

Westbourne Primary School

Single Equality Policy

“Westbourne Primary School is a school where every individual is valued, all cultures and beliefs are respected and where creativity and success are celebrated.” School vision.

This policy reflects the Equality Act 2010 which harmonises and replaces previous legislation including the Race Relations Act 1976, Disability Discrimination Act 1995, Gender Recognition Act 2004 and Sex Discrimination Act 1975. The policy therefore supersedes all previous school policies on Disability, Ethnicity (i.e. Race) and Gender. Through this policy, Westbourne Primary School will fulfil its public duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations in connection with disability, ethnicity, gender, religion, sexual identity and where appropriate, age (applicable to employees only). The guiding principles in this policy refer to all individuals and therefore are equally applicable to pupils, staff, and governors, in addition to visitors to Westbourne Primary School.

Legal Framework

Duties as identified in the Equality Act 2010 and its Schedules. There are nine equality strands (known as Protected Characteristics):

- Disability;
- Race;
- Gender;
- Gender identity and transgender;
- Faith, religion and belief;
- Marriage and civil partnership;
- Sexual orientation (homophobia);
- Pregnancy and maternity;
- Age.

Each relates to direct discrimination, discrimination by association, discrimination by perception, indirect discrimination, harassment and victimisation. Westbourne Primary School will seek to achieve positive action in respect of this Act.

It should be noted that all schools have a duty to comply with the Equality Act 2010 and the Public Sector Duties, and failure to do so could result in legal action against the school's Governing Body. Employees of the school acting on behalf of the Governing Body are also liable for their own discriminatory actions.

Westbourne Primary School is mindful of the Public Sector Equality Duty which came into force on 5 April 2011 and will publish relevant information on the school's website.

Equality Objectives

- Develop an action plan which is reviewed annually.
- Policy review every 3 years.

Definition of Discrimination

Under the law there are different categories of discrimination, with differences in the legal framework surrounding them. These are:

Direct Discrimination, which occurs when a person is treated less favourably than another on the grounds of a personal characteristic.

Discrimination by Association, which occurs when a person is treated 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 person less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination arising from perception, which takes place where an education provider behaves as if the person has the characteristic and treats them worse than others as a result. This applies whether the perception is true or not, even if the education provider knows that the person does not have the protected characteristic.

Indirect Discrimination, which occurs when a rule or condition which is applied equally to everyone:

- Can be met by a considerably smaller proportion of people from a particular group,
- Is to the advantage of that group,
- Cannot be justified by the aims and importance of the rule or condition.

Discrimination arising from a disability, which occurs when an education provider treats the disabled person unfavourably, this treatment is because of something which has come about as a result of the disabled person's disability ('something arising in consequence of the person's disability'), and the education provider cannot show that this treatment is justified as a balanced way of achieving something for a good reason (in legal language 'a proportionate means of achieving a legitimate aim').

Discrimination arising from disability is different from direct discrimination. Direct discrimination refers to less favourable treatment and requires a comparison to show that a person without the protected characteristic would be treated differently. Discrimination arising from a disability refers to unfavourable treatment and does not require a comparison to a non-disabled person.

Harassment, which occurs when unwanted conduct has the purpose or the effect of violating a person's dignity, or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, on the grounds of disability, race or sex. The harassment provisions do not explicitly apply to the protected characteristics of gender reassignment, sexual orientation, religion or belief, or pregnancy and maternity, in relation to schools. However, unwanted conduct which is related to any of these protected characteristics, that results in a person being disadvantaged, would constitute direct discrimination.

Third Party Harassment of Staff, which occurs when an employee is subject to harassment from someone outside of the school, e.g. a parent or member of the public, and is unacceptable. This extends to all protected characteristics (except pregnancy and maternity/marriage and civil partnership). Westbourne Primary School will take action under the Complaints Policy to ensure harassment of its staff, by people that are not employed by the school, is dealt with appropriately. This may include reporting the perpetrators to the Police.

