

BURNT OAK PRIMARY SCHOOL



EQUALITY AND DIVERSITY POLICY

Spring 2017

Burnt Oak Primary School Equality and Diversity Policy

Introduction

Burnt Oak believes that it has a duty to promote understanding and respect for the wide diversity of its pupils, staff and wider community. We recognise the importance of equality and will not unfairly discriminate in the recruitment or treatment of staff and pupils on the basis of gender, race, colour, ethnic origin, disability, marital status, family commitments, religious or political beliefs, sexual orientation, age or social class.

Burnt Oak is committed to promoting and achieving equal opportunities in all its functions through:

- Recognising and redressing the needs of vulnerable groups in the school, and its community.
- Countering deprivation and supporting self-sufficiency.
- Combating discrimination in all its forms and working actively to promote equality of access and opportunity.

The Legal Framework

Discrimination can come in one of the following forms:

- **Direct discrimination:** Treating someone with a protected characteristic less favourably than others e.g. because of their colour, race, ethnic or national origin, gender, disability, religious or political beliefs and sexual orientation
- **Indirect discrimination:** Putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage on the grounds of race, gender, religion or belief, age or sexual orientation and which cannot be justified as a proportionate way of achieving a legitimate aim.
- **Harassment:** Unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them. It includes harassment by a third party (e.g. customer or contractor) in the employment context.
- **Victimisation:** Treating someone unfairly because they've complained about discrimination or harassment. It applies equally to a person who is supporting (or indicates that they intend to support) another person who is exercising their rights under the legislation.
- **Positive Action:** This may have to be an appropriate response to redress imbalances or under-representation within the school e.g. the under-achievement of boys and under-representation of ethnic minorities on the staff. In these circumstances Burnt Oak can offer greater encouragement or support to the under-achieving pupils or training for staff to help them compete for opportunities.
- **Pregnancy / maternity related discrimination:** Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman because she is breastfeeding.

Burnt Oak has taken account of the following relevant legislation:

- The Race Relations Act (RRA) 1976 as amended by the Race Relations (Amendment) Act (RRAA) 2000
- Disability Discrimination Act (DDA) 2005 and replaced by the Equality Act in 2010
- Equality Act 2010
- Employment Equality Regulations 2011
- Gender Recognition Act 2004/Gender equality duty 2007
- Age Discrimination Act 2010
- Equal Pay Act 2010
- Human Rights Act (HRA) 1998

- Health and Safety at Work Act 1974
- Community cohesion duty 2007 (under the Education and Inspections Act 2006)
- SEND (special educational need and disability) Code of Practice 2015

Disability

The reasonable adjustments duty is owed to disabled pupils, as defined in the Equality Act 2010.

The Act says that a pupil has a disability if he or she has a physical or mental impairment that has a long-term and substantial adverse effect on his or her ability to carry out normal day-to-day activities. Physical or mental impairment includes sensory impairments such as those affecting sight or hearing.

Burnt Oak will ensure that it does not treat disabled staff/pupils less favourably. Reasonable adjustments will be made for staff/pupils who are disabled. The Special Educational Needs Code of Practice 2015, states that many children who have SEN may have a disability under the Equality Act 2010 as defined above.

This definition provides a relatively low threshold and includes more pupils than many may realize. 'Long-term' is defined as 'a year or more' and 'substantial' is defined as 'more than minor or trivial'. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy and cancer. Children with such conditions do not necessarily have SEN but there is a significant overlap between disabled children and children with SEN. Where a disabled child requires special educational provision they will also be covered by the SEN definition.

The Equality Act 2010 sets out the legal obligations that schools have towards disabled children and young people:

- They **must not** directly or indirectly discriminate against, harass or victimise disabled children and young people.
- They **must not** discriminate for a reason arising in consequence of a child or young person's disability.
- They **must** make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is anticipatory – it requires thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage.

Burnt Oak's *Accessibility Plan* ensures that these reasonable adjustments are identified and implemented.

Race

The RRA makes it unlawful to discriminate against someone on the basis of their race, colour, ethnic or national origin. Under the RRA there is a general duty to promote race equality and to assess the impact of all policies on pupils and staff of different racial groups. Also under this duty is the duty to monitor by racial group the admission and progress of pupils and the recruitment and career progress of staff. Burnt Oak's **Race, Disability and Gender Policy** sets out the arrangements that have been put in place to enable the school to meet the general and specific duties under the Act.

