

Equalities, Diversity and Community Cohesion Policy

Date	15th October 2018	Responsibility	Teaching & Learning	Unique I/D	5-9
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Version Control			
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2017	BSP	July 2017	
2018	BSP	October 2018	Approved and adopted at the Teaching and Learning Committee meeting

INTRODUCTION

Bishopsteignton Primary School provides education for all, irrespective of their abilities or origins; and strives to ensure that everyone is equally valued and treated with respect and fairness, regardless of their gender, racial, ethnic, cultural, national or religious background, age, sexual orientation or whether they are married, party to a civil partnership or single, disabled or pregnant.

The School aims to prepare pupils for the wider world which offers more diversity than they might otherwise be familiar with, and for the opportunities and responsibilities that such diversity brings. Because of its location and intake, our School may not share that level of diversity but this means that it is especially important for us to prepare our pupils for it and equip them to live alongside people from different backgrounds and with different abilities.

We recognise that migration continues to alter our local and national communities and so the promotion of social cohesion is of special importance. The School has a crucial role to play in building a more cohesive society.

LEGAL DUTIES

Bishopsteignton Primary School owes duties under:

- a) the Equality Act 2010 to eliminate unlawful discrimination on various grounds (including race/ethnicity, religion, age, sex (whether by birth or reassignment), sexual orientation, disability, marital/civil partnership status or pregnancy (each a “**Protected Characteristic**”)) and promote equality of opportunity and good relations between people of different backgrounds;
- b) the non-statutory Government guidance of December 2011 and March 2012;
- c) the Education and Inspections Act 2006 to promote community cohesion within the School and the local community, so contributing to cohesion within the national and global community; and
- d) the Human Rights Act 1998 and the general human rights it enshrines (particularly those expressed in the UN Convention on the Rights of the Child and the UN Convention on the Rights of People with Disabilities)

The observance of these duties is a key part of our “Every Child Matters” programme. A summary of the School’s legal duties is set out in the Appendix to this Policy.

PRINCIPLES

In fulfilling the legal obligations referred to above, we are guided by the following principles:

1 Fairness and Equal Treatment

We promote fairness and equal treatment by treating all learners as being of equal value and by promoting fairness and natural justice throughout the curriculum and wider School community. In particular, we assess the impact of this and our other policies on different groups.

2 Respecting Diversity

While we must not discriminate, we need to take into account that people are different, whether in terms of gender, ethnic or cultural background or ability, and to ensure that they are not disadvantaged in any way by reason of such differences. Treating people equally does not necessarily mean treating them all the same. We aim to encourage each pupil to have a secure sense of their own identity as individuals and as members of their respective communities.

3 Positive Attitudes

We need to promote positive attitudes towards disabled people and people from different backgrounds, and to develop the understanding and confidence necessary to challenge prejudice and discrimination; and to enable all pupils to take part as fully as possible in every part of School life by developing each child's self-confidence, recognising their strengths and encouraging them to achieve their full potential.

4 Good Relations and Shared Sense of Cohesion and Belonging

We aim to achieve mutual respect and good relations between:

- boys and girls, women and men
- different communities.

We expect everyone to treat others with dignity and respect.

We strive to promote community cohesion – to achieve a society in which ultimately there is a common vision and sense of belonging for all, in which diversity is valued and opportunities are available to everyone. By fostering greater social cohesion, a common sense of identity, strong and positive relationships between different groups and increased involvement in public life of disabled people and people from different backgrounds, our policies and activities should contribute to the improvement of society as a whole, both locally and nationally.

5 Equality of Opportunity

We strive to:

- advance equality of opportunity for staff, pupils and others;
- remove barriers faced by disabled people, people of different backgrounds and girls and boys, women and men;
- eradicate discrimination, bullying and harassment; and
- oppose all forms of prejudice, including prejudice based on:
 - o disability and special educational needs
 - o racism and religious intolerance
 - o sexism
 - o any other Protected Characteristics

POLICY IMPLEMENTATION

Adhering to the above principles means the following:

- Our teaching and curriculum promotes common values and the understanding of diversity, awareness of individual rights and social responsibility.
- We will regularly consider the ways in which:
 - o the taught and wider curricula will help to promote awareness of the rights of individuals and develop the skills of participation and responsible action;
 - o our teaching and curriculum will support high standards of attainment, promote common values, help pupils understand and value the diversity that surrounds them, and challenge prejudice and stereotyping.

