

**Hillside Primary School**

# **Equality and Diversity Policy**



# Hillside Primary School Equality and Diversity Policy

## 1. Statutory and Legal Requirements

This policy encompasses the general Public Sector Equality Duty (PSED), specified in the Equality Act 2010. This includes the racial equality duty, the gender equality duty and the disability equality scheme.

The equality objectives address the school's duties under new equality legislation, up to and including the Equality Act 2010. The Access Plan addresses the school's duty under the Special Education Needs and Disability Act (SENDA) 2001.

## 2. Statement of Commitment

Hillside Primary School has a duty to promote equality of opportunity and believes that no employee, job applicant, pupil or other member of the school community should be treated less favourably on grounds of age, disability, race, gender, religion or belief, gender reassignment, sexual orientation, marriage or civil partnership, pregnancy and maternity.

The school is committed to having 'due regard' to equality when making a decision or taking an action which may have implications for people as described above (ie those with protected characteristics). Any behaviour, comments or attitudes that undermine or threaten an individual's self-esteem on these grounds will not be tolerated. (see **Appendix A**)

The commitment to this policy is reflected in our school ethos, the management of the children's behaviour and in the curriculum. The school is committed to:

- Promoting equality of opportunity for all
- Promoting good relationships between different groups and communities
- Eliminating unlawful discrimination and behaviour

We aim to provide equal access to high quality educational opportunities and to ensure that everyone feels that they are a valued member of the school community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated. We strive to empower our pupils to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community

Equality of opportunity cannot be realised without the involvement and commitment of all members of the school community and a common understanding of the pivotal role of equal opportunities in the context of the school's ethos and values, in particular, the recognition that the role of all staff is crucial in the delivery of the objectives of the policy. All members of the school community are responsible for promoting the school's diversity and equality policy and are obliged to respect and act in accordance with the policy, which meets the requirements of the Equality Act 2010.

## 3. Aims

- to ensure that equality remains high on the school's strategic agenda;

- to give all children equal access to the full range of choices made available by education and to offer a curriculum which recognises values and celebrates achievements for all;
- to ensure that pupils and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals;
- to work towards a situation where each member of staff will be able to fulfil his or her own potential academically and professionally in line with NCC Equal Opportunity Policy;
- to 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;
- to achieve a staffing composition that reflects the composition of the wider community;
- to ensure all staff work together with a shared sense of purpose to meet the needs of every pupil;
- to ensure that complaints or evidence of failure to comply with the school's Equality and Diversity policy will be dealt with promptly and fully investigated according to the relevant procedure. All forms of discrimination by any person within the school's responsibility will be treated seriously as such behaviour is unacceptable.

#### **4. Equality Objectives**

- to promote equality of opportunity between disabled persons and other persons
- to eliminate unlawful discrimination
- to eliminate harassment related to disabilities
- to promote positive attitudes to disability
- to encourage participation by disabled people
- to take steps to make reasonable adjustments of people's disabilities
- to eliminate unlawful sex discrimination
- to eliminate harassment related to gender
- to promote equality of opportunity between men and women
- to ensure all appointments follow gender equality guidelines

#### **5. Admissions**

The school follows NCC and governing body pupil admission policies that do not permit sex, race, colour or disability to be used as criteria for admission.

#### **6. Pupils and the curriculum**

The school's aim is to provide for all pupils according to their needs, irrespective of gender, ability or ethnic origin. *The Education Reform Act 1988* stated that 'the school curriculum should reflect the culturally diverse society to which pupils belong and of which they will become adult members.' 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 and be reflected in Collective Worship.

## **7. Language and Cultural Diversity**

The school views linguistic diversity positively and staff are aware of the language and dialect spoken by pupils and their families. Pupils' names are accurately recorded and correctly pronounced. Pupils are exposed to and encouraged to accept and respect names from a range of cultures. Staff are conscious of any racist or sexist connotations in the language they themselves use and staff and pupils' language or dialect is valued. Home languages can be used in school as long as they are not used to exclude others.

The school recognises the right of pupils to be absent for cultural or religious observance. Children who are absent on periods of extended leave are provided with project work.

