

Elm Park Primary School

Single Equality Policy



'Aspiring to be the best we can be!'

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| Policy type | Statutory |
| Statutory compliance with | Equality Act 2010 |
| Responsible (author) | Assistant HT/Inclusion Manager |
| Consulted | HT Department for Education legislation All Staff |
| Informed | All Parents / All Staff / Governing Body School website |
| Review Frequency | Every 3 years |
| Next review date | 28/06/2019 |
| Approved by/when | Full GB/28/06/2016 |

Elm Park Primary School Single Equality Policy

Introduction

To be read in conjunction with the following:

- Safeguarding Code of Conduct
- Safeguarding and Child Protection Policy
- Lone Working Policy
- Health and Safety Policy

Equality Impact Assessment

The school aims to design and implement services, policies and procedures that meet the diverse needs of our service, population and workforce, ensuring that none are placed at an unreasonable or unfair disadvantage over others. In the development of this policy, the school has considered its impact with regard to equalities legislation.

On the 1st October 2010, the Equality Act 2010 replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. The Act introduced a new public sector single equality duty which came into force on 6th April 2011. The **specific duties** place a requirement on schools to publish equality information by 31st December 2011. This information must show how the school has complied with the **general duties** and must be produced at least annually from the first date of publication.

The **specific duties** also place a requirement on schools to publish equality objectives by 6th April 2012. These must demonstrate what a school could reasonably achieve to meet one or more aims of the equality duties, showing the involvement of stakeholders in developing the objectives. The equality objectives must be published at least every four years.

This document provides a framework for a single equality policy which addresses these changes and ensures compliance with the Act and single equality duty.

Aims

The aim of the **general equality duty** is to integrate consideration of the advancement of equality into the day-to-day business of public authorities. At Elm Park Primary School we welcome our role in taking due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who share a characteristic and those who do not
- foster good relations between people who share a characteristic and those who do not.

This policy also addresses the **specific duties** of the Act to:

- engage with interested groups and individuals
- publish equality information
- formulate and publish equality objectives.

Throughout this policy, reference will be made to the “protected characteristics” in order to identify groups potentially at risk of “unlawful behaviour”.

The “protected characteristics” that relate to schools are:

- disability
- sex/gender
- race/ethnicity
- religion/belief
- sexual orientation
- gender reassignment
- pregnancy/maternity

With regard to schools as employers, the following are also protected characteristics:

- age
- marriage/civil partnership

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The “Unlawful behaviour” outlined in the Act includes:

- direct discrimination
- indirect discrimination
- discrimination arising from disability
- harassment
- victimisation

(see Appendix B for further details)

The principles of this policy should apply to all members of the extended school community, pupils, staff, governors, parents/carers and community members. By ‘pupils’, we are referring to prospective and former pupils, in addition to those currently at the school.

2. Equality – aims and values

At Elm Park Primary School we aim to provide equality and excellence for all, in order to promote the highest possible standards.

Our Equality Policy is based on our core values as expressed in our school’s aims/mission statement

‘At Elm Park Primary School we believe it’s every child’s first chance at formal education and they deserve nothing but the best. Through our school we grow good people, people who are inspired and excited to make a difference to their lives and the lives of those around them.’

We consider all learners and their parents/carers to be of equal value, irrespective of disability, ethnicity, gender, gender identity, religion/beliefs and sexual orientation.

However, treating people equally does not necessarily involve treating them all the same. We respect and value differences and our policies and practices therefore reflect the diverse range of life-experiences, needs and viewpoints of all stakeholders.

We welcome our responsibility to foster a culture of respect for others within a caring, cohesive environment. All members of the school community are encouraged to develop positive relationships reflecting their status as members of a diverse global community.

It is our duty to ensure that the aims and values outlined here apply to the full range of our policies and practices.

3. The school’s approach to promoting equality and eliminating discrimination

The overall objective of the school’s Equality Policy is to provide a single framework for the school to pursue its equality duties to promote equality of opportunity, and to promote good relations and positive attitudes between people of diverse backgrounds in all its activities. In order to achieve this, it is our aim to eliminate all forms of discrimination and harassment (the four kinds of unlawful behaviour).

Through our Equality Policy, we seek to ensure that no pupils, staff, parents, guardians or carers or any other person through their contact with the school receives less favourable treatment on any grounds which cannot be shown to be justified.

Advancing of equality of opportunity involves:

- removing or minimising disadvantages
- taking steps to meet people’s needs
- encouraging participation in any activity in which participation by people sharing protected characteristics is disproportionately low

Fostering good relations involves:

- tackling prejudice
- promoting understanding

4. Addressing prejudice and prejudice-related bullying

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The school is opposed to all forms of prejudice and prejudice-related bullying. There is guidance in the staff handbook on how prejudice-related incidents should be identified, assessed, recorded and dealt with and we ensure that all staff, including support and administrative staff, receive appropriate training in this area.

