



# Callowell Primary School

## DES and Equality Policy

This policy statement outlines the commitment of the staff and Governors of Callowell Primary School to ensure that equality of opportunity is available to all members of the School. These include: Children, Teaching staff, Support staff, Parents and Governors. This policy reflects the legal duties set out in the Equality Act 2010 and non-statutory guidance set out by the government in December 2011 and March 2012.

### Introduction

Equal opportunities should permeate all aspects of school life and is the responsibility of every member of our school community. This policy reflects the consensus of opinion of the whole school.

Callowell School is committed to making the education of all of our pupils, during their primary school years, a rewarding and enjoyable experience, free from harassment and discrimination. We are determined to provide an enabling environment that offers equal opportunity to every child to achieve his or her full educational potential. We promote the principles of fairness and justice for all through the education that we provide at Callowell School.

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

This legislation covers employment, the provision of services and public functions and education.

Employers, in this case schools, are liable for discriminatory acts of their employees if they do 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 discrimination** does not apply to the provision of education e.g: children are educated within age bands 2-7, 4-11, 11-16 etc 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 the use of aids or medical conditions.
- **Gender reassignment** – A person (usually with a gender dysphoria), who is proposing to undergo, is undergoing or has undergone gender reassignment. 'Trans' is an umbrella term to describe people with this. 'Gender Identify' '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.
- **Marriage and Civil Partnership discrimination** does not apply to the provision of education, but it does apply to work.
- **Pregnancy and maternity** – Maternity refers to the period of 26 weeks after the birth (Including still births), which reflects the period of a woman's Ordinary Maternity Leave entitlement in the employment context.
- **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 belied discrimination does not prevent a school from carrying out collective worship or other curriculum based activities, but children may withdraw from acts of collective worship.
- **Sex**- a man or a woman.
- **Sexual orientation**- A person's sexual orientation towards the same (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 parents who are 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 child is associated.

'Prohibited Conduct' (acts that are unlawful):

- Direct discrimination- Less favourable treatment because of a protected characteristic
- Indirect discrimination- A provision, criteria 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. a visiting professional 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 due to their medical conditions) and failure to make reasonable adjustments.
- Gender re-assignment 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 because she is breastfeeding.
- Discrimination by association or perception- For example, discriminating against someone because they "look gay" or because they have a gay family member, discriminating against someone because they care for a disabled relative.

Schools are permitted 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):

- Eliminate discrimination, harassment, victimisation or any other prohibited conduct.
- Advance equality of opportunity (remove or minimise disadvantage, meet people's needs, take account of disabilities, encourage participation in public life).
- 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 (Schedule 10) Schools are required to:
- Take reasonable steps to avoid disadvantage caused by a provision, criteria 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, e.g. steps and lifts.
- Take reasonable steps to provide auxiliary aids/services
- Provide information in an accessible format.
- Develop and implement Accessibility Plans, by allocating appropriate resources, which will increase disabled children's access to the curriculum, improve the physical environment and improve the presentation of information

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

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, e.g. local authorities having a duty to educate children with special educational needs in mainstream schools where that is in the best interest of the child.

#### The role of governors

- Ensure that the school complies with equality-related legislation and that the policy and its procedures are implemented by the headteacher and all staff.
- Ensure that all members of the school community are treated fairly and with equality.
- Ensure that people with disabilities are not discriminated against when applying for jobs at our school. The governors take all reasonable steps to ensure that the school environment gives access to people with disabilities.
- Ensure all school policies promote equality.
- Give due regard to the Public Sector Duty when making decisions.

#### The role of the headteacher

- Implement the school's Equality 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
- Ensure that all appointments panels give due regard to this policy, so that no-one is discriminated against when it comes to employment or training opportunities.
- Ensure that all staff and children are aware of the process for reporting and following up bullying and prejudice -related incidents
- Promote the principle of equal opportunity when developing the curriculum and promotes respect for other people in all aspects of school life, for example, in the assembly, where respect for other people is a regular theme, and in displays shown around the school.

#### The role of 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.

#### The role of the SENDCO

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

#### The role of our children

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

#### The role of Parents and Visitors

- To be aware of and comply with the school's equality policy.
- To refrain from engaging in discriminatory behaviour e.g. racist language, on school premises.

In providing the fully inclusive environment described, we are fulfilling our duties under the Disability Discrimination Act 1995(DDA), which places the Disability Equality Duty on all public authorities, including schools. The Duty requires schools to take a proactive and comprehensive approach to promoting disability equality and to eliminating discrimination. As part of this duty schools are now required to produce an evolving Disability Equality Scheme (DES).

Our curriculum reflects the attitudes, values and respect that we have for minority ethnic groups. We aim to ensure that our planning reflects our specific commitment to equality of opportunity in all subject areas and cross-curricular themes in line with the National Curriculum. In the religious education curriculum topics on religious festivals are studied and the children study the importance of these to the peoples concerned.

Our planning takes account of the differing needs of children and their progression.

We have a commitment to constantly evaluate our curriculum outcomes to ensure that what is planned takes place.

#### Learning Environment

There is a consistently high expectation of all children regardless of age, gender, ethnicity, ability or social background. All children are encouraged to improve on their own achievements and not to measure themselves against others. Parents are also encouraged to view their own children's achievements in this light.

- Staff enthusiasm is a vital factor in achieving a high level of motivation and good results from all children.
- The adults in the School try to provide good, positive role models in their approach to all issues relating to equality of opportunity.
- The School places a very high priority on the provision for special educational needs. We aim to meet all children' learning needs including the more able by carefully assessed and administered programmes of work (see SEN policy).
- The School provide an environment in which all children have equal access to all facilities and resources.
- All children are actively involved in their own learning.
- A range of teaching methods is used throughout the School to ensure that effective learning takes place at all stages for all children.

#### Monitoring and review

It is the responsibility of our governing body to monitor the effectiveness of the Equal Opportunity Policy. The governing body does this by:

- monitoring the progress of pupils of minority groups (if relevant) comparing it to the progress made by other pupils in the school;
- monitoring the staff appointment process, so that no-one applying for a post at this school is discriminated against;
- requiring the headteacher to report to governors on an annual basis on the effectiveness of this policy;
- taking into serious consideration any complaints regarding equal opportunity issues from parents, staff or pupils;
- monitoring the school behaviour and exclusions policy, so those pupils from minority groups are not unfairly treated.

#### Appendix:

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. Diversity is an outcome of equality and inclusion.
- Cohesion: People from different backgrounds getting on well together. 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; 1. The school community, the children we serve, their families and our staff and governor team. 2. The community in which the school is located- the geographical community and the people who live and/or work in this area. 3. The community of Britain -all schools by definition are a part of it. 4. The global community.
- Gender Dysphoria: This 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. Gender identity is the gender that a person "identifies" with or feels themselves to be.

The governing body has reviewed and agreed this policy.

Signed: ..... (Chair of Governors)

Date: .....

**To be reviewed:** February 2024