In planning the curriculum and resources, we will take every opportunity to [promote and advance equality](#).

- We will ensure the curriculum is accessible to all pupils with special educational needs and disabilities (SEND) or those for whom English is not their first language. Auxiliary aids and services will be provided for them where Reasonable Adjustments (see below) are required. By planning ahead, we will ensure that all pupils are able to take part in extra-curricular activities and residential visits, and we will monitor the uptake of these to ensure no one is disadvantaged on the grounds of a Protected Characteristic.
- We encourage all to achieve the highest possible standards of attainment and range of activities, irrespective of ability or background.
- Our admissions procedures promote community cohesion and social equality. We welcome a diverse range of pupils and encourage those who are currently under-represented to join.

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- We act effectively to deal with bullying and harassment. Bullying and prejudice-related incidents will be carefully monitored and dealt with effectively. If an incident occurs, we assess whether it is prejudice-related. All such incidents are referred to the Headteacher to assess, record and deal with. We are required to report regularly to the local authority on any prejudice-related incidents at our School and as appropriate, their type and seriousness and how they are handled. Regular training will be given to both existing and new staff to ensure that they are aware of the process for reporting and following up incidents of [prejudice-related bullying](#).
- The recruitment, retention, promotion, deployment and continuing professional development of staff are managed according to the needs of the School and the abilities of the person concerned, whatever their gender or background or whether they are disabled. This benefits all employees and potential employees. In particular, we ensure that all staff members (including support and administrative staff) receive appropriate training and opportunities for professional development.
- We respect the religious beliefs and practices of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.
- We keep our School Development Plan, the curriculum and all aspects of learning under review in order to ensure that they reflect and promote these principles.
- We will take reasonable and necessary steps to meet pupils' needs and make "[Reasonable Adjustments](#)" for disabled pupils. "Reasonable Adjustments" are steps necessary to avoid a disabled person being placed at a substantial disadvantage compared to a non-disabled person and include removing or avoiding a physical feature (for example, providing a lift in place of steps) and providing auxiliary aids or services and information in an accessible format. We will make Reasonable Adjustments to ensure the School environment and its activities are as accessible and welcoming as possible for pupils, staff and visitors to the School and to enable our pupils to take as full a part as possible in all the activities of the School.
- We ensure that all our policies reflect these principles, including those relating to:
 - o learners' progress and attainment
 - o learners' personal development, welfare and well-being
 - o teaching styles and strategies
 - o admissions and attendance
 - o staff recruitment, retention and professional development
 - o care, guidance and support
 - o behaviour, discipline and exclusions
 - o working in partnership with parents, carers and guardians and the wider community.
- Parents, visitors and other members of the school community can access this policy on the school website
- The Headteacher is responsible for establishing equality objectives which will be published on the school website. These objectives will be reviewed and reported on annually.
- We will regularly review our accessibility plans.
- Our tracking and monitoring systems allow us to evaluate progress of different groups and eliminate the risk of underachievement by any particular individual or group.
- We collect, analyse and use quantitative and qualitative data relating to pupil achievement, divided as appropriate according to disabilities and special educational needs, ethnicity and gender. We will monitor the progress and achievement of pupils by the relevant and appropriate Protected Characteristics. This information will help the School to ensure that individual pupils are achieving their potential, the School is being inclusive in practice, and trends are identified which inform the setting of our equality objectives in the School Development Plan.

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- We will seek the views of advisory staff and outside agencies and partnerships with other schools where this is needed. Throughout the year, we will plan on-going events to raise awareness of equality and diversity. This may include a focus on disability, respect for other cultures, religions and beliefs, anti-homophobia, gender equality, developing [community cohesion](#) and an understanding of the effects of discrimination.

