

# South Hill Primary School



## Equality Policy 2020

July 2020

## Background

There are nine areas of possible discrimination:

- Disability
- Ethnicity and Race
- Gender (sex)
- Gender identity and reassignment
- Pregnancy, Maternity and Breastfeeding
- Religion and Belief
- Sexual Orientation
- Age
- Marriage and Civil Partnership

## The Equality Act 2010

The Equality Act 2010 was introduced to simplify strengthen and harmonise previous acts in order to help tackle discrimination and provide a legislative framework to protect the rights of individuals and advance equality of opportunity for all. **It tackles discrimination and disadvantage.**

The Act introduced a single **Public Sector Equality Duty (PSED)** which came into force in April 2011. It is sometimes referred to as the **'General Duty.'**

It is unlawful for a school to discriminate against a pupil or prospective pupil and in some limited circumstances, former pupils by treating them less favourably because of their sex, race, disability, religion or belief, gender reassignment, sexual orientation, pregnancy or maternity.

## The General Duty

Schools have a general duty to **promote equality** and certain **specific duties**. The equality duty consists of a general equality duty with three main aims **those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:**

- a) **Eliminate discrimination**, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- b) **Advance equality of opportunity** between persons who share a relevant protected characteristic and persons who do not share it
- c) **Foster good relations** between persons who share a relevant protected characteristic and persons who do not share it.

**The three key terms in the public sector duty – “discrimination”, “equality of opportunity” and “good relations.”**

The underlying principle is that treating people equally does not necessarily involve treating them the same. The legislation requires that account should be taken of people's differing experiences, needs and histories, and of the differing challenges and barriers which they may face. It involves having due regard, in particular, to the need to:

- remove or minimize disadvantages suffered by persons who share a relevant protected characteristic.
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The Act also explains that “having due regard to the need to foster good relations” involves, in particular, bearing in mind “the need to tackle prejudice and promote understanding”. This

clearly has implications for the curriculum and organisation of schools, and for the duty of schools to promote community cohesion.

## South Hill Primary School Context

South Hill Primary School is a two form entry primary school. The admission number is 60. The school is situated in the heart of Hemel Hempstead, very close to a popular secondary school and the town centre. A new building has been built with 8 new classrooms and offices as the school moved to two form entry.

## School Values

### Our Vision

South Hill Primary school builds the leaders of tomorrow. It nurtures young people who are happy, resourceful, reflective, caring and resilient; who develop a lifelong love of learning and who celebrate diversity, collaboration and excellence in all aspects of our school community.

### Our Aim

We aim to enable our pupils to develop skills and knowledge as independent learners in a cooperative environment in which everyone is valued as part of our school community. We aim to nurture confidence and resilience in all our pupils.

### Our Beliefs

We believe that each person is of equal importance, we recognise their personal strengths and qualities and these are nurtured and celebrated.

### Partnership

We value a partnership between school, parents and the community and understand the importance of teamwork and shared responsibility.

## The General Duty

In accordance with our school values, we welcome the **statutory Equality Duty**. In compliance with the General Duty, South Hill Primary School has due regard for the need to, and works to:

- **Eliminate unlawful discrimination**
- **Eliminate harassment**
- **Promote equality**

By **unlawful discrimination** we mean treating one person less favourably than another on grounds of race, gender, disability, religion or belief, age or sexual orientation and the other protected characteristics. We understand that this could be done directly but that it could also occur indirectly. Indirect discrimination means that a particular policy or practice may impact more negatively on one group than on the other, or may favour one group to the disadvantage of the other.

By **harassment** we refer to behaviour or remarks based on a person's race, gender, disability, religion or belief, age or sexual orientation, perceived to be unpleasant, threatening, offensive or demeaning to the dignity and self-esteem of the recipient or subject. We see such behaviour as also damaging to the perpetrator. (*refer further: our school's Behaviour/Anti-Bullying policy*)

We will take steps to counteract the effects of any **past discrimination** in staff recruitment. Where we are uncertain whether there is a genuine occupational requirement for preference to be given to the employment of someone of a particular race, sex, disability, religion or belief, age or sexual orientation we will seek specialist advice.

