



Equality Policy

Springfield Primary School

This policy is informed by the **Equality Act 2010** and the **Public Sector Equality Duty 2011**. Details of these pieces of legislation are provided within this policy to ensure all stakeholders understand the duties of the school in this regard.

Equality Act 2010

The Equality Act 2010 brings together, and expands upon, previous legislation on various kinds of discrimination, so that there are no longer separate Acts and Regulations. The Act defines the grounds on which it is unlawful to discriminate.

Types of Discrimination

The types of discrimination have been extended by the Equality Act to include:

- Direct discrimination, which already applies but has now been extended to cover perceptive and associative discrimination.
- Indirect discrimination, which already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership. It has now been extended to cover disability and gender reassignment.
- Associative discrimination, which already applies to race, religion or belief and sexual orientation. It has now been extended to cover; age, disability, gender reassignment and sex. Associated discrimination is direct discrimination against someone because they associate with another person.
- Perceptive discrimination, which already applies to age, race, religion or belief and sexual orientation. It has now been extended to cover disability, gender reassignment and sex. Perceptive discrimination is direct discrimination against someone because others think that they possess a protected characteristic and applies even when the person does not actually possess that characteristic.

Protected characteristics

The Equality Act outlines nine '**protected characteristics**' as follows:

- Race, disability, sex, age, religion or belief, sexual orientation, pregnancy & maternity, marriage & civil partnership and gender reassignment.

This provides protection for people discriminated against because they are perceived to have, or are associated with someone who has, a protected characteristic. These characteristics are detailed below:

Race

Race means a person's:

- colour, and/or
- nationality (including citizenship), and/or
- ethnic or national origin, and a racial group is composed of people who have or share a colour, nationality or ethnic or national origins.

Disability

A physical and/or mental impairment that has what the law calls 'a substantial and long-term adverse effect on [his or her] ability to carry out normal day-to-day activities' This can include: arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs, dyslexia, autism, learning difficulties including Down's syndrome, and mental health conditions such as depression and schizophrenia.

Sex

A person's sex refers to the fact that he or she is male or female. In relation to a group of people, it refers to either men and/or boys or women and/or girls.

Age

A person's age, which may be referred to as a group within an age band.

Religion or Belief

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief. To be protected under the Act, the belief must be genuinely held and must be a belief, and not an opinion or viewpoint based on information available at the moment, it must be a belief as to a weighty and substantial aspect of human life and behavior. It must attain a certain level of cogency, seriousness, cohesion and importance, It must be worthy of respect in a democratic society and it must be compatible with human dignity and not conflict with the fundamental rights of others.

Sexual Orientation

Sexual orientation means the attraction that a person feels towards one sex or another (or both), which determines with whom he or she forms intimate relationships or to whom he or she is attracted. Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation, such as someone's appearance, the places that he or she visits or the people with whom he or she associates.

Pregnancy and Maternity

Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context. A school must not discriminate against staff because of her pregnancy or maternity, or because she is breastfeeding.

Marriage and civil partnership

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Gender Reassignment

Gender reassignment is a personal process (rather than a medical process) that involves a person moving away from his or her birth sex to his or her preferred gender and thus expressing that gender in a way that differs from, or is inconsistent with, the physical sex with which he or she was born. The equality issues that schools need to consider when making decisions that affect pupils or staff with nine different protected characteristics are set out in the **Public Sector Equality Duty**.

Public Sector Equality Duty 2011 (PSED)

The Public Sector Equality Duty came into force across Great Britain on 5 April 2011.

It means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.

This duty has three elements for schools:

1. Eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
3. Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.

Harassment

Harassment applies to all protected characteristics except for pregnancy, maternity, marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even when not directed at them and the complainant need not possess the relevant characteristic themselves. Protection is also extended to cover perception and association. Third party harassment already applies to sex and has now been extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation. Employers are liable when;

- harassment has occurred on at least two previous occasions;
- employers are aware that it has taken place;
- employers have not taken reasonable steps to prevent it from happening again

Victimisation

Victimisation occurs when an employee is treated badly because he or she has or is suspected of having made a complaint under the Equality Act. The Act removes the requirement of the complainant to demonstrate a comparator. Employees raising malicious or supporting untrue complaints are excluded from the protection.

