

RACK HOUSE PRIMARY SCHOOL

EQUALITY POLICY Guidance and Objectives

A school of excellence which nurtures and inspires all, where success is our achievement.

Introduction

This policy applies to all members of school staff , pupils, potential pupils, parents/carers, contractors and visitors to the school.

Schools and academies are required to publish information to show how they are complying with their Public Sector Equality Duty under the Equality Act 2010 and to prepare and publish equality objectives under the DfE guidance Equality Act 2010 and Schools (May 2014). As part of the school's commitment to equality, this policy also provides guidance on the types of behaviour which are unlawful under the Act and on the protected characteristics referred to in the Act.

This policy also takes into account the provisions relating to equality in the Ofsted inspection framework. The framework places a strong focus on actively promoting equality and diversity, tackling bullying and discrimination, narrowing any gaps in achievement between different groups of children and learners and actively promoting British values.

Key Principles

In fulfilling its obligations under the Act and when carrying out its duties as detailed in this policy, the school will be guided by the following Key Principles.

- **Principle 1 - All members of the school community are of equal value and should be treated with dignity and respect.** This statement applies whether or not they are disabled, whatever their ethnicity, culture, national origin or national status, whatever their gender and gender identity, whatever their religious or non-religious affiliation or faith background or sexual orientation.
- **Principle 2 - The school recognises respects and values difference and diversity.** Treating people equally does not necessarily mean treating them all in the same way. The school will take account of differences and the kind of barriers and disadvantages which people may face in relation to protected characteristics.
- **Principle 3 – The school will actively promote British values.** The school will ensure that equality that it prepare pupils to contribute to wider society and life in modern Britain. The fundamental British values are democracy, rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs.
- **Principle 4 - The school fosters positive attitudes and relationships.** The school intends that its policies, procedures and activities should actively promote positive attitudes, good relations and mutual respect between all groups of individuals who are different from each other. The school will take action to prevent and tackle discriminatory and derogatory language including language that is derogatory about disabled people and homophobic and racist language.

- **Principle 5 - The school observes good equalities practice for all members of staff.**
The school will ensure equality of opportunity in all aspects of employment including in recruitment, promotion and continuing professional development.
- **Principle 6 - The school aims to reduce and remove inequalities and barriers which may already exist.** In addition to avoiding or minimising possible negative impacts in its policies and practices, the school will take opportunities to maximise positive impacts by reducing and removing inequalities and barriers which may already exist in relation to certain groups with protected characteristics.
- **Principle 7 - The school will consult in relation to equality issues.** When tackling equality issues, the school will consult and engage with those affected by its decisions and where possible, with those people who have special knowledge who can inform the school's approach.
- **Principle 8 - The school will address bullying and prejudice motivated incidents.** The school takes bullying and prejudice motivated incidents seriously and any such conduct and behaviour will be carefully monitored and dealt with fairly and firmly. The school will take into account the specific guidance issued by the DfE on bullying including homophobic and transphobic bullying and bullying related to sexual orientation, transgender, disability, race and religion.
- **Principle 9. - The school fosters a shared sense of cohesion and belonging and intends that its policies and procedures should benefit society as a whole.** The school will strive to ensure that all pupils, potential pupils, members of staff and parents/carers feel a sense of belonging within the school and within the wider school community.

Roles and responsibilities

The Governing Body is responsible for:-

- ensuring that all governors are aware of their responsibilities under equality legislation; ensuring that this policy is implemented by the Headteacher, and ensuring that the school's equality objectives are published, actively pursued and reviewed at least once every 4 years
- ensuring that equality information is reviewed, updated and published on the school website annually
- promoting British values.

The Headteacher (with support from the Senior Leadership Team) has responsibility for:-

- making sure this policy and any related policies and procedures are implemented in school;
- ensuring the school's equality objectives are published and actively pursued;
- producing information for pupils, staff and the Governing Body about the school's equality objectives, how they are working and the effectiveness of actions taken
- making sure all members of staff are aware of their responsibilities under the Act and receive appropriate training and any support in carrying these out;
- ensuring that appropriate action (including potential disciplinary action) is taken in cases of discrimination, harassment and victimisation including cases involving bullying and/or harassment related to any of the protected characteristics;
- ensuring that members of staff and pupils are aware of the procedure for reporting and following up bullying and prejudice-related incidents;
- promoting British values.