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 are addressed.

5. The school as an employer

We ensure that policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development irrespective of disability, ethnicity, sex/gender, sexual orientation, gender identity, pregnancy/maternity, age and marriage/civil partnership.

6. Consultation with stakeholders

We engage with a range of groups and individuals to ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones. As appropriate, we consult and involve groups and individuals in relation to the protected characteristics that relate to schools.

7. Meeting the specific duties

We recognise our specific duties to gather, analyse and publish equality information on an annual basis. In order to improve outcomes and effectiveness, we will publish information that illustrates:

- information of the effect that our policies and practices have had on all members of the school community and those from the protected groups
- information on how our policies and practices have furthered the three aims of the general equality duty
- details of engagement with key stakeholders

We will formulate and publish at least every four years specific and measurable objectives in relation to the protected characteristics that relate to schools.

8. Roles and responsibilities

All who work in the school have a responsibility for promoting equality and inclusion, and avoiding unfair discrimination.

Governors of Elm Park Primary School are responsible for:

- making sure the school complies with current equality legislation
- making sure this policy and its procedures are followed

The headteacher of Elm Park Primary School is responsible for:

- making sure the policy is readily available and that the governors, staff, pupils and their parents/carers know about it
- making sure its procedures are followed
- producing regular information for staff and governors about the policy and how it is working, and providing training for them on the policy, if necessary
- making sure all staff know their responsibilities and receive training and support in carrying these out
- taking appropriate action in cases of harassment and discrimination
- monitoring impact of the policy and undertaking regular reviews

All school staff at Elm Park Primary School are responsible for:

- modelling good practice, dealing with incidents of direct discrimination, indirect discrimination, harassment and victimisation and being able to recognise and tackle bias and stereotyping
- promoting equality and good relations and avoiding discrimination against anyone within the school community
- keeping up to date with the law on equality and diversity and taking training and learning opportunities

Pupils at Elm Park Primary School are responsible for:

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- keeping equality and diversity issues on the School Council agenda, through a shared input with staff on developing policies relating to this area. This may include:
 - the anti-bullying policy and specifically racist and homophobic bullying
 - developing school/class rules which challenge discriminatory behaviour

Parents/Carers at Elm Park Primary School are responsible for:

- keeping equality and diversity issues on the Parent Forum agenda, through a shared input with staff on developing policies relating to this area. This may include:
 - the anti-bullying policy and specifically racist and homophobic bullying
 - ensuring the above is explicit within our Home School Policy

Visitors and contractors to Elm Park Primary School are responsible for:

- knowing and following our equality policy

Responsibility for overseeing equality practices in Elm Park Primary School lies with Ms V. Morris (Head teacher), Lesley Fuller (Deputy Head teacher) and Lynne Bowl (Governor)

Responsibilities include:

- co-ordinating and monitoring work on equality issues
- dealing with and monitoring reports of harassment (including racist and homophobic incidents)
- monitoring the progress and attainment of potentially vulnerable groups of pupils (e.g. children and young people in care, children from minority ethnic/language or Traveller communities, disabled pupils, pregnant girls and those on maternity leave etc)
- monitoring attendance and exclusions

9. Monitoring, reviewing and assessing impact

This policy is supported by our school's accessibility plan and will be further supported by our equality information and equality objectives.

The *School Development Plan/School Improvement Plan* ensures the Equality Policy forms an essential part of the school's action plan on equality. It includes targets determined by the governing body for promoting a cohesive community, inclusion and equality in our school for all. It ensures other school policies address equality issues.

The policy will be regularly monitored and reviewed by staff and governors to ensure that it is effective in tackling discrimination, promoting access and participation, equality and good relations for any individual and between different groups, and that it does not disadvantage particular sections of the community.

Any pattern of inequality found as a result of impact assessments is used to inform planning and decision-making.

A named member of staff and a named governor responsible for equality will monitor specific outcomes annually.

The Headteacher will provide monitoring reports for review by the Governing Body. These will include school population, workforce recruitment, retention and progression, key initiatives, progress against targets and future plans.

Key Legislation: The Equality Act 2010

It is the responsibility of the school to be familiar with the content of The Equality Act 2010 and ensure full compliance with the specific duties of the Single Equality Duty.

Appendix A: Protected characteristics

The “protected characteristics” that relate to schools are:

- disability
- sex/gender
- race/ethnicity
- religion/belief
- sexual orientation
- gender reassignment
- pregnancy/maternity

Disability

A person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls ‘a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities’.

There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

In relation to physical impairment:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met.
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.

Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down’s syndrome and mental health conditions such as depression and schizophrenia.

Sex/gender

A person’s sex refers to the fact that they are male or female. In relation to a group of people, it refers to either men or women or to either boys or girls.

