

Equal Opportunities Policy



Redbridge Community School

Person responsible -	Simon Waterson (Assistant Headteacher)
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Aims:

Redbridge Community School is committed to the principle that all students and staff should be treated with dignity and respect. We are proud to be a fully inclusive community school.

We recognise the two key duties under the remit of Equal Opportunities:

1. To tackle discrimination in all of its forms
2. To actively promote equality for all staff and students

Equality of opportunity at Redbridge Community School is about providing equality and excellence for all stakeholders in order to promote the highest possible standards of achievement. Equality of opportunity applies to all members of the school community, ie students, staff, governors, parents, community members, volunteers and external agencies. We are wholly committed to ensuring our young people are prepared to become successful learners; confident individuals and responsible citizens.

This school policy is in accordance with the Equalities Act of 2010.

Definitions of Discrimination:

- Direct Discrimination: is when a person is treated less favourably than others in comparable circumstances because of a special characteristic such as sex, race or a disability. It is unlawful except in some circumstances relating to age and disability in school. Indirect Discrimination: occurs when a provision, criterion or practice is applied to all but has a different impact on members of one or more protected groups, of which the complainant is one placed at a disadvantage as a result.
- Victimisation – occurs when a person is treated less favourably because they have taken action in respect of discrimination.
- Harassment – is unwanted conduct which violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them, on grounds of one of the relevant characteristics such as sex or race. Racist symbols, sexist material, political symbols or other biased and/or offensive insignia are forbidden in the school. The display of such materials is regarded as discriminatory behaviour.

N.B. We take particular notice of the protected characteristics as defined below:

Age;
disability;
gender reassignment and gender identity;
marriage and civil partnership;
pregnancy and maternity;
race;
religion or belief;
sex;
sexual orientation.

Please refer to Appendix 1: Definitions at the end of this document.

The School will:

- Provide an appropriate learning and social experience for all students, giving equal consideration regardless of colour, origin, disability, culture, gender, sexual orientation or ability and make appropriate adjustments when required to ensure continued equality.
- Ensure that all students and staff are encouraged to achieve their full potential, including access to external examinations.

Applicable quotation from the Fair Assessment Policy:

- We aim to provide a variety of qualifications which provide all students with the opportunity to achieve their full potential by the most appropriate and direct route.
- Our Assessment Policy is based on the concepts of equality, ability, diversity, clarity, consistency and openness.
- We will endeavour to ensure that the assessment processes are implemented in a way which is fair and non-discriminatory.

- Promote and maintain diversity amongst students and staff
- Develop an ethos culture which values and respects everybody and provides the opportunity to learn in an environment free of prejudice
- Not tolerate any form of xenophobia, including those forms that are directed towards religious groups and communities
- Encourage participation of bisexual, gay, lesbian and transgender members of our community and implement appropriate strategies to prevent homophobic abuse, bullying and harassment
- Not tolerate any form of homophobic language in the school environment
- Comply in full with the rights as set out in the Civil Partnership Act 2005
- Ensure that all staff educate against any form of prejudice or negative stereotyping and that their conduct with students and colleagues reflects this responsibility at all times
- Enable students and staff to celebrate festivals and other events relevant to their particular faith and actively encourage all students to understand these
- Ensure staff are updated to deal effectively with issues related to discrimination; harassment and prejudice
- Eliminate all unlawful discrimination, whether based on race, gender homophobia or other discriminatory factors and circumstances
 - Take specific action to tackle any differences between sub-groups
- Prepare students to be full citizens in today's local, national and global context
- Create an ethos in which sensitive or controversial issues can be discussed openly by the whole school community including all stakeholders
- Ensure that there will be no discrimination to students arising from the actions of their parents/siblings.
- Actively promote awareness of the dangers of religious intolerance, engendered by religious extremists

Staff Recruitment and Professional Development:

The school will have a transparent and accessible Recruitment Policy which adheres to all key employment legislation and the most up to date requirements for safer recruitment when working with young people

The school will adhere in full with Local and National Guidelines on Equal Opportunities.