We understand the three parts of the duty to be different, but that they should normally support each other. However, we are aware that achieving one may not lead to achieving all three.

## The Specific Duties

We welcome the responsibility to think and act more strategically about **equality**. To meet the specific duties, and guided by the Equality Act. We have an **Equality Action Plan** which contains our current objectives. This is attached and forms an essential part of this document. We are working to develop our understanding of the major equality issues in our school's functions and services. In order to do this, we:

- Collect and analyse and publish school data and other equality relevant information, including data about our local area and information about their progress in achieving the three aims of equality legislation.
- Consult staff, pupils, parents and relevant local communities
- Review all our school policies and practices to assess the ways in which they might impact on equality
- Ensure governors, staff, pupils, parents and others in our school are accountable and understand their responsibilities with regard to preventing discrimination and harassment and promoting equality
- Assess and address the causes of any pay gap
- Publish and implement the Action Plan with our proposed objectives and actions. These targets will be specific and measurable.

We will:

- Set further objectives where necessary.
- Review and revise the Policy and Action Plan at least every four years.

## Responsibilities

All governors, staff, volunteers, pupils and their families need to develop an appropriate understanding of, and act in accordance with, the school's Equality Policy and Action Plan. In addition,

**The school governors** are responsible for ensuring that the School prepares, publishes, implements, reports on and reviews an Equality Policy and Action Plan.

**The Headteacher works with the SLT** to ensure that

- the Policy and Action Plan are implemented
- staff recruitment, training opportunities and conditions promote equality
- all staff, pupils and their parents are consulted regarding, and are aware of the school's responsibilities to meet, the Equality Duty
- existing and planned policies are assessed for the ways in which they impact on equality
- curriculum planning, learning and teaching methods, classroom organisation and assessment procedures, behaviour management, school journeys and extended school activities take account of the need to promote equality
- incidents of bullying or harassment, based on race, sex, disability, religion or belief, age or sexual orientation are dealt with according to our Behaviour/Anti-Bullying policy
- visitors to the school, or those who use the premises, are aware of the Equality policy and action plan

**All staff** have a responsibility to deal with incidents of harassment or bullying; help eliminate unlawful discrimination; prepare and/or help deliver a curriculum, learning and teaching methods, classroom organisation and assessment procedures, behaviour management, school journeys and extended school activities (including work with parents) that take account of the need to eliminate unlawful discrimination and harassment and promote equality.

**Pupils and parents** have a proportionate responsibility to understand and act in accordance with the policy, as do **visitors** to the school.

### **The Purpose of the Equality Action Plan**

Even having the legislation detailed above, there is still widespread discrimination and inequality in society. We believe that having this equality policy and action plan will:

- support us in our decision-making and policy development
- give us a clearer understanding of the needs of staff, pupils and their families
- enable us to provide better quality services which meet varied needs
- help us target our resources more effectively
- help promote increased confidence in our school
- make more effective use of our workforce

We recognise that many groups can suffer from stereotyping and that sometimes the same policies and practices can impact differently on men and women and boys and girls. We will make appropriate adjustments if this is found to be the case with any of our policies and practices.

We also recognise that girls and boys, and women and men, can experience different forms of discrimination depending on, among other things, their ethnicity, belief, sexual orientation, age or disability and we will take this complexity into consideration.

In these ways we will strive to improve the situation for, and the relationships between, men and women and boys and girls within our school and wider community.

### **Breaches of the Equality Policy**

We understand that eliminating discrimination and harassment and promoting equality is in part an education function and a matter of cultural change. Where possible, breaches of the policy will be dealt with in a manner appropriate to the level of the breach, and with the intention of bringing about the relevant changes. More serious breaches of this policy will be dealt with in accordance with our school's anti-bullying and harassment procedures, and the disciplinary procedures for staff.

Where safeguarding issues come to the attention of the school these will be dealt with according to our child protection procedures.

