



Equality and Diversity Policy for

Broad Oak Community Primary School 23/24



INTRODUCTION

Broad Oak is guided by a clear set of objectives and values, one of which is equality. We are committed to eliminating unlawful discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between different groups within the local community. We are determined to do everything we can to make sure that people are treated fairly and that everyone has access to good quality services.

Unlawful discrimination, which results in unfairness in any aspect of school employment policies and practices, curriculum or service delivery, will not be acceptable under any circumstances.

We will aim to:

To promote a healthy lifestyle for every child, parent, carer and the wider community.

To furnish every child with a happy, safe and secure environment.

To provide the opportunity to every child to achieve and enjoy success.

To prepare every child to make a positive contribution to school and the wider community.

To work in partnership with children's services and potential employers to further every child's life chances.

We pledge to respect the equal human rights of our pupils, staff and other members of the school community, and to educate them about equality, diversity and cohesion.

This policy will put in place a range of actions to eliminate prejudice, unlawful discrimination and victimisation within the school community and workforce.

LEGISLATION AND LEGAL FRAMEWORK

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Human Rights Act 1998
- Education Act 2002 (Section 78)
- Education and Inspectors Act 2006 (Section 38 (1))
- Equality Act 2010
- The Equality Act 2010 (Specific Duties) Regulations 2011
- Children and Families Act 2014
- The Special Educational Need and Disability Regulations 2014
- Public Sector Equality Duty (PSED)
- The UK General Data Protection Regulation (GDPR)

This policy also has due regard for non-statutory guidance, including the following:

DfE (2014) 'The Equality Act 2010 and schools'

This policy operates in conjunction with the following school policies:

Admissions Policy

Complaints Procedures Policy

Data Protection Policy

Human Rights Act 1998

The Human Rights Act 1998 makes it unlawful for schools to behave in a way that is not compatible with the provisions of the European Convention on Human Rights. Any action taken by a school that interferes with an individual's Human Rights must only be considered if it is a justified and proportionate means of achieving a legitimate end.

Education Act 2002 (Section 78)

Section 78 requires governing bodies for all maintained schools to provide a curriculum that "promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and prepare pupils at the school for the opportunities, responsibilities and experiences of later life".

Education and Inspections Act 2006 (Section 38 (1))

Section 38 (1) of the Education and Inspections Act 2006 states that:

"The governing body of a maintained school, shall, in discharging their functions relating to the conduct of the school:

- Promote the wellbeing of pupils at the school, and
- Promote community cohesion.

The Children and Families Act 2014 (Part 3)

Sets out how the School will support children and young people with Special Educational Needs, Social Care Needs and Health Needs. The School will

- Contribute appropriately to the 'local offer' detailing relevant services available for children with disabilities and / or Special Educational Needs.
- Contribute appropriately to a pupil's Education, Health and Care Plan.
- Give due regard to the Special Educational Needs and Disability Code of Practice: 0 to 25 years, which gives statutory guidance on meeting Part 3 of the Children and Families Act 2014.
- Produce an annual School Special Educational Needs Information Report.

Equality Act 2010

The General Public Sector Duty of the Equality Act 2010 requires schools, in the exercise of their functions and decisions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

Broad Oak Community Primary School will take the following action as reasonable steps to demonstrate due regard to the General Duty of the Equality Act 2010:

- Produce a written equality policy identifying action to be taken to eliminate discrimination, advance equality of opportunity and foster good relations between different groups across school activity.
- Ensure hate incidents and hate crime reporting is integrated within the School's Anti Bullying Policy
- Audit the curriculum, and teaching and learning methods, to ensure they are accessible, inclusive in the language and representation used, promote inclusion and physical activity for disabled pupils, and challenge stereotypes to promote community cohesion and a positive image of a diverse community.

- Make reasonable adjustments to ensure that disabled staff, pupils and parents are not disadvantaged in employment or the provision of education, and have equality of access to information, facilities and other services at the School.

Equality Act 2010 (Section 10) requires schools to prepare and maintain an accessibility plan in order to

- increase the extent to which disabled pupils can participate in the school's curriculum
- improve the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school, and
- improve the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled

In order to meet Section 10 of the Equality Act 2010 Broad Oak Community Primary School will publish the outcome of our Equality, Accessibility and Cohesion Audit and Action Plan on the school's website. In addition, the School takes into account the widening definition of disability within its decisions and functions and gives due regard to the "Social Model" of disability. This model recognises the barriers caused by the environment and people's attitudes to disability.

The Equality Act 2010 (Specific Duty) Regulations 2011 requires schools to set measurable equality objectives and to publish information about their performance on equality, so that the public can hold them to account.

