

Single Equality Policy

Policy Dated	OCTOBER 2019
Next Review	3 Yearly or as Changes Occur
Associated Policies	Safeguarding/Child Protection

Applefields School Single Equality Policy **School Ethos, Vision and Values**

Applefields School is committed to ensuring equal treatment of all its employees, pupils and any others involved in the school community, and will ensure that no person or group is treated less favourably than others in any procedures, practices and service delivery. Equality ensures that people are treated fairly, and makes it easier for people to live and work together. To fully enable equality, some people may need extra help or protection.

This school will not tolerate harassment in any form towards pupils or staff, and will strive to promote equality in all areas.

1. The Wider Context

The Equality Act 2010 replaced and simplified nine previous acts regarding rights and opportunities for all, providing protection from discrimination. Prior to the Equality Act, laws governing equality related to race, sex, disability and sexual orientation. The new act encompasses these areas, and currently extends to religion or belief, gender re-assignment, pregnancy and maternity, and age (the latter in relation to employment). Alongside this Act, the Public Sector Equality Duty (PSED) 2011 stipulates how public organisations, such as schools, can promote equality. This duty replaces the former race, disability and gender equality duties. Under the Act, every school should 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 those who do not
- the need to foster good relations across all characteristics - between people who share a characteristic and people who do not.

The advancement of equality is further defined as having due regard to:

1. remove or minimise disadvantages
2. take steps to meet different needs
3. encourage participation when it is disproportionately low

Schools are also expected to provide extra support to stop people doing less well because of their family background or where they were born (socio-economic duty). Historically, children from rich families often achieve more at school than children from poor families, even if the poorer children are more intelligent. This is sometimes called socio-economic inequality. The Pupil Premium has been introduced to address this balance, and is allocated to pupils who receive (or have received in the last 6 years) free school meals. These are all part of a school's general equality duty. Having due regard also includes the following considerations:

Decision makers in schools must be aware of the duty to have 'due regard' when making a decision or taking an action and must assess whether it may have implications for people with particular protected characteristics.

Schools should consider equality implications before and at the time that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis.

The PSED has to be integrated into the school's functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind – it is not just a question of ticking boxes or following a particular process.

Schools cannot delegate responsibility for carrying out the duty to anyone else.

The equality duty supports good education and improves pupil outcomes. In addition to the general equality duty there are two specific duties that schools are required to carry out:

- (a) to publish information to demonstrate how they are complying with the Public Sector Equality Duty, and
- (b) to prepare and publish equality objectives.

2. Protected Characteristics

Below are the eight attributes protected by the Equality Act 2010, which are referred to as 'Protected Characteristics'.

Protected Characteristics

- sex
- race
- disability (1)
- religion or belief (2)
- sexual orientation
- gender reassignment
- pregnancy or maternity (3)
- Age, marriage and civil partnerships (4)

(1) 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.' Some specified medical conditions, HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect. In this context, a 'long term' impairment lasts 12 months or more.

(2) to benefit from protection under the Act, a religion or belief must have a clear structure and belief system, and should have a certain level of cogency, seriousness and cohesion, and not be incompatible with human dignity. The term belief includes a lack of belief - Atheism.

(3) extends to the family / associates of the pupil

(4) in relation to employment, goods and services

3. Positive Action

New Positive Action provisions allow schools to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim. Previously a school providing – for example - special catch-up classes for Roma children or a project to engage specifically with alienated Asian boys might have been discriminating unlawfully by excluding children who didn't belong to these groups.

4. Our School's Commitment

This document sets out Applefields School's commitment to the Equality Act and demonstrates how we comply with the Public Sector Equality Duty.

We aim to eliminate all forms of discrimination in our school, amongst our stakeholders and across the wider community. We also strive to enable each pupil to achieve their potential.

a) How does our provision promote equality?

We provide a range of special equipment for our pupils, such as hoists, adapted classrooms, communication aids (including the Picture Exchange Communication System and iPads for pupils with impaired communication), suitable play equipment and resources for access to learning and social life for all of our pupils. Applefields is a well-resourced, accessible school with well-trained staff, specialist rooms and equipment (including hygiene rooms), and extensive other facilities aimed at meeting the needs of individuals in our school, regardless of background or protected characteristics. The building includes design elements to assist the learning and development of pupils with additional needs. We are committed to a fair and transparent recruitment process, and welcome applications from people with protected characteristics. Staff deliver a broad and balanced curriculum, which is often modified to suit individual pupil need. social and emotional learning is delivered to all pupils, as discrete lessons, during assemblies and across the curriculum formally and informally. A large part of this curriculum area promotes empathy and understanding between pupils, and tackles bullying. We try to develop confidence, independence and self-esteem by creating a safe, happy and positive learning environment, fostering mutual respect and consideration for others. We work in partnership with pupils, parents, teachers, carers and other professionals, valuing the contribution that each makes to learning. The continuing professional development of all staff is encouraged, to meet the varied and changing needs of all our pupils. Off-site activities, including, are risk-assessed to ascertain their suitability for our population - a child would never be disadvantaged by being left behind at school or left out of a particular activity because it was deemed unsuitable.

b) Examples of Equality Objectives at Applefields School

Examples of how we aim to further our commitment to equality are set out in the table below.

