

## **St Paul's C of E Primary School's Inclusion, Equality and Diversity Policy (January 2020)**

- **The ultimate aim of this policy is to provide the safeguarding of children as defined by St Paul's CE Primary safeguarding children statement**
- This policy will underpin all other policies within our School
- This policy should be read in conjunction with our Special Educational Needs and Anti-bullying policies SMSC including British Values, PSHE and RE.

### **Background Information**

- The Equality Act 2010, which came into force on 1 October 2010, replaces the existing anti-discrimination laws with a single Act. This policy therefore brings together our previous policies on Equal Opportunities, Race, Disability and Gender and now protects children, staff and parents/carers from discrimination, harassment and victimisation based on all Protected Characteristics (Race, Disability, Sex, Religion or belief, Sexual orientation and Gender reassignment)
- NB: Age is now also a protected characteristic but does not apply to children in Academies/Schools. It does however still apply to staff and parents/carers.

### **Legal Definitions**

#### **Unlawful discrimination is defined in the Act as:**

- Direct discrimination – treating a person less favourably on prohibited grounds (gender, gender identity, race, disability, sexual orientation, religion or belief, age, socio-economic status) than another would be treated in comparable circumstances, where the treatment cannot be objectively justified (e.g. by a genuine occupational requirement)
- Indirect discrimination – when a rule, condition or requirement, which applies equally to everyone, has a disproportionately adverse effect on people from a particular group (i.e. due to race, religion or belief, sexual orientation, age, gender, marital status, gender identity), and there is no objective justification for the rule. (Example: by requiring job applicants to have a set number of years' experience may indirectly discriminate against women who have taken a career break)
- Discrimination arising from disability – This occurs when a disabled person is treated unfavourably because of something connected with their disability and this unfavourable treatment cannot be justified. Treatment can be justified if it can be shown that it is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown then the treatment will be lawful. (Example: A person, who has an assistance dog, is not allowed to enter his local mobile library because staff say there is not enough room for his dog). This may be discrimination arising from disability unless it can be justified. (E.g. the dog poses a genuine health and safety risk as opposed to merely being inconvenient for staff). This form of discrimination can occur only if the service provider knows or can reasonably be expected to know that the disabled person is disabled
- Failure to make reasonable adjustments (for disabled people)
- Discrimination by association or perception – the 2010 Act extends the scope of the legislation to protect people who 'associate' with others with the protected characteristics, for instance people who are related to or who care for someone who is disabled. Protection includes perception (e.g. discrimination based on the belief that someone is homosexual, disabled or has a particular belief).

**Harassment is defined in the Act as:**

- Any unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This definition is limited to anti-discrimination legislation and therefore only applies to harassment on grounds of sex, race, disability, sexual orientation, religion, belief or age. Example: Colleagues of a Muslim worker refer to him as Saddam which he finds offensive and distressing.

**Victimisation is defined in the Act as:**

- Treating people less favourably because they have made a complaint or intend to make a complaint about discrimination or harassment, or have given evidence or intend to give evidence relating to a complaint about discrimination or harassment.

**Burden of Proof:**

- The Act states that once an individual can show that there is an issue of potential discrimination, the burden of proof shifts to the employer to defend the case and show that the reason for difference in treatment is justifiable and not discriminatory.

**Vicarious Liability:**

- The Act states that employers are responsible for the discriminatory actions of their employees where such action have been carried out during the course of their duties. The only defence for employers is to show that they have done everything reasonably practicable to prevent an employee committing an unlawful act.
- In practice, Courts and tribunals have regarded the following as 'reasonable steps';
  - Publishing a comprehensive equality policy
  - Clearly communicating the policy to all staff
  - Providing awareness training on the potential for, and implications of, discrimination
  - Training staff in good practice relevant to their jobs (e.g. recruitment, record keeping, monitoring etc).

**Personal Liability:**

- The act states that where an employer can show that appropriate steps have been taken to avoid discrimination, it is likely that the discriminator will be personally liable in the law.

**Single Equality Duty:**

- The 2010 Act introduces a new 'single' equality duty which brings together the three existing duties (race, disability and gender) and extends the duty to gender reassignment, age, sexual orientation and religion or belief. This new duty requires all public bodies to have 'due regard' to the need to:
  - Eliminate discrimination, harassment, victimization and any other conduct that is prohibited
  - Advance equality of opportunity between persons who share a relevant 'protected characteristic' and persons who do not share it
  - Foster good relations between persons who share a relevant 'protected characteristic' and persons who do not share it.

**Single Equality Action Plan:**

- This document should bring together all planned actions for meeting and implementing statutory duties. It will be reviewed every three years.

### **Disability:**

- This section should be read in conjunction with the School's Special Educational Needs Policy.

### **Definition of Disability:**

- The 2010 Act abandons the previous list of capacities and defines a disabled person as someone who has 'a physical or mental impairment which has a substantial or long-term adverse effect on his or her ability to carry out normal day-to-day activities'.
- The Act allows disabled pupils to be treated more favourably than non-disabled pupils and in some cases requires this to be done, by making reasonable adjustments to put pupils on a level footing with those without a disability.

### **Vision and Principles**

At St Paul's CE Primary, we are committed to ensuring equality of education and opportunity for all children, staff and parent/carers receiving services from the school, irrespective of:

- Gender
- Sexuality
- Race, colour, ethnic or national origins, faith, religion or those who need support to learn English as an additional language
- Disability/health/medical or special educational needs
- Age
- Attainment including those who are gifted and talented
- Socio-economic background
- Being in public care
- Attendance concerns
- Risk of disaffection or exclusion
- Vulnerability
- Changing schools frequently.