In order to meet the Specific Duty, Broad Oak Community Primary School will

- Publish sufficient information to demonstrate compliance with the general equality duty across its functions annually.
- Prepare and publish equality objectives to demonstrate how the general equality duty will be met

PROTECTED CHARACTERISTICS UNDER THE EQUALITY ACT 2010

For the purpose of this policy, the Equality Act 2010 will be referred to as 'the Act'. The Equality Act 2010 identifies a list of nine characteristics that are subject to its general duty.

The school fully understands the principles of the Act and the work needed to ensure that those with protected characteristics are not discriminated against and are given equal opportunities.

They are:

- Age
- Disability
- Sex (Gender)
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion
- Sexual orientation

PRINCIPLES AND AIMS

- We see all learners and potential learners, and their parents, as of equal value, regardless of any protected characteristic.
- Our policies, procedures and activities will not discriminate but must nevertheless take account of differences in life-experience, outlook and background, and in the kinds of barriers and disadvantages which people may face in relation to any protected characteristic.
- The school will promote race equality and have due regard to eliminating unlawful discrimination and good relations between people of different racial backgrounds.
- The school will promote disability equality, ensuring equality of opportunity, eliminating unlawful discrimination and disability-related harassment and encouraging participation by disabled people in public life.
- The school will promote gender equality by eliminating unlawful discrimination and harassment and promote the equality of opportunity between men and women, girls and boys.
- The school will respect the confidentiality of those seeking gender reassignment and will provide a supportive environment within the community.
- The school's admissions policy will not discriminate against any protected characteristic in any way.
- The school will ensure that all staff comply with the appropriate equality legislation and regulations.

RESPONSIBILITIES

Governors are responsible for:

- Ensuring that the School meets the duty of the Equality Act 2010.
- Ensuring that they understand the equality implications of all key decisions on policy and practice before they are made.
- Proactively recruit high-quality applicants from under-represented groups.
- Ensure that the necessary disciplinary measures are in place to enforce this policy.

The Head Teacher is responsible for:

- Implement this policy and its procedures.
- Ensure that all staff members receive the appropriate equality and diversity training as part of their induction and CPD.
- Ensure that all parents, visitors and contractors are aware of, and comply with, the provisions of this policy.
- Actively challenge and take appropriate action in any case of discriminatory practice.
- Address any reported incidents of harassment or bullying in line with DfE guidance.
- Produce an annual report on the progress of implementing the provisions of this policy and report it to the governing board.

All staff are responsible for:

- Be mindful of any incidents of harassment or bullying in the school.
- Address any minor issues of harassment or bullying and report any major breaches of the policy to the headteacher.
- Identify and challenge bias and stereotyping within the curriculum and the school's culture.
- Promote equality and good relations, and not harass or discriminate in any way
- Monitor pupils' progress and academic needs to ensure the appropriate support is in place.
- Keep up to date with equality legislation and its application by attending the appropriate training.

Staff with responsibility for areas of the curriculum, are responsible for completing Curriculum Equality Audits for each area and making appropriate changes to teaching and learning methods to (i) improve accessibility, (ii) advance equality of opportunity, (iii) eliminate discrimination, harassment and victimisation, and (iv) foster good community relations.

The Headteacher / Pastoral Team are responsible overall for dealing with reports of hate-incidents

The school SENDCos are responsible overall for Children with Special Educational Needs

Pupils, parents, visitors and contractors are responsible for:

- Ensuring they follow the equality policy and procedures
- Behaving in a dignified manner towards others, and respecting individuals regardless of protected characteristic
- Actively encouraging equality and diversity in the school by contributing their cultural experiences and values.
- A consistent challenge to unwanted behaviour, including inappropriate use of language
- Abide by the school's equality and diversity policies, procedures and codes.

EQUALITY OBJECTIVES

The school is committed to promoting the welfare and equality of all its staff, pupils and other members of the school community. To achieve this, the school has established the following objectives:

- To promote spiritual, moral, social and cultural development through all appropriate curricular and extra-curricular opportunities. We aim to meet this objective with an awareness of different religious beliefs between different ethnic groups within our school community.
- Actively close gaps in attainment and achievement between students and all groups of students; especially students eligible for pupil premium, students with special educational needs and disabilities, looked after children, students from minority ethnic groups and gender.
- To continue to tackle prejudice and promote understanding in relation to people with disabilities, striving to improve accessibility across the school for students, staff and visitors with disabilities, including access to specialist teaching equipment.
- To promote cultural development and understanding through a rich range of experience, both in and beyond the school.

- Reduce prejudice related incidents in relation to the protected characteristics listed in the Equality Act 2010, through teaching across the curriculum.

