responding to this divine impulse towards social relationships – essentially, the impulse to love and to be loved – which was implanted by the God who created them.'* (The Common Good in Education, p.6, 1997)

*'Christ taught us that our neighbourhood is universal: so loving our neighbour has global', as well as local and regional, 'dimensions... Christ challenges us to see his presence in our neighbour, especially the neighbour who suffers or who lacks what is essential to human flourishing... In meeting our neighbour's needs, we are also serving Christ. For the Christian, therefore, there can be no higher privilege and duty'.* The Common Good and the Catholic Church's Social Teaching, Bishops' Conference of England & Wales, paragraphs 12 & 14, 1996.

Consequently, for the Catholic community, striving for a cohesive society is essential to human flourishing. Since September 2007 all schools have had a duty to contribute to 'working towards a society in which there is a common vision and sense of belonging by all communities; a society in which the diversity of people's backgrounds and circumstances is appreciated and valued; a society in which similar life opportunities are available to all; and a society in which strong and positive relationships exist and continue to be developed in the work place, in schools and in the wider community' (Guidance on the duty to promote community cohesion, Department for Children, Schools & Families, 2007).

We at English Martyrs Catholic Primary School, in light of our Catholic life and character and the insights gained from Catholic social teaching, make this contribution by creating opportunities, through the curriculum and otherwise, for pupils to interact with those from different backgrounds to themselves to enrich their understanding of community and diversity.

We recognise that a school's community is defined through 4 dimensions:

- the school community,
- the community within which the school is located, including the Parish Community.
- the UK community,
- the global community.

We at English Martyrs Catholic Primary School understand that there are links between the duty to promote community cohesion and the duty to promote equality through the interplay of *subsidiarity* and *solidarity*, although each has a distinctive focus. Through subsidiarity equality can be increased when people at every level of an organisation are given power to make decisions. *'Solidarity means the willingness to see others as another self, and so to regard injustice committed against another as no less serious than an injustice against oneself'* (The Common Good and the Catholic Church's Social Teaching, paragraph 22 & 23).

We recognise that our school's contribution to community cohesion should be organised under three main headings:

### **1. Teaching, learning and curriculum**

- helping children and young people to learn to understand others
- to value diversity whilst also promoting shared values
- to promote awareness of human rights and to apply and defend them
- to develop the skills of participation and responsible action

### **2. Equity and excellence**

- a. to ensure equal opportunities for all to succeed at the highest level possible
- b. striving to remove barriers to access and participation in learning and wider activities
- c. working to eliminate variations in outcomes for different groups

### **3. Engagement and extended services**

- to provide reasonable means for children, young people, their friends and families to interact with people from different backgrounds
- build positive relationships
- receive services which build positive interaction and achievement for all groups

## **FOR REFERENCE ONLY**

### **EQUALITY ACT 2010 AND OTHER EXISTING EQUALITY LEGISLATION**

We at English Martyrs Catholic Primary School will also comply with, and have due regard to, the following equalities legislation:

#### **The Equality Act 2010**

The Equality Act has put a new single Equality duty on public bodies. The duty requires public bodies to think about the needs of everyone who uses their services or works for them, regardless of race or ethnicity, or any other protected characteristic such as disability or religion.

The act protects people from discrimination on the basis of “protected characteristics” (which previously used to be called grounds). The relevant characteristics for services and public functions are:

- **Disability** (definition changed)

The protected characteristic of disability applies to a person who has a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day to day activities.

To qualify for protection from discrimination a disabled person no longer has to show that their impairment affects a particular “capacity” such as mobility or speech, hearing or eyesight. Direct discrimination has been extended to cover disability

- **Gender re-assignment** (definition changed)

The protected characteristic of gender re-assignment will apply to a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. To qualify for protection from discrimination a transsexual person no longer has to show that they are under medical supervision as it is considered a personal process rather than a medical process which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with.

- **Pregnancy and maternity** (no change)

Pregnancy and maternity is not a protected characteristic for the purposes of the schools provisions but it is covered by other requirements which means that schools are prohibited from restricting access to education on the grounds pregnancy and maternity status

- **Race** (no change)

Race includes ethnic or national origins, colour or nationality. People can belong to one or more of these groups at the same time and the one which is relevant to a particular situation depends on the circumstances.

- **Religion or belief** (no change)

The protected characteristic of religion or belief includes any religion or belief and any religious or philosophical belief. It also includes any lack of such religion or belief. A religion need not be mainstream or well known to gain protection as a religion, although it must be identifiable and have a clear structure and belief system.

Faith schools and educational institutions with a religious ethos may in some limited circumstances favour pupils or students because of their religion.