Positive Action

As with the previous legislation the Equality Act allows for positive action in circumstances where protected characteristics suffer a disadvantage connected to that characteristic or if their participation in an activity is disproportionately low.

Equality Schemes

There is no longer a legal requirement to adopt an equality scheme or policy. However, the Statutory Code of Practice published by the Equality and Human Rights Commission recommends such a policy and this recommendation would be taken into account in any legal proceedings. Chapter 18 of the code gives guidance on equality policies and practice in the workplace.

Appointing Staff - Questions About Health

New provisions in the Equality Act 2010 affect the questions asked about health in references or at any stage of the selection process before making a conditional offer of employment.

Section 60(1) of the Act provides that “A person (A) to whom an application for work is made must not ask about the health of the applicant (B) before offering work to B or, where A is not in a position to offer work to B, before including B in a pool of applicants from whom A intends (when in a position to do so) to select a person to whom to offer work.”

Other parts of Section 60 of the Act make exceptions and allow questions

- Where it is necessary to find out whether an applicant is able to participate in an assessment to test suitability for the role
- Establish whether there is a duty to make reasonable adjustments to enable an applicant to take part in the recruitment process
- Establish whether the applicant will be able to carry out a function intrinsic to the work
- Monitor the diversity of applicants
- Take positive action in supporting employment for disabled people
- Where a disability is a genuine occupational requirement

So, for example, when sending out letters inviting people to attend for interview it is still permissible to ask them all whether they need any special arrangements to participate in the interview.

It is permissible to enquire about a person’s health once that person has been selected for the job, provided that the employer does not unfairly discriminate against the successful applicant once medical information is revealed and makes all the adjustments that are reasonable in the circumstances to accommodate any disability. Therefore, schools should continue to ask

successful applicants to complete a pre-employment medical questionnaire and the authority will continue to make offers of employment conditional on medical clearance.

Our Principles

At Springfield Primary School we believe that every child deserves the opportunity to achieve their full potential. All staff have due regard to advancing the equality of opportunity by consciously thinking about the three aims of the Equality Duty as part of our process of decision making.

Having 'due regard' to the need to advance equality of opportunity is defined as the need to:

1. Remove or minimise disadvantages
2. Take steps to meet different needs.
3. Encourage participation when it is disproportionately low.

The school's response will be proportionate and involve a reasonable adjustment. Risk assessments will be made on an individual basis.

Springfield Primary School aims to identify and remove the barriers that particular groups of children, young people and adults may face in becoming included, valued, self-confident and achieving learners within and beyond their local community.

The school is committed to meeting every child's need on an individual basis, in order to create an optimal learning environment for all children. This is positively reflected in areas such as arrangements made for school trips, staff training, timetabling of staff support, physical access arrangements, involvement of outside agencies and communication with parents and carers. We monitor the progress and attainment of pupil groups. At present these include those with protected characteristics (race, disability, gender, age), pupils with identified SEN, English as an Additional Language and higher attaining pupils. This monitoring then informs our improvement plans in each Key Phase of the school (TIPs) every half term. Annual published data about groups of pupils, such as that included in our Raise-online report also informs our School Improvement Plan. This plan includes objectives relating to the attainment and progress of these groups. These will also be published separately on our website.

Accessibility Plan

Our Accessibility Plan, in conjunction with our School Improvement Plan, identifies how the school is continuing to improve its provision for those with disabilities.

