



COPNOR PRIMARY SCHOOL

EQUAL OPPORTUNITIES POLICY

NB: This policy is based upon advice provided by the Department for Education (DFE) in their May 2014 publication: Equality Act 2010: advice for schools (updated June 2018)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf . This is advice provided to schools based upon the Equality Act 2010 which in turn drew together a number of laws and regulations about equality into one overarching act. Any direct references to this advice will be marked by single quotation marks (' '). Any other reference materials used will be marked by “ ”.

INTRODUCTION

Portsmouth City Council and the Governing Body of the school are committed to providing equality of opportunity in employment issues and to tackling discrimination and disadvantage.

The Governing Body and managers of the school will operate at all times within the requirements of the Equality Act 2010 and will promote equality of opportunity in staffing decisions and with regards to the education provided for the children. All staff and governors will also be expected to adhere to the Equality Act 2010 and will be required to read this policy at the start of their employment and when the policy is updated.

The Governing Body agrees that equality and diversity are important. Equality is making sure that people are treated fairly and given the same life opportunities. It is not about treating everyone the same, as they may have different needs to achieve the same outcome.

Diversity is about recognising and valuing individual differences and raising awareness of the importance of these differences.

GENERAL PRINCIPLES

As a basis of this policy, the Governing Body will not tolerate the less favourable treatment of anyone.

It is unlawful for the school to discriminate against a pupil or prospective pupil, a member of staff, volunteers, parents/carers or any other member of the school's community by treating them less favourably because of their:

- 'sex
- race
- disability
- religion or belief
- sexual orientation
- gender reassignment
- pregnancy or maternity'

These are referred to as 'Protected Characteristics'.

However, the principles of the policy apply to all groups, whether covered by legislation or not.

It is also unlawful to discriminate because of a characteristic a person/ institution thinks another person has, even if they are mistaken.

UNLAWFUL BEHAVIOUR

'The Act defines four kinds of unlawful behaviour – direct discrimination; indirect discrimination; harassment and victimisation.

' Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat – or would treat – other people.

‘Indirect discrimination occurs when a “provision, criterion or practice” is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic. An example might be holding a parents’ meeting on a Friday evening, which could make it difficult for observant Jewish parents to attend. It is a defence against a claim of indirect discrimination if it can be shown to be “a proportionate means of achieving a legitimate aim”. This means both that the reason for the rule or practice is legitimate, and that it could not reasonably be achieved in a different way which did not discriminate.

‘Harassment has a specific legal definition in the Act - it is “unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic.

Victimisation occurs when a person is treated less favourably than they otherwise would have been because of something they have done.’

Possible outcomes of discrimination.

Employees can be held personally liable for unlawful discrimination.

Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against other employees or pupils/parents will be considered as a disciplinary offence and will be dealt with according to the disciplinary policy.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct which could lead to dismissal.

PORTSMOUTH CITY COUNCIL’S EQUALITY AND DIVERSITY POLICY STATEMENT

Portsmouth City Council has a Comprehensive Equality and Diversity Strategy:

<https://www.portsmouth.gov.uk/services/community/equality-and-diversity/>

The school shares the Council’s values and adheres to this strategy in its practices.

Its equality strategy includes that the Council and, by definition maintained schools, ensure “... that all our workforce, residents and visitors are treated fairly and are given the same, as much as reasonably possible, life chances. One way of achieving it is through provision of equal access to the services and employment opportunities we offer.

“However, it is important to understand that equality is not about treating everyone in the same way, as people have different needs that may need to be met by considering individual circumstances.

“Therefore, the council takes positive action, wherever possible, to design and deliver services based on the specific needs of a segment of our community, for example, people with disabilities or older people.”

THE RESPONSIBILITIES OF THE EMPLOYEE

Both the school and the employee are responsible for helping to make sure that everyone is treated equally and fairly. Every employee is required to assist the school in meeting its commitment to provide equality of opportunity and to tackling discrimination and disadvantage.

