

**HIGH STREET PRIMARY
SCHOOL**

EQUALITY POLICY



REVIEWED MARCH 2015

CHANGES

Adopted by *Governors* March 2008

Review Date March 2010

Review Date March 2013

Review Date March 2015

Contact

If you have any questions regarding this policy please contact your PAPH HR Adviser

SCHOOL AIMS

High Street Primary School aims to create a happy school in which we can all be proud and in which all children can develop their full potential.

We want our school to be one in which children are able to

- feel secure and comfortable
- develop confidence
- become independent learners and thinkers

We will help the children to do the best they can through

- encouraging self motivation
- harnessing enthusiasm
- having high expectations of everything they do

We will encourage shared values by

- showing mutual respect and tolerance towards others
- caring for the world in which we live
- preparing for future good citizenship

We will develop an approach to learning that strives for the highest standards in

- academic
- social
- cultural
- moral
- spiritual
- and physical aspects

We will be proud of our school and celebrate our achievements.

MISSION STATEMENT

To create a happy, secure and stimulating learning environment in which all members of the school community can grow in self-esteem and develop their potential as human beings.

LEARNING TOGETHER

" Our school is a place where we learn and where we are among lots of people also learning. We learn how to get along, to be considerate and friendly towards other people and our school is where we can meet new people and learn how to do things that please the majority of people around us, and not just ourselves."

Our Equality Objectives

In order to ensure that equality and diversity are embedded in the School Improvement Plan, the scheme is organised into the five themes of Every Child Matters

- Being healthy
- Staying Safe
- Enjoying and Achieving
- Making a positive Contribution
- Achieving Economic Wellbeing

with specific actions for equalities identified under each theme in the relevant action plans.

National context for Diversity

As well as delivering on its commitment to promote equality across all the six strands of diversity- age, disability, faith and belief, gender, race and sexual orientation, the school has a duty to comply with a large and complex suite of equality legislation. As such, the school's Equality Policy has been devised to ensure that our employment practices and service delivery comply with the following Equal Opportunities Legislation, Codes of Practice and recommendations:

- Anti-social Behaviour Bill
- Childcare Act 2006
- Civil Partnership Act 2004
- Domestic Violence, Crime and Victims Act 2004
- Disability Equality Duty
- Disability Discrimination Acts 1995 and 2005
- Disability Rights Commission (DRC) Act 1999
- Employment Act 1990 (amended)
- Employment Equality Act 1998
- Employment Equality (Age) Regulation 2006
- Employment Equality (Sex Discrimination) Regulation 2005
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Relations Act 1999
- Equality Act 2006
- Equality Act 2004
- Equal Pay Act 1970 as amended by the Equal Pay (Amendment)
- Equal Opportunities Commission and Commission for Racial Equality Codes of Practices
- Equality Standard for Local Government
- Five Year Plan for Asylum and Immigration
- Gender Recognition Act 2004

- Gender Equality Duty
- Human Rights Act 1998.
- Immigration, Asylum and Nationality Act 2006
- Independent Living & Human Rights Act 1998
- Incitement to Religious Hatred Act (1986 Public Order Act)
- Macpherson Recommendations, Stephen Lawrence Inquiry
- Protection from Harassment Act 1997
- Race Equality Duty
- Racial and Religious Hatred Act 2006
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Sex Discrimination (Gender Reassignment) Regulations 1999
- Sex Discrimination Act 1975 and 1986
- Special Educational Needs and Disability Act 2001

The equality and diversity agenda has been driven forward by a significant reform of equalities legislation, both in terms of service delivery and workforce management over the last five years. As part of this reform a range of initiatives and key documents have been developed, which set out proposals for change and the implications for councils. Some of these are highlighted below:

- **Civil Partnership Act 2004** ensures same sex partners who register as civil partners will be treated the same as a married couple for a number of legal rights. These include pensions, recognition for immigration, equal treatment for tax purposes including inheritance tax and better protection from domestic violence. Civil partners are also exempt from testifying against each other in court as are married couples, as well as having next of kin rights, thus overcoming a number of previously experienced problems, such as hospital visiting. Local authorities are obliged to provide civil partnership ceremonies as part of their register office functions where they are requested. A couple, who have not registered their partnership but have lived together as if they were civil partners are to be treated as heterosexual unmarried couples living together as husband and wife.
- **Disability Discrimination Acts (DDA)** - give disabled people rights in a wide range of key areas such as employment, education, access to goods, facilities and services and buying or renting land and property. They require public bodies to promote equality of opportunity for disabled people, and organisations to take reasonable steps to tackle policies,

practices and physical features that act as a barrier to disabled people who want to access their services.

