

WINTERBOURNE NURSERY & INFANT SCHOOL



EQUALITY POLICY

Agreed by governors:
Reviewed:
Next review:

22nd May 2018
September 2020 (no change)
September 2021

Equalities Policy Statement

Guiding principles

In fulfilling the legal obligations referred to above and summarised in Appendix A, we are guided by seven principles.

Principle 1: All learners are of equal value

We see all learners and potential learners as of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or national status
- whichever their gender

Principle 2: We recognise and respect diversity

Treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to 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 are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
- gender, so that the different needs and experiences of girls and boys, women and men are recognised.

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

We intend that our policies, procedures and activities should promote:

- positive attitudes 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 harassment

Principle 4: Staff recruitment, retention and development

Policies and procedures should 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, whichever their gender.

Principle 5: We aim to reduce and remove inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- girls and boys, women and men.

Principle 6: We consult widely

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. We involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious backgrounds
- both women and men, and girls and boys.

Principle 7: Society as a whole should benefit

We intend that our 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 people as well as non-disabled
- people of a wide range of ethnic, cultural and religious backgrounds
- both women and men, girls and boys.

The curriculum

We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the seven principles above.

Ethos and organisation

We ensure that the principles listed apply also to the full range of our policies and practices, including those that are concerned with:

- learners' progress, attainment and assessment
- learners' personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance
- staff recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- working in partnership with parents, carers and guardians
- working with the wider community.

Characteristics of our school (Data available separately for table below)

Characteristic	Total	Breakdown
Number of pupils		
Number of staff		
Number of Governors		
Attainment on entry		
Pupils eligible for FSM		
Disabled staff		
Disabled pupils (SEN/LDD)		
Disabled pupils (no SEN)		
Pupils who speak English as an additional language		
Average attendance rate		
Significant partnerships		
Awards, accreditations, specialist status	E.g. Healthy schools	

Legal framework

We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations in relation to age (as appropriate), disability, ethnicity, gender (including issues of transgender, and of maternity and pregnancy), religion and belief, and sexual identity.

We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.

We recognise that these duties reflect international human rights standards as expressed in 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.

Addressing prejudice and prejudice-related bullying

The school is opposed to all forms of prejudice which stand in the way of fulfilling the legal duties:

- Prejudices around disability and special educational needs
- Prejudices around racism and xenophobia, including those that are directed towards religious groups and communities for example anti-Semitism and Islamophobia, and those that are directed against travellers, migrants, refugees and people seeking asylum
- Prejudices reflecting sexism and homophobia

There is guidance available to all at the school on how prejudice related incidents should be identified, assessed and dealt with.

We keep a record of prejudice related incidents if any and provide a report to the local authority about the numbers, types and seriousness of prejudice related incidents at our school and how they are dealt with.

Roles and responsibilities

The governing body is responsible for ensuring that the school complies with legislation, and that this policy and related procedures and action plans are implemented.

Governors will:

- Provide leadership and drive for the development and regular review of the school's equality and other policies
- Ensure the accountability of the Headteacher and staff for the communication and implementation of the Scheme
- Ensure that the school carries out the letter and the spirit of the statutory duties (including the provision of returns' to the local authority)

A member of the governing body has a watching brief regarding the implementation of this policy.

The Headteacher is responsible for implementing the policy: for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in cases of unlawful discrimination.

The Headteacher will:

- Consult pupils, staff and stakeholders in the development and review of the Equality Scheme
- Initiate and oversee the development and regular review of Scheme
- Embed the vision and values of the Scheme
- Ensure that the school carries out its statutory duties effectively
- Provide staff training as is necessary to carry out the Scheme
- Ensure a consistent response to incidents e.g. bullying and racist incidents

The Headteacher has day-to-day responsibility for coordinating implementation of the policy.

All staff, teaching and non-teaching, will:

- Promote an inclusive and collaborative ethos in their classroom
- Deal with any prejudice related incidents that may occur in conjunction with the senior leadership team
- Support pupils in their class for whom English is an additional language
- Keep up to date with equalities legislation relevant to their work and plan and deliver lessons that reflect the principles of the school's equality scheme
- Contribute to the implementation of the school's equality scheme
- Contribute to consultations and reviews
- Raise issues with the Headteacher that could contribute to policy review and development
- Implement the policy as it applies to staff and pupils
- Behave with respect and fairness to all colleagues and pupils, carrying out the letter and spirit of the school's equality scheme
- Provide a consistent response to incidents, e.g. bullying cases and racist incident

Information and resources

We ensure that the content of this policy is available in a range of formats and is known to all staff and governors and, as appropriate, to all pupils and their parent and carers.

All staff and governors have access to a selection of resources which discuss and explain concepts of quality, diversity and community cohesion in appropriate detail.

Religious observance

We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

Our curriculum reflects the attitudes, values and respect that we have for minority ethnic groups. So, for example, in the curriculum topic on religious festivals, the children learn the importance of different religious beliefs and cultures and their contribution towards our school and community.