- **Sex** (no change)

A person's sex refers to the fact that they are male or female. You must not treat a woman or a girl worse than you would treat a man or boy. You must not treat a man or boy worse than you would treat a woman or a girl in the same circumstances.

- **Sexual orientation** (no change)

Everyone is protected from being treated worse because of sexual orientation whether they are straight, gay, lesbian, or bisexual. Sexual orientation discrimination also covers discrimination connected with expressions or manifestations of a person's sexual orientation. That may include someone's appearance, the places they visit or the people they associate with.

- **Age** (no change)

Under the schools provisions of the Act age is excluded from the list of protected characteristics.

An integrated public sector Equality duty encourages public bodies to address the needs of groups experiencing disadvantage or discrimination on a number of grounds including the new socio-economic duty. It also extends the use of positive action in the workplace. The Equality Act also introduce a dual discrimination provision which enables people to bring claims where they have experienced less favourable treatment because of a combination of two protected characteristics. Further clarity regarding these issues and many others,

particularly in relation to employment matters are likely to be much clearer when the codes of practice are published in January 2011.

The **Employment Equality Regulations 2003** protect employees from discrimination because of their actual or perceived religion or belief.

Discrimination is unlawful in relation to:

- recruitment and selection
- terms and conditions of employment offered and or applied
- opportunities for training, training itself, job promotions and transfers
- harassment and victimisation
- dismissal, including redundancy
- post employment, for example provision of references

The **Employment Equality (Sexual Orientation) Regulations 2003** and the subsequent Equality Act (Sexual Orientation) Regulations 2007 protect employees and consumers from discrimination because of their actual or perceived sexual orientation.

Once seen as a peripheral issue of little relevance to the core business of public bodies, sexual identity has been brought centre stage by legislative and societal developments. The Equality Bill will mean that public authorities will have a single public duty, which will extend the current public duties to age, sexual orientation, religion or belief, gender reassignment. It also includes pregnancy and maternity. Public authorities will have a duty to promote 'positive action'.

#### **Gender Recognition Act 2004**

The purpose of the Act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate (GRC) by a gender recognition panel. The holder of a GRC is not obliged to inform their employer that they have one, but if they choose to do so this information on their gender history must be established as protected information. Trans people are protected by the Sex Discrimination Act 1975, as amended by the Sex Discrimination (Gender Reassignment) Regulations 1992 and the Sex Discrimination (Amendment of Legislation) Regulations 2008

#### **Human Rights Act 1998 and Article 14 of the European Convention on Human Rights**

Article 14 refers to the prohibition of discrimination and states that the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any grounds such as "sex, race, colour, language, religion, political, or other opinion, national or social origin, association with a national minority, property, birth or other status"

#### **Part 2 of the Equality Act 2006**

Part 2 of the Equality Act 2006 came into force in April 2007 and makes it unlawful for providers of goods, facilities and services to discriminate in grounds of religion or belief.

## **Employment Equality (Age) Regulation 2006**

This came into force in October 2006 and it protects against discrimination on grounds of age in employment and vocational training. The regulations prohibit direct and indirect discrimination, victimisation, harassment and instructions to discriminate. The regulations cover recruitment, terms and conditions, promotions, transfers, dismissals and training.

## **The Equality Act (Sexual Orientation) Regulations 2007**

Made under section 81 of the Equality act 2006, the Equality Act (Sexual Orientation) Regulations 2007, make it unlawful for providers of goods, facilities or services to discriminate on grounds of sexual identity.

### **Glossary:**

#### **Diversity is**

- about including everyone
- valuing differences
- harnessing differences in individuals to the benefit of both the organisation and the individual, by allowing people with different perspectives and views to use their unique blend of skills and character to improve the quality and performance of the organisation
- having a better understanding of the diverse needs of our community

#### **Duty**

A mandatory and legal obligation to do something

#### **Promote**

Contribute to the progress and growth of....

Make publicity for.....

## **Equality and Human Rights Commission (EHRC)**

This new body brings together the Equal Opportunities Commission, the Disability Rights Commission and Commission for Race Equality; it also serves as a national body for age, religion and belief and sexual discrimination as well as human rights.

### **What is meant by discrimination?**

Generally “discrimination” means treating someone with a protected characteristic worse than someone who does not have this characteristic would be treated in the same situation. The worse treatment must be because of that characteristic.

Discrimination can take a number of forms:

- “direct” or
- “indirect” or
- failure to make reasonable adjustments for disabled people or
- “discrimination arising from disability” or

- discrimination because of “association” with someone who has a protected characteristic, or
- discrimination because a person is thought to have a protected characteristic whether correctly or incorrectly (“perceived”)

People are also protected from:

- harassment related to a protected characteristic
- victimisation because they have, or their education provider thinks they have, made or helped make a complaint about discrimination, unless they know the complaint was not true.

