

Harden Primary School  
Equalities and Cohesion Policy  
January 2016

## **Legal duties**

1. We welcome our duties under the Race Relations 1976 as amended by the Race Relations Amendment Act 2000; the Disability Discrimination Acts 1995 and 2005; and the Sex Discrimination Act 1975 as amended by the Equality Act 2006.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these four sets of duties are essential for achieving the five outcomes of the Every Child Matters framework, and that they reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.
4. Summaries of our legal obligations are provided in Appendix A.

## **Guiding principles**

In fulfilling the legal obligations referred to above and summarised in Appendix A, we are guided by seven principles.

### **Principle 1: All learners are of equal value**

We see all learners and potential learners as of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin
- or national status
- whichever their gender.

### **Principle 2: We recognise and respect diversity**

Treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of
- prejudice are recognised
- gender, so that the different needs and experiences of girls and
- boys, women and men are recognised.

### **Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging**

We intend that our policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between
- disabled and non-disabled people, and an absence of harassment of disabled people
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice-related bullying and incidents
- mutual respect and good relations between boys and girls, women and men, and an absence of sexual harassment

**Principle 4: Staff recruitment, retention and development**

Policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin
- or national status
- whichever their gender.

**Principle 5: We aim to reduce and remove inequalities and barriers that already exist**

In addition to avoiding or minimising possible negative impacts, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- girls and boys, women and men.

**Principle 6: We consult widely**

People affected by a policy or activity should be consulted and involved in the design of new policies, and in the review of existing ones. We involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious backgrounds
- both women and men, and girls and boys.

**Principle 7: Society as a whole should benefit**

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled

- people of a wide range of ethnic, cultural and religious backgrounds
- both women and men, girls and boys.

### **Action plans**

We recognise that the actions resulting from a policy are what make a difference. Each year we draw up an action plan within the framework of the overall school improvement plan, setting out the specific actions and projects we shall undertake to implement the principles in paragraph 5 above.

### **The curriculum**

We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the seven principles in paragraph 5 above.

### **Ethos and organisation**

We ensure that the principles listed in paragraph 5 above apply also to the full range of our policies and practices, including those that are concerned with:

- learners' progress, attainment and assessment
- learners' personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance
- staff recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- working in partnership with parents, carers and guardians
- working with the wider community.

### **Addressing prejudice and prejudice-related bullying**

The school is opposed to all forms of prejudice which stand in the way of fulfilling the legal duties referred to in paragraphs 1 and 2:

- prejudices around disability and special educational needs
- prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example: antisemitism and Islamophobia, and those that are directed against Travellers, refugees and people seeking asylum
- prejudices reflecting sexism and homophobia.

There is guidance in the staff handbook on how prejudice-related

incidents should be identified, assessed, recorded and dealt with. We take seriously our obligation to report regularly to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they were dealt with.

### **Roles and responsibilities**

The governing body is responsible for ensuring that the school complies with legislation, and that this policy and its related procedures and strategies are implemented. A member of the governing body has a watching brief regarding the implementation of this policy.

The headteacher is responsible for implementing the policy; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination. A senior member of staff has day-to-day responsibility for co-ordinating implementation of the policy.

All staff are expected to:

- promote an inclusive and collaborative ethos in their classroom
- deal with any prejudice-related incidents that may occur
- identify and challenge bias and stereotyping in the curriculum
- support pupils in their class for whom English is an additional language
- keep up-to-date with equalities legislation relevant to their work.

### **Information and resources**

We ensure that the content of this policy is known to all staff and governors and, as appropriate, to all pupils and parents. All staff and governors have access to a selection of resources which discuss and explain concepts of equality, diversity and community cohesion in appropriate detail.

### **Religious observance**

21. We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

### **Staff development and training**

We ensure that all staff, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

### **Breaches of the policy**

Breaches of this policy will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the headteacher

and governing body.

**Monitoring and evaluation**

We collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate. In particular we collect, analyse and use data relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin and national status; and gender. To review good practice we make use of a range of auditing schedules.

*Date approved by the Governing Body:*

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**APPENDICES**

Appendix A: Summary of legislative requirements

## Appendix A

### **ACTION SCHOOLS NEED TO TAKE - EMPLOYMENT**

4. Taken together, the collective effect of legislation relating to equality is that schools must not discriminate in the employment of staff on grounds of gender, transsexual status<sup>1</sup>, race, disability, sexual orientation<sup>2</sup>, religion or belief<sup>3</sup> or age<sup>4</sup>. With regard to disability, schools must 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. 5. This includes discrimination in relation to recruitment, terms and conditions, promotions, transfers, dismissals, training and employment practices such as dress codes and disciplinary procedures.