As a school we will also:

Monitor changes to the curriculum to ensure they result in good outcomes for pupils in all vulnerable groups, and to review the curriculum considering new performance measures

Offer appropriate qualifications in English for pupils in all vulnerable groups

Implement effective strategies to support pupils in all vulnerable groups following linear exam courses

Improve the quality of support for pupils in all vulnerable groups in the classroom

Continue to explore the use of new technologies to support pupils in all vulnerable groups in accessing their learning. With special investigation taking place regarding the use of technology in modern foreign languages, internal exams and group work

The school will regularly review the steps being taken and the progress made towards the achievement of these objectives and, in line with the specific duties of the PSED, publish this information on the school website every year.

The school will review and publish its equality objectives every year.

COLLECTING AND USING INFORMATION

In accordance with the requirements outlined in the Data Protection Act 2018, personal data lawfully collected and processed in line with the principles and practices outlined in the Data Protection Policy and only for specified, explicit and legitimate purposes, e.g., to comply with the school's legal obligations. This will be for the purpose of:

Identifying key issues, e.g., unlawful discrimination

Assessing performance, e.g., benchmarking against similar organisations locally or nationally.

Taking action, e.g., adapting working practice to accommodate the needs of staff who share protected characteristics.

PROMOTING EQUALITY

In order to meet our objectives, the school has identified the following priorities:

The school will provide auxiliary aids that are directly related to disabled pupil's educational needs as a reasonable adjustment, so they can integrate wholly in all parts of school life.

Staff will ensure that all pupils are able to take part in extra-curricular activities and residential visits, and the school will monitor uptake of these visits to ensure no one is disadvantaged on the grounds of a protected characteristic. The school will ensure that all forms of prejudice-motivated bullying is taken seriously and dealt with equally and firmly.

There will be differential schemes of work designed to meet the abilities and learning styles of all pupils.

There will be a clearly defined disciplinary system stipulated in the Behavioural Policy, which will be consistently enforced.

The school will increase access for disabled children and young people to the school curriculum and will take necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments for disabled pupils, enabling them to take as full a part as possible in the activities of the school.

The school will ensure there is adequate access to the physical environment of the school.

The school will improve the delivery of written information to disabled children and young people.

The school will seek the views of advisory staff, outside agencies and local schools.

Throughout the year, the school will plan ongoing events to raise awareness of equality and diversity.

COMPLAINTS PROCEDURES

The school aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure.

Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides.

The school will adhere to the Complaints Procedures Policy to ensure a straightforward, impartial, non-adversarial process, that allows a full and fair investigation, respects confidentiality and delivers an effective response and, appropriate redress.

If a complaint has completed the school's process and the complainant remains dissatisfied, they have the right to appeal, as outlined in the Complaints Procedures Policy.

The school will work to develop good professional relationships between colleagues; however, we understand that sometimes conflicts may arise. Through maintaining open communication, we want our employees to feel able to raise any grievances so that appropriate and effective solutions can be put in place. Grievances raised by staff members will be processed in accordance with the school's Grievance Policy.

CURRICULUM

All pupils will be entitled to access a broad and balanced curriculum and to teaching and learning opportunities which meet their needs, including extra support where this has been identified as a statutory need.

When planning the curriculum, the school will take every opportunity to promote and advance equality.

When teaching the curriculum, the school will promote equality and will not subject individuals to discrimination.

The school will develop an appropriate curriculum for all pupils in all vulnerable groups.

The school will ensure PSHE lessons are designed for pupils to develop their knowledge of the world and the importance of equality.

DEFINITIONS OF DISCRIMINATION, HARASSMENT AND VICTIMISATION

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

Direct Discrimination, which occurs when a person is treated less favourably than another on grounds of a personal characteristic.

Discrimination by Association occurs when a pupil is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy and maternity). This might occur when you treat a pupil less favourably because their sibling, parent, carer or friend has a protected characteristic.

Discrimination arising from perception takes place where education provider behaves as if the person has the characteristic and treats them worse than others as a result. This applies whether the perception is true or not, even if the education provider knows that the person does not have the protected characteristic.

Discrimination because of pregnancy and maternity occurs when women (including a female pupil of any age) are treated 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.

Indirect Discrimination, which occurs when a rule or condition which is applied equally to everyone:

- Can be met by considerably smaller proportion of people from a particular group
- Is to the disadvantage of that group
- Cannot be justified by the aims and importance of the rule condition

Discrimination arising from a disability, which occurs when an education provider treats the disabled person unfavourably, this treatment is because of something which has come about as a result of the disabled person's disability ('something arising in consequence of the person's disability'), and the education provider cannot show that this treatment is justified as a balanced way of achieving something for a good reason (in legal language 'a proportionate means of achieving a legitimate aim').

