

PRINCES PRIMARY SCHOOL



Equality and Diversity Policy

October 2016

Our Vision and Aims

At Princes Primary our core values are teamwork, respect and an environment in which all can work, learn and succeed. We treat everyone fairly, celebrating difference and meeting different needs so that all members of our school community are free to live, learn and achieve their full potential.

We aim to:

- Maintain and promote a working partnership between the school, parents, and community which foster respect, honesty, truth, co-operation and tolerance.
- Help the children understand the world in which they live, have mutual respect for the values of others and work together as a team.
- To ensure that everyone, whatever their needs and capabilities, is included and catered for.
- To value each individual and recognise and respect to the needs of all children.

Equality

Equality is about fairness and equality of opportunity and advancing equality of opportunity involves treating people differently. People should not be treated the same. Some people may need extra help or adjustments to be part of the school community; this includes teachers, administration and support staff employed at the school as well as pupils, parents and school governors.

Relating to the Equality Act (2010) there are nine 'protected characteristics'.

These are

- Age
- Disability
- Gender reassignment (transgender)
- Marriage / civil partnership
- Pregnancy / maternity
- Race
- Religion and belief (and having no belief)
- Sex (gender)
- Sexual orientation

Under the general duty schools must exercise 'due regard' in respect of each of the nine protected characteristics to

- Eliminate unlawful discrimination and harassment
- Advance equality of opportunity
- Foster good relations between different groups

Diversity

Diversity is about valuing people as individuals and learning from our differences. Our differences can be visible and non-visible. Promoting diversity we can meet different need creatively to ensure opportunities are available to all and potential is fulfilled. Promoting a diversity friendly school culture we are able to meet our school's aims and objectives more efficiently.

Culture is about the way we behave towards one another including school governors, all employees in the school, parents, pupils and the whole school community. It is about how we treat one another and respect our differences. Promoting diversity and a diversity friendly culture helps to create a more productive school community.

Purpose and Scope of the Policy

This policy sets out Princes Primary School's commitment to promoting equality and diversity.

We believe that it is our responsibility to promote equality and diversity wider than the nine characteristics (areas) covered by legislation. We work to remove barriers and we will not unfairly discriminate on any grounds.

We do this by

- Making appropriate changes to teaching resources.
- Accessing Local Authority Services e.g. Ethnic Minority and Traveller Advisory Service, EAL Support as needed and liaising with outreach services.
- Support children's emotional needs
- Providing a curriculum, which promotes positive understanding of different characteristics, recognises the contribution that individuals and group with protected characteristics, to society, and challenges stereotyping and discrimination.
- Liaising with groups from the local community.
- Monitoring and reviewing of this policy will take place annually and will be made accessible through the school website or will be made available in an alternative format as requested.
- Working with Family Support Workers and other professionals engage with parents from all groups and develop links within the community

The policy applies to:

- School Governors
- Staff
- Pupils (as appropriate)
- Visitors to the school
- Multiagency Professionals
- Contractors

Roles and Responsibilities

All members of the school community, governors, staff, pupils, parents, and visitor all have a part to play in implementing the policy, promoting diversity and equality, challenging inappropriate behaviour or practice to remove barriers and avoiding discrimination.

To promote understanding of this responsibility, governors will:

- Ensure all Stakeholders are made fully aware of our Equality and Diversity Policy and how it affects their work
- Ensure visitors to our school are clear about the expectations relating to our commitment to promoting equality and diversity
- Provide training / development and updates as appropriate
- Review our equality objectives and actions to ensure all relevant activity remains relevant and meets the identified need and priorities of our school.

Our commitment

The governing body is committed to providing equal opportunities in employment for all staff, ensuring that we take all possible steps to avoid unlawful discrimination as it relates to our employment practice and the wider school community.

This policy is intended to assist us in putting this commitment into practice. Compliance with this policy should also ensure that employees do not unwittingly commit unlawful acts of discrimination.

Striving to ensure that the work environment is free from harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities in employment. (See the School's adopted Dispute Resolution Policy and Procedures.)

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as 'protected characteristics'.

Discrimination after employment may also be unlawful, e.g. refusing to give a reference for a reason related to one of the protected characteristics.

We expect all our staff to act in a non-discriminating manner and be mindful to avoid actions that will be deemed as harassment in the services we provide to the public and our wider community. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, as service providers, we have an obligation to think ahead and address any barriers that may impede disabled people from accessing the services we provide.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership and - according to guidance from the Government and ACAS - pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- they must be aware that the previous harassment has taken place; and
- they must have failed to take reasonable steps to prevent harassment from happening again.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under The Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under The Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments and is then systematically excluded from all meetings; such behaviour could amount to victimisation.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to

make reasonable adjustments to enable the disabled person to overcome the disadvantage.

Equal opportunities in employment

The governing body will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

The governing body will consider any possible indirect discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the governing body considers it has good reasons, unrelated to any protected characteristic, for doing so. The governing body will comply with its obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

The school will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups, and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

Dignity at work

The governing body has adopted a separate policy that covers issues of bullying and harassment on any ground and how complaints of this type will be dealt with.

Customers, suppliers and other people not employed by the school: the school will not discriminate unlawfully against customers using, or seeking to use, goods, facilities or services provided by the school.

Employees should report any bullying or harassment which they experience from the wider community (parents, suppliers, visitors or others) to their manager who will take appropriate action.

Training

The governing body will ensure that appropriate training is provided on equal opportunities to managers and others likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise.

The governing body will also provide training to all existing and new employees and others engaged to work at the school to help them understand their rights and responsibilities under the Dignity at Work Policy and what they can do to help create a working environment free of bullying and harassment. The governing body will ensure that additional training is provided for managers to enable them to deal more effectively with complaints of bullying and harassment.

The employee's responsibilities

Every employee is required to assist the governing body and the whole school to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination.

Employees should be aware that they can be held personally liable as well as, or instead of, the governing body for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or parents and their families are disciplinary offences and will be dealt with under the school's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Grievances

If any member of staff considers that they have experienced unlawful discrimination, they may use the school's grievance procedure to make a complaint. If their complaint involves bullying or harassment, the grievance procedure is modified as set out in the Dignity at Work Policy.

The governing body will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Use of the governing body's adopted grievance procedure does not affect your right to make a complaint to an employment tribunal. Complaints to an employment tribunal must normally be made within three months beginning with the act of discrimination complained of.

Monitoring and review

This policy will be monitored periodically, jointly by the head teacher and the governing body, to judge its effectiveness and will be updated in accordance with changes in the law. A particular focus will be given during the monitoring of the ethnic and gender composition of the existing workforce and of applicants for jobs (including promotion) and the number of people with disabilities within these groups, and the policy will be reviewed in accordance with the results shown by the monitoring. If changes are required, the school will implement them.

Information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with The Data Protection Act 1998