### **Specific Areas**

#### **1. Gender**

We understand 'sex' to refer to the **biological** differences between males and females and 'gender' to refer to the wider **social** roles and responsibilities which structure our lives. By promoting gender equality our intention is to recognize and help overcome those lasting and embedded patterns of advantage and disadvantage which are based on socially ascribed gender stereotypes and assumptions.

We understand that in some circumstances it may be appropriate to treat girls and boys, and women and men differently, if that action is aimed at overcoming previous, current or possible future disadvantage.

It is unlawful to discriminate against someone on the grounds of being:

- Male or female
- Married or in a civil partnership
- Gender reassigned

The SDA makes it unlawful on grounds of gender to:

- Decide not to employ someone
- Dismiss them or make them redundant
- Refuse to provide them with training

- Deny them promotion
- Give them adverse terms or conditions
- Withhold fair and accurate reference

## 2. Age

The regulations make it unlawful to discriminate, treat unfairly or harass workers, employees, job applicants and trainees because of their age, or the age that they appear to be. The regulations allow for a normal default retirement age of 65.

These regulations cover employees, contract workers, agency temps, casual workers, work-experience volunteers, peripatetic teachers and governors.

The school is also responsible for the behaviour of its staff towards an individual visiting or working on the school premises.

### Exemption

Treating people differently because of their age is only permitted following objective justification or in exceptional circumstances.

i.e. economic, health, safety welfare or training requirements of the job contribute to a legitimate aim – this can outweigh the discrimination.

### NB

*It is not sufficient or legal to employ NQTs because they are cheaper or balance the school age profile BUT welcoming applicants from NQTs for a job is sufficient and legal as long as the best person for the job is appointed – against clear criteria on the job specification.*

## 3. Disability

The DDA defines a person as having a disability if he or she has a physical or mental impairment which has an effect on his or her ability to carry out normal day-to-day activities. That effect must be:

- Substantial (more than minor or trivial)
- Adverse
- Long-term (it has lasted, or is likely to last, for at least a year or for the rest of the life of the person affected.)

The DDA also covers people who have cancer, MS, HIV/AIDS, who have had heart surgery, are on kidney dialysis, people with diabetes, stammer, dyslexia, mental health service users, and people with severe disfigurements and learning disabilities or difficulties.

Protection is not only extended to disabled people themselves, but also to those who are perceived to be disabled. The school is responsible for the behaviour of its staff towards any individual visiting or working on the school premises.

## 4. Race

At South Hill Primary School, we respect and value the linguistic, cultural and religious diversity which exists in the wider community. We are committed to challenging attitudes that promote racial discrimination, ensuring respect for all and preparing all pupils for life in a culturally diverse society. Our commitment to race equality will be demonstrated through:

- Fostering respect for all groups and individuals, except where to do so could promote racist behaviour or attitudes
- Promoting positive non-discriminatory behaviour
- Ensuring appropriate support for isolated individuals of different ethnic groups within the school
- Ensuring high expectations of all
- Ensuring representation of a wide range of heritages within our curriculum and school community
- Encouraging links with the wider community.

We recognise that it is the responsibility of every member of our school community to ensure that this ethos is actively and consistently reflected in our practice. We will systematically

assess, evaluate and constantly review the impact of our school policies and practice on the life, attitudes and achievement of all groups and individuals amongst our pupils and staff.

### **Implementation**

In the context of school self-evaluation, we will:

- Review and revise existing policy and practice to ensure that race equality is actively promoted across the school.
- Develop policy and practice to eliminate racial discrimination and harassment, including an active approach to countering bias and prejudice.
- Set targets for race equality (for example), addressing specific issues relevant to the school context in the School Improvement Plan (SIP).
- Monitor systematically provision and outcomes by ethnicity.
- Evaluate the effectiveness of the implementation of our race equality policy and procedures.
- Take steps to ensure staff is trained and confident in challenging racism and in promoting race equality, including the recognition of pupils' cultural heritage and language profile.