All members of staff are responsible for:-

- being aware of their responsibilities under the Act and this policy and recognising that they have a role and responsibility in their day to day work to promote equality, inclusion and good community relations;
- being able to recognise and challenge prejudice, bias, discrimination, stereotyping and any inappropriate language or behaviour and deal with it fairly;
- promoting an inclusive and collaborative ethos in their lessons and being role models for equal opportunities through their words and actions.

Pupils must be encouraged to recognise that they have a role and responsibility to themselves and others so they understand and are able to:-

- promote equality, inclusion and good community relations;
- challenge inappropriate language and behaviour;
- regard people of all faiths, races and cultures with respect and tolerance;

Visitors (including parents, carers and contractors) are expected to –

- support the school's approach and commitment to equality and to comply with the provisions this policy;
- refrain from engaging in any behaviour which is unlawful under the Act whilst on school premises.

Dealing with breaches

The school will ensure that any complaints and evidence of a failure to comply with the Act or this policy are promptly and thoroughly investigated and are dealt with as determined by the Headteacher (or Governing Body as appropriate) in accordance with the relevant school policy/procedure.

Where appropriate, discriminatory acts will be dealt with as misconduct under the school's disciplinary procedure. In addition to being an employment issue, sexual harassment may also amount to a criminal offence and may lead to police involvement. Harassment may also be an offence under the Protection from Harassment Act 1997 including any subsequent amendments (which is not limited to circumstances where the harassment relates to a protected characteristic). Serious acts of discriminatory behaviour, including acts of harassment, could amount to gross misconduct and could lead to dismissal without notice.

Appendix A

Guidance on the Equality Act 2010

Types of unlawful behaviour and protected characteristics

Types of unlawful behaviour under the Act are: -

- direct discrimination,
- indirect discrimination,
- harassment,
- victimisation.

The protected characteristics under the Act are:-

- age
- disability
- race
- religion or belief
- sex
- sexual orientation
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity

All the protected characteristics are covered by the employment provisions of the Act but the protected characteristic of **age does not apply to pupils**. It is not a breach of equality law therefore for schools to admit and organise pupils in age groups and to treat pupils in a way that is appropriate to their age.

Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat, or would treat other people.

Indirect discrimination occurs when a “provision criterion or practice” (PCP) is applied generally but has the effect of putting people with a protected characteristic at a disadvantage when compared to people without that characteristic. It is a defence to a claim of indirect discrimination if it can be shown that the PCP is a “proportionate means of achieving a legitimate aim and that it could not reasonably be achieved in a different way which did not discriminate. In the context of schools, examples of legitimate aims might be: - maintaining academic or other standards or ensuring the health, welfare and safety of pupils.

Discrimination can include **associative discrimination** (when a person is treated less favourably because of their association with someone who has a protected characteristic) and **perception discrimination** (when a person is treated less favourably because it is believed they have a protected characteristic even if that is a mistaken belief).

Harassment has a specific legal definition in the Act based on the definition from the European Convention on Human Rights. It is “unwanted conduct, related to a relevant protected characteristic,

which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person". This covers unpleasant and bullying behaviour, and potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic.

Victimisation occurs when a person is treated badly or treated less favourably than they otherwise would have been 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. A protected act might involve, for example; making an allegation of discrimination or bringing a case under the Act, or supporting another person's complaint by giving evidence or information or doing anything else under or in connection with the Act.

Positive action and positive discrimination

New provisions in the Act allow schools to take positive action in relation to pupils and members of staff with certain protected characteristics who may be disadvantaged for social or economic reasons to do with past or present discrimination. Any such action must be a proportionate way of achieving a legitimate aim.

Positive action is **not** the same as positive discrimination. Positive discrimination is always unlawful except in the case of disability.

The Public Sector Equality Duty and supporting specific duties

The Act also introduced a single **Public Sector Equality Duty** (sometimes also referred to as the '**general duty**'). The general duty applies to public bodies, including all schools and academies. The general duty is supplemented by separate **specific equality duties** which require schools to publish information to show how they are complying with their general duty and to prepare and publish equality objectives.

The general duty applies to all protected characteristics and requires schools, when carrying out their functions, to have **due regard** to the need to:-

- eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it;
- foster good relations across all characteristics.

Schools are required to update published information at least annually and to publish objectives at least once every four years. The school's current equality objectives can be found in Appendix B.

Policy reviewed and approved by the Governing Body June 2017

Appendix B

The School's current Equality Objectives

1.

To raise the profile across the school of the protected characteristics.

2.

To raise attainment of disadvantaged boys.

3.

To reduce the use of derogatory language – this includes homophobic, racist, sexist language etc.

Equality Objectives reviewed and approved by the Governing Body June 2017