THE SCHOOL’S INDIVIDUAL POLICY STATEMENT

Copnor Primary School is committed to ensuring that every member of the school community is regarded as being of equal worth and importance, irrespective of culture, race, gender, learning abilities, sensory or physical impairment, social class or lifestyle. Copnor Primary School recognises differences and is committed to meeting individual needs and taking positive action where required, so that everyone has equal access to the educational opportunities offered by the school.

THE SCHOOL AIMS TO ACHIEVE THE POLICY STATEMENT BY:

Giving all sections of the community equal access to employment and to the services the school provides.

Eliminating unlawful discrimination in service delivery and employment practices.

Not asking health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work.

Undertaking Positive Action provisions to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics (see above for the list of these characteristics). Such measures will need to be a proportionate way of achieving the relevant aim.

Recognising how and why some groups are not receiving equality of opportunity and knowing what to do about it.

Taking positive action to assist individuals where this is appropriate.

Having a reasonable adjustment duty to provide auxiliary aids and services to disabled pupils.

Providing Portsmouth City Council and other relevant bodies with monitoring information when required.

Please note: ‘...the relationship between one pupil and another is not within its [The Equality Act 2010] scope. It does not therefore bear directly on such issues as racist or homophobic bullying by pupils. However, if a school treats bullying which relates to a protected ground less seriously than other forms of bullying – for example dismissing complaints of homophobic bullying or failing to protect a transgender pupil against bullying by classmates – then it may be guilty of unlawful discrimination.’

ASSEMBLIES

‘...the daily act of collective worship, which for maintained schools [including Copnor Primary School] is mandatory and

should be of a broadly Christian nature, [and] is not covered by the religion or belief provisions. The exception means that schools will not be acting unlawfully if they do not provide an equivalent act of worship for other faiths.

STAFF MEMBERS’ PERSONAL VIEWS

N.B: The guidance refers to teachers but the school have taken this to me any member of staff.

‘Where individual teachers are concerned, having a view about something does not amount to discrimination. So it should not be unlawful for a teacher in any school to express personal views on sexual orientation provided that it is done in an appropriate manner and context (for example when responding to questions from pupils, or in an RE or Personal, Social, Health and Economic education (PSHE) lesson). However, it should be remembered that school teachers are in a very influential position and their actions and responsibilities are bound by much wider duties than... [The Equality Act 2010]... legislation. A teacher’s ability to express his or her views should not extend to allowing them to discriminate against others.’

DISABILITY

‘The overriding principle of equality legislation is generally one of equal treatment - i.e. that you must treat a black person no less well than a white person, or a man as favourably as a woman. However, the provisions relating to disability discrimination are different in that you may, and often must, treat a disabled person more favourably than a person who is not disabled and may have to make changes to your practices to ensure, as far as is reasonably possible, that a disabled person can benefit from what you offer to the same extent that a person without that disability can.’

‘The Act defines disability as when a person has a “physical or mental impairment which has a substantial and long term adverse effect on that person’s ability to carry out normal day to day activities.” ’

Discrimination against a child with a disability

There are four ways a school might discriminate and, as a school, we will ensure that we do not discriminate as follows:

Direct discrimination

The school will not treat a disabled pupil less favourably simply because that pupil is disabled – for example by having an admission bar on disabled applicants.

Indirect discrimination

The school will not do something which applies to all pupils but which is more likely to have an adverse effect on disabled pupils only – for example having a rule that all pupils must demonstrate physical fitness levels before being admitted to the school.

Discrimination arising from disability

The school will not discriminate against a disabled pupil because of something that is a consequence of their disability – for example by not allowing a disabled pupil on crutches outside at break time because it would take too long for them to get out and back.

Harassment

The school and its staff will not harass a pupil because of his disability – for example, a teacher shouting at the pupil because the disability means that he is constantly struggling with class-work or unable to concentrate.

