



SHOTTERY CE PRIMARY SCHOOL POLICY FOR EQUAL OPPORTUNITIES NOVEMBER 2016

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.

The aims of this policy are:

- To identify, prevent and redress unfair discrimination against disadvantaged groups**
- To assist the governing body to address legal, managerial and social issues from the basis of a statement of commitment to equality.**
- To equip pupils with an awareness of our diverse society and to appreciate the value of difference.**
- To promote equality of opportunity for all, for employees and for pupils of the school with respect to gender, ethnicity, social class, age, ability and disability. To prepare adequately all pupils for life in a multi-cultural, multi-lingual, multi-faith society in Britain, Europe and the world.**
- To respond positively to the needs of all pupils.**
- To ensure that the needs of pupils with disabilities, learning difficulties or social disadvantages are fully addressed.**
- To eliminate racism, sexism and discriminatory practices in respect of all disadvantaged groups, and reduce prejudice as much as possible.**
- To promote positive attitudes towards the richness provided by individual diversity and cultural variety.**

Principles

Schools play a fundamental role in decreasing deprivation and exclusion, in valuing and celebrating ethnic diversity, raising achievement and attainment, preventing and managing bullying, anti-social behaviour and discrimination incidents.

Shottery Primary cares for every child and inspires them to realise their unique potential. We are committed to caring about our children to give them every opportunity to be happy, healthy, safe

and successful. Within this ethos of achievement, we do not tolerate bullying and harassment of any kind.

We actively tackle discrimination against those with a disability, racial discrimination including discrimination based on religion or belief / non-belief, sexual (orientation) harassment and discrimination, gender re-assignment, pregnancy or maternity, breastfeeding discrimination and promote equal opportunities and good relations between and amongst all.

We aim to:

- Promote the individuality of all our pupils
- Close the attainment and achievement gap
- Develop common values of citizenship based on dialogue, mutual respect and acceptance of diversity
- Contribute to building good community relations and challenge all types of discrimination and inequality
- Recognise, celebrate and value different backgrounds, lifestyles and identities
- Remove the barriers to access, participation, progression, attainment and achievement.

Our policy applies to all members of our community, pupils, staff, parents, governors and visitors to the school.

What is Equality?

Equality is the principle of equal treatment for all people irrespective of their gender, ethnicity, disability, religious belief/ non belief, sexual orientation, age, gender re assignment, marriage or civil partnership and pregnancy or maternity status.

What is Diversity?

Diversity is the acceptance that we are all different but we are all equal. Diversity focuses on valuing and celebrating the strengths in people's differences.

What are British Values?

British values are democracy, rule of law, liberty, respect and tolerance.

Current Profile of the School

We are a small church school on the outskirts of Stratford upon Avon. Most pupils are of white British heritage, however we welcome pupils from all backgrounds and have a number of pupils from different ethnic groups with pupils speaking a variety of first

languages. We currently have no pupils with statements or EHC Plans however a significant number of pupils are supported to enhance their learning through intervention provision.

In January 2016, the school had 30 boys and 45 girls on roll, 65% pupils are white British, other ethnicities include other white backgrounds, Pakistani, white and black Caribbean and other mixed backgrounds, 5 first languages are spoken by pupils within school. The school has 13 members of staff (12 female, 1 male) and 11 governors, (5 female, 6 male), the staff and governors are mainly white British. The school has some accessibility for physical disabilities, e.g. toilet provision and all classrooms are accessible either because they are at ground level or because there is a ramp.

Legislative Context

Equality is not about benefiting some people at the expense of others - equality benefits everyone. The Equality Act 2010 replaced all existing equality legislation from 1st October 2010. It has streamlined all the various legislation into a single requirement. The purpose of the act is that everyone has the right to be treated fairly at work or when using services. It protects people from discrimination on the basis of certain characteristics. These are known as protected characteristics.

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

- prospective pupils
- pupils at the school
- in some circumstances former pupils
- Schools also have obligations as employers, bodies which carry out public functions and service providers.

Further details of the protected characteristics and what the law protects against are included in Appendix A. The legal requirements and specific duties of the act are included in Appendix B.