POLICY MONITORING AND EVALUATION

1 The School's governors are responsible for ensuring that the School complies with all its legal obligations, including those underpinning this policy, and that this policy and its related procedures and strategies are implemented.

2 One link governor (Equalities Link Governor) is appointed to maintain a watching brief over the implementation of this policy and to take appropriate action in any cases of unlawful discrimination.

3 The Headteacher will report to the Equalities Link Governor annually, reviewing progress on implementing this policy. The headteacher reports termly on any incidents involving discrimination or harassment. Each year, there will be a standing item on this policy at a full governors' meeting to discuss progress with the equality objectives.

4 The headteacher will ensure that all staff are made aware of this policy and the Equalities link governor will ensure that all governors are made aware of this policy.

5 Training for staff and governors will be arranged as and when appropriate.

6 All staff members are expected to:-

- o promote an inclusive and collaborative ethos in their classroom and to be role-models for equal opportunities
- o deal appropriately with bullying and any prejudice-related incidents
- o identify and challenge bias and stereotyping in the curriculum
- o support pupils in their class for whom English is an additional language
- o keep up-to-date with equalities legislation relevant to their work.

Lead Responsibility:

Dave Killoran - Headteacher

Governing Body Responsibility:

Carol Roberts - Equalities Link Governor

SEND

Katie Mackle - SENDCo

Appendix Summary of Legal Duties

[From Part 2 of Devon policy document]

Bishopsteignton Primary School

Our Legal Duties

Legislation relating to equality and discrimination is laid out in the Equality Act 2010.

This legislation covers employment (work), the provision of services and public functions, and education.

Employers (schools) are liable for discriminatory acts of their employees if they did not take reasonable steps to prevent such acts. Employees can be liable for acts (where an employer took reasonable steps to prevent such acts).

The 'Protected Characteristics' within equality law are:

- **Age** - A person of a particular age (e.g. 32 year old) or a range of ages (e.g. 18 - 30 year olds). Age discrimination does not apply to the provision of education, but it does apply to work.
- **Disability** - A person has a disability if s/he has, or has had, a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It includes discrimination arising from something connected with their disability such as use of aids or medical conditions. HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.
- **Gender reassignment** - A person (usually with 'gender dysphoria') who is proposing to undergo, is undergoing or has undergone gender reassignment (the process of changing physiological or other attributes of sex, therefore changing from male to female, or female to male). 'Trans' is an umbrella term to describe people with this 'Gender Identity'. 'Intersex' or 'Third Sex' is not covered by the Act but the school will treat Intersex children with the same degree of equality as children with gender dysphoria. Children as young as five may begin to show signs of [gender dysphoria](#) and therefore it is relevant in any school environment. ([The Intercom Trust](#) in Devon supports schools in supporting children undergoing gender reassignment).
- **Marriage and civil partnership** – Marriage and civil partnership discrimination does not apply to the provision of education, but it does apply to work.
- **Pregnancy and maternity** - Maternity refers to the period of 26 weeks after the birth (including still births), which reflects the period of a woman's Ordinary Maternity Leave entitlement in the employment context. In employment, it also covers (where eligible) the period up to the end of her Additional Maternity Leave.
- **Race** - A person's colour, nationality, ethnic or national origin. It includes Travellers and Gypsies as well as White British people.
- **Religion and belief** - Religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. Religion and belief discrimination does not prevent a school from carrying out collective worship or other curriculum-based activities, but pupils may withdraw from acts of collective worship.
- **Sex** - A man or a woman.
- **Sexual orientation** - A person's sexual orientation towards the same sex (lesbian or gay), the opposite sex (heterosexual) or to both sexes (bisexual). Although children may not identify as gay or lesbian when very young, promotion of sexual orientation equality is as relevant in a primary school environment as it is in a secondary school. For example, a child may have an older sibling or parent who is gay. Children may experience friends 'questioning' or 'coming out' when they are in secondary school or college. Schools with a particular religious ethos cannot discriminate against lesbian, gay or bisexual pupils.

It is also unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the pupil is associated. So, for example, a school must not discriminate by refusing to admit a pupil because his parents are gay men or lesbians. It would be race discrimination to treat a white pupil less favourably because she has a black boyfriend.