All teaching and associate staff should be included in appropriate meetings, staff development policy making and social functions when appropriate including experienced and NQTs and supply teachers
All new staff, Beginning Teachers and Supply Teachers should be informed of and familiarised with school policies, procedures and the rationale behind them

All staff should have access to appropriate staff development relevant to Equal Opportunities

Teaching staff will:

- Ensure that pupils from all groups have full access to the curriculum
- Promote equality and diversity through teaching and through relation with pupils, staff, parents and the wider community
- Monitor teaching and curriculum developments to ensure high expectations of all pupils and appropriate breadth of content in relation to the school and the wider community
- Ensure that teaching styles, methods, language, questioning and classroom management includes and engages all students and makes them feel valued Ensure that different cultural traditions are valued on their own terms and made meaningful
- Choose suitable resources with motivate, promote and are sensitive to different genders, groups, cultures and backgrounds
- Challenge stereotypes and what are thought to be stereotypical activities
- Review regularly teaching strategies in relation to variations in learning and attainment and in the light of known good practice
- Stay aware of possible cultural assumptions and bias within their own attitudes
- Be vigilant about religious extremism and report according to the agreed procedures

The Headteacher (with the SMT) will:

Work in partnership with the Teaching and Non-teaching staff, students, parents and Governing Body to ensure that this policy and its related procedures and equality action plans are implemented.

All staff in addition will:

- Deal with incidents which challenge equal opportunities (please refer to the whole school behaviour policy) and know how to identify and challenge any bias and stereotyping
- Record any breaches or incidents as is school procedure and ensure that the appropriate punishments are enforced.

All forms of discrimination by any person within the school will be treated seriously. A formal record of such incidents will be made, whether they take place in the school grounds, corridors or teaching areas. It will always be made clear to offending individuals that such behaviour is unacceptable. The school behaviour policy clearly states that such offences could lead to fixed term and/or permanent exclusion.

All appropriate disciplinary or legal action will be taken to protect students from any discriminatory behaviour, verbal or physical, by any individual or groups from within or outside the institution. Unacceptable attitudes and behaviour such as harassment and stereotyping will not be tolerated. Allegations of discriminatory behaviour by any members of the school staff or students will be dealt with under the appropriate Grievance and Disciplinary Procedure or the Behaviour Management Policy.

Appendix 1: Definitions of the Protected Characteristics

Age:

- (1) In relation to the protected characteristic of age—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular age group;
 - (b) a reference to persons who share a protected characteristic is a reference to persons of the same age group.
- (2) A reference to an age group is a reference to a group of persons defined by reference to age, whether by reference to a particular age or to a range of ages.

Disability:

- (1) A person (P) has a disability if—
 - (a) P has a physical or mental impairment, and
 - (b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.
- (2) A reference to a disabled person is a reference to a person who has a disability.
- (3) In relation to the protected characteristic of disability—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a person who has a particular disability;
 - (b) a reference to persons who share a protected characteristic is a reference to persons who have the same disability.
- (4) This Act (except Part 12 and section 190) applies in relation to a person who has had a disability as it applies in relation to a person who has the disability; accordingly (except in that Part and that section)—
 - (a) a reference (however expressed) to a person who has a disability includes a reference to a person who has had the disability, and
 - (b) a reference (however expressed) to a person who does not have a disability includes a reference to a person who has not had the disability.
- (5) A Minister of the Crown may issue guidance about matters to be taken into account in deciding any question for the purposes of subsection (1).
- (6) Schedule 1 (disability: supplementary provision) has effect.

Gender reassignment:

- (1) A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.
- (2) A reference to a transsexual person is a reference to a person who has the protected characteristic of gender reassignment.
- (3) In relation to the protected characteristic of gender reassignment—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a transsexual person;
 - (b) a reference to persons who share a protected characteristic is a reference to transsexual persons.

Protection from discrimination because of gender reassignment in schools is new for pupils in the Equality Act, although school staff are already protected. This means that for the first time it will be unlawful for schools to treat pupils less favourably because of their gender reassignment and that schools will have to factor in gender reassignment when considering their obligations under the Equality Duty.

Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. This definition means that in order to be protected under the Act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so.

The protection against discrimination because of gender reassignment now matches the protection because of sexual orientation in schools. That is protection from direct and indirect discrimination and victimisation, which includes discrimination based on perception and on association. All schools must ensure that all gender variant pupils, or the children of transgender parents, are not singled out for different and less favourable treatment from that given to other pupils. They should check that there are no practices which could result in unfair, less favourable treatment of such pupils. For example, it would be unlawful discrimination for a teacher to single out a pupil undergoing gender reassignment and embarrass him in front of the class because of this characteristic.

Marriage and civil partnership:

- (1) A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.
- (2) In relation to the protected characteristic of marriage and civil partnership—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a person who is married or is a civil partner;
 - (b) a reference to persons who share a protected characteristic is a reference to persons who are married or are civil partners.