Key Responsibilities

- To implement our Accessibility Plan, share it annually with the school community and update it every two-three years.
- To report annually to the IEB on the impact of the plan, progress made and any changes needed.
- To ensure no person with disabilities is treated less favourably.
- To take all reasonable steps to avoid putting people with disabilities at a disadvantage.
- To facilitate equal access to all aspects of the school community for parents/ carers.
- To seek the opinions of all stake holders in the consultation process in drawing up the plan and keep them informed of developments.

Springfield Primary will undertake to meet these responsibilities by developing the following areas: -

1. Increasing the extent to which disabled pupils can participate in the curriculum;

- To regularly assess and improve the impact that delivered curriculum has upon pupils with disabilities.
- To evaluate the effectiveness of short term planning in identifying the range of reasonable adjustments being made.
- To deploy appropriate adult/ peer support and resources.
- To create a curriculum that supports awareness of and positive attitudes towards, disability.
- To seek and follow the advice of outside agencies, including health professionals, Hearing and Visually Impaired Service, Physical Disability Support Service, Key Learning Centres, Autism Outreach, Ethnic Minorities Support Service, District SEN/ Inclusion Team, and the LEA.
- To provide training for key staff as appropriate.
- To support staff of extended hours provision to provide equal access and to encourage all children to attend.

2. Improving the physical environment of schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided;

- To audit existing facilities and identify possible improvements needed to make the school more accessible to people with disabilities.
- To consider how different impairments can be best catered for in the school environment.
- To consider ways of providing suitable aids and resources to meet these needs.
- To follow advice from the LEA, outside agencies and other schools.

3. Improving the availability of accessible information to disabled pupils;

- To look at the way we inform and to improve accessibility where appropriate.
- To work with other schools, LEA and external agencies to source necessary materials.
- To include parents and pupils in the choice of the most suitable media for the person with disabilities.
- To be aware that we may need to make changes on an individual basis to enhance access.

4. Our Provision

The Head Teacher, SENDCO and Pastoral Manager along with the Senior Management Team will maintain an ongoing programme of monitoring, evaluation, support and review of individual children's barriers to learning, intervention strategies and their impact.

This includes:-

- Analysis of school pupil group progress and attainment data each half term compared with published local and national data.
- Professional 1-1 conversations with teaching staff every term to identify barriers to learning, agree accelerated progress targets and plan interventions.
- Monitoring and evaluation of the impact of teaching, intervention strategies and additional resources on progress and attainment throughout the year.
- An emphasis on early intervention with a programme of frequent reviews to constantly challenge the effectiveness of provisions.

- Provision of resources that inspire independent learning, particularly reflecting increased use of ICT.
- Parental involvement, which is recognised as being crucial to success. Activities such as parent learning sessions are provided.
- Pastoral and emotional support through the Pastoral Support Manager, including recording, reporting and following up any incidents of discrimination or victimisation.
- Equal access to enrichment activities. These are important in raising motivation and self esteem, leading to greater engagement and success in learning.
- PHSE curriculum includes 'Difference and Diversity'.
- Ensuring that provision is the best it can be, through research and knowledge of current developments.

Reporting

The school will publish this Equality Policy and the associated Accessibility Plan on the school website, to be reviewed annually and updated every two-three years, demonstrating compliance with the Equality Duty. The school will publish one or more specific and measurable equality objectives on the website, to be updated every 2/3 years. The Head Teacher will report to the Chair of the IEB on the progress and provision for identified pupil groups. This Governor will ensure that the Equality Policy, Accessibility Plan and Equality Objectives are reviewed annually, updated every two-three years and published on the website for parents.

Outcomes

All decision makers have due regard to the Equality Act and Equality Duty, assessing whether their decision or action has implications for people with particular protected characteristics. The school is advancing the equality of opportunity for those with protected characteristics, including accessibility for disabled pupils and adults.

Review

The IEB reviews this policy once every two years. The IEB may, however, review the policy earlier than this, if the government introduces new regulations, or if the IEB receives recommendations on how the policy might be improved.

Approved by IEB Board : 22nd May 2018

Next Review due: May 2020