Reasonable adjustments duty

Copnor Primary School recognises the need to make reasonable adjustments for disabled pupils. This is called a reasonable adjustment duty and the school commits to following this duty, namely :

‘ • Where something a school does places a disabled pupil at a disadvantage compared to other pupils then the school must take reasonable steps to try and avoid that disadvantage.
• Schools will be expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.’

‘Many disabled children will have a SEN and may need auxiliary aids which are necessary as part of their SEN provision; in some circumstances as part of a formal SEN statement. These aids may be provided in the school under the SEN route, in which case there will be no need for the school to provide those aids as part of their reasonable adjustment duty.’

‘Some disabled children will have a need for auxiliary aids which are not directly related to their educational needs or their participation in school life, for example, things which are generally necessary for all aspects of their life, such as hearing aids. It is likely to be held that it would be unreasonable for a school to be expected to provide these auxiliary aids.’

‘Cost will inevitably play a major part in determining what is reasonable and it is more likely to be reasonable for a school with substantial financial resources to have to make an adjustment with a significant cost, than for a school with fewer resources. For example, a small rural primary school may not be able to provide specialised IT equipment for any disabled pupils who may need it and it may not be reasonable for the school to provide that equipment. On the other hand, a much larger school might reasonably be expected to provide it.

Often, though, effective and practicable adjustments for disabled pupils will involve little or no cost or disruption and are therefore very likely to be reasonable for a school to have to make.’

Accessibility plan

The school has an accessibility plan, which is aimed • increasing the extent to which disabled pupils can participate in the curriculum; • improving the physical environment of schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided; and • improving the availability of accessible information to disabled pupils. 4.30 Schools will also need to have regard to the need to provide adequate resources for implementing plans and must regularly review them. An accessibility plan may be a freestanding document but may also be published as part of another document such as the school development plan.’

PUBLIC SECTOR EQUALITY DUTY (PSED)

‘The Equality Act 2010 introduced a single Public Sector Equality Duty (PSED) (sometimes also referred to as the ‘general duty’) that applies to public bodies, including maintained schools and Academies, and extends to certain protected characteristics - race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment. This combined equality duty came into effect in April 2011. It has three main elements. In carrying out their functions, public bodies are required to have due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it,
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.’

Copnor Primary School complies with the PSED. Therefore, the school will take due regard to the decisions it makes, ensuring that these decisions do not discriminate against any of the protected characteristic groups, for example, when reviewing policies or changing the way that the day is structured: areas that are termed as ‘significant decisions’. The ways that the school is approaching equality and diversity in the school environment are detailed below:

SPECIFIC ACTIONS THE SCHOOL TAKES TO PROMOTE EQUALITY AND DIVERSITY

Establishing, maintaining and developing a school culture and ethos

We make every effort to create an atmosphere of mutual respect and trust between child and child; staff and staff; staff and children; staff and parents/carers. We try to be aware of the “messages” we may be giving in the language we use, in the images and displays around the school and in the choice of visitors/speakers invited to school/ the visits we undertake. We promote the principles and practices of equality and justice throughout the School. We do this by:

- Celebrating diversity/equality during a Think Big day focused on equality;
- Using values-themed weekly assemblies which make reference to equality and diversity;
- Celebrating achievement through our assemblies, giving all pupils an opportunity to share and celebrate achievements both in school and outside school;
- Recognising achievement through our behaviour policy, rewarding children with a range of praise, certificates and rewards;
- Promoting positive attitudes towards disabled people and pupils by educating pupils about disability through assemblies and PHSCE lessons;
- Promoting positive attitudes towards people of different ethnic groups/religions etc. through themed RE teaching days, assemblies and themed topic work in classes;
- Sharing our British Values with all stakeholders, ensuring all stakeholders have a good understanding of what they are and how they are taught in school;
- Expecting high expectations and model positive attitudes;
- Demonstrating sensitivity to pupils with disabilities and raise awareness of the needs of others in planning activities;
- Communicating behaviour expectations by modelling behaviour and having clear and consistent expectations using a clear and accessible behaviour policy;
- Ensuring that we welcome applications for school places and jobs from all sections of the community and our school is accessible to all.