Discrimination arising from disability is different from direct discrimination. Direct discrimination refers to less favourable treatment and requires a comparison to show that a person without the protected characteristic would be treated differently. Discrimination arising from disability refers to unfavourable treatment and does not require a comparison to a non-disabled person.

Harassment occurs when unwanted conduct has the purpose or the effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, on grounds of disability, race or gender. Although the harassment provisions do not explicitly apply to the protected characteristics of gender reassignment, sexual orientation, religion or belief; or pregnancy and maternity, in relation to schools, unwanted conduct related to any of these protected characteristics that results in a pupil, governor, staff or visitor being disadvantaged would constitute direct discrimination.

Victimisation: occurs when a person is treated less favourably because they have taken action in respect of discrimination, e.g., by bringing a complaint or giving evidence for a colleague.

DISCRIMINATION, HARASSMENT AND VICTIMISATION WITH REGARD TO PUPILS

We will not discriminate, harass or victimise any child seeking admission, nor with regard to any pupils, or their parents or carers on grounds of gender, race, disability, sexual orientation, religion or belief, pregnancy and maternity. This includes discrimination,

harassment or victimisation in provision of teaching or allocating the pupil to certain classes, applying different standards of behaviour, dress and appearance, excluding pupils or subjecting them to any other detriment, and conferring benefits, facilities or services.

EMPLOYMENT

We are committed to a fair and equal pay policy and a free from bias pay structure.

We will not discriminate, harass or victimise in employment unlawfully on grounds of gender, gender reassignment, race, disability, sexual orientation, religion or belief or age. This includes discrimination, harassment or victimisation in relation to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

With regard to disability, we will make such reasonable adjustments as are necessary to prevent a disabled person being at a substantial disadvantage in comparison with people who are not disabled.

The school will monitor the information as set out below disaggregated by disability, gender, religion, sexual orientation and different racial group.

- The number of staff in post, and
- The number of applicants for employment, training and promotion
- The race, disability, gender, age breakdown and distribution of our workforce
- An indication of likely representation on sexual orientation and religion or belief, provided that no individuals can be identified as a result
- An indication of any issues for transsexual staff, based on feedback engagement with transsexual staff or voluntary groups

Where agreed, the school will ensure that it sends employment equality monitoring data to the Council's Human Resources Section, in a format specified by the Council.

MONITORING AND ANALYSIS

We will monitor the following policies to ensure that we are meeting equality duties.

- Pupil Admission
- Pupil Exclusion
- Pupil Attainment
- The progress of pupils identified as having special educational needs
- Complaints
- Hate Incidents
- Satisfaction Surveys
- Governor Profile

Where appropriate we will use the equality monitoring categories for race, gender, religion and disability used by St. Helens Council's Children and Young Peoples Department. This will ensure consistency of data and enable us to set targets that are comparable with other agencies.

We will disaggregate the results of monitoring by the equality profile (race, gender, religion and disability) to identify if there were any issues or outcomes particular to one specific group. Where relevant, actions will be taken to improve any adverse outcomes for any group. The results of equality monitoring will be reported to the school governors annually. Any identified improvements will be included in the School's Improvement Plan. The results of such monitoring and analysis will be published, to enable viewing by any interested party.

EQUALITY IMPACT ASSESSMENT (EIA)

The school's Equality Impact Assessment will be carried out on all of our key policies at least once every three years. We will ensure that the Equality Impact Assessment process is updated in line with new legislation.

The Equality Impact Assessment template is based upon the relevant equality duties. For each of the school's functions the Equality Impact Assessment process will cover the following areas:

- The advancement of equality of opportunity
- The elimination of unlawful discrimination, harassment and victimisation
- To foster good relations between different groups of our community
- The promotion of positive attitudes to disability
- The participation by disabled people in public life
- The meeting the need of disabled people, even when that means treating them more favourably than non-disabled people.
- Improving health and wellbeing

The outcome of equality impact assessments will be reported to the school governors. Any identified improvements will be included in the School's Improvement Plan

CURRICULUM EQUALITY AUDIT

The School's curriculum equality audit tool ensures that each member of teaching staff with responsibility for a curriculum area (i) will promote inclusive and positive images of a diverse community and examples that demonstrate "due regard" to the duty to promote good community relations; (ii) will increase the extent to which disabled pupils can participate in the curriculum, (iii) will challenge gender, racial, religious, disablist, ageist and homophobic stereotypes, e.g. prejudices about what people from particular groups should/shouldn't or can/can't do.

REPORTING PROGRESS

School Governors will monitor the School's Equality Policy and Action Plan. The Head Teacher will produce an annual report for the School Governors on progress against the Equality Policy, Equality Objectives and Action Plan. This report will include the results of consultation, equality monitoring and equality impact assessments.