### **Direct discrimination**

Direct discrimination happens when an education provider treats a pupil or student (or an applicant for admission) worse than they treat or would treat another pupil or student (or applicant) because of a protected characteristic.

Direct discrimination also includes less favourable treatment of a person based on a stereotype relating to a protected characteristic, whether or not the stereotype is accurate. It is not direct discrimination against a non disabled person to treat a disabled person better.

Education providers must not treat someone worse because of a combination of two protected characteristics than they would treat someone who did not have either of these characteristics; this is known as combined characteristics.

### **Combined discrimination**

Sometimes, a person may experience worse treatment than someone else because of combination of the protected characteristics they have:

There may be an interaction between two or more than two of a person’s characteristics, but a claim for combined discrimination will only look at a combination of two of them.

### **Indirect discrimination**

People’s experiences and opportunities in education can be affected by an education provider’s rules or ways of doing things. Indirect discrimination takes place when the same rule or way of doing things is applied to everyone. The rule or way of doing things may not appear to have a different or worse impact on people with a protected characteristic but does so in reality.

### **Victimisation**

If an education provider treats a person badly because they have taken a particular action related to the Equality Act 2010 (or because they suspect the person has taken or will be taking such action), this will be victimisation, and is against the law. The protection covers anyone, whether or not they have a protected characteristic, if they do something in relation to making a complaint of discrimination and you treat them badly.

### **Harassment**

Harassment in the Equality Act 2010 means:

- Unwanted behaviour which has purpose or effect of:
- Violating the dignity of another person: or
- Creating for that person an intimidating, hostile, degrading and humiliating or offensive environment

Unwanted behaviour can include any kind of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

### **Positive action**

"Positive action" means the steps that an education provider is allowed (but not required) to take to encourage people with a protected characteristics from groups with different needs or a past track record of disadvantage or low participation to access education.

**SINGLE EQUALITY (PUBLIC SECTOR) DUTY**  
**PROTOCOLS**

We demonstrate:

**Proactive Approach in Identifying, Addressing and Eliminating Discrimination:**

Zero tolerance towards Racism and Bullying incidents, supported by school policies. Whole school assemblies on Racism, Bullying and Accepting Difference. Presentation on Traveller/Gypsy Roma children and Young Carers. Study of World Faith Religions. Racist and Bullying incidents reported to Governing Body on a monthly basis. Assemblies on Young Carers. Regular Safeguarding Meetings with Governing Body.

**Promoting Equality of Opportunity and Good Relations Between People from Different Equality Groups:**

Gender Equality Policy in place within school. Zero tolerance towards Racist Incidents. Ensuring pupils from different equality groups are invited to After School Clubs. Monitoring to ensure BAME and Free School Meals pupils' participation in after school clubs is proportionate to school population.

As a school, we aim to:

**Narrow the Gap in Performance of Boys and Girls:**

High quality first wave teaching, monitored by Senior Management Team. Regular scrutiny of pupil progress. Intervention strategies for pupils who are not on track to meet targets.

**Narrow the Gap in Performance of BAME Pupils:**

High quality first wave teaching, monitored by Senior Management Team. Regular scrutiny of pupil progress. Intervention strategies for pupils who are not on track to meet targets.

**Increase Understanding Between Religious Groups:**

School Statements To Live By. Whole school teaching through The Way, The Truth and The Life Religious Education programme.

**Monitor and Reduce Racist Incidents:**

Regular monitoring and scrutiny of Racist Incident Log. Direct action taken in event of a Racist Incident, including parental involvement. Racist Incidents reported to Governing Body on a monthly basis.

**Increase Awareness and Understanding of People with Disabilities:**

Whole School Presentation by outside agencies on awareness and understanding of pupils with disabilities. Monitored register of pupils with disabilities.

## Appendix 2

### **INCLUSION**

The mission statement of our school talks of valuing the individuality of all of our children. We are committed to giving all of our children every opportunity to achieve the highest of standards. We do this by taking account of pupils' varied life experiences and needs. We offer a broad and balanced curriculum and have high expectations for all children. The achievements, attitudes and well-being of all our children matter. This policy helps to ensure that this school promotes the individuality of all our children, irrespective of ethnicity, attainment, age, disability, gender or background.

Our school aims to be an inclusive school. We actively seek to remove the barriers to learning and participation that can hinder or exclude individual pupils, or groups of pupils. This means that equality of opportunity must be a reality for our children. We make this a reality through the attention that we pay to the different groups of children within our school:

- girls and boys;
- minority ethnic and faith groups;
- children who need support to learn English as an additional language;
- children with special educational needs;
- children with disabilities;
- able, gifted and talented children;
- children who are at risk of disaffection or exclusion;
- travellers and Roma families
- asylum seekers.

