

Chellaston Junior School Equality Policy

Why is Equality Important?

Equality and diversity is not as easy as treating 'everyone the same' – far from it. It's about embracing equality and diversity in our school and treating everyone with dignity and respect. It is also about making adjustments for some people, so that they can achieve equality.

Our Commitment

The Governing Body of Chellaston Junior School is committed to providing equality for all pupil applicants, existing pupils, parents, staff applicants and current staff, ensuring that we take all possible steps to avoid unlawful discrimination.

This policy is intended to assist us in putting this commitment into practice. Compliance with this policy should also ensure that employees do not unwittingly commit unlawful acts of discrimination.

We will strive to maintain a learning environment that is free from harassment and bullying and that everyone is treated with dignity and respect.

Any behaviour, comments or attitudes that undermine or threaten an individual's self-esteem on these grounds will not be tolerated. We aim to provide equal access to high quality educational opportunities and to ensure that everyone feels that they are a valued member of the school community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated.

We aim to empower our pupils to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community. Equality cannot be realised without the involvement and commitment of all members of the school community and a recognition that the role of all staff is crucial in the delivery of the objectives of the policy.

All members of the school community are responsible for promoting the school's equalities policy and are obliged to respect and act in accordance with the policy.

The Equality Act (2010)

The Equality Act 2010 prohibits schools from discriminating against, harassing or victimising:

- prospective pupils
- pupils at the school
- in some limited circumstances, former pupils

Schools also have obligations under the Equality Act 2010 as employers, bodies which carry out public functions and service providers. Schools had obligations not to discriminate against people with a protected characteristic under previous equality legislation. The Equality Act 2010 provides a modern, single legal framework, and a clearer, more streamlined law that will be more effective at tackling disadvantage and discrimination. As the Equality Act 2010 harmonises the previous equality legislation much of what is required of schools is already being carried out by them. The main new provisions in the Act are:

New disability discrimination provisions:

- direct disability discrimination
- indirect disability discrimination
- discrimination arising from disability

New protected characteristics:

- gender reassignment
- pregnancy and maternity
- new positive action provisions
- questions procedure.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics. (See Appendix A for Definitions, Victimisation and Harassment)

Who is protected?

The Act protects pupils from discrimination and harassment based on 'protected characteristics'. (See Appendix B for further detail.) The protected characteristics for the schools provisions are:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
- Age
- Married or in Civil Partnership

(Age and being married or in a civil partnership are NOT protected characteristics for the schools provisions with regard to pupils, prospective pupils and former pupils.)

Positive action

Pupils with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains provisions which enable schools to take action to tackle the particular disadvantage, different needs or disproportionately low participation of a particular pupil group, provided certain conditions are met. These are known as the positive action provisions and allow (but do not require) schools to take proportionate action to address the disadvantage faced by particular groups of pupils. Such action could include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged pupil group.

Positive action is intended to be a measure that will allow schools to provide additional benefits to some pupils to address disadvantage and is not the same as positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged pupil group that exceeded the positive action conditions. Chellaston Junior School will use its discretion to employ positive actions to ensure that any group is not disadvantaged.

It is never unlawful to treat disabled pupils (or applicants) more favourably than non-disabled pupils. So, Chellaston Junior School may positively discriminate in favour of disabled pupils.

The School Context (Data based on School Census Collection Spring 2015)

Chellaston Junior School is much bigger than other primary schools.

The percentage of pupils known to be eligible for free school meals (11.25%) is below the national average.

The percentage of pupils whose first language is not, or is believed not to be English is (3.2%) with the following languages spoken:- Chinese, (Mandarin and Putonghua), Greek, Italian, Kannada, Lithuanian, Panjabi, Telugu, Turkish and Urdu.

The percentage of pupils identified as having SEN, including statements or EHC is 11.88%.

The percentage of pupils to be other than White British is 23.2%. The overall percentages of pupils is as follows:

4.8% Indian, 1.46% Pakistani, 2.08% Black African, 0.2% Black Caribbean, 0.63% Chinese, 2.29% Asian, 2.7% White and Asian, 2.9% White and Black Caribbean, 1.46% White other background.