Responsibilities

The Governing Body is responsible for ensuring that the school complies with all equalities legislation relevant to the school. The Governors will ensure all pupils/staff/parents/carers are given support, as appropriate, when they experience discrimination. We also recognise that the perpetrators of discrimination are themselves sometimes victims of their personal circumstances and

therefore where appropriate remedial work is done to ensure that the actions do not occur again. The Governors recognise that the avoidance of discrimination is not sufficient to ensure that equality exists in the school and will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy, however the Governing Body will not discriminate in favour of individuals from specific groups (positive discrimination), and will ensure all individuals have equal access to opportunities. **In all staff appointments the best candidate will be appointed based on strict professional criteria.**

Aims and objectives

The governing body and school, through its adopted Equalities Policy, aims to:

- 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;**
- achieve a staffing composition that reflects the composition of the wider community;**
- 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, grievance or anti-harassment procedure as appropriate). All forms of discrimination by any person within the school's responsibility will be treated seriously as such behaviour is unacceptable.**

The Headteacher is responsible for providing leadership and vision in respect of equality and diversity; ensuring that staff are aware of their responsibilities and are given relevant training and support; taking appropriate action in response to racist incidents, discrimination against persons with a disability and sexual harassment or discrimination against any persons because of their age, sexuality or religion, belief / non belief. In developing **policy, the headteacher will ensure the implications of equal opportunities, including race equality, will be considered, planned for and all policies will be regularly reviewed to provide a comprehensive and consistent process of monitoring and evaluation.**

All Staff are responsible for being aware of and complying with the Equalities Policy, dealing with incidents of discrimination and knowing how to identify and challenge bias and stereotyping; not discriminating on grounds of race, disability, or other equality issues; understanding, valuing and celebrating diversity; keeping up to date with equalities legislation. Staff will take account of disability needs, gender, religious and ethnic differences and the experience and needs of all pupils.

The school aims to remove unlawful distinctions, exclusions, restrictions or preferences that have the purpose or effect of limiting equal access to goods, facilities and services. Staff will ***Care for and Inspire*** our pupils so that they in turn ***Care about and achieve***, succeed and reach the highest level of personal achievement. To do this, teaching and learning will:

- Ensure equality of access for all pupils and prepare them for life in a diverse society;
- Use materials that reflect diversity within society in terms of age, race, gender, ability, faith, ethnicity, social condition, cultural background and sexual orientation, without stereotyping;
- Develop learning materials and activities that emphasise benefits of having diverse communities, neighbourhoods, schools and groups.
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures.
- Promote attitudes and values that will challenge discriminatory behaviour;

- Strengthen individual and collective skills to deal with change
- Provide opportunities for pupils to identify shared interests among members of different social groups and categories.
- Use a range of sensitive teaching strategies when teaching about different cultural traditions;
- Develop pupils' awareness so that they can detect bias and challenge discrimination;
- Ensure that the PSHE and Citizenship curriculum cover issues of equalities, diversity, human rights and inclusion;
- Promote and celebrate the contribution of different ethnic groups to the subject matter in all areas of the curriculum, where appropriate.
- Seek to involve all parents in supporting their child's education;
- Provide educational visits and extra-curricular activities that reflect all pupil groupings;
- Take account of the performance of all pupils when planning for future learning and setting challenging targets.
- Make best use of all available resources to support the learning of all groups of pupils.
- Increase achievement of all pupils across the curriculum
- Reduce direct, indirect and institutional discrimination.
- Reduce group segregation, disproportion and under/over representation.
- Emphasise interconnectedness and interdependence of society members at local, regional, national and global levels.
- Facilitate balance between leadership and teamwork among pupils, staff, teachers and governors
- Challenge negative stereotypes and prejudices about leadership/membership to certain groups in relation to specific persons and groups.
- Challenge assumptions and expectations about specific lifestyles or identities of certain persons and groups.

