



pathfield
SCHOOL

Inspiring interaction

EQUALITY POLICY

Adopted by Governors	Vanessa Billing
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Policy/Procedure checked by/date	Jackie Hamill Cherie White Vanessa Billing Dec 2019

Pathfield School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

This policy will support, promote and be applied with due regard to the requirements of the

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EQUALITY POLICY

This single policy replaces separate policies Pathfield School has had previously regarding race, gender, disability and other protected groups to eliminate discrimination, advance equality of opportunity and foster good relations for everyone. It reflects the legal duties as set out in the Equality Act 2010 and the non-statutory guidance as set out by the government in December 2011 and March 2012. The policy sets out the school's aims and legal duties through the policy and accompanying appendices. Pathfield School's current equality objectives are set out in the current School Development Plan.

Mission Statement

We aim to:-

1. Facilitate Total Communication and Interaction to ensure that we provide a basis for life-long learning through which everyone can be challenged to achieve their potential and exceed their expectations
2. Promote respect, self-worth, dignity and the rights of the individual so that they can achieve, with the appropriate facilities for their unique needs, to achieve maximum independence in adult life
3. Embrace cultural diversity in all its forms to promote community spirit and cohesion
4. Provide teaching and learning in a creative, valued, practical and fun way appropriate to each individual

We value:-

1. The individual, recognising their abilities and providing for specific physical, cultural, emotional and developmental needs
2. The unique difference of all individuals, recognising that their talents and abilities can be extended to develop self-confidence and independence
3. A safe, happy environment where learning is fun, stimulating and exciting
4. Teamwork. Where teaching and learning is shared by all key figures in a young person's life, including school staff, parents, carers, governors, other professionals and agencies
5. Good communication between pupils, staff, parents, carers and other professionals recognising that it is the key to the good relationships necessary to build a safe, happy and fun learning environment
6. The quality of learning that transmits within a peer group and cohorts of children

The primary aim of Pathfield School is to enable pupils to take part as fully as possible in every part of school life by developing each child's self-confidence, recognising their strengths and encouraging them to achieve their full potential.

Pathfield School will take steps to advance equality of opportunity, foster good relations, promote British Values and eliminate discrimination or harassment across all 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.

This means:

- We will take reasonable and necessary steps to meet pupils' needs by using a variety of approaches and planning reasonable adjustments for disabled pupils, enabling 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 actively encourage positive attitudes towards pupils and staff and expect everyone to treat others with dignity and 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.
- 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, and challenge prejudice and stereotyping.
- We will monitor the progress and achievement of pupils by the relevant and appropriate protected characteristics. This information will help the school to ensure the individual pupils are achieving their potential; the school is being inclusive in practice, and trends are identified which inform the setting of our equality objectives in the School Development Plan.
- We will collect and analyse information about protected characteristics in relation to staff recruitment, retention, training opportunities and promotions to ensure all staff have equality of opportunity. We will not ask health-related questions to job applicants before offering a job, unless it relates to an intrinsic function of the work that they will do. We will make reasonable adjustments such as providing auxiliary aids to our disabled staff.

- Staff 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, staff will ensure that all pupils are able to take part in extra-curricular activities and residential visits, and the school will monitor the uptake of these visits to ensure no one is disadvantaged on the grounds of a protected characteristic.
- 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 the school will take every opportunity to promote and advance equality.
- Bullying and prejudice related incidents will be carefully monitored and dealt with effectively. Regular training will be given to both existing and new staff to ensure they are aware of the process for reporting and following up incidents of prejudice related bullying.
- We expect that all staff will be role models for equal opportunities, deal with bullying and discriminatory incidents and be able to identify and challenge prejudice and stereotyping.
- Throughout the year, the school will plan on-going events to raise awareness of equality and diversity. This may include a focus on disability, respect for other cultures, religions and beliefs, anti-homophobia/gay pride, gender equality, developing community cohesion, and understanding the effects of discrimination. This will be set out as equality objectives in the School Development Plan.
- We will ensure pupil/staff/parent consultation is regularly sought in the development and review of this policy.
- We will regularly seek the views of pupils, parents, advisory staff and visitors to the school, to ensure that the school environment is safe and accessible as possible to all school users. We will regularly review our accessibility plans.
- The school welcomes a diverse range of candidates and encourages those who are under-represented to join.
- 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.
- Training and awareness sessions will be set out in the School Improvement Plan., to establish equality objectives and draw up a plan based on information collected on protected groups and accessibility planning.

- The school will consult with stakeholders, i.e. pupils, parents/carers, staff and relevant community groups, to establish equality objectives and draw up a plan based on information collected on protected groups and accessibility planning. These equality objectives will be reviewed and reported on annually.
- The school has an equality page on its website to show how it is complying with the Public Sector Equality Duty (PSED) in the Equality Act 2010 and advancing equality of opportunity.
- When drawing up policies, it is best practise to carry out an equality impact assessment (EIA) to ensure the policy does not, even inadvertently, disadvantage groups of pupils with protected characteristics. As a minimum, the governing body must consider to what extent a new/revised policy, practise or plan meets the Public Sector Equality Duty (eliminates discrimination, advances equality and fosters good relations for all the protected characteristics) and recommend changes/mitigations should it feel the policy, practice or plan could be improved to fulfil the Duties. (The DCC model policies adopted by the school have already had EIA's conducted on them, and therefore the governors will recognise those as complete).

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.

As an employer the Governing Board of Pathfield School will be liable for discriminatory acts of our employees if we do not take reasonable steps to prevent such acts. Employees can be liable for acts where the employer has taken reasonable steps to prevent such acts from occurring.