There is one member of the staff who is of Indian Sikh origin and one member of staff who is of Any Other Asian Background. The rest of the staff is of white UK heritage.

The following faith communities are represented in the school: - Anglican, Sikh, Roman Catholic, other Christian, Hinduism, Judaism, Buddhism and Islam.

The following policies are part of the Equality Policy:

- 1. Equal Opportunities**
- 2. Race Equality**

1. Equal Opportunities Policy

Aims and objectives

The governing body and school, through the Equal Opportunities Policy, aims to:

- carry out its legal duty in complying with the relevant legislation (including the Disability Discrimination Act, The Equality Act 2010);
- reinforce the school's position as a provider of high quality education and as a good employer providing development opportunities;
- ensure that equality remains high on the school's strategic agenda;
- establish good people management practice and to set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response;
- ensure all staff work together with a shared sense of purpose to meet the needs of every pupil;
- ensure that pupils and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals;
- ensure that complaints or evidence of failure to comply with the school's equal opportunities policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. complaints relating to staff may be investigated either under the Disciplinary Procedures, Staff Grievance or Managing Allegations against Staff policies as appropriate). All forms of discrimination by any person within the school's responsibility will be treated seriously as such behaviour is unacceptable.

Policy and planning

Equal opportunities implications will be considered whenever school policies are developed or reviewed. All policies will be regularly reviewed to provide a comprehensive and consistent process of monitoring and evaluation.

Appointments: in all staff appointments the best candidate will be appointed based on strict professional criteria.

Family-friendly policies: the governing body/school is a family-friendly employer and will do its best to respond to the changing needs of all staff by publicising existing schemes designed to support employees in combining work and other responsibilities (parental leave arrangements, job share opportunities, flexi-time where appropriate, carers' leave provision).

HIV/AIDS: the Governing Body recognises that people with HIV/AIDS suffer not only from the purely medical effects of the infection but may also experience prejudice and misunderstanding leading to unfair discrimination and victimisation. The Governing Body therefore will ensure that people with HIV/AIDS do not experience unfair treatment in relation to employment, as pupils or as other members of the school community. The school and governing body will follow the detailed guidelines set out in Appendix B.

Equal pay

The Governing Body will pay due regard to the Equality Act 2010 and implement equal pay for men and women when they are employed to do the same work or work that is of equal value.

Part-time workers

The Governing Body will pay due regard to The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and ensure that part-time workers are not discriminated against in comparison with comparable full-time workers, unless the employer has objective justification. Where appropriate, the principle of 'pro rata' treatment will apply.

Disability discrimination

The Governing Body will pay due regard to The Disability Discrimination Act 1995 (DDA), and not discriminate against disabled people applying for jobs, or against existing disabled staff. The Governing Body make reasonable adjustments if the premises or employment arrangements substantially disadvantage a disabled person compared with a non-disabled person, in line with the DDA 1995.

Pre-Employment Checks.

The Governing Body will follow advice from the DBS and complete a DBS enhanced disclosure before an appointment is made. (See Safer Recruitment Policy)

Transsexual employees and gender reassignment: The Governing Body will follow the provisions of the Equality Act 2010 with regard to discrimination on grounds of gender reassignment.

Training and development

The success of the Equal Opportunities Policy is closely linked to the provision of relevant training. Governors will be encouraged to take up any relevant training with regard to Equal Opportunities.

The school will endeavour to:

- enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status
- provide equal access to training and development opportunities for all staff, including part time, on the basis of their assessed training needs;
- promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and pupils can make;
- equip employees with the skills to provide personal and organisational solutions, discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally.

Professional development involves a continuous process of learning involving self- development, encouragement and motivation. The school places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the school's performance management and appraisal system.

The Governing Body will ensure that appropriate training is provided on equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The Governing Body will also provide training to all existing and new employees and others engaged to work at the school to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment. The Governing Body will ensure that additional training is provided for managers to enable them to deal more effectively with complaints of bullying and harassment.