### **Monitoring Pupil Achievements**

We will collect group and individual data on attainment by ethnicity, based on the national population census ethnic categories, as used in Hertfordshire. We will analyse and assess this data in order to measure the school's performance, our effectiveness and to examine trends in progress and development. The results of such analyses will be used to plan positive changes, to address the challenges they present and to maintain and develop our successes. Other areas of the whole curriculum which may have an adverse impact on pupils' attainment will also be monitored.

These will include:

- Behaviour management (including exclusions)
- Racist incidents, racial harassment and bullying
- Curriculum, teaching and learning (including responses to diverse language and cultural needs)

### **Pupils' Attitudes, Values and Personal Development**

In the school we will:

- Enable our pupils and staff increasingly to develop a critical awareness of diversity and equality
- Enable our pupil and staff to be aware of the British Values which appear in our SMSC, PSHE and Curriculum policies.
- Enable our pupils and staff to have the confidence and skills to challenge instances of prejudice, intolerance and discrimination
- Equip our pupils and staff to understand that reason, logic and sensitivity have to underpin ways and means of resolving arguments and conflicts
- Ensure a willingness by pupils and staff to learn from different cultures, backgrounds, faiths and beliefs
- Recognise the importance of language to a person's sense of identity and belonging and consider pupils' language abilities as a teaching and learning resource and a strength
- Ensure that pupils have the opportunity to receive the support and guidance they need on an individual basis and take account of the personal and cultural needs specific to that individual
- Ensure that pupils have the skills to communicate effectively (including the ability to listen and discuss) and to defend their own opinions.

## **Teaching and Learning**

The school will ensure that:

- Teaching methods and styles take full account of the needs of pupils' background experiences
- Access to optional subjects and out of school hours learning activities is fair and equitable across all ethnic groups
- Teaching methods encourage positive attitudes to difference, cultural diversity and race equality
- The diversity of cultures and backgrounds represented in the school is seen as a positive resource for teaching and learning
- All pupils are fully aware that staff have very high expectations of them and are continually challenged to reach higher standards
- A positive ethos of mutual respect and trust is fostered amongst pupils and staff, in which all members of the school community feel valued and safe
- Classrooms and other common spaces in the school, where work is displayed present positive and challenging images that are non-stereotypical and reflect the multi-ethnic, multilingual and multicultural society and world
- Learning is a collaborative and co-operative enterprise.

## **The Curriculum**

We recognise the challenge of expanding pupils' contacts and insights into cultural diversity. As such we actively seek to involve representatives of minority ethnic communities and diverse cultures and faiths in the school and across the curriculum. All teachers will ensure that curriculum content and resources and classroom environments present and value Britain as a culturally diverse society and develop pupils' understanding of the wider world. In presenting this diversity, all staff and volunteers will take care not to present different cultures in stereotyped ways. Please refer to our Curriculum Policy for more detail and how this refers to British Values. All teachers will develop the dimension of cultural diversity as appropriate to their subject and care responsibilities. Collectively the school curriculum will:

- Support the development of personal, social and cultural identities in all pupils
- Teach pupils respect and value for diversity
- Teach pupils the nature of cultural diversity in Britain and globally

## **Staff recruitment and retention**

The school recognises the value of diversity in the school staff and governing body and will ensure that its recruitment policy:

- does not discriminate against minority ethnic groups
- take appropriate action to seek staff and governors from a diversity of backgrounds.

Steps will be taken to ensure that cultural bias is removed from recruitment and selection processes and that all involved in recruitment and selection understand how to ensure race equality in the process.

A demonstrated commitment to race equality will be a criterion for the selection of all new staff.

The school will seek to ensure that diversity represented in the school staff and the governing body is valued, maintained and built on.

The school will provide data for DFE to enable them to monitor staff recruitment and retention by ethnicity.

## **Commitment**

Managers will actively promote race equality as a school priority ensuring high expectations of all and non-discriminatory behaviour. We believe that all pupils need to experience a school environment where cultural, linguistic and ethnic differences are respected and valued, and



the principles of equal opportunity are actively seen to be at work in the school's ethos and procedures.