'Prohibited Conduct' (acts that are unlawful):

- **Direct discrimination** - Less favourable treatment because of a protected characteristic.
- **Indirect discrimination** - A provision, criteria or practice that puts a person at a particular disadvantage and is not a proportionate means of achieving a legitimate aim.

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- **Harassment** - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It includes harassment by a third party (e.g. customer or contractor) in the employment context.
- **Victimisation** - Subjecting a person to a detriment because of their involvement with proceedings (a complaint) brought in connection with this Act.
- **Discrimination arising from disability** - Treating someone unfavourably because of something connected with their disability (such as periods of absence from work or medical conditions) **and failure to make reasonable adjustments**.
- **Gender re-assignment discrimination** - Not allowing reasonable absence from work for the purpose of gender-reassignment in line with normal provision such as sick leave).
- **Pregnancy/maternity related discrimination** - Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman or girl because she is breastfeeding.
- **Discrimination by association or perception** - For example, discriminating against someone because they “look gay”, or because they have a gay brother; discriminating against someone because they care for a disabled relative.

Schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

Public Sector Duties (applies to schools):

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

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

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

Reasonable Adjustments and Accessibility Plans (Schedule 10)

Schools are required to:

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

The duty is an anticipatory and continuing one that schools owe to disabled pupils generally, regardless of whether the school knows that a particular pupil is disabled or whether the school currently has disabled pupils. The school will need to plan ahead for the reasonable adjustments that it may need to make, working with the **relevant admissions authority** as appropriate.

For more information download guidance from the DfE:
<http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010>

and **Equality Human Rights website:**

<http://www.equalityhumanrights.com> which includes the guidance for education providers (schools) or Devon County Council at <http://www.devon.gov.uk/equalitylegislation.htm>

The Education and Inspections Act 2006 introduced a duty on all maintained schools in England to promote community cohesion.

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

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Responsibilities

Governing Body

- Ensure that the school complies with equality-related legislation.
- Ensure that the policy and its procedures are implemented by the Headteacher.
- Ensure all other school policies promote equality.
- Give due regard to the Public Sector Equality Duty when making decisions.

Headteacher

- Implement the policy and its related procedures.
- Make all staff aware of their responsibilities and provide training as appropriate to enable them to effectively deliver this policy.
- Take appropriate action in any case of actual or potential discrimination.
- Ensure that all staff understand their duties regarding recruitment and providing reasonable adjustments to staff. It is unlawful for an employer to enquire about the health of an applicant for a job until a job offer has been made, unless the questions are specifically related to an intrinsic function of the work - for example ensuring that applicants for a PE teaching post have the physical capability to carry out the duties. Schools should no longer require job applicants to complete a generic health questionnaire. Neither should a school seek out past sickness records until they have made a job offer.
- Ensure that all staff and pupils are aware of the process for reporting and following up bullying and prejudice-related incidents.

All staff

- Enact this policy, its commitments and procedures, and their responsibilities associated with this policy.
- Deal with bullying and discriminatory incidents, and know how to identify and challenge prejudice and stereotyping.
- Promote equality and good relations and not discriminate on any grounds.
- Attend such training and information opportunities as necessary to enact this policy and keep up to date with equality legislation.
- To be models of equal opportunities through their words and actions.

Specific Staff

- Lead Responsibility: Dave Killoran - Headteacher
- Governor Responsibility: Carol Roberts - Equalities Link Governor
- SEND: Katie Mackle – SENDCo

Pupils

- Refrain from engaging in discriminatory behaviour or any other behaviour that contravenes this policy.

Visitors (e.g. parent helpers, contractors)

- To be aware of, and comply with, the school's equality policy.
- To refrain from engaging in discriminatory behaviour (for example, racist language) on school premises.

Appendix

Definitions

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

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

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

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

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

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

Gender Dysphoria Gender dysphoria is a recognised condition in which a person feels that there is a mismatch between their biological sex and their gender identity. Biological sex is assigned at birth, depending on the appearance of the infant. Gender identity is the gender that a person "identifies" with, or feels themselves to be.