Pupils and the curriculum

The school's pupil admission policy and criteria does not permit sex, race, colour or disability to be used as criteria for admission. The school's aim is to provide for all pupils according to their needs, irrespective of gender, ability or ethnic origin.

The Education Reform Act 1988 stated that 'the school curriculum should reflect the culturally diverse society to which pupils belong and of which they will become adult members. The school provides a broad and balanced curriculum which avoids stereotypes and provides good role models for all pupils.

Equality of opportunity is an integral part of the whole of the curriculum. Equal opportunities issues will be taken account of in planning the curriculum. This is reflected in curriculum planning documentation.

Grievances

If any member of staff considers that they have experienced unlawful discrimination, they may use the school's Staff Grievance procedure to make a complaint.

The governing body will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Use of the governing body's adopted grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

Responsibility

Acts of discrimination, harassment, bullying or victimisation against employees or parents and their families are disciplinary offences and will be dealt with under the school's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

The Governing Body are ultimately responsible as the employer and are the respondent in the event of an employment tribunal.

Customers, suppliers and other people not employed by the school

The school will not discriminate unlawfully against customers using, or seeking to use, goods, facilities or services provided by the school.

Employees should report any bullying or harassment which they experience from the wider community (parents, suppliers, visitors or others) to their team leader who will take appropriate action.

Monitoring, review and evaluation

Equal Opportunities will be reviewed regularly and take account of such issues as staff appointments and profiles, curriculum provision and pupil attendance, behaviour and achievement. Exit interviews may also be undertaken to provide further helpful information and feedback to the school.

2. Race Equality Policy

Chellaston Junior School has a **general** duty under the Equality Act 2010 to:

- eliminate unlawful racial discrimination
- promote equality of opportunity
- promote good relations between people of different racial groups.

The school has a **specific** duty to:

- prepare a Race Equality Policy
- assess the impact of the policy on pupils, staff and parents of different racial groups including, in particular, the impact on the attainment levels of such pupils.

Aims and Values

This school promotes the spiritual, moral, cultural, mental and physical development of pupils and prepare them for the opportunities, responsibilities and experiences of adult life.

The school's educational aims include allowing pupils to develop attitudes, values and beliefs, including a respect for and an understanding of other people's religious, social and moral ways of life. (See the school's Teaching, Learning and Curriculum and the school's policy on promoting British Values)

The Race Equality policy is built on our own existing good practice, which has been informed by national and local guidance.

Existing and Complimentary School Policies

This school's Race Equality Policy should also be read in the context of the following school policies:

- Equal Opportunities policy
- Behaviour Policy.
- Religious Education policy.
- Teaching, Learning and Curriculum Overview and Policy.

Leadership, Management and Governance

Chellaston Junior School senior managers are committed to:

- **being proactive** in promoting racial equality and good race relations and tackling racial discrimination
- **encouraging, supporting and enabling** all pupils and staff to reach their potential
- **working in partnership** with parents and the wider community to establish, promote and disseminate racial equality good practice and tackle racial discrimination
- ensuring that the policy is **followed**.

Staff with specific responsibilities

The senior manager with responsibility for the management and implementation of Race Equality is the Headteacher. He will seek to ensure that responsibilities are shared and appropriately discharged across the school.

The Headteacher is responsible for dealing with reported incidents of racism or racial harassment, recording all such incidents and sending such data to the LA as, and when, requested on a regular basis.

Responsibility for responding positively to the general duties of the The Equality Act are shared by everyone within the school community such as:

A. Governing Body

- ensuring that the school complies with relevant legislation
- ensuring that the policy and its related procedures and strategies are implemented.
- ensuring that statistics and actions related to racist incidents are brought to the attention of the Governing Body on a regular basis.

B. Headteacher

- implementing the policy and its related procedures and strategies
- ensuring that all staff are aware of their responsibilities and are given appropriate training and support
- taking appropriate action in any cases of racial discrimination.

C. All staff

- dealing with racist incidents, and knowing how to identify and challenge racial bias and stereotyping
- ensuring that all racist incidents are appropriately recorded
- promoting racial equality and good race relations and not discriminating on racial grounds
- keeping up to date with race relations legislation by attending training and information opportunities.