Preventing and dealing effectively with bullying and harassment.

To achieve this we:

- Regularly communicate to pupils, parents and staff our abhorrence of all forms of bullying and harassment through values based weekly assemblies and sharing assemblies, PHSCE lessons and through our annual Anti-bullying Week;
- Ensure that incidents are reported and addressed swiftly and effectively, recording incidents on CPOMS and ensuring that key stakeholders are informed of the action taken;
- Record any incidents of bullying and harassment on grounds of race on a Racial Incident Form as well as on CPOMS.
- Analyse and report on these incidents to our governing body and to PCC.

Listening to pupils, staff, parents and others

In order to do this we:

- Listen to student voice by regular monitoring through pupil conference, circle time discussion, and governor monitoring;
 - Provide opportunities for pupil voice through our Student Council;
 - Actively seek staff views and listen to staff concerns through regular staff meetings and team meetings and by promoting a culture of trust in which staff feel comfortable expressing their views;
 - Seek the views of parents formally with regular questionnaires and informally through an open door policy;
 - Ensure we encourage, enable and hear the full range of views including from those with disabilities by being a fully inclusive school

Equalising opportunities for those likely to be economically disadvantaged

To ensure this we:

- Work with suppliers so that school uniform is affordable by ensuring that it is available at low cost from the high street, and by offering second-hand uniform for sale;
- Avoid putting parents under unnecessary financial pressure by giving them advanced warning of school trips and providing opportunities to pay in instalments;
- Offer financial support where needed through funding from the Pupil Premium funding;
- Promote the take-up of extra-curricular opportunities by offering as many free clubs as possible;
- Monitor the take-up of extra-curricular opportunities and look at ways to promote improved take-up from disadvantaged groups;
- Advertise Pupil Premium funding to parents and provide information about the benefits of claiming for their children if applicable

Informing and involving parents and carers

To achieve this we:

- Trying to increase parental involvement by improving communication on a formal and informal basis and by offering meetings at a variety of times;
- Seeking to be supportive of staff and parents who are unable to get child care when having to attend meetings at school.
- Actively encouraging all parents/carers, regardless of gender and background, to become involved in school activities, in the school association and in the Governing Body;
- Providing parents/carers access to a comprehensive prospectus of information and hold annual classroom open evenings to explain how the school operates within different classes;
- Ensuring that most information is available on our website, including a range of policies ;
- Trying to provide child care when we offer parent information meetings;
- Offering a range of ways of communicating between school and parents that meet parents' circumstances and needs including home-to-school diaries, reading diaries and message screens and a regular newsletter;
- Encouraging parents to let the school know if they have a particular disability or other need that we endeavour to support e.g. by arranging separate collection points or times for certain parents/carers;
- Encouraging parents/carers to discuss their concerns by promoting an open door policy with teachers, the pastoral team and the leadership team;
- Ensuring that parents understand how well their child is progressing by providing parents evenings and by arranging to meet parents and carers as soon as concerns arise about a pupil;
- Providing an end of year report and by offering an opportunity to discuss the end of year report with parents/carers;

Welcoming new pupils and helping them to settle in effectively

We achieve this by:

- Ensuring a happy start to the school at normal times with invitations to visit, including induction sessions and days and lots of team building activities at the start of term;
- Ensuring effective school transfer and induction mid-year by providing pupils with induction visits and a class 'buddy' for the first few weeks and by ensuring all pupils understand the importance of welcoming new members to the school;
- Modelling warm welcoming attitudes for all new pupils and staff
- Ensuring that extra help is given to pupils who find change of school challenging. This can include nurture groups, ELSA support and circle time work on friendships;
- Ensuring well-planned school adjustments are made to cater for a child with disabilities- if possible in advance of starting at the school. This usually includes induction meetings with parents to discuss needs and working with our SENCO and outside agencies to ensure a smooth transition.

