



# Hagley Primary School

## Single Equality Policy

**Date: January 2018 – January 2021**

**Date of review: July 2020**

**Responsible member of staff: Mrs V Payne**

**Signature:** .....

*(Chair of governors)*

**Signature:** .....

*(Head Teacher)*

*This single policy replaces separate policies the school has on race, disability and gender to eliminate discrimination, advance equality of opportunity and foster good relations. It reflects the legal duties set out in the **Equality Act 2010** and **non-statutory guidance** set out by the government in December 2011 and March 2012. Part One sets out the school's aims to promote equality of opportunity and comply with the Act; Part Two sets out the legal duties which are referred to in Part One.*

## **Part one**

At Hagley Primary School we are striving to prepare the learners of today for a global future, and we work hard to provide a happy and secure environment and to respond to the changing needs of our children. We also consider the whole child to be important and aim to meet the social, emotional, physical, intellectual and moral needs of each individual.

Hagley Primary School will take steps to advance equality of opportunity, foster good relations and eliminate discrimination or harassment across all the Protected Characteristics (age, race, gender reassignment, disability, marriage and civil partnership, religion and belief, pregnancy and maternity, gender, sexual orientation) within the school community. The school community includes the pupils we serve, their families and the school's staff. At Hagley Primary School we believe that diversity is a strength which should be respected and celebrated by all those who learn, teach and visit here.

This means:

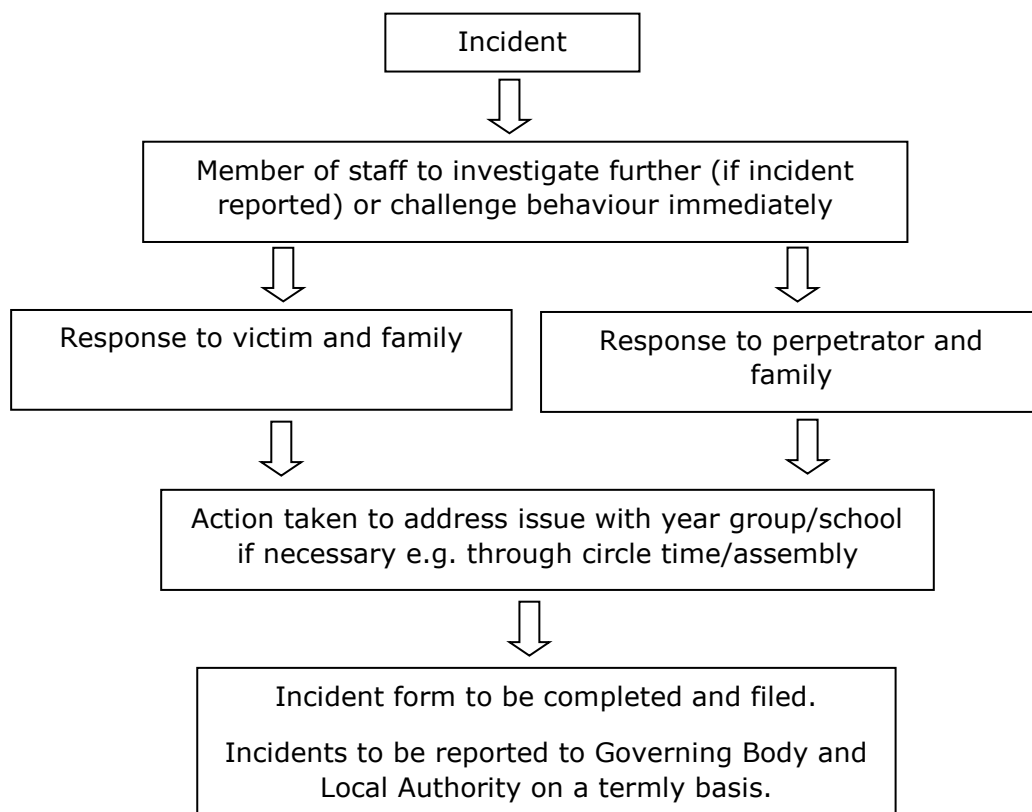
- We will take reasonable and necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments for disabled pupils, enabling our pupils to take as full a part as possible in all the activities of the school. We will make reasonable adjustments to ensure the school environment and its activities are as accessible and welcoming as possible for pupils, staff and visitors to the school. We are also committed to ensuring staff with a disability have equality of opportunity.
- We will actively encourage positive attitudes towards pupils and staff, expect everyone to treat others with dignity and respect and provide opportunities to support culture and celebrate diversity.
- We will regularly promote our school values of;
  - Being Resilient
  - Being Conscientious
  - Being Creative
  - Being Responsible
  - Being Respectful
  - Being Reflective
  - Being Courageous
  - Being Kind
- We will regularly consider the ways in which our teaching and the curriculum provision will support high standards of attainment, promote our school values, and help students understand and value the diversity that surrounds them, and challenge prejudice and stereotyping.
- We will monitor the progress and achievement of pupils and use contextual data to improve the ways we provide support. 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 (see below).
- We will collect and analyse information about Protected Characteristics in relation to staff recruitment, retention, training opportunities and promotions to ensure all staff have equality of opportunity. We will not ask health-related questions to job applicants before offering a job, unless it relates to an intrinsic function of the work they do. We will make reasonable