All Parents/Carers are expected to take an interest in their children's education; adopt an inclusive approach to equality; positively influence their children's expectations about education as well as their attitudes and behaviour towards other pupils, staff and Governors ; be understanding of the ethos of the school and feel welcomed to be involved in school life (i.e. open days,

extended services, parents' councils, informal discussions with staff, parent evenings). All parents/carers are encouraged to participate at all levels in the full life of the school. As a school we work to establish and strengthen partnerships with other schools and community groups to share good practice, exchange information and foster multi-cultural, multi-geographical and multi-generational activities and increase range of activities and services on offer. In so doing we hope to increase awareness amongst pupils, parents, carers and families about social services at county, district, parish and neighbourhood level and to foster positive relationships between and within groups of pupils, workers, staff, parents, carers and families.

All Pupils are expected to treat others as their equals, to be understanding, valuing and to celebrate diversity. Pupils should not be discriminating on grounds of race, sexual orientation, religion, belief or non-belief, gender; or other equality issues; they should feel able to report any racist incident or act of discrimination they witness and should have the confidence to challenge stereotypes, and prejudices. All pupils are encouraged to consider the full range of opportunities available to them with no discriminatory boundaries placed on them due to their disability, gender or race as well as their sexual orientation or religion/ belief or non-belief. All pupils develop communication, delegation, motivation and supervision skills, particularly those who come from vulnerable, excluded or deprived backgrounds.

Harassment and grievance

Harassment has the effect of destroying dignity and undermining confidence. It can take many forms including physical contact, bullying, threatening or ignoring someone. It can be a series of offensive remarks or a single incident and can be offensive to an individual even if it is not directed at them. Shottery Primary is committed to the principles of dignity for all its staff and pupils school. This includes the right to be treated with respect by all. The Governing Body will consider any acts of harassment including those on the grounds of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, as totally unacceptable and outside the ethos and culture of the school. Any such act by a member of staff against any adult or

child will be treated as a disciplinary offence, and action taken accordingly.

Admission

The school follows the LA and Governing Body Admission Policies that do not permit sex, race, colour or disability to be used as criteria for admission.

Curriculum

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.’ Pupils should have access to a broad and balanced curriculum which avoids stereotypes and provides good role models for all pupils. Equality of opportunity should inform the whole of the curriculum and be reviewed regularly. Equal opportunities issues will be taken account of in planning the curriculum. This should be reflected in curriculum planning documentation.

The schools aim is to provide for all pupils according to their needs, irrespective of gender, ability or ethnic origin. Each area of the curriculum is planned to incorporate the principles of equality and to promote positive attitudes towards equality and diversity. Pupils will have opportunities to explore concepts and issues relating to identity and equality. All steps are taken to ensure that all pupils have access to mainstream curriculum by taking into account the cultural and lifestyle backgrounds of all pupils, their linguistic needs and their learning styles. The school will work to provide opportunities for pupils to recognise similarities while appreciating, respecting and valuing differences across and between groups.

Staff recruitment and professional development

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, flexitime where appropriate, carers’ leave provision).The

school aims to reduce direct, indirect and institutional discrimination with regards to staff recruitment, training and retention. All those involved in recruitment and selection are trained and aware of what they should do to avoid discrimination and ensure equality good practice throughout the recruitment and selection process. Equalities practices are covered in all staff induction for permanent and temporary staff. Staff receive awareness training in PREVENT.

Training and development

The success of the Equal Opportunities Policy is closely linked to the provision of relevant training.

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 developing its staff 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 system.

Monitoring and Reviewing

We make regular assessments of pupils' learning and use this information to track pupils' progress, as they move through the school. As part of this process, we regularly monitor the performance of different groups, to ensure that all groups of pupils

are making the best possible progress. We use this information to adjust future teaching and learning plans, as necessary. Resources are available to support groups of pupils where the information suggests that progress is not as good as it should be. The governing body receives regular updates on pupil performance information. As well as monitoring pupil performance information, we also regularly monitor a range of other information, including exclusions; incidents of racism, and all forms of bullying, parental involvement and accidents and near misses. This policy is reviewed in line with the governing body policy schedule. When policies are reviewed in future, governors will endeavour to ensure that due regard is given to the promotion of all aspects of equality within each policy.

Appendix A

The Equality Act 2010

What the law protects against

Protected Characteristics

The protected characteristics for schools are:

- Disability
- Race
- Religion or belief
- Gender
- Pregnancy and maternity
- Sexual orientation
- Gender reassignment
- Age and being married or in a civil partnership*

*These characteristics are not protected characteristics for the schools provision but are for employees.