The National Curriculum is our starting point for planning a curriculum that meets the specific needs of individuals and groups of children. We meet these needs through:

- setting suitable learning challenges;
- responding to children's diverse learning needs;
- overcoming potential barriers to learning and assessment for individuals and groups of pupils;
- providing other curricular opportunities outside the National Curriculum to meet the needs of individuals or groups of children.

We achieve educational inclusion by continually reviewing what we do, through asking ourselves these key questions:

- do all our children achieve their best?
- are there differences in the achievement of different groups of children?
- what are we doing for those children who we know are not achieving their best?
- are our actions effective?
- are we successful in promoting racial harmony and preparing pupils to live in a diverse society?

We aim to give all our children the opportunity to succeed and reach the highest level of personal achievement. We analyse the attainment of different groups of pupils to ensure that all pupils are achieving as much as they can. We also make ongoing assessments of each child's progress. Teachers use this information when planning their lessons. It enables them to take into account the abilities of all their children. For some children, we use the programmes of study from earlier key stages. This enables some of our children to make progress in their own lessons, perhaps after significant amounts of time spent away from school.

When the attainment of a child falls significantly below the expected level, teachers enable the child to succeed by planning work that is in line with that child's individual needs. Where the attainment of a child significantly exceeds the expected level of attainment, teachers use materials from a later key stage, or extend the breadth of work within the area or areas for which the child shows particular aptitude. Teachers are familiar with the equal opportunities legislation covering race, gender and disability.

Teachers ensure that all children:

- feel secure and know that their contributions are valued;
- appreciate and value the differences they see in others;
- take responsibility for their own actions;
- are taught in groupings that allow them all to experience success;
- use materials that reflect a range of social and cultural backgrounds, without stereotyping;
- have a common curriculum experience that allows for a range of different learning styles;
- have challenging targets that enable them to succeed;
- participate fully, regardless of disabilities or medical needs.

### ***Children with disabilities***

Some children in our school have disabilities. We are committed to meeting the needs of these children, as we are to meeting the needs of all groups of children within our school. The school fully meets the requirements of the Equality Act 2010. All reasonable steps are taken to ensure that these children are not placed at a substantial disadvantage compared with non-disabled children.

The school is committed to providing an environment that allows disabled children full access to all areas of learning. All our classroom entrances are wide enough for wheelchair access, and the designated points of entry for our school also allow wheelchair access. We have a disabled toilet and a medical room with changing facilities and shower.

Our Access Plan identifies how we intend to increase the extent to which disabled pupils can take advantage of all that our school has to offer.

Teachers modify teaching and learning expectations as appropriate for children with disabilities. Teachers ensure that the work undertaken by disabled children:

- takes account of their pace of learning and the equipment they use;
- takes account of the effort and concentration needed in oral work, or when using, for example, vision aids;
- is adapted or offers alternative activities in those subjects in which children are unable to manipulate tools or equipment, or use certain types of materials;
- allows opportunities for them to take part in educational visits and other activities linked to their studies;
- includes approaches that allow hearing-impaired children to learn about sound in science and music, and visually impaired children both to learn about light in science, and also to use visual resources and images both in art and design and in design and technology;
- uses assessment techniques that reflect their individual needs and abilities.

### ***Disapplication***

The school can, where necessary, modify or disapply the National Curriculum and its assessment arrangements. Our school policy is to do this only in exceptional circumstances. The school makes every effort to meet the learning needs of all its children, without recourse to disapplication or modification. We achieve this through greater differentiation of the child's work, or through the provision of additional learning resources. When necessary, we also support learning through appropriate external specialists. In such cases, teachers work closely with these specialists to support the child.

In exceptional circumstances, we may decide that modification or disapplication is the correct procedure to follow. We would only do this after detailed consultation with parents and the LA. The school's governor with responsibility for special educational needs would also be closely involved in this process. We would ensure that every effort had been made to provide the necessary support from within the school's resources before considering such action.

Should we go ahead with modification or disapplication, we would do so through:

- section 364 of the Education Act 1996. This allows modification or disapplication of the National Curriculum, or elements of it, through a statement of special educational needs;
- section 365 of the Education Act 1996. This allows the temporary modification or disapplication of the National Curriculum, or elements of it.

***Please see our separate statement on Radicalisation and Extremism contained within the Child Protection Policy.***

In our school, we value each child as a unique individual. We will strive to meet the needs of all our children, and seek to ensure that we meet all statutory requirements related to matters of inclusion.

# English Martyrs Catholic Primary School

## ***Special Educational Needs, Disability, Equality & Inclusion Policy***

Signed on behalf of the Governing Body

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Date .....

Signed by the Headteacher

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Date .....