



Equalities Policy

This single policy acts as an umbrella policy and replaces separate policies on race, disability and gender to address and aim to eliminate discrimination, advance equality of opportunity and foster good relations.

It reflects the legal duties set out in the *Equality Act 2010*, which has replaced the *Equal Pay Act 1970*, *Sex Discrimination Act 1975*, *Race Relations Act 1976*, *Disability Discrimination Act 1995*, *Employment Equality (Religion or Belief) Regulations 2003*, *Employment Equality (Sexual Orientation) Regulations 2003* and the *Employment Equality (Age) Regulations 2006*. This policy also reflects our duties set out in the *Public Sector Equality Duty* relating to schools (revised 2017).

Part One sets out the school's aims to promote equality of opportunity and comply with the Act; Part Two sets out the legal duties which are referred to in Part One.

The primary aim of The Acorns Primary and Nursery and Whitley Village Federated Schools is to enable all pupils to fully participate in every part of school life by developing each child's self-confidence, recognising their strengths and encouraging them to achieve their full potential.

At The Acorns Primary and Nursery and Whitley Village Federated Schools, we take steps to advance equality of opportunity, foster good relations and eliminate discrimination or harassment across all of the protected characteristics (age, race, gender reassignment, disability, marriage and civil partnership, religion and belief, pregnancy and maternity, gender, sexual orientation) within the school community. We are Unicef Rights Respecting Schools and work within the framework of Andrew Moffatt's 'No Outsiders'. The Acorns is also on a journey to achieve the Rainbow Flag Award, working alongside The Proud Trust to ensure equality is at the core of our values and ethos.

Our ultimate aim is to achieve our vision, mission and core values for all our pupils:

Vision

Be the best you can be

Rules

Ready, Respectful and Safe

Part One

Aims

In line with the Public Sector Equality Duty, our aims are to:

1. Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
2. Advance equality of opportunity between people who share a protected characteristic and those who do not.
3. Foster good relations between people who share a protected characteristic and those who do not.

Our Pledge

- We will regularly consider the ways in which our teaching and the curriculum provision will support high standards of attainment, promote common values, and help students understand and value the diversity that surrounds them. They will be taught critical thinking skills in order to identify and challenge prejudice and stereotyping, especially relating to the 9 protected characteristics:
 - age
 - race

- gender reassignment (*at the Federation we include the spectrum of trans identities*)
 - disability
 - marriage and civil partnership
 - religion and belief
 - pregnancy and maternity
 - gender
 - sexual orientation
- We will do this by using the most recent and relevant research to inform our SMSC provision and practices within school, including work on 'No Outsiders' and with The Proud Trust.
 - We will take reasonable and necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments, enabling all of our pupils to take as full a part as possible in all the activities of the school.
 - We will make reasonable adjustments to ensure the school environment and its activities are as accessible and welcoming as possible for pupils, staff and visitors to the school.
 - We are also committed to ensuring staff with a disability have equality of opportunity.
 - We will take on board the feedback from pupils, parents, advisory staff and visitors to the school, to ensure that the school environment is as safe, welcoming and accessible as possible to all school users.
 - We will regularly review our accessibility plans to ensure that appropriate measures are taken to ensure inclusivity.
 - We will ensure that all staff are aware of their legal duties under the Equality Act 2010, the different forms of discrimination and what 'reasonable adjustments' mean in practice.
 - We will ensure the curriculum is accessible to all pupils with special educational needs and disabilities (SEND) or those for whom English is not their first language.
 - Auxiliary aids and services will be provided for them, where reasonable adjustments are required.
 - By planning ahead, we will ensure that all pupils are able to take part in extracurricular activities and residential visits, so that no one is disadvantaged on the grounds of a protected characteristic.
 - We will actively encourage and model positive attitudes towards pupils and staff, and expect everyone to treat others with respect.
 - We will regularly consider the ways in which the taught and wider curricula will help to promote awareness of the rights of individuals and develop the skills of participation and responsible action actively relating these to the United Nations Convention on the Rights of the Child 1990, as Unicef Rights Respecting Schools.
 - We will monitor the progress and achievement of all pupils and will identify any significant trends in relation to the protected characteristics. This information will help the school to ensure that individual pupils are achieving their potential and the school is being inclusive in practice.
 - As part of the recruitment process, we ensure that all staff have equality of opportunity in terms of recruitment, retention, training opportunities and promotions. We will not ask health-related questions to job applicants before offering a job, unless it relates to an intrinsic function of the work they do. We will make reasonable adjustments such as providing auxiliary aids for our disabled staff.
 - We will ensure that school procedures and rules do not prejudice or disadvantageously highlight any of the 9 protected characteristics. For example, in association with gender:
 - We will ensure that our uniform policy does not assign a particular uniform in accordance with a perceived gender.
 - We use gender neutral language where gendered language is not necessary
 - We will not separate into binary gendered groups where it is not necessary in order to achieve the objective.
 - We will offer gender neutral toileting facilities where a person feels uncomfortable using the current gendered facilities
 - We will actively develop our whole-school practices to ensure that all genders are made to feel welcome and comfortable.
 - We will ensure that staff, children, parents and wider school community are referred to by their preferred pronoun if stated.
 - We will seek the views of advisory staff and outside agencies and partnerships with other schools where this is needed.