We aim to develop a culture of inclusion and diversity in which all those connected to St Paul's feel proud of their identity and are able to participate fully in school life. The achievement of all children will be monitored and we will use this data to support children, raise standards and ensure inclusive teaching and learning takes place here at St Paul's. We will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment which champions respect for all. At St Paul's we believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit here.

In our school, the teaching and learning, achievements, attitudes and well-being of every child are equally important. We follow the necessary regulations to ensure that we take the experiences and needs of all our children into account when planning for teaching, learning and pastoral support. At St Paul's CE Primary, we do not take educational inclusion and equality for granted. We constantly identify those children who may be missing out, difficult to engage, or feeling in some way to be apart from what we seek to provide. This practice also allows us to promote tolerance and understanding in a diverse society. This approach can only add to the school's overall aim of raising standards.

Promoting equality and raising the achievement of all children is the responsibility of the whole school. This policy outlines the roles and responsibilities of everyone involved and connected with the school so that everyone knows what is expected of them.

## **Objectives**

- To face equality issues openly, positively and effectively
- To promote attitudes and values that will ensure there is no discriminatory behaviour, prejudice or harassment
- To promote the principles of fairness and justice for all
- To build a harmonious society where community cohesion is underpinned by mutual respect, tolerance and good relationships
- To enable all to succeed and to overcome the barriers that get in the way
- To encourage all to see themselves and others as equal citizens
- To encourage self-confidence and self-esteem
- To ensure that teaching and learning promotes equality, celebrates diversity and promotes community cohesion
- To ensure appropriate training opportunities
- To ensure that within the school budget appropriate funding is provided to underpin this policy
- Roles and Responsibilities.

## **Governors**

- The Governing Body has set out its commitment to equal opportunities and it will continue to do all it can to ensure that the school is fully inclusive to children, and responsive to their needs based on race, gender and disability
- The Governors seek to ensure that people are not discriminated against when applying for jobs at our school on grounds of race, gender or disability
- The Governors take all reasonable steps to ensure that the School's environment gives access to people with disabilities, and also strive to make school communications as inclusive as possible for parents/carers and children
- The Governors welcome all applications to join the school, whatever a child's socio-economic background, race, gender or disability
- The Governing Body ensures that no child is discriminated against whilst in our school on account of their race, sex or disability.

## **Headteacher**

- It is the Headteacher's role to implement the School's Inclusion, Equality and Diversity Plan and is supported by the Governing Body in doing so
- It is the Headteacher's role to ensure that all staff are aware of the Inclusion, Equality and Diversity Policy, and that staff apply these guidelines fairly in all situations
- The Headteacher ensures that all recruitment selection panels give due regard to this policy, so that no-one is discriminated against when it comes to employment or training opportunities
- The Headteacher promotes the principle of equal opportunity when developing the curriculum, and promotes respect for other people and equal opportunities to participate in all aspects of school life
- The Headteacher treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

## **Teaching and Non-teaching Staff**

- All staff will ensure that all children are treated fairly, equally and with respect, and will maintain awareness of the school's Inclusion, Equality Diversity Policy and Plan
- All staff will strive to provide material that gives positive images based on race, gender and disability, and challenges stereotypical images
- All staff will challenge any incidents of prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the lead member of staff or Headteacher.

## **Children**

- Children will contribute to the development of the Inclusion, Equality and Diversity Policy and Plan and be made aware how it applies to them.
- They will be encouraged to treat each other with respect and to report discriminatory incidents.

## **Parents/carers**

- Parents/carers will be consulted on the development of the Inclusion, Equality and Diversity Policy
- Parents/carers will encourage their children to follow the Inclusion, Equality and Diversity Policy and will help them understand how it applies to them.

## **Strategies to Implement our Vision**

- Ensuring all learners have equal access to a rich, broad, balanced, inclusive and relevant curriculum
- Use contextual data to improve the ways in which we provide support to individuals
- Monitor achievement data by a range of different groups and address any gaps
- Take account of the achievement of all children when planning for future learning
- Ensure all children take a full and active role in school life, including the full range of extra-curricular activities in order to prepare them for life in a diverse society
- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice and promote the principles of fairness and justice for all
- Seek to involve all parent/carers in supporting their child's education
- Have high expectations of all the school community and help them fulfil their aspirations
- Provide opportunities for children to appreciate their culture and celebrate the diversity of others
- Recognise and value bilingualism
- Encouraging classroom and staffroom discussions of equality issues which reflect on social stereotypes, expectations and the impact on learning; Including teaching and classroom-based approaches appropriate for the whole school population, which are inclusive and reflective of our pupils
- The school supports inclusive practice by ensuring equality is an on-going focus for staff and governor training
- The School will allocate funding from the school budget together with additional funding to employ additional adults to support inclusion and equality
- The school will deploy a minimum of at least one additional adult in each class to enhance provision for inclusion and equality.

## **Admissions and Exclusions**

- Our admissions arrangements are fair and transparent, and do not discriminate on race, gender, disability, socio-economic or any other factor
- Exclusions will always be based on the school's Behaviour Policy
- We will closely monitor exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.



## **Monitoring and Evaluation**

The school's pupil assessment system will be used to track the progress and attainment of children and groups of children to obtain information on whether our equality policy and practice is effective. It is the responsibility of the Governing Body to monitor the effectiveness of this policy. This can be done by:

- Monitoring the progress of children of minority groups and comparing it to the progress made by other children in the school
- Monitoring the staff appointment process, so that no-one applying for a post at St Paul's CE Primary is discriminated against
- Monitoring the school behaviour and exclusions policy, so those children from minority groups are not unfairly treated
- Taking into serious consideration any complaints regarding equal opportunity issues from parents/carers, staff or children
- Staff and Governors, on an annual basis, will review this policy unless circumstances demand an earlier review.