adjustments such as providing auxiliary aids for our disabled staff. The school welcomes a diverse range of candidates and encourages those who are currently under-represented to join.

- Staff 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 are required. By planning ahead, staff will ensure that all pupils are able to take part in extra-curricular activities and residential visits, and the school will monitor the uptake of these visits to ensure no one is disadvantaged on the grounds of a Protected Characteristic (see below).
- Throughout the year, the school will plan on going to events to raise awareness of equality and diversity. This may include a focus on disability, respect for other cultures, religions and beliefs, anti-homophobia/gay pride, gender equality, developing community cohesion and an understanding of the effects of discrimination.
- We will seek the views of advisory staff and outside agencies and partnerships with other schools where this is needed. In planning the curriculum and resources the school will take every opportunity to promote and advance equality.
- Bullying and prejudice related incidents will be carefully monitored and dealt with effectively. 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.
- We expect that all staff will be role-models for equal opportunities, deal with bullying and discriminatory incidents and be able to identify and challenge prejudice and stereotyping.

Hagley Primary School will ensure that a clear procedure is in place to enable all pupils and staff to report any incidents which are of concern. All staff will be encouraged to consider dealing with such incidents as a vital aspect of well-being for the whole school.

Our procedure for responding and reporting incidents is outlined below:



- We will ensure that all staff are aware of their legal duties under the Equality Act 2010, the nature of Prohibited Characteristics and Prohibited Conduct (as defined below) and what 'reasonable adjustments' mean in practice.
- We will consult and involve stakeholders. It is a requirement that the development of this plan and the actions within it have been informed by the input of staff, pupils and parents and carers. We have achieved this by using the following:
  - Feedback from parent questionnaires and Parents' Evenings
  - Input from staff through staff meetings
  - Feedback from the School Council, PSHE lessons and values assemblies
  - Issues raised in annual reviews or reviews of progress for children with special educational needs
  - Feedback at Governing Body meetings

## Part Two

### 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.
- **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.
- **Harassment** - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **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 (as defined above).
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 Plan**

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) an Accessibility Plan which will:
  1. Increase disabled pupils' access to the school curriculum
  2. Improve the physical environment
  3. 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.

### **Community Cohesion**

The Education and Inspections Act 2006 introduced a duty on all maintained schools in England to promote community cohesion. Community cohesion encompasses promoting good relations between pupils from different races, faiths/beliefs and socio-economic backgrounds.

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.

### **Responsibilities**

#### **Governing Body**

- Ensure that the school complies with equality-related legislation.
- Ensure that the policy and its procedures are implemented by the Head Teacher.
- Ensure all other school policies promote equality.
- Ensure that the school is fully inclusive to pupils and responsive to their needs based on race, gender and disability.
- Ensure that people are not discriminated against when applying for a job at Hagley Primary School on grounds of a Protected Characteristic.

#### **Head Teacher**

- 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 appointed panels 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 coaching 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 and provide material that gives positive images based on race, gender and disabilities and challenges stereotypical images.

### **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 any Prohibited Conduct and/or discriminating behaviour (for example, racist language) on school premises.

### **Review of Progress and Impact**

This policy has been agreed by our Governing Body. Hagley Primary School have a rolling programme for reviewing our school policies and their impact. In line with legislative requirements, we will review progress against our Single Equality Policy annually.

We make regular assessments of pupils' learning and use this information to track pupil progress. As part of this process, we regularly monitor achievement by ethnicity, gender and disability, to ensure that all groups of pupils are making the best possible progress, and take appropriate action to address any gaps.