## **8. Organisation**

- staff have high expectations of both boys and girls;
- children in school are encouraged to mix;
- all children take part in all areas of the curriculum. Staff encourage boys and girls to take part in all activities;
- equal opportunities are reflected in the teachers strategies for questioning children;
- in Assemblies different faiths and festivals are celebrated;
- Celebration Assemblies celebrate the children's effort and achievement, including outside school successes;
- many of our reading and library books reflect equality of opportunity;
- there is a School Council of elected representatives which meets to discuss whole School issues;
- circle time also takes place throughout the School;
- all staff have yearly interviews with the Head Teacher to discuss their professional and personal development;

## **9. Discipline/Exclusion**

Our procedures for disciplining pupils and managing behaviour are fair and applied equally to all pupils irrespective of ethnicity, gender, ability or race. Our processes for excluding pupils are free from racial, disability or gender discrimination. Please refer to our Behaviour and Anti-bullying Policies.

## **10. Employment matters**

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

**Family-friendly:** the governing body and the 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).

### **10.2 Appointing staff – questions about health**

New provisions in the Equality Act 2010 affect the questions asked about health in

[references](#) or at any stage of the selection process before making a conditional offer of employment. Section 60(1) of the Act provides that “A person (A) to whom an application for work is made must not ask about the health of the applicant (B) before offering work to B or, where A is not in a position to offer work to B, before including B in a pool of applicants from whom A intends (when in a position to do so) to select a person to whom to offer work.”

Other parts of Section 60 of the Act make exceptions and allow questions

- Where it is necessary to find out whether an applicant is able to participate in an assessment to test suitability for the role
- Establish whether there is a duty to make reasonable adjustments to enable an applicant to take part in the recruitment process
- Establish whether the applicant will be able to carry out a function intrinsic to the work
- Monitor the diversity of applicants
- Take positive action in supporting employment for disabled people
- Where a disability is a genuine occupational requirement

So, for example, when sending out letters inviting people to attend for interview it is still permissible to ask them all whether they need any special arrangements to participate in the interview.

It is permissible to enquire about a person’s health once that person has been selected for the job, provided that the employer does not unfairly discriminate against the successful applicant once medical information is revealed and makes all the adjustments that are reasonable in the circumstances to accommodate any disability. Therefore schools should continue to ask successful applicants to complete a pre-employment medical questionnaire and the authority will continue to make offers of employment conditional on medical clearance.

The authority’s advice on [reference requests](#) has been revised in the light of legal advice.

Questions about sickness absence have been replaced by a question as to whether the applicant’s attendance and/or absence has led to the initiation of any relevant school or company or organisation procedures.

**10.3 HIV/AIDS:** the governing body and the school recognise 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 and the 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**.

**10.4 Transsexual employees and gender reassignment:** The Sex Discrimination Act now expressly covers discrimination on grounds of gender reassignment.

(Please refer to the 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.)

## **11. Training and development**

The school will endeavour to:

- enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status;
- provide equal access to training and development opportunities for all staff, including part time, on the basis of their assessed training needs;
- promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and pupils can make;
- equip employees with the skills to provide personal and organisational solutions, discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally.
- Professional development involves a continuous process of learning involving self-development, encouragement and motivation. The school places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the school's agreed Appraisal system.

## **12. Monitoring**

Academic progress is monitored termly on the school's tracking system for all children and intervention is given where required.

Pastoral information on vulnerable children/groups is monitored and intervention/ signposting given where necessary.

Playground behaviour of all children is monitored carefully by Teaching Staff, TAs, MSAs and the Lunchtime Supervisor to eliminate unjust forms of discrimination. If any such incidents arise they are dealt with immediately by the staff concerned and the Head Teacher is informed and incident recorded.

All managers for subject areas monitor their resources with regard to Equal Opportunities.

The comments made by the children in Circle Time, in and in the School Council meetings are taken seriously and action is taken if necessary.

Due regard is given to include all children in educational visits, through risk assessments, and including how visits are paid for.

**12.1 Monitoring with respect to employment** will be undertaken in the following areas on at least an annual basis by sex, race, disability, grade and subject area:

- composition of the school staff;
- take up of training opportunities;
- promotion patterns;
- use of complaints procedure;

- use of grievance, disciplinary, harassment etc;
- use of sanctions;
- Staff development is monitored by the Head Teacher, and is linked to priority areas in the School Improvement and Development Plan and teacher's own personal development.

**This policy is linked to the Equality Act 2010 and Schools departmental advice.**

**Name/Signature of Governor:** Sue Cockell

**Name/Signature of Headteacher:** Simon Minter

**Date:** Feb 2016

**Review date:** Feb 2020

## **Appendix A: Discrimination, victimisation and harassment**

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

There are four ways in which discrimination may occur:

**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

**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.

**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.

**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.

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. (*014 HR Equal Opportunities:*

*Guidelines 10 November 2011 v1.1 and Model Policy Statement for Schools)*

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

## Appendix B: 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.