Staff development and training

We ensure that all staff, including support and administrative staff, receives appropriate training and opportunities for professional development, both as individuals and as groups or teams and advance the equality of opportunity through targeted development and training programme.

Monitoring and review

We collect study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.

In particular, we collect, analyse and use data in relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin and national status; and gender. Specifically, we will:

- Monitor the progress of pupils from minority groups, comparing it with the progress made by other pupils in the school;
- Monitor the staff appointment process, so that no one applying for a post at this school is discriminated against;
- Take into serious consideration any complaints from parents/carers, staff or pupils regarding equal opportunity;
- Monitor the school's behaviour policy, and the numbers of exclusions, to make sure that pupils from minority groups are not unfairly treated.

This policy will be reviewed by the governing body every four years.

Appendix A

Legislation on Equality and Diversity

A guide for the action that maintained schools need to take to comply with equality and diversity legislation

THIS GUIDANCE

Schools have a number of responsibilities and duties under legislation relating to equality and diversity. Recent and forthcoming legislation covers equality issues in relation to gender, age, race, disability, religion or belief, sexual orientation and gender reassignment.

This guidance provides an overview of that legislation and what it means for schools, as well as advice on where to obtain more information. It recognises that most schools are firmly committed to equality and diversity, and offers advice on practical steps needed to comply with legislation and work through the existing framework established through the New Relationship With Schools. Annexes A and B respectively provide links to relevant legislation and to more detailed guidance on the issues covered in this document. Annex C summarises the obligations on schools arising from the legislation.

BACKGROUND

1. Schools, as a matter of course, do a great deal to promote a positive and welcoming culture and ensure that all children and young people in their care are safe and are supported to fulfill their potential. There is now a significant amount of legislation relating to equality, ranging from the Sex Discrimination Act 1975 to the Equality Act 2006. Schools, like any other organisation, need to ensure they comply with this legislation.

2. Legislation requires schools both to avoid discrimination and to promote equality for pupils, staff and others using school facilities. This guidance sets out as simply as possible what schools need to do to ensure compliance. It suggests steps schools can take to minimise the additional work required to demonstrate they are meeting their legal obligations in respect of equal opportunities.

DEFINITIONS OF DISCRIMINATION

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

Direct discrimination: Is unlawful for all protected grounds except, in some circumstances, age and disability in schools. Direct Discrimination is when a person is treated less favourably than others in comparable circumstances because of a special characteristic such as sex, race or a disability. In the case of direct age discrimination, this is unlawful only if it cannot be objectively justified.

Indirect Discrimination: In essence occurs when a provision, criterion or practice is applied equally to all but has a different impact on members of one or more protected groups, of which the complainant is one, and is placed at a disadvantage as a result. Indirect discrimination is unlawful unless it can be justified for reasons unrelated to the characteristic in question. (An example might be a physical strength test, which would discriminate against women, and which might be justified in relation to a job necessitating heavy lifting, but not in relation to teaching.)

Victimisation – treating a person less favourably because they have taken action in respect of discrimination, e.g. by bringing a complaint or giving evidence for a colleague – is also unlawful.

Harassment – unwanted conduct which violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, on grounds of one of the relevant characteristics such as sex or race – is also unlawful in many of the situations covered by discrimination law.

ACTION SCHOOLS NEED TO TAKE - EMPLOYMENT

4. Taken together, the collective effect of legislation relating to equality is that schools must not discriminate in the employment of staff on grounds of gender, transsexual status¹, race, disability, sexual orientation², religion or belief³ or age⁴. With regard to disability, schools must 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.

5. This includes discrimination in relation to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

ACTION SCHOOLS NEED TO TAKE – DISCRIMINATION WITH REGARD TO PUPILS

6. Schools must not discriminate against children seeking admission or with regard to how pupils are treated, on grounds of sex, race, disability, religion or belief⁵. This includes discrimination in 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.

7. There are some limited exceptions to this.

- Single sex schools may of course discriminate on grounds of sex with regard to admissions, and schools with a religious character may give priority in admissions to applicants who are of their faith.
- 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, schools must 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.
- Schools must not discriminate on grounds of sexual orientation in terms of employment of staff. Regulations are expected to be made shortly which will cover discrimination against pupils or potential pupils on the grounds of their sexual orientation or that of their parents, carers or other associates.
- Schools must not discriminate on grounds of age in terms of employment of staff but age discrimination legislation does not apply to the treatment of pupils or the delivery of education.

DUTY TO PROMOTE EQUALITY

Race

8. Schools are under a duty to promote equality of opportunity and to promote good relations between persons of a different race and nationality. This will be through a written race equality policy, which should identify action to be taken to tackle discrimination and to promote equality and good race relations across the whole area of school activity.