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 they have, or have 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. HIV, multiple sclerosis and cancer are all considered as disabilities regardless of their effect. Barriers in the provision of joint services will be tackled through effective partnership working.

- **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. (Our school will use The Intercom Trust based in Devon to support children undergoing gender reassignment when needed).
- **Marriage and Civil Partnership** – Marriage and Civil Partnership discrimination does not apply to the provision of education, but 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. 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 (either independently or by their parent/carers).
- **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.

Note: 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. For example a pupil must not be discriminated because their parents/carers are

gay men or lesbians. Race discrimination could occur where a white pupil is treated less favourably because she has a black boyfriend.

'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. 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 re-assignment discrimination** – not allowing reasonable absence from work for the purpose of gender re-assignment 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, or discriminating against someone because they care for a disabled relative.

Note: As a school we are allowed to treat our disabled pupils more favourably than non-disabled pupils, and in most cases will be required to do so, in order that reasonable adjustments put them on a more level footing with their non-disabled peers.

Public Sector Duties (which apply to Pathfield School):

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

- Eliminate discrimination, harassment, victimisation and 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).

Note: In practice 'due regard' means giving relevant and proportionate consideration to the duty. All decision makers within our school will be expected to have due regard when making a decision, developing policy, promoting or taking an action as to the likely implications for those with any of the protected characteristics.

Reasonable Adjustments and Accessibility Plans (Schedule 10)

Pathfield School is 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, for example steps and lifts.
- Take reasonable steps to provide auxiliary aids/services
- Provide information in an accessible format.
- Develop and implement (by allocation of resources) Accessibility Plans which will;
 - a. Increase disabled pupils' access to the school curriculum

And for all users of the school

- b. Improve the physical environment
- c. Improve the provision of information

The duty is an anticipatory and continuing one that Pathfield School owes to all pupils with disabilities whether identified or not, and to those pupils who will be attending in the future. Our school will seek relevant information regarding newly placed pupils to ensure as far as possible that their needs are anticipated under this Act. We will ensure that we work closely with the SEN 0-25 Team, other professionals, parents and carers as appropriate to identify the challenges presented to us by new pupils under this Act.

Further guidance which may be referred to can be found at

DfE: www.education.gov.uk

Equality/ Human Rights Commission: www.equalityhumanrights.com

Devon County Council: www.devon.gov.uk

Community Cohesion

The Education and Inspections Act 2006 introduced a duty on all maintained schools in England to promote community cohesion. This Act also includes a duty for Local Authorities to educate children with Special Educational Needs in mainstream schools wherever possible. Pathfield School policies and activities should all be promoting community cohesion and inclusion wherever possible to comply with, and support these duties.

Responsibilities

The Governing Body should ensure that:

- The school complies with equality-related legislation
- Delegate the implementation of the policy and procedures to the Head teacher
- All other school policies promote equality
- They give due regard to the Public Sector Equality Duty when making decisions
- They use their position to promote equality of opportunity when representing the school as a governor
- They appoint a governor with a specific responsibility for equality of opportunity

The Head teacher should:

- 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 provide reasonable adjustments to staff when appointed. 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've 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 should:

- Enact all aspects of this policy, its commitments and procedures, and their responsibilities within it
- 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 training and information sharing opportunities as necessary to use this policy with confidence, and keep up to date with current equality legislation
- To promote equal opportunities through their words and actions

Specific Staff

- Senior leaders and teachers will ensure that diversity issues are addressed in the implementation of curriculum areas across the school with due regard for the age and ability of the pupils. Particular areas such as RE and PSHE should be used to focus on these topics.
- The Head Teacher and Assistant Head Teacher will monitor equal access for all pupils to the full range of opportunities at Pathfield School.
- The School Business Manager will assist the Head Teacher with regard to monitoring equality of opportunity in all recruitment and selection activities.
- The School Business Manager in consultation with the Head Teacher will ensure that the Accessibility Plan for the school is part of the school development plan, and oversee its practical implementation.
- The Assistant Head Teacher will monitor and report equality of opportunity with regard to pupil progress data and specific cohorts and groups of pupils
- The Assistant Head Teacher will identify training to promote this policy, and will monitor training undertaken across the school to ensure all staff have equal access to training appropriate to their needs and the development of the school
- The Head Teacher, Assistant Head Teacher and the lead for Behaviour Management will monitor the use of established procedures for addressing pupils who lose control, and the measures used to protect them and school property.

- Teachers with responsibility for specific age groups (e.g. Post 16, foundation stage) and specific special needs (e.g. ASC PMLD) will monitor and provide information for comparison by the SMT to ensure that no group identified in this way does not receive an equal share of resources, including time.
- The therapy co-ordinator will monitor alongside the school nurses and SMT that all pupils receive medical and therapy services, according to need and availability within the school.
- The Designated Senior Officer will ensure that Safeguarding and Child protection procedures and plans are applied equally as appropriate to the level of need and concern.

Pupils according to their ability and understanding should:

- Refrain from engaging in discriminatory behaviour, or any other behaviour that could cause offence to others under this policy.

Parents and Carers

- Parents and Carers will be encouraged to participate fully in implementing the policy within the school, particularly by reinforcing its ethos at home. They will be invited to comment on the Equality Objectives and will be regularly updated on progress.

All Visitors should:

- Make themselves aware of, and comply with the expectations contained within this policy
- To refrain from engaging in discriminatory behaviour or language on school premises
- Bring to the attention of a member of staff any act, or behaviour that concerns them with regard to this policy

Policy Review and Evaluation

This policy will be regularly evaluated and reviewed every 2 years by the Governing Board.