- **Equality Act 2006** - establishes a single Commission for Equality and Human Rights (CEHR) from October 2007, and a duty on public authorities to promote equality of opportunity between men and women (the 'gender duty'). It also makes discrimination on the grounds of religion or belief in the provision of goods, facilities, services, premises, education and the exercise of public functions unlawful, and provides powers to outlaw discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, including adoption. The Equality Act regulations are due to come into force in April 2007.
- **Employment Equality (Religion or Belief)/(Sexual Orientation) Regulations 2003** - outlaw discrimination in employment and vocational training on the grounds of religion, belief or sexual orientation. It prevents both direct and indirect discrimination as well as harassment and victimisation on these grounds.
- **Equalities Review**, which was jointly sponsored by the Equality Minister and the Minister for the Cabinet Office:
 - Investigated the social, economic, cultural and other factors that limit or deny people the opportunity to make the best of their abilities
 - Provided an understanding of the long term and underlying causes of disadvantage that need to be addressed by public policy
 - Made practical recommendations on key policy priorities for: the government and public sector; employers and trade unions; civic society and the voluntary sector
 - Informed both the modernisation of equality legislation, towards a single equality act; and the development of the new commission for equality and human rights.
- **Equality Standard for Local Government** sets out a framework for integrating equalities in service and workforce planning. It requires that services across the Council take ownership of the equalities agenda and engage in dialogue with target groups, thereby developing and achieving clear equalities objectives.

- **Gender Recognition Act 2004** - allows transgender people (who are able to satisfy the necessary evidential requirements) to apply for a Gender Recognition Certificate, which provides full legal recognition of their acquired gender. Following a successful application, the law regards the transsexual person as being of their acquired gender, and ensures they have all the rights and responsibilities appropriate to that gender.
- **Human Rights Act 1998** - The act applies directly to public authorities and incorporates the European Convention on Human Rights into UK law. Human rights are rights and freedoms that belong to all individuals regardless of their nationality and citizenship. They are fundamental in maintaining a fair and civilised society.
- **Race Relations (Amendment) Act 2000** amended the 1976 Race Relations Act which was introduced to prevent discrimination on the grounds of race, colour, nationality, ethnic and national origin in the fields of employment, the provision of goods and services, education and public functions. It also set up the Commission for Racial Equality (CRE). The 2000 amendment to the act introduced onto public authorities the general duties to promote racial equality and eliminate unlawful discrimination.

The Gender, Race and Disability Equality Duties

These duties impose broad obligations on public authorities to:

- Eliminate discrimination and harassment;
- Have due regard to the promotion of equality and opportunity between persons and other persons;
- Promote positive attitudes;
- Encourage participation by minority and under-served groups in public life;
- Take steps to take account of people's specific needs even when this requires treating some individuals more favourably than others.

The Race Equality Duty

What is Race?

A race is a distinct group or population of people distinguished in some way from others most often in terms of physical characteristics but also language, history, ancestry and culture.

What is the Race Equality Duty?

The duty was detailed in the Race Relations Amendment Act 2000 and includes both a general and specific duty.

The General Duty as set out in section 71(1) of the Act, requires a public authority in carrying out its functions to have due regard to the need to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Promote good relations between different racial groups.

The Specific Duties are set out in articles 2(3) and 2(4) of the Race Relations Act 1976 (Statutory Duties) Order 2001 which states that a public authority should develop a race equality scheme which highlights:

- Those of its functions and policies, or proposed policies, which it has assessed as relevant to its performance of the duty imposed by section 71(1) of the Race Relations Act and its arrangements for:
 - assessing and consulting on the likely impact of its proposed policies on the promotion of race equality
 - Monitoring its policies for any adverse impact on the promotion of race equality
 - Publishing the results of its assessments, consultation and monitoring, providing public access to information
 - Training staff in connection with the duties

What are the key issues for our school?

- Our school has approximately the national average numbers of minority ethnic pupils.
- All incidents of racial bullying, or harassment, are followed up with children and families and are reported to the LA in the termly report. A detailed record of all such incidents is kept in school to allow for tracking of incidents and identification of repeat incidents.
- Through assemblies and SMSC work in class positive images and messages are shared with children to promote equality and value difference.
- Wherever possible all important documents, such as reports, inspection information and discipline records are translated into the mother tongue.

Every effort is made to secure a translator for important meetings whenever this is needed.

The Race Equality Scheme must be reviewed every three years.

The Disability Equality Duty

What is Disability?

People are affected by disability or health conditions in different ways. This can happen suddenly, as a result of accidents or strokes for example, or gradually as a result of conditions such as arthritis and multiple sclerosis. There is often no defining moment when a health issue becomes a disability, at least for the individual concerned. If a condition affects everyday activities, such as

- the ability to move around
- manual dexterity
- physical co-ordination
- continence
- the ability to lift, carry or move ordinary objects
- speech, hearing or eyesight
- memory, or ability to concentrate, learn or understand
- ability to recognise physical danger

and has lasted, or is likely to last, at least a year, then it is likely to be covered by the Disability Discrimination Act

There are two approaches to disability commonly used, the Medical Model and the Social Model.

Medical Model

The "medical model" is a traditional model of disability focused on the individual and their particular physical difficulties which prevents them from undertaking everyday activities which non-disabled people take for granted. The range of social contact for the disabled person where the 'medical model' is applied is illustrated in the diagram below.