Victimisation, which occurs when a person is treated less favourably because they have taken action in respect of discrimination e.g. by bringing a complaint or giving evidence for a colleague.

Discrimination with regard to Pupils.

We will not discriminate unlawfully against children seeking admission, or with regard to how pupils are treated, on grounds of sex, race, disability, sexual orientation (of the pupil or their parents/carers), religion or belief, pregnancy and maternity. This includes discrimination in the provision of teaching or allocating the pupil to certain classes, applying different standards of behaviour, dress and appearance, excluding pupils or subjecting them to any other detriment, and conferring benefits, facilities or services.

There are some exceptions to this which Westbourne Primary School are affected by:

- School curriculum and collective worship are not covered by the requirements on schools not to discriminate on grounds of religion or belief
- With regard to disability, the school will make such reasonable adjustments as are necessary to prevent disabled pupils being at a substantial disadvantage, in comparison with people who are not disabled, even if it means treating them more favourably.

Employment

We are committed to a fair and equal pay policy and a free from bias pay structure.

We will not discriminate in employment, unlawfully, on the grounds of sex, gender reassignment, race, disability, sexual orientation, religion or belief or age. This includes discrimination in relation to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

With regard to disability, we will make such reasonable adjustments as are necessary to prevent a disabled person being at a substantial disadvantage in comparison with people who are not disabled.

The school will ensure that it completes employment equality monitoring data as advised by HR.

The school will monitor that information, as set out below, disaggregated by disability, sex, religion, sexual orientation and different racial group.

- The number of staff in post, and
- The number of applicants for employment, training and promotion.

It is also recommended to provide information disaggregated by protected group on:

- Success rate of job applicants,
- Take-up of training opportunities,
- Applications for promotion and success rates,
- Applications for flexible working and success rates,
- Return-to-work rates after maternity leave,
- Grievance and dismissal,
- Other reasons for termination like redundancy and retirement,
- Length of service/time on pay grade, and
- Pay gap information for other protected groups.

Good Practice

We strive to achieve a cohesive community and expect that children, staff and parents respect one another and behave with respect to each other. We strive to ensure that parents feel fully engaged and welcome in the school.

We aim to enhance a wider sense of community locally, as well as in the context of the UK and the World communities.

We support 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. Through our policies and actions we undertake to ensure that every child and young person is healthy and safe, is able to enjoy and achieve in their learning experience and is able to contribute to the wider community.

We consider it prudent and sensible to maintain the practice of logging racist incidents and reporting them to the Governing Body. We monitor and log all incidents that discriminate against children, young people and adults in our school, including those with protected characteristics.

Guiding Principles

In fulfilling the legal obligations and establishing our school ethos, we are guided by 9 principles:

Principle 1: All learners are of equal value

We see all learners and potential learners, and their parents and carers, of equal value:

- Whether or not they are disabled,
- Whatever their ethnicity, culture, religious affiliation, national origin or national status,
- Whatever their gender or gender identity,
- Whatever their sexual identify.

Principle 2: We recognise, respect and celebrate differences.

Treating people equally (Principle 1 above) does not necessarily involve treating them all the same. Policies, procedures and activities must not discriminate but must nevertheless take account of differences of 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 may be made;
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised;
- gender, so that the different needs and experiences of the girls and boys, women and men are recognised;
- sexual identity.

Principle 3: We foster positive attitudes and relationships and a shared sense of cohesion and belonging.

Policies, procedure and activities promote:

- positive attitudes and actions 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 national status, 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 and homophobic harassment;
- a sense of belonging and contributing to a shared community.

Principle 4: We observe good equalities practice in staff recruitment, retention and development.

Policies and procedures 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 national status;
- whatever their gender and sexual identity and with full respect for their legal rights relation to pregnancy and maternity;
- whatever their age.

Principle 5: We aim to reduce and remove inequalities and barriers.

In addition to avoiding or minimising possible negative impact of our policies, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers between:

- disabled and non-disabled;
- people of different ethnic, cultural and religious backgrounds;
- girls and boys, women and men;
- gay people as well as heterosexual;
- age.