### **ACTION SCHOOLS NEED TO TAKE – DISCRIMINATION WITH REGARD TO PUPILS**

6. Schools must not discriminate against children seeking admission or with regard to how pupils are treated, on grounds of sex, race, disability, religion or belief<sup>5</sup>. This includes discrimination 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.

There are some limited exceptions to this.

- Single sex schools may of course discriminate on grounds of sex with regard to admissions, and schools with a religious character may give priority in admissions to applicants who are of their faith.
- School curriculum and collective worship are not covered by the requirements on schools not to discriminate on grounds of religion or belief.
- With regard to disability, schools must make such reasonable adjustments as are necessary to prevent disabled pupils being at a substantial disadvantage in comparison with people who are not disabled, even if it means treating them more favourably.
- Schools must not discriminate on grounds of sexual orientation in terms of employment of staff. Regulations are expected to be made shortly which will cover discrimination against pupils or potential pupils on the grounds of their sexual orientation or that of their parents, carers or other associates.
- Schools must not discriminate on grounds of age in terms of employment of staff but age discrimination legislation does not apply to the treatment of pupils or the delivery of education.

### **DUTY TO PROMOTE EQUALITY**

#### **Race**

8. Schools are under a duty to promote equality of opportunity and to promote good relations between persons of a different race and nationality. This will be through a written race equality policy, which should identify action to be taken to tackle discrimination and to promote equality and good race relations across the whole area of school activity.

9. There is also a duty to assess and monitor the impact of policies on pupils, staff and parents, in particular the attainment levels of pupils from different racial groups. Such steps as are reasonably practicable should be taken to publish annually the results of the monitoring. Ofsted will inspect and report on whether schools are meeting the general and specific duties.

10. All schools and educational establishments are required to record racist incidents and to report them to the local authority on a regular basis.

#### **Disability**

11. Schools are under a duty, when carrying out their functions, to have regard to the need to:

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- a. Promote equality of opportunity between disabled and other people;
- b. Eliminate discrimination and harassment; promote positive attitudes to disabled people;
- c. Encourage participation by disabled people in public life; and
- d. Take steps to meet disabled people's needs, even if this requires more favourable treatment.

#### **Gender (sex)**

13. From April 2007, schools will have a general duty to promote equality of opportunity between men and women (including boys and girls) and a specific duty to publish a Gender Equality Scheme showing how the school intends to fulfil the general and specific duties. Schools must revise and review the plan every 3 years and report on progress annually.

14. There are no specific duties or requirements on schools in relation to gender reassignment, beyond the requirement not to discriminate in terms of employment of staff (see section on employment above).

#### **ACTION SCHOOLS NEED TO TAKE – PROMOTION AND MONITORING**

15. As set out briefly above, schools are under a number of duties through legislation on equality to promote and monitor equality and discrimination, including gathering specified evidence and publishing plans. Taken together, the requirements are to:

a. Produce a written race equality policy identifying action to be taken to tackle discrimination and promote equality and good race relations across school activity. More detailed guidance for schools on how to produce such a policy is available from the Commission for Racial Equality (see annex B).

b. Assess and monitor the impact of race equality policies on pupils, staff, and parents, in particular the attainment levels of pupils from different racial groups, and take such steps as are reasonably practical to publish the results of this monitoring annually (see the Commission for Racial Equality's guidance for further detail on this).

c. Record racist incidents and report them to the local authority on a regular basis. Schools should contact their local authority for advice on the format, process and frequency of reporting that is required. Further guidance on this is available from the Department for Education and Skills (see annex B).

d. Publish a disability equality scheme showing how the school is meeting its general duty to promote disability equality across all its areas of responsibility.

e. Publish a Gender Equality Scheme showing how the school intends to fulfil its general and specific duties, such as setting out gender equality objectives. Schools must revise and review this plan every 3 years and report on progress annually. More detailed guidance and advice to schools on this will be issued shortly. In the meantime, further advice and information can be obtained from the Equal Opportunities Commission

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1 Including people who have expressed an intention to undergo, are undergoing or have completed a process of gender reassignment.

2 Discrimination on grounds of perceived as well as actual sexual orientation, and/or that of friends or associates of the person discriminated against is also unlawful.

3 There are some limited exceptions for staff in faith schools, guidance regarding which is available in the Governors' Guide to the Law (see annex B).

4 In some cases, direct or indirect discrimination on grounds of age may be lawful if it can be shown to be objectively justified.

5 The requirement not to discriminate on grounds of religion or belief is expected to come into effect from April 2007. Regulations are also planned which will prohibit discrimination against pupils or potential pupils on grounds of sexual orientation (and see footnote 2 above).