To achieve this:

- All staff, governors, parents/carers and pupils will be actively involved in developing, implementing and evaluating the school race equality policy.
- All members of the school community will understand their role in supporting and implementing the policy. Pupils' engagement in this process will be as full as appropriate with a clear development programme to progressively maximise their contribution.
- The perspectives of minority groups and isolated pupils/families will be a matter of particular concern in this process.

### **Attendance, Exclusion and Behaviour**

1. The school recognises that attendance and exclusion rates for particular minority ethnic groups can be unequal. Attendance, exclusion rates and teachers' rewards/systems will be monitored for disparities across different ethnic groups. Strategies are employed in the school to reduce disaffection, encourage attendance and avoid exclusion.
2. Where the pattern of a pupil's undesirable behaviour is being monitored, the circumstances lead-up to that behaviour will be analysed in order to address any possible racial harassment and institutional racism.
3. We will monitor the exclusion of ethnic groups from both the classroom and the school and will address any discrepancies.
4. Understanding pupils' behaviour will include taking account of cultural and linguistic differences in self and emotional expression or dealing with conflict.
5. The school accepts the right of a parent to have an advocate when dealing with matters pertaining to race discrimination.
6. Reintegration strategies are culturally inclusive and responsive to pupils' ethnic and cultural background.
7. The school recognises the right of pupils to take time off for religious observance and action is taken to minimise any disruption to the education of pupils who are absent for religious observance and is at the discretion of the Headteachers.
8. Provision is made for pupils who are on leave for religious reasons.

### **Parents and the wider community**

Active steps will be taken to involve ethnic minority parents, including as appropriate: -

1. the use of translations especially for key documents (e.g. Home School Agreements), statements of special educational needs and school reports
2. the use of interpreters at parent's consultation evenings, annual reviews and preparation for transition.
3. active recruitment of such parents as classroom helpers, mentors and school governors.

The school seeks actively to work in partnership with local minority ethnic community organisations and where possible access the expertise, skills, knowledge and experiences of people from local minority ethnic communities. We will promote the community's access to school facilities.

## **5. Religion or Belief**

The Act makes it unlawful to discriminate, treat unfairly or harass workers, employees, job applicants and trainees on the grounds of the person's actual or perceived religion, religious belief or similar philosophical belief.

The definition of religion and belief is wide enough to cover fringe and cult religions and a range of philosophical beliefs. A religion involves collective worship, a profound belief affecting one's way of life or view of the world, and a clear system encompassing those beliefs. These regulations cover employees, contract workers, agency temps, casual workers, work-experience volunteers, peripatetic teachers and governors.

The school is also responsible for the behaviour of its staff towards an individual visiting or working on the school premises.

The regulations make it unlawful on grounds of religion or belief to:

- Decide not to employ someone
- Dismiss them or make them redundant
- Refuse to provide them with training
- Deny them promotion
- Give them adverse terms or conditions
- Withhold fair and accurate references (written or verbal)

## **6. Sexual Orientation**

The Act makes it unlawful to discriminate, treat unfairly or harass workers, employees, job applicants and trainees on the grounds they are, or are perceived to be, gay, lesbian, bisexual or heterosexual.

These regulations cover employees, contract workers, agency temps, casual workers, work-experience volunteers, peripatetic teachers and governors.

The regulations do not protect people on account of involvement in sexual practices, preferences or fetishes. Equally, an orientation towards children would not entitle a paedophile to protection under the regulations.

The school is also responsible for the behaviour of its staff towards an individual visiting or working on the school premises.

The regulations make it unlawful on grounds of religion or belief to:

- Decide not to employ someone
- Dismiss them or make them redundant
- Refuse to provide them with training
- Deny them promotion
- Give them adverse terms or conditions
- Withhold fair and accurate references (written or verbal)

## **7. Sex/gender**

Schools need to make sure that pupils of one sex are not singled out for different and less favourable treatment from that given to other pupils. They should check that there are no practices which could result in unfair, less favourable treatment of boys or girls. For example, it would be unlawful for a school to require girls to learn needlework while giving boys the choice between needlework and woodwork classes.

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