- In planning the curriculum and resources we will take every opportunity to promote and advance equality, ensuring that artists, texts, authors, key-figures & role models are representative of society as a whole.
- Bullying and discriminatory/prejudice incidents will be carefully monitored via the school CPOMS recording and reporting system for child protection, safeguarding, pastoral and welfare issues and dealt with effectively in accordance with Meadow and the Local Authority's discriminatory incident reporting procedure.
- We expect that all staff will be ambassadors for equal opportunities, deal with bullying and discriminatory incidents and be able to identify, challenge and educate about prejudice and stereotyping, both through planned lessons and through incidental learning.
- We will ensure that mindful learning opportunities will be interwoven throughout our curriculum to include lessons on stereotyping, disability, respect for other cultures, religions and beliefs, tackling homophobia, gender equality, gender identity, raising self-esteem, equality of opportunity, racism, migration, socio-economic disadvantage, developing a sense of community and an understanding of the effects of discrimination.
- When drawing up policies, we will critically evaluate the policy to ensure that it does not, even inadvertently, disadvantage people with protected characteristics.
- We will ensure that staff receive regular training/updates to disseminate good practice in relation to moral obligation and changes in law/duties.

Practice

At The Acorns Primary and Nursery and Whitley Village Federated Schools, the above will be ensured and implemented in a number of ways as follows:

- A thorough and current SMSC provision (including PSHE lessons) which addresses the nine protected characteristics and equality explicitly.
- Assemblies linked with our SMSC themes and provision, including 'No Outsiders'.
- A critical-thinking approach within the broader curriculum which links national curriculum objectives to current experience, equality objectives and the local and global community.
- Mindfulness of opportunities to interleave learning opportunities, and take advantage of incidental learning opportunities, relating to equality into all curriculum areas.
- An active approach to consistently review and improve provision in school
- Monitoring achievement and progress of all children, and being mindful of potential barriers to success when progress is not being made.
- Monitoring of exclusions of all children, and being mindful of potential barriers to success relating to the nine protected characteristics.
- Maintaining a high level of CPD for key members of staff which is then cascaded across all staff to ensure we are all up to date with the best practices for inclusion and equal opportunities.

Monitoring and Review

- The Executive Headteacher implements the school's equality policy on a day-to-day basis and ensures that all staff are aware of the details of the policy.
- The Executive Headteacher reports to governors on matters relating to equality and discrimination.
- This policy will be reviewed every four years unless there are changes in law that need to be considered.

Responsibilities

All governors, staff, volunteers, pupils and families need to develop an appropriate understanding of, and act in accordance with, the school's equality plan.

In addition, the school governors are responsible for ensuring that the school prepares, implements, reports on and reviews the equality policy and associated action plans, and in particular the employment implications of meeting the duty.

The Executive Headteacher will work with the staff to ensure that:

- the policy is 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 responsibility to meet the equality duty
- existing and planned policies are assessed for ways that they impact on equality
- curriculum planning, learning and teaching methods, classroom organisation and assessment procedures, behaviour management, school journey and extended school activities take account of the need to promote all aspects of equality
- incidents of bullying and harassment in relation to the nine protected characteristics are dealt with in accordance with the anti-bullying policy
- all staff take ownership of their responsibility to incorporate the above practices

Breaches of the equality policy

Where appropriate, breaches of the policy will be dealt with in a manner appropriate to the level of 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 Federations' Preventing and Tackling Bullying and harassment Policies and procedures, and the disciplinary procedures of staff.