Prohibited Conduct

These are the main forms of prohibited conduct.

Appendix B: HIV/AIDS guidelines

The governors and school will:

ensure that job applicants who are deemed to be medically fit to perform the job for which they have applied, are not denied an offer of work solely because they are HIV positive. In arriving at the decision, the school's normal recruitment criteria will be observed including the normal medical procedures;

ensure, where possible, that resources are available to support employees or pupils with AIDS or other major health problems associated with HIV infection. The school's normal rules and procedures regarding ill health will apply in such cases. Equally the school will make appropriate arrangements for the provision of counselling (i.e. by referral to external agencies);

give positive consideration to applications for unpaid leave for those with responsibility for caring for people with AIDS-related conditions in accordance with carers' leave arrangements;

- **treat any breaches of confidentiality as a serious matter to be dealt with in accordance with the normal disciplinary (or other appropriate) procedure;**
- **provide appropriate training in relation to AIDS in order to combat fears and prejudice and to enable the school community as a whole to function without risk to health.**

Discrimination

This includes:

- Treating a person worse than someone else because of a protected characteristic (known as **direct discrimination**). Although in the case of pregnancy and maternity direct discrimination, this can occur if they have protected characteristic without needing to compare treatment to someone else. It is not possible to justify direct discrimination, so it will always be unlawful.
- Putting in place a rule or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified (known as **indirect discrimination**). Indirect discrimination will occur if the following four conditions are met:
 - You apply (or would apply) the provision, criterion or practice equally to all relevant pupils, including a particular pupil with a protected characteristic, and
 - The provision, criterion or practice puts or would put pupils sharing a protected characteristic at a particular disadvantage compared to relevant pupils who do not share that characteristic, and
 - The provision, criteria, practice or rule puts or would put the particular pupil at that disadvantage, and
 - You cannot show that the provision, criteria of practice is justified as a 'proportionate means of achieving a legitimate aim'.
- Treating a disabled person unfavourably because of something connected with their disability when this cannot be justified (**known as discrimination arising from disability**). Discrimination arising from disability occurs when you treat a disabled pupil unfavourably because of something connected with their disability and cannot justify such treatment. Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising

from disability, the motive for the treatment does not matter; the question is whether the disabled pupil has been treated unfavourably because of something connected with their disability.

Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled pupil or for the disabled pupil to compare themselves with anyone else.

Discrimination arising from disability will occur if the following three conditions are met:

- you treat a disabled pupil unfavourably, that is putting them at a disadvantage, even if this was not your intention, and
- this treatment is because of something connected with the disabled pupil's disability, and
- you cannot justify the treatment by showing that it is 'a proportionate means of achieving a legitimate aim'.

Failing to make reasonable adjustments for disabled people.

The reasonable adjustments duty was first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act operates slightly differently and has been extended to cover the provision by a school of auxiliary aids and services; however this element of the duty will not come into force until a later date yet to be confirmed. The object of the duty is the same: to avoid as far as possible by reasonable means, the disadvantage which a disabled pupil experiences because of their disability.

- In some cases the support a disabled pupil may receive under the special educational needs framework may mean that they do not suffer a substantial disadvantage and there is no need for additional reasonable adjustments to be made for them. In other cases disabled pupils may require reasonable adjustments in addition to the special educational provision they are receiving. There are also disabled pupils who do not have special educational needs but still require reasonable adjustments to be made for them.

Harassment

Unwanted conduct which has the purpose or effect of violating someone's dignity or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way

that is sexual in nature. Harassment may involve any of the following:

- physical contact or violence;
- offensive humiliating and intimidating remarks or actions;
- exclusion from participation in job-related or classroom-related discussions, training or social or other events;
- unfair work allocation;
- unjust or excessive or humiliating criticism of performance;
- offensive signs or notices;
- graffiti;
- 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.

HIV/AIDS: the governing body/school 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 governors/school 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 regarding staff recruitment and pupil admissions set out in Appendix B.