Race/ethnicity

Race means a person’s:

- colour, and/or
- nationality (including citizenship), and/or
- ethnic or national origin

and a racial group is composed of people who have or share a colour, nationality or ethnic or national origins.

A person has the protected characteristic of race if they belong to a particular racial group, such as ‘British people’. Racial groups can comprise two or more racial groups such as ‘British Asians’.

Religion/belief

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief.

A religion need not be mainstream or well known to gain protection as a religion. It must, though, be identifiable and have a clear structure and belief system. Denominations or sects within religions may be considered a religion. Cults and new religious movements may also be considered religions or beliefs.

Belief means any religious or philosophical belief and includes a lack of belief.

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'Religious belief' goes beyond beliefs about and adherence to a religion or its central articles of faith and may vary from person to person within the same religion.

A belief which is not a religious belief may be a philosophical belief, such as humanism or atheism.

A belief need not include faith or worship of a god or gods, but must affect how a person lives their life or perceives the world.

Sexual orientation

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to.

- Some people are only attracted to those of the same sex (lesbian women and gay men).
- Some people are attracted to people of both sexes (bisexual people).
- Some people are only attracted to the opposite sex (heterosexual people).

Everyone is protected from being treated worse because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.

Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation.

Gender reassignment

Gender reassignment is 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.

This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to dress in a different way as part of the personal process of change.

A person will be protected because of gender reassignment where they:

- make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor:
 - once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on
 - they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected
 - start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person
 - undergo treatment related to gender reassignment, such as surgery or hormone therapy
- or
- have received gender recognition under the Gender Recognition Act 2004

It does not matter which of these applies to a person for them to be protected because of the characteristic of gender reassignment.

Pregnancy and maternity

The Act lists pregnancy and maternity as a protected characteristic. Pregnancy and maternity discrimination is covered in Appendix B.

Appendix B: What is unlawful behaviour?

Direct discrimination

Direct discrimination occurs when you treat a pupil less favourably than you treat (or would treat) another pupil because of a protected characteristic.

Discrimination based on association

Direct discrimination also occurs when you treat a pupil less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity).

This might occur when you treat a pupil less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination based on perception

Direct discrimination also occurs when you treat a pupil less favourably because you mistakenly think that they have a protected characteristic.

Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female pupil of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female pupil of any age) less favourably because she is breastfeeding a child who is more than 26 weeks old.

Indirect discrimination

Indirect discrimination occurs when you apply a provision, criterion or practice in the same way for all pupils or a particular pupil group, but this has the effect of putting pupils sharing a protected characteristic within the general student group at a particular disadvantage.

Discrimination arising from disability

Discrimination arising from disability occurs when you treat a disabled pupil unfavourably because of something connected with their disability and cannot justify such treatment.

Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising from disability, the motive for the treatment does not matter; the question is whether the disabled pupil has been treated unfavourably because of something connected with their disability.

Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled pupil or for the disabled pupil to compare themselves with anyone else.

Harassment

There are three types of harassment which are unlawful under the Equality Act:

- Harassment related to a relevant protected characteristic
- Sexual harassment
- Less favourable treatment of a pupil because they submit to or reject sexual harassment or harassment related to sex.

The relevant protected characteristics for the schools' provisions are:

- Disability
- Race
- Sex

Harassment related to a protected characteristic

Harassment occurs when a pupil is subject to unwanted behaviour which is related to a relevant protected characteristic and which has the purpose or effect of:

- violating a pupil's dignity or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for the pupil

The word 'unwanted' means 'unwelcome' or 'uninvited'. It is not necessary for the pupil to say that they object to the behaviour for it to be unwanted.

In this context 'related to' has a broad meaning and includes situations where the pupil who is on the receiving end of the unwanted behaviour does not have the protected characteristic himself or herself, provided there is a connection between the behaviour and a protected characteristic. This would also include situations where the pupil is associated with someone who has a protected characteristic, or is wrongly perceived as having a particular protected characteristic.

Sexual harassment

Sexual harassment occurs when a pupil is subject to unwanted behaviour which is of a sexual nature and which has the purpose or effect of:

- violating a pupil's dignity or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for the pupil

'Of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, inappropriate touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings, or sending emails with material of a sexual nature.

It is unlawful to treat a pupil less favourably because they either submit to, or reject, sexual harassment or harassment related to their sex.

Victimisation

Victimisation is defined in the Act as treating someone badly because they have done a 'protected act' (or because the school believes that a person has done or is going to do a protected act).

There are additional victimisation provisions for schools which extend the protection to pupils who are victimised because their parent or sibling has carried out a protected act.

A 'protected act' is:

- Making a claim or complaint of discrimination (under the Act)
- Helping someone else to make a claim by giving evidence or information
- Making an allegation that the school or someone else has breached the Act
- Doing anything else in connection with the Act