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

Part Two

Our Legal Duties

Legislation relating to equality and discrimination is laid out in the Equality Act 2010.

This legislation covers employment (work), the provision of services and public functions, and education. Employers (schools) are liable for discriminatory acts of their employees if they did not take reasonable steps to prevent such acts.

Employees can be liable for acts (where an employer took reasonable steps to prevent such acts).

The 'Protected Characteristics' within equality law are:

Age - A person of a particular age (e.g. 32 year old) or a range of ages (e.g. 18 - 30 year olds). Age discrimination does not apply to the provision of education, but it does apply to work.

Disability - A person has a disability if s/he has, or has had, a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It includes discrimination arising from something connected with their disability such as use of aids or medical conditions. HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.

Gender reassignment - A person (usually with 'gender dysphoria') who is proposing to undergo, is undergoing or has undergone gender reassignment (the process of changing physiological or other attributes of sex, therefore changing from male to female, or female to male). 'Trans' is an umbrella term to describe people with this 'Gender Identity'. 'Intersex' or 'Third Sex' is not covered by the Act but the school will treat Intersex children with the same degree of equality as children with gender dysphoria. Children as young as five may begin to show signs of gender dysphoria and therefore it is relevant in any school environment. (The Proud Trust in Cheshire supports schools in supporting children with gender identity).

Marriage and civil partnership – Marriage and civil partnership discrimination does not directly apply to the provision of education, but it does apply to work. This should also be considered when working with families with parents in all or no partnerships.

Pregnancy and maternity - Maternity refers to the period of 26 weeks after the birth (including stillbirths), which reflects the period of a woman's Ordinary Maternity Leave entitlement in the employment context. In employment, it also covers (where eligible) the period up to the end of her Additional Maternity Leave.

Race - A person's colour, nationality, ethnic or national origin. It includes Travellers and Gypsies as well as White British people.

Religion and belief - Religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. Religion and belief discrimination does not prevent a school from carrying out collective worship or other curriculum based activities, but pupils may withdraw from acts of collective worship.

Sex - A man or a woman.

Sexual orientation - A person's sexual orientation towards the same sex (lesbian or gay), the opposite sex (heterosexual) or to both sexes (bisexual). Although children may not identify as gay or lesbian when very young, promotion of sexual orientation equality is as relevant in a primary school environment as it is in a secondary school. For example, a child may have an older sibling or parent who is gay. Children may experience friends 'questioning' or 'coming out' when they are in secondary school or college. Schools with a particular religious ethos cannot discriminate against lesbian, gay or bisexual pupils.

It is also unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the pupil is associated.

‘Prohibited Conduct’ (acts that are unlawful):

- **Direct discrimination** - Less favourable treatment because of a protected characteristic.
- **Indirect discrimination** - A provision, criterion or practice that puts a person at a particular disadvantage and is not a proportionate means of achieving a legitimate aim.
- **Harassment** - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It includes harassment by a third party (e.g. customer or contractor) in the employment context.
- **Victimisation** - Subjecting a person to a detriment because of their involvement with proceedings (a complaint) brought in connection with this Act.
- **Discrimination arising from disability** - Treating someone unfavourably because of something connected with their disability (such as periods of absence from work or medical conditions) and failure to make reasonable adjustments.
- **Gender reassignment discrimination** - Not allowing reasonable absence from work for the purpose of gender-reassignment in line with normal provision such as sick leave).
- **Pregnancy/maternity related discrimination** - Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman or girl because she is breastfeeding.
- **Discrimination by association or perception** - For example, discriminating against someone because they “look gay”, or because they have a gay brother; discriminating against someone because they care for a disabled relative.

Schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

Public Sector Duties (applies to schools):

A school must, in the exercise of its functions, give due regard to the need to (in relation to protected characteristics above):

1. Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
2. Advance equality of opportunity (remove or minimise disadvantage; meet people’s needs; take account of disabilities; encourage participation in public life).
3. Foster good relations between people (tackle prejudice and promote understanding).

In practice, ‘due regard’ means giving relevant and proportionate consideration to the duty, so decision makers in schools must have due regard when making a decision, developing a policy or taking an action as to whether it may have implications for people because of their protected characteristics.