Development Target	Intended Outcome
To ensure SMSC is enshrined throughout the school	That children's SMSC opportunities increase in frequency across the school year
Increase quality of outside equipment for pupils	Pupils to have wider access to activities regardless of need
Ensure those pupils in receipt of the pupil premium maximise chances of success in school attainment	Pupils in receipt of pupil premium to be 'no different' in terms of attainment levels to their peers
To further increase the quality of provision for pupils across the school	Pupils attainment to be raised so that they are judged at the same levels as peers with a similar need nationally

Targets such as these will help remove barriers to achievement. Information gathered for publication (see Section 1, a) should also provide evidence of underperformance, poor progression and bullying concerns, which can then be addressed.

5 Roles and Responsibilities

i) The Governing Body

The responsible body of the school must not discriminate against, harass or victimise a pupil or a potential pupil:

- in relation to admission
- in the way it provides education for pupils
- in the way it provides pupils access to any benefit, facility or service
- by excluding a pupil or subjecting them to any other detriment

The responsible body is also liable for actions taken by all employees unless it can show that it has taken all reasonable steps to stop the individual from doing the discriminatory action or from doing anything of that kind. The school's liability not to discriminate, harass or victimise does not end when a pupil has left the school, but will apply to subsequent actions connected to the previous relationship between school and pupil, such as the provision of references on former pupils or access to "old pupils" communications and activities.

ii) Management responsibility

The Senior Leadership Team are responsible for promoting equality across the school.

- Action will be taken to reduce discrimination when necessary.
- Curriculum reviews will be monitored, taking the equality duty into account.
- Prejudice-motivated bullying will be taken as seriously as any other form of bullying, and dealt with equally and firmly. Bullying forms will be provided in text and symbols.
- New school policies and decisions made by the Senior Leadership Team will have due regard for equality under the Equality Act.
- Records will be kept to monitor equality under the school's Equality Action Plan.
- All grievances and complaints will be taken seriously and acted upon as appropriate.
- Publishing new policies online, or publishing minutes of Governors' meetings
- Setting Equality Objectives proportionate in number to size and circumstances of our school.

iii) Teachers and auxiliary staff

Any persons acting on behalf of the responsible body – including employees of the school – are liable for their own discriminatory actions.

All staff should promote equality and discourage discrimination. They should set a good example, and have due regard the equality duty when planning and delivering the curriculum.

Out of the classroom, staff should be vigilant, and act on any incidents relating to discrimination or bullying against the Protected Characteristics in addition to other forms of bullying.

iii) Our rights as a school

We are free to admit and organise children in age groups and to treat pupils in ways appropriate to their age and stage of development without risk of legal challenge.

The school will defend any member of staff who has been subject to discriminatory behaviour, bullying or harassment which may be deemed offensive, including an attack on a Protected Characteristic. We reserve the right to ask health-related questions of applicants before a job offer in relation to intrinsic functions of the work, in line with the Equality Act. Such questions will be targeted, necessary and relevant to the job applied for. The school welcomes diversity and does not discriminate against people with protected characteristics. However, class-based staff need to be fit and able to meet the needs of our pupils.

6. Related documents

This policy should be read and understood in conjunction with the following documents:

Admissions Policy

Behaviour and Discipline Policy

Anti-bullying Policy

Complaints procedure

Curriculum policies

School attainment data

Minutes from Governing Body Meetings, dated after the introduction of this policy.

1 Direct discrimination – clear cut, relates to treating someone less favourably because of a protected characteristic.

2 Indirect discrimination - provision, criterion or practice is applied generally, but has the effect of putting off people with a particular characteristic. 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.

3 Harassment - unwanted conduct re: protected characteristics, violating dignity or creating intimidating, hostile, degrading, humiliating or offensive environment for that person. Includes bullying and unpleasant behaviour. Also intentional or unintentional offence. The practical consequences for the school, and the penalties, would be no different

4 Victimisation - treated less favourable because of something they've done (a protected act) - e.g. making an allegation of discrimination. Even if the person had misunderstood. Protected against retaliation. Child cannot be victimised because of something a parent has done.

If a pupil has himself or herself done a protected act – such as making a complaint of discrimination against a teacher – then the child’s own good faith will be relevant. For example, if the parent’s complaint is based on information from her son and the son was deliberately lying, it is not victimisation for the school to punish him in the same way as it might do any other dishonest pupil. Unless it can be clear that the mother was also acting in bad faith (for example that she knew her son was lying) it would still be unlawful to victimise her for pursuing the complaint.

Appendix 2 - Writing policies and making decisions in line with the equality duty.

One of the aims of the equality duty is ‘advancing equality of opportunity’. With that aim in mind, when considering adopting a new policy or making a decision, it may be useful to pose three questions, or prompts:

1. Does this policy/decision remove or minimize disadvantages suffered by pupils with particular protected characteristics?
2. Do we need to adopt different approaches for different groups of pupils?
3. Is there any way we can encourage these groups of pupils to become more involved with the school or open up opportunities for them that they wouldn't otherwise enjoy?
4. One of the key aims of the equality duty is to foster good relations. To help ensure this happens it is useful to ask:
 - Does the policy/decision help the school to tackle prejudice?
 - Does the policy/decision promote understanding between different groups of pupils and parents?

In practice this means that schools should always try to use information about pupils with different protected characteristics to mitigate adverse effects or bring about positive ones. A written record of active consideration of equality duty when making decisions is good practice.