Addressing the full range of learning needs

We ensure this by:

- Making every effort to provide equal access by monitoring the criteria (gender, cultural, social, ability) used for grouping children.
- Ensuring effective provision and provision management for all pupils with additional needs.
- Monitoring and evaluating the quality of inclusive teaching in school with the SENCo by regular learning walks giving feedback and evaluating impact of staff meetings and other support for the teaching staff;
- Being aware of the balance of time and attention we give to all children so that their needs are met, including time for the **undemanding** child.
- Facilitating the meeting of individual needs, by ensuring that teachers are given an update of personal information, stored in the pupil's profile with the SENCo.
- Ensuring that all children receive their entitlement to a broad, balanced and relevant curriculum, which is differentiated to meet identified individual needs through flexible and varied provision.
- Ensuring the curriculum is relevant by regularly updating and reviewing provision and ensuring teachers receive training to implement our curriculum;
- Ensuring teachers use appropriate teaching styles and classroom organisation by giving them high quality Continuous Professional Development (CPD) and by monitoring the quality of inclusive teaching;
- Ensure planning is based on prior learning and we promote flexible grouping to ensure the needs of pupils are met as those needs change;
- Having a marking policy which promotes learning for all pupils;
- Tracking pupil progress and identifying all under- performing pupils across the school;
- Promoting and maintaining regular attendance, monitoring data and contacting parents/carers to offer support if attendance falls;
- Promoting equal opportunities by ensuring that staff are aware of gender when planning so that planning engages both boys and girls and caters for a range of learning styles;
- Using a creative curriculum with regular termly visits and visitors to give inspirational stimulus for study and providing opportunities to experience new experiences;
- Ensuring language support is available when required, including translation services for meetings and communications;
- Providing support through small group or one to one interventions;
- Providing appropriate training and ongoing support to enable staff to meet particular learning needs

Making the school accessible to all

We ensure that we complete this by:

- Meeting the needs of pupils, staff and others with other disabilities by providing appropriate support.
- Ensuring that curricular and extra-curricular opportunities are available for pupils with disabilities;
- Identifying further developments to address outstanding issues where these constitute reasonable adjustments for a particular member of staff or child with a disability;
- Accommodating the needs of different cultures, races and religions where reasonably possible (in relation to wearing of uniform for example)
- Monitoring the use of sanctions to ensure that staff do not impose stricter disciplinary penalties on one group than they do in similar circumstances to others

Ensuring fair and equal treatment for staff and others

We ensure this by:

- Having a school recruitment, selection and promotion procedures which are based on good equal opportunities practice;
- Regularly reviewing the professional development of all staff within the school.
- Being aware of the importance of positive role models both in terms of gender and ethnic origin.
- Committing to the principles of dignity at work for all staff. This includes the right to be treated with respect by all managers and colleagues.

- Providing information about training opportunities to all staff, who will be given the opportunity to request training on courses which they believe to be relevant to their role and personal development. There can, of course, be no guarantee that all such requests will be met.

Monitoring and Evaluating the policy

We achieve this by:

- Recognising that the strength of this policy depends upon ensuring that everyone is actively implementing it and that gaps and the need for further development will arise from effective evaluation,

EQUALITY OF OPPORTUNITY IN EMPLOYMENT

Recruitment and Selection

The School is committed to providing equality of opportunity for all and ensuring that all stages of recruitment and selection are fair. The Recruitment and Selection procedures are monitored on a six monthly basis and information on vacancies, applicants, shortlisted candidates and appointments will be collected and collated by the Local Authority. Further information can be found in Section 1 of the Manual of Personnel Practice – Recruitment and Selection.

Staff Development

The School believes that investment in appropriate staff development for employees and governors represents a significant part of the implementation of its equal opportunities policy. The staff development is supplemented by other measures and procedures introduced to promote equality of opportunity across the whole staff.

Purpose

Staff development in equal opportunities issues is very important as awareness of good equal opportunities practice enables staff to recognise situations that need improvement to prevent discrimination occurring. It also helps ensure a better standard of service is provided to all sections of the community. The requirement to comply with legal obligations rests with both the school and the employee. Sanctions can be applied against employers as a result of the actions of its employees.