D. Visitors and contractors

- being aware of, and complying with, the school's race equality policy.

Breaches of the Policy

However trivial the racist incidents may seem in isolation, they are serious. Personally they are very hurtful and demeaning. Institutionally they have the potential to escalate and to divide the school community.

Chellaston Junior School will adopt the following procedures to deal with perpetrators:

Physical Assault

- All incidents reported to Headteacher.
- Incident recorded on log sheet and given to Headteacher.
- Both sets of parents/carers informed.
- Action to prevent re-occurrence.

Derogatory name-calling, insults, mimicry and racist jokes

- Incident recorded on log sheet and given to Headteacher.
- Full explanation to perpetrator that verbal racist abuse is not acceptable.
- Both sets of parents/carers informed

Racist Graffiti

- Report to Headteacher.
- Remove immediately.

Members of Staff

If a pupil, parent or member of staff is racially abused by any other member of staff

- Report incident to Headteacher

- If victim is dissatisfied with the action taken by the Headteacher, inform them of their right to make a formal complaint to the Governors.

Incidents involving outside perpetrators

If a pupil, parent or member of staff is racially abused by someone during school activities from outside the school community, the school will ask advice from the local authority and follow the provisions in the relevant legislation:

Chellaston Junior School has a commitment to the monitoring of all aspects of school provision and performance against the general duties of The Equality Act 2010. Analysis of our school self review will be shared on a regular basis with the LA through discussion with our Senior School Improvement Officer.

Implementing the policy

This policy has been drawn up in consultation with all staff of Chellaston Junior School.

The school has clear procedures in place to ensure that racist incidents, racial discrimination and racial harassment are dealt with promptly, firmly and consistently.

Issues surrounding this policy form an integral part of our curriculum.

Copies of this policy are available for parents on the school website or from the school office

The Equality Policy was agreed by the Governing Body:

April 2015

Policy Review Date:

April 2017

Appendix A: Discrimination, victimisation and harassment

Discrimination on grounds of race, sex, disability, religion or belief, or sexual orientation is illegal. However, for the school community, discrimination is also unacceptable on any of the other grounds referred to in this policy statement. Failure to comply with the policy will be fully and promptly investigated using the appropriate procedures.

There are four ways in which discrimination may occur:

1. **Direct discrimination:** This means treating someone less favourably than others would be treated in the same or similar circumstances on the grounds of race, sex etc
2. **Indirect discrimination:** This means applying a requirement or condition which cannot be justified to all groups but which has a disproportionately adverse effect on one group because the proportion of that group which can comply is smaller than the proportion of the group(s) which can comply with it.
3. **Victimisation:** This occurs when a person is treated less favourably than other persons would be treated because that person has done a 'protected act' under the Equal Pay Act, Sex Discrimination Act, Race Relations Act or Employment Equality Regulations, for example, by bringing forward proceedings or giving evidence or information.
4. **Harassment:** Harassment can take many forms, from the most obvious abusive remarks to extremely subtle use of power. As with unfair or unlawful discrimination, harassment can be intentional or unintentional. However, the key issue is not simply the intention of the offender but the impact of the behaviour on the person receiving it.
5. **Harassment** may involve any of the following:
 - a. physical contact or violence;
 - b. offensive humiliating and intimidating remarks or actions;
 - c. exclusion from participation in job-related or classroom-related discussions, training or social or other events;
 - d. unfair work allocation;
 - e. unjust or excessive or humiliating criticism of performance;
 - f. offensive signs or notices;
 - g. graffiti;
 - h. repeated demands or requests for sexual favours.

These are merely examples and not an exhaustive list. Whatever the form, the school will provide support for any member of the school community, pupil or staff member who feels threatened or isolated because of such actions.

Appendix B Protected Characteristics (Equality Act 2010)

Age

Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment

The process of transitioning from one gender to another.

Marriage and civil partnership

In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. [1] This will also be true in Scotland when the relevant legislation is brought into force. [2]

Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

Pregnancy and maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Race

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Sex

A man or a woman.

Sexual orientation

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.