9. There is also a duty to assess and monitor the impact of policies on pupils, staff and parents, in particular the attainment levels of pupils from different racial groups. Such steps as are reasonably practicable should be taken to publish annually the results of the monitoring. Ofsted will inspect and report on whether schools are meeting the general and specific duties.

10. All schools and educational establishments are required to record racist incidents and to report them to the local authority on a regular basis.

Disability

11. Schools are under a duty, when carrying out their functions, to have regard to the need to:

- a. Promote equality of opportunity between disabled and other people;
- b. Eliminate discrimination and harassment; promote positive attitudes to disabled people;
- c. Encourage participation by disabled people in public life; and
- d. Take steps to meet disabled people's needs, even if this requires more favourable treatment.

12. Secondary schools are also required to publish a disability equality scheme (this requirement came into force in December 2006), and primary and special schools must do this by December 2007. The scheme is required to show how the school is meeting its general duty to promote disability equality across all of its areas of responsibility.

Gender (sex)

13. From April 2007, schools will have a general duty to promote equality of opportunity between men and women (including boys and girls) and a specific duty to publish a Gender Equality Scheme showing how the school intends to fulfil the general and specific duties. Schools must revise and review the plan every 3 years and report on progress annually.

14. There are no specific duties or requirements on schools in relation to gender reassignment, beyond the requirement not to discriminate in terms of employment of staff (see section on employment above).

ACTION SCHOOLS NEED TO TAKE – PROMOTION AND MONITORING

15. As set out briefly above, schools are under a number of duties through legislation on equality to promote and monitor equality and discrimination, including gathering specified evidence and publishing plans. Taken together, the requirements are to:

a. Produce a written race equality policy identifying action to be taken to tackle discrimination and promote equality and good race relations across school activity. More detailed guidance for schools on how to produce such a policy is available from the Commission for Racial Equality (see annex B).

b. Assess and monitor the impact of race equality policies on pupils, staff, and parents, in particular the attainment levels of pupils from different racial groups, and take such steps as are reasonably practical to publish the results of this monitoring annually (see the Commission for Racial Equality's guidance for further detail on this).

c. Record racist incidents and report them to the local authority on a regular basis. Schools should contact their local authority for advice on the format, process and frequency of reporting that is required. Further guidance on this is available from the Department for Education and Skills (see annex B).

d. Publish a disability equality scheme (from December 2006 in secondary schools and December 2007 for primary and special schools) showing how the school is meeting its general duty to promote disability equality across all its areas of responsibility. Advice on what should be contained in this scheme, and outline plans, can be found in the guidance *Promoting Disability Equality in Schools* (see annex B).

e. Publish a Gender Equality Scheme showing how the school intends to fulfil its general and specific duties, such as setting out gender equality objectives. Schools must revise and review this plan every 3 years and report on progress annually. More detailed guidance and advice to schools on this will be issued shortly. In the meantime, further advice and information can be obtained from the Equal Opportunities Commission (see annex B).

16. To minimise the burden created by the need to complete these important plans, we recommend that schools produce a single 'equality plan' covering all of the plans set out above.

17. There is no need to repeat any of the content of this equality plan in the broader school plan, though it may be helpful to cross-refer to make clear how equality is embedded in all of the school's policies and practices.

KEY LEGISLATION

(Please note legislation made prior to 1988 is not available online)

Area	Legislation
Gender (sex)	<u>Sex Discrimination Act 1975, as amended</u> <u>Equality Act 2006</u>
Gender (reassignment)	<u>Sex Discrimination (Gender Reassignment) Regulations 1999</u>
Race	<u>Race Relations Act 1976, as amended</u> <u>Race Relations (Amendment) Act 2000</u>
Disability	<u>Disability Discrimination Act 1995, as amended</u> <u>Special Educational Needs and Disability Act 2001</u> <u>Disability Discrimination Act 2005</u>
Sexual orientation	<u>Employment Equality (Sexual Orientation) Regulations 2003, as amended</u>
Religion or belief	<u>Employment Equality (Religion or Belief) Regulations 2003, as amended</u> <u>Equality Act 2006</u>
Age	<u>Employment Equality (Age) Regulations 2006</u>

WHERE TO FIND MORE DETAILED GUIDANCE

Cross-cutting

Governors Guide to the Law (chapter 11)

Teachernet – information and advice on equality issues

Gender (sex)

The Equal Opportunities Commission – advice on the Gender Equality Duty

The Women and Equality Unit

Gender reassignment

A Guide to the Sex Discrimination (Gender Reassignment) Regulations 1999

Race

Commission for Racial Equality – guidance for schools on the race equality duty

Recording and Reporting Racist Incidents Guidance

Disability

Promoting Disability Equality in Schools

Disability Rights Commission

Sexual orientation

Advisory, Conciliation and Arbitration Service (ACAS)

Religion or belief

Advisory, Conciliation and Arbitration Service (ACAS)

Age

Advisory, Conciliation and Arbitration Service (ACAS)

Age Positive