Gender

The EA makes it unlawful to treat a person less favourably on the basis on their gender. The gender equality duty which came into force in April 2007 places further duties on School to have due regard to the need to:

- Eliminate unlawful discrimination and harassment on the grounds of sex.
- Promote equality of opportunity between women and men.

The School recognises that the two groups may not be starting from an equal footing and identical treatment will not always be appropriate.

Age

The Age Discrimination legislation which came into force in 2010 protects the rights of people discriminated on grounds of their age in relation to staffing and employment matters. The school takes account of this legislation in terms of job descriptions / person specifications, publicising vacancies, applicant information for monitoring purposes, selection and contracts of employment. In addition, principles of fairness are applied for staff during their probation, promotion and professional development.

Community Cohesion

The duty to promote community cohesion came into force in September 2007. Through our policies and practices we help the School community to understand the perspectives of other people, value diversity whilst promoting shared values, promote an awareness of human rights and to apply and defend them, including challenging prejudice, discrimination and stereotyping and we develop the skills of participation and responsible actions.

Diversity in the Curriculum

Curriculum Policies will take account of equality issues. The school will look at the way in which diversity impacts on the curriculum by:

- Reviewing the curriculum and its delivery;
- Considering equality issues when planning the timetable;
- Ensuring that assessment is free of unfair discrimination;
- Training staff to support these aims;
- Utilising community links to promote cohesion;
- Ensuring all children can access and can engage the curriculum irrespective of their disability;
- Challenge bias and stereotypes in an educational, holistic approach;
- Give pupils regular opportunities to learn about human circumstances which differ from their own;
- Through our creative curriculum enabling children to be positive citizens in society;
- fulfilling all the requirements of the Locally Agreed syllabus for Religious Education;
- Teaching children to have an awareness of their own spiritual development and to understand right from wrong;
- Helping children understand the importance of truth and fairness, so that they grow up committed to equal opportunities for all;
- Enabling children to have respect for themselves and high self-esteem, and to be able to live and work co-operatively with others.

Admissions Policy

The school will recruit pupils from the whole range of diverse backgrounds within the community. The published criteria are taken from Medway Council's Admissions Policy.

Monitoring

Burnt Oak will continue to comply with legislative requirements by developing and maintaining methods of monitoring and disseminating statistics on equal opportunity issues, with due regard to issues of confidentiality, to support and review the effectiveness of equality policies.

The School will continue to undertake the following monitoring activities in order to address inequalities:

- Attainment analysed by vulnerable group;
- Reviewing exclusions and absence data by vulnerable group;
- Uptake of extra-curricular activities;
- Recruitment, retention and development of staff
- CPD opportunities

Where appropriate, the School will set targets to raise the attainment of vulnerable groups and for the participation of targeted groups in activities.

Inclusion Statement

Burnt Oak values and celebrates diversity and endeavours to meet each pupil's individual needs.

We aim to provide equal opportunities for all our children to learn and develop. This includes:

- minority ethnic and faith groups
- pupils for whom English is an additional language
- girls and boys
- children with a SEND need
- gifted and talented children

Burnt Oak aims to enable all children the opportunity to achieve their best academically, emotionally and socially through:

- Providing high quality learning to enable children to acquire the skills, knowledge and concepts relevant to their future;
- Promoting an ethos of care, mutual respect and support, where effort is valued and success celebrated;
- Enabling children to become active, responsible and caring members of the school and wider community.

The school works towards these aims by:

- Promoting high quality learning and attainment;
- Developing and nurture children's wellbeing;
- Supporting children to make healthy life choices;
- Fostering relationships with families and the local community;
- Providing high quality curriculum entitlement and a high quality learning environment;
- Promoting the Burnt Oak values to enable the children to value themselves and each other.

This is achieved through:

- Thorough long and short term planning which includes differentiation for all needs;
- Continually reviewing and analysing pupils progress and intervention data;
- Considering of different learning styles

- Making reasonable adjustments and additions to the learning environment including resources, whole class adjustments and transition as laid out in Personal Emergency Evacuation Plans;
- Making information more accessible through translation and interpreters where needed;
- Providing high quality training for staff;
- Ensure specialist support from an outside agency is given when needed.

As a learning community we will promote inclusive policies and practices.

This Equality and Diversity Policy was approved by the Governing Body on the 18th July 2017 and will be reviewed during Summer in 2020.



_____ (signature of Chair of Governors)