Social Model

The "social model" focuses on the social environment and how it causes some people to be disabled. As a result if the organisation of society e.g. stairs to access buildings, lead to disability then it is these things which must be changed. The disabling forces at work where the 'social model' is applied can be seen below:



The School fully supports the Social Model definition of disability. As service providers we must ensure that we do not impose barriers on anyone accessing our services and that we consider the needs of the individual person rather than focusing on any impairment.

What is the Disability Equality Duty?

There are two duties which apply to schools.

The **General Duty** requires the school to:

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life; and
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

This general duty provides a framework for the school to carry out its functions more effectively and to tackle discrimination and its causes in a proactive way. It requires us to adopt a proactive approach, mainstreaming disability equality into all decisions and activities.

The **Specific Duties** require the school to:

- Publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties.
- Involve disabled people in the development of the scheme which outlines:
 - The way in which disabled people have been involved
 - The school's methods for impact assessment
 - Steps which the school will take towards achieving the general duty
 - The school's arrangements for gathering information in relation to employment, education and service delivery
- Deliver the scheme within three years, unless it is unreasonable and impractical to do so

What are the key issues for our school?

- Currently (2011-2012) we have no children who have a physical disability, requiring assistance with walking, climbing stairs or play.
- We have one child who has a sight impairment.
- We have child who has epilepsy.
- We have one child in our nursery who has diabetes.

The Gender Equality Duty

What is Gender?

The term 'gender' refers to the social construction of female and male identity, rather than biological differences between men and women. It includes the ways in which those differences, whether real or perceived, have been valued, used and relied upon to classify women and men and to assign roles and expectations to them. The significance of this is that the lives and experiences of women and men, including their experience of accessing services, can be significantly different. Gender is not always fixed and the Gender Equality Duty urges public service providers to have due regard to the needs of transgender residents.

Age, Faith & Belief and Sexual Orientation

Age

The Employment Equality (Age) Regulations 2006 came into force on 1st October 2006. They apply to employment and vocational training, and prohibit unjustified direct and indirect age discrimination, as well as harassment and victimisation on grounds of age. The regulations (which do not affect the age at which people can claim their state pension):

- ban age discrimination in terms of recruitment, promotion and training.
- ban unjustified retirement ages of below 65.
- remove the current age limit for unfair dismissal and redundancy rights.

They also introduced:

- A right for employees to request working beyond retirement age and a duty on employers to consider that request.
- A new requirement for employers to give at least six months notice to employees about their intended retirement date so that individuals can plan better for retirement, and be confident that "retirement" is not being used as cover for unfair dismissal.

The school is implementing these regulations through its Human Resources function and employment practices to ensure no current or potential employee experiences discrimination as a result of their age.

Faith & Belief

As a result of the Employment Equality (Religion or belief) Regulations 2003, it is unlawful to discriminate against an employee on grounds of their religion or belief. These regulations prevent both the indirect and direct discrimination as well as harassment and victimisation of an individual.

Sexual Orientation

Gay men, lesbians and bisexuals are protected at work by the Employment Equality (Sexual Orientation) Regulations of 2003, which in a similar way as faith regulations, prevent discrimination and harassment at work as a result of sexual orientation. Knowle Primary School has implemented these regulations and works to ensure no discrimination takes place amongst its workforce.

In the wider community the Government estimates that approximately 5% of the population are either gay men, lesbians or bisexuals although figures are not clear as no national census has requested data on sexual orientation.

Roles and Responsibilities for Implementing the Equality Policy

The Head Teacher will:

- Ensure that staff and parents are informed about the Equality Policy
- Ensure that the scheme is implemented effectively
- Manage any day to day issues arising from the policy whether for pupils or for an employee of the school
- Ensure staff have access to training which helps to implement the policy
- Liaise with external agencies regarding the policy so that the school's actions are in line with the best advice available
- Monitor the scheme and report to the governing body at least annually on the effectiveness of the policy
- Ensure that the SLT are kept up to date with any development affecting the policy/action plan arising from the policy

- Provide appropriate support and monitoring for any pupils to whom the policy has direct relevance, with assistance from relevant agencies

The Governing Body will:

- Designate a Governor with specific responsibility for the Equality Policy
- Establish that the action plans arising from the policy are part of the SIP
- Support the headteacher in implementing any actions necessary
- Inform and consult with parents about the policy
- Evaluate and review the policy every two years

The Senior Leadership Team will:

- Have general responsibility for supporting other staff in implementing this policy
- Provide a lead in the dissemination of information relating to this policy
- Identify good quality resources and CPD opportunities to support the policy
- With the headteacher, provide advice/support in dealing with any incidents/issues
- Assist in implementing reviews of this scheme as detailed in the SIP

Parents/Carers will:

- Have access to this policy
- Be encouraged to support this policy
- Have the opportunity to attend relevant meetings/awareness raising sessions related to the policy
- Have the right to be informed of any incident related to this policy which could directly affect their child

School staff will:

- Accept that this is a whole school issue and support the Equality Policy
- Be aware of the Equality Policy and how it relates to them
- Make known any queries or training requirements

Pupils will:

- Be made aware of any relevant part of the policy, appropriate to age and ability
- Be expected to act in accordance with any relevant part of the policy.