Access to Staff Development

Information about staff development should be made available to all staff. Assumptions that particular courses would only be of relevance or importance to certain groups of employees should be avoided.

You should avoid making assumptions about age and (re)training as adaptability and the ability to acquire new skills are not related to age.

The school does not exclude part time staff from training simply because they are part time. They are allowed to attend training and then receive a day in lieu of this training (or the equivalent time pro rata).

Monitoring

Information on staff development will be collected and collated by the Local Authority every six months with regards to applications and opportunities approved.

CODE OF CONDUCT

The School has adopted a Code of Conduct policy for school staff which explains the standards of behaviour that all employees have the right to expect and are expected to demonstrate to others whilst at work. It is based on the straightforward belief that all employees are entitled to be treated by other employees in a way which respects their rights and feelings and values them as individuals.

If an employee perceives that they have suffered discrimination, harassment or victimisation, they should use the Dignity at Work Policy. A copy of the Dignity at Work Policy is held in Section 3 of the Manual of Personnel Practice. It is recommended that they consult their trade union or professional association.

DISCIPLINARY POLICY

All employees have a responsibility to ensure that their actions at work are in line with the equal opportunities policy. All Headteachers have a duty to ensure that their staff are aware of the policy, understand its implications and put the policy into effect. Any employee who knowingly contravenes the policy may face disciplinary action.

All employees will be treated with respect and dignity throughout the disciplinary policy and procedure, in accordance with this Equal Opportunities Policy. Further details can be obtained from the Schools' Human Resources Team.

Grievance Policy

The grievance policy is designed to enable individual employees to raise issues with management about such subjects as, terms and conditions of employment, health and safety and new working practices. All employees will be treated with respect and dignity throughout the grievance, in accordance with this Equal Opportunities Policy. Further details can be obtained from the Schools' Human Resources Team.

Selection for Redundancy

Selection criteria for redundancy must be free of any direct or indirect gender, age, race, colour, nationality, ethnicity, disability, sexual orientation, religion or faith bias or any other reason that cannot be shown to be justified.

The criteria used must relate directly to the skills and abilities needed for the remaining posts. Further details can be found in the Management of Organisational Change Policy, Section 9 of the Manual of Personnel Practice.

Flexible Working Policy

It is important to recognise that full-time work is not an option for certain people. This may be due to caring responsibilities or because of a disability which affects the number or pattern of hours available to work. Some employees may find that their caring responsibilities increase during the course of their employment.

“Employees can apply for flexible working if they've worked continuously for the same employer (which can include Portsmouth City Council e.g. when a teacher moves from one maintained school to another) for the last 26 weeks. This is known as 'making a statutory application.'”

The basic steps are:

1. The employee writes to the employer.
2. The employer considers the request and makes a decision within 3 months - or longer if agreed with the employee.
3. If the employer agrees to the request, they must change the terms and conditions in the employee's contract.
4. If the employer disagrees, they must write to the employee giving the business reasons for the refusal. The employee may be able to complain to an employment tribunal.”

Eligible employees with children aged under 17, or with disabled children aged under 18, have the right to apply to work flexibly. Eligible employees who care for adults have the right to apply to work flexibly. The employee does not need to prove that they are a carer of an adult or a child.

This right will enable employees to *request* to work flexibly. It will not provide an automatic right to work flexibly as there will always be circumstances when the employer is unable to accommodate the employees desired work pattern. The right is designed to meet the needs of both parties and aims to facilitate discussion and encourage consideration of flexible working patterns to suit both the organisation and the individual. Flexible working patterns may include a change in hours worked, a change to the times worked, job sharing and term-time working.

Where a request for changed working arrangements is made, managers and employees must consider whether changes could be introduced. Indeed, the School has a statutory duty to consider these applications seriously. If a request has been denied, then the employee must wait 12 months before requesting again (should they wish to do so).

Policy agreed: January 2021

Policy review: January 2024