Transsexual employees and gender reassignment: The Sex Discrimination Act now expressly covers discrimination on grounds of gender reassignment. [Governors/school should consult their local authority's gender reassignment code of practice. This provides clear guidelines in respect of recruitment and selection and arrangements for existing staff in cases of gender reassignment.]

Victimisation

Treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so. These are called 'protected acts'.

A 'protected act' is:

- Making a claim or complaint of discrimination (under the Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the school or someone else has breached the Act.
- Doing anything else in connection with the Act.

There is also protection for pupils who are victimised because their parent or sibling has carried out a protected act.

As well as these characteristics, the law also protects people from being discriminated against:

- By someone who wrongly perceives them to have one of the protected characteristics.
- Because they are associated with someone who has a protected characteristic. This includes the parent of a disabled child or adult or someone else who is caring for a disabled person.

Positive action provisions

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.

It is never unlawful to treat disabled pupils (or applicants) more favourably than non-disabled pupils (or applicants). That is, a school is permitted to positively discriminate in favour of disabled pupils (applicants).

Appendix B

Legal requirements and Duties

The Equality Act 2010

Disability

Legal requirements

The Equality Act 2010 outlines that a person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

In relation to physical impairment:

Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.

HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.

Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below).

People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.

In relation to mental impairment:

Conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome.

Mental health conditions such as depression and schizophrenia.

The other tests to apply to decide if someone has the protected characteristic of disability are:

The length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at

least 12 months. If the person no longer has the condition but it is likely to recur or if the person no longer has the condition, they will be considered to be a disabled person.

Whether the effect of the impairment is to make it more difficult and/or time-consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.

If the activities that are made more difficult are 'normal day-to-day activities' at work or at home.

Whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids or assistance or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is taken into account.

Duties

The Equality Act 2010 places a general duty on schools, who need to have due regard for the following when carrying out their functions:

Promoting equality of opportunity between disabled people and other people;

Eliminating discrimination that is unlawful under the DDA;

Eliminating harassment of disabled people that is related to their disability;

Promoting positive attitudes towards disabled people;

Encouraging participation in public life by disabled people;

Taking steps to meet disabled people's needs, even if this requires more favourable treatment.

Race equality

Legal Requirements

The Equality Act 2010 outlines that all public authorities including schools have a statutory duty to

Eliminate racial discrimination;

Promote equality of opportunity;

Promote good relations between people of different racial groups.

Duties

The specific duties require us to:

Prepare a written policy on racial equality;

Assess the impact of our policies, including this policy, on pupils, staff and parents of different racial groups including, in particular, the impact on attainment levels of these pupils;
Monitor the operation of our policies through the impact they have on such pupils, staff and parents, with particular reference to their impact on the attainment levels of such pupils.

Religion or belief

Legal Requirements

The Equality Act 2010 outlines discrimination on grounds of religion, religious belief or similar philosophical belief. They cover direct or indirect discrimination, harassment and victimisation in work and vocational training on grounds of perceived as well as actual religion or belief (i.e. assuming - correctly or incorrectly - that someone has a particular religion or belief). It is illegal to discriminate against any one because of their religion or faith when providing goods or services.

Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular religion or belief in order to do the job or to comply with the religious or belief ethos of the organisation

Details

Religion or belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It will be for the Employment Tribunals and other Courts to decide whether particular circumstances are covered by the law

For example it is unlawful to:

- Decide not to employ someone
- Dismiss them
- Refuse to provide them with training
- Deny them promotion
- Give them adverse terms and conditions

because they follow, or do not follow, a particular religion or belief.

Gender equality

Legal Requirements

The Equality Act 2010 states that it is unlawful to treat a person less favourably than another is treated in similar circumstances on the grounds of sex:

Apply a condition which discriminated against a man or a woman because they are less able to comply with it than a member of the opposite sex is and;

Discriminate against somebody because they are married.

The Equality Act 2010 requires that men and women should be paid equally where they are carrying out:

The same job

Work of equal value

Work related as equivalent under the job evaluation scheme.

The Equality Act 2010 permits employers to act positively in favour of a particular gender by:

Offering access to training to employees and/or non employees to help fit them to particular work in the organisation in which their gender group has been identified as under represented and;

Encouraging employees and/or non employees to take up opportunities for work.