Principle 6: Consultation will ensure appropriate representation of key stakeholders.

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. Consultation will be none discriminatory and will ensure representation of key stakeholders as appropriate.

Principle 7: We address all prejudice and prejudice related bullying.

We oppose all forms of prejudice which stand in the way of fulfilling the legal duties listed above:

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

Principle 8: Society as a whole should benefit.

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 and non-disabled;
- people of different ethnic, cultural and religious backgrounds;
- girls and boys, women and men;
- gay people as well as heterosexual.

Principle 9: Objectives

Each year we formulate and publish specific and measurable equality objectives, based on the principles of this policy.

Responsibilities

The equality objectives for Westbourne Primary School will be set out in the Equalities Plan, which will be reviewed annually. The policy will be reviewed on a 3 year cycle.

Governors are responsible for:

- Challenging and supporting the school so that the weaknesses are tackled decisively and statutory equality responsibilities are being met.
- Ensuring that school functions and policies are equality impact assessed to demonstrate compliance with equality legislation.
- Ensuring that an equality assessment of the curriculum has been completed.
- Monitoring the school's Equality Policy and SEN Accessibility Plan at least once annually to ensure that their procedures are being followed.
- Publishing information to demonstrate compliance with the general equality duty across its functions annually.
- Preparing and publishing equality objectives annually, to demonstrate how the general equality duty will be met.

The Head Teacher is responsible for:

- Producing, implementing and maintaining the school's
 - o Equality Policy
 - o Special Educational Needs Accessibility Plan.
- Ensuring all staff know their responsibilities under these documents and receive training and support in carrying these out.
- Ensuring the school has an anti-discrimination policy for dealing with and reporting hate incidents.
- Using information from assessments and audits to identify compliance with equality duties and to develop equality objectives for the school.
- Revising and reviewing the Schools Equality Policy every three years and reporting on progress annually to the Governors.
- Making sure the school equality policy and procedures are followed.

- Making sure the equality policy is readily available to the governors, staff, pupils and their parents/carers and guardians.
- Producing regular information for staff and governors about the plans and how they are working.
- Taking appropriate action in cases of harassment and discrimination, including racist bullying, homophobic bullying and bullying related to sex, disability and religion.

All staff are responsible for:

- Dealing with all hate incidents.
- Advancing equality of opportunity and fostering good relations.
- Behaving in a non-discriminatory way and respecting the human rights of individual regardless of age, race, disability, sexual orientation, religion, sex, gender reassignment, pregnancy and maternity, and marriage and civil partnership.
- Ensuring they follow the equality policy and procedures and take up equality training and learning opportunities provided by the school.

Teaching staff are responsible for:

- Reviewing the curriculum plans to ensure there is equality of opportunity to access the curriculum through teaching and learning.
- Recognising and tackling bias and stereotyping in the school and wider community.
- Challenging discriminatory language and behaviours and providing appropriate alternatives and role models.

Visitors and contractors are responsible for:

- Behaving in a non-discriminatory way and respecting the human rights of individuals regardless of age, race, disability, sexual orientation, religion, sex, gender reassignment, marital or civil partnership status, pregnancy and maternity.

Reporting progress

School Governors will monitor the School's Single Equality Policy and Action Plan. The Headteacher will produce an annual report for the School Governors on progress against the Single Equality Policy and Action Plan. This report will include the results of consultation, equality monitoring and equality impact assessments.

Approved by Governors

Chair of Governors _____

Date _____

Headteacher _____

Date _____

Review date: December 2018

Associated documents

- Accessibility plan
- Supporting pupils with medical conditions
- SEND Policy
- Behaviour Policy
- Shared Parental Leave Policy
- Pay Policy
- Charging and Remissions Policy
- Collective Worship Policy
- Curriculum Plan
- Exclusions Policy
- PHSE Policy
- Teaching and Learning Policy