Reasonable Adjustments and Accessibility Plans (Relating to disability schedule of Equality Act 2010):

Schools are required to:

- Take reasonable steps to avoid disadvantage caused by a provision, criterion or practice or a physical feature that puts a disabled person at a substantial disadvantage compared to a non-disabled person. This involves removing or avoiding a physical feature, for example steps and lifts.
- Take reasonable steps to provide auxiliary aids/services.
- Provide information in an accessible format.
- Develop and implement (by allocating appropriate resources) Accessibility Plans which will
 - Increase disabled pupils’ access to the school curriculum
 - Improve the physical environment
 - Improve provision of information.

The duty is an anticipatory and continuing one that schools owe to disabled pupils generally, regardless of whether the school knows that a particular pupil is disabled or whether the school currently has disabled pupils. The Federation will need to plan ahead for the reasonable adjustments that it may need to make, working with CWAC authority as appropriate.

For more information download guidance from the **DfE**:

<http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equalityact-2010>

and **Equality Human Rights website**:

<http://www.equalityhumanrights.com> which includes the guidance for education providers (schools)

or **Cheshire West and Chester Council** at

<https://www.cheshirewestandchester.gov.uk/your-council/policies-and-performance/equality-and-diversity/equality-and-diversity.aspx>

The Education and Inspections Act 2006 introduced a duty on all maintained schools in England to promote community cohesion.

Aspects of educational legislation have also promoted equal opportunities, for example the Education Act includes a duty for local authorities to educate children with special educational needs in mainstream schools wherever possible.

Responsibilities

Governing Body

Ensure that the school complies with equality-related legislation.

Ensure that the policy and its procedures are implemented by the Executive Headteacher.

Ensure all other school policies promote equality.

Give due regard to the Public Sector Equality Duty when making decisions.

Executive Headteacher

Implement the policy and its related procedures.

Make all staff aware of their responsibilities and provide training as appropriate to enable them to effectively deliver this policy.

Take appropriate action in any case of actual or potential discrimination.

Ensure that all staff understand their duties regarding recruitment and providing reasonable adjustments to staff.

It is unlawful for an employer to enquire about the health of an applicant for a job until a job offer has been made, unless the questions are specifically related to an intrinsic function of the work - for example ensuring that applicants for a PE teaching post have the physical capability to carry out the duties.

Schools should no longer require job applicants to complete a generic health questionnaire. Neither should a school seek out past sickness records until they have made a job offer.

Ensure that all staff and pupils are aware of the process for reporting and following up bullying and prejudice-related incidents.

All staff

Enact this policy, its commitments and procedures, and their responsibilities associated with this policy.

Deal with bullying and discriminatory incidents, and know how to identify and challenge prejudice and stereotyping.

Promote equality and good relations and not discriminate on any grounds. Attend such training and information opportunities as necessary to enact this policy and keep up to date with equality legislation.

To be models of equal opportunities through their words and actions.

SENDCos

Enact this policy, its commitments and procedures, and their responsibilities associated with this policy. Ensure quality provision for all SEND pupils based on need.

Pupils

Refrain from engaging in discriminatory behaviour or any other behaviour that contravenes this policy.

Visitors (e.g. parent helpers, contractors)

To be aware of, and comply with, the school's equality policy.

To refrain from engaging in discriminatory behaviour (for example, racist language) on school premises.

Definitions

Equality

This is more clearly defined as equality of opportunity and outcome, rather than equality of treatment. This means treating people fairly and according to their needs as some people may need to be treated differently in order to achieve an equal outcome.

Inclusive

Making sure everyone can participate, whatever their background or circumstances.

Diversity

Recognising that we are all different.

Cohesion

People from different backgrounds getting on well together (good community relations). There is a shared vision and sense of purpose or belonging. Diversity is valued. Relationships are strong, supportive and sustainable. Cohesion is an outcome of equality and inclusion.

Community

From the school's perspective, the term "community" has a number of meanings: The school community – the students we serve, their families and the school's staff.

The community within which the school is located – in its geographical community, and the people who live and/or work in that area.

The community of Britain – all schools by definition are part of it. The global community – formed by European and international links.

Gender Dysphoria

Gender dysphoria is a recognised condition in which a person feels that there is a mismatch between their biological sex and their gender identity.

Biological sex is assigned at birth, depending on the appearance of the infant. Gender identity is the gender that a person “identifies” with, or feels themselves to be.