The Equality Act 2006 purpose was to create a public duty to promote equality of opportunity between men and women and to prohibit sex discrimination.

Duties

The specific duties require us to:

Consider the need to include objectives to address the causes of any gender pay gap.

Gather and use information.

Consult stakeholders and take account of relevant information.

Assess the impact of its current and proposed policies and practices.

Implement the actions set out in its scheme.

Monitor, evaluate and report.

Pregnancy and maternity

Legal Requirements

Pregnancy and maternity are covered under sex discrimination.

Details

It is discrimination to treat a woman (including a female pupil of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female pupil of any age) less favourably because she is breastfeeding a child who is more than 26 weeks old.

Gender reassignment

Legal Requirements

Gender reassignment is covered under sex discrimination. This guidance uses the term 'transsexual person' to refer to someone who has the protected characteristic of gender reassignment.

Details

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with.

This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to dress in a different way as part of the personal process of change.

A person will be protected because of gender reassignment where they:

make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor:

once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on

they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected

start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person

undergo treatment related to gender reassignment, such as surgery or hormone therapy, or

have received gender recognition under the Gender Recognition Act 2004.

It does not matter which of these applies to a person for them to be protected because of the characteristic of gender reassignment.

Sexual orientation

Legal Requirements

The Equality Act 2010 covers discrimination, harassment and victimisation in work and vocational training. They make it unlawful to deny people jobs because of prejudice about their sexual orientation. They enable individuals to take prompt and effective action to tackle harassment, and enable people to have an equal chance of training and promotion, whatever their sexual orientation or the sexual orientation of those with whom a person is associated or related.

The Equality Act 2006 included an order making power that allows Regulations to be made to prohibit sexual orientation discrimination in the provision of all goods, facilities and services in education and in the execution of public functions. These Regulations entered into force on the 30th of April 2007.

Sexual orientation means an individual's sexual orientation towards:

- people of the same sex as him or her (gay or lesbian);
- people of the opposite sex (heterosexual);
- people of both sexes (bisexual)

It does not include transsexuality which is related to gender and is covered in the employment context by sex discrimination legislation.

The Regulations prohibit discrimination on the basis of a person's:

- Actual sexual orientation;
- Perceived sexual orientation by him or her;
- Sexual orientation of someone with whom he/she is associated.

Duties

The specific duties require us not to unlawfully discriminate against a person:

- In the terms on which it offers to admit him or her as a pupil
- By refusing to accept an application to admit him or her as a pupil
- In the way in which a pupil is afforded access to any benefit, facility or service
- By refusing access to any, benefit, facility or service
- By excluding him or her
- By subjecting him or her to any other detriment

Age

Legal Requirements

The Equality Act 2010 prevents unjustified age discrimination in employment and vocational training. It protects against discrimination that is directly against anyone:

- That is, to treat them less favourably than others because of their age – unless objectively justified
- Discriminate indirectly against anyone
- Subject someone to harassment.
- Victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of age

Community Cohesion

Legal Requirements

The Education and Inspections Act 2006 establishes general duties of governing bodies:

Section 38 states that governing bodies should conduct the school with regard to four new duties one of which is the duty to “promote community cohesion”.

Section 154 states the duty to report to OFSTED on the contribution of certain schools to community cohesion.

Policy and planning

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

This policy needs to be reviewed every three years, next review 2018

Shottery Primary school is committed to promoting understanding of the principles and practices of equality and justice.

This policy will be monitored and evaluated by the Governing Body every three years.

November 2005

Reviewed October 2008

Reviewed October 2011

Updated 2014

Reviewed 2015

January 2016

Equalities Policy Review Cover Sheet

Date of this review: January 2016 (copy of policy attached)

Comments (if any):

Please ensure Headteacher's views are sought prior to forwarding to Link Governor

Signed
(Headteacher)



20/1/16

Comments of Link Governor (if any):

Signed Date

.....
(Link Governor)

Forward to Committee Meeting held on xxxx for approval

Comments (if any):

Signed Date

.....
(Chair of Sub Committee)

To full Governors' Meeting on xxxx for final presentation and signature of Chair of Governors.

Signed **Date**
.....
(Chair of Governors)