Race:

Race includes—

- (a) colour;
 - (b) nationality;
 - (c) ethnic or national origins.
- (2) In relation to the protected characteristic of race—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular racial group;
 - (b) a reference to persons who share a protected characteristic is a reference to persons of the same racial group.
 - (3) A racial group is a group of persons defined by reference to race; and a reference to a person's racial group is a reference to a racial group into which the person falls.
 - (4) The fact that a racial group comprises two or more distinct racial groups does not prevent it from constituting a particular racial group.
 - (5) A Minister of the Crown may by order—
 - (a) amend this section so as to provide for caste to be an aspect of race;
 - (b) amend this Act so as to provide for an exception to a provision of this Act to apply, or not to apply, to caste or to apply, or not to apply, to caste in specified circumstances.
 - (6) The power under section 207(4)(b), in its application to subsection (5), includes power to amend this Act.

Religion or belief:

- (1) Religion means any religion and a reference to religion includes a reference to a lack of religion.
- (2) Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
- (3) In relation to the protected characteristic of religion or belief—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular religion or belief;
 - (b) a reference to persons who share a protected characteristic is a reference to persons who are of the same religion or belief.

Sex:

In relation to the protected characteristic of sex—

- (a) a reference to a person who has a particular protected characteristic is a reference to a man or to a woman;
- (b) a reference to persons who share a protected characteristic is a reference to persons of the same sex.

Sexual orientation:

- (1) Sexual orientation means a person's sexual orientation towards—
 - (a) persons of the same sex,
 - (b) persons of the opposite sex, or
 - (c) persons of either sex.
- (2) In relation to the protected characteristic of sexual orientation—
 - (a) a reference to a person who has a particular protected characteristic is a reference to a person who is of a particular sexual orientation;
 - (b) a reference to persons who share a protected characteristic is a reference to persons who are of the same sexual orientation.

Appendix 2: Prohibited conduct

Discrimination

Direct discrimination.

- (1) A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.
- (2) If the protected characteristic is age, A does not discriminate against B if A can show A's treatment of B to be a proportionate means of achieving a legitimate aim.
- (3) If the protected characteristic is disability, and B is not a disabled person, A does not discriminate against B only because A treats or would treat disabled persons more favourably than A treats B.
- (4) If the protected characteristic is marriage and civil partnership, this section applies to a contravention of Part 5 (work) only if the treatment is because it is B who is married or a civil partner.
- (5) If the protected characteristic is race, less favourable treatment includes segregating B from others.
- (6) If the protected characteristic is sex—
 - (a) less favourable treatment of a woman includes less favourable treatment of her because she is breast-feeding;
 - (b) in a case where B is a man, no account is to be taken of special treatment afforded to a woman in connection with pregnancy or childbirth.
- (7) Subsection (6)(a) does not apply for the purposes of Part 5 (work).
- (8) This section is subject to sections 17(6) and 18(7).

Combined discrimination: dual characteristics.

(1) A person (A) discriminates against another (B) if, because of a combination of two relevant protected characteristics, A treats B less favourably than A treats or would treat a person who does not share either of those characteristics.

(2) The relevant protected characteristics are—

- (a) age;
- (b) disability;
- (c) gender reassignment;
- (d) race
- (e) religion or belief;
- (f) sex;
- (g) sexual orientation.

(3) For the purposes of establishing a contravention of this Act by virtue of subsection (1), B need not show that A's treatment of B is direct discrimination because of each of the characteristics in the combination (taken separately).

(4) But B cannot establish a contravention of this Act by virtue of subsection (1) if, in reliance on another provision of this Act or any other enactment, A shows that A's treatment of B is not direct discrimination because of either or both of the characteristics in the combination.

(5) Subsection (1) does not apply to a combination of characteristics that includes disability in circumstances where, if a claim of direct discrimination because of disability were to be brought, it would come within section 116 (special educational needs).

(6) A Minister of the Crown may by order amend this section so as to—

- (a) make further provision about circumstances in which B can, or in which B cannot, establish a contravention of this Act by virtue of subsection (1);
- (b) specify other circumstances in which subsection (1) does not apply.

(7) The references to direct discrimination are to a contravention of this Act by virtue of section 13.

Discrimination arising from disability:

(1) A person (A) discriminates against a disabled person (B) if—

- (a) A treats B unfavourably because of something arising in consequence of B's disability, and
- (b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim.

(2) Subsection (1) does not apply if A shows that A did not know, and could not reasonably have been expected to know, that B had the disability.

Gender reassignment discrimination: cases of absence from work:

(1) This section has effect for the purposes of the application of Part 5 (work) to the protected characteristic of gender reassignment.

(2) A person (A) discriminates against a transsexual person (B) if, in relation to an absence of B's that is because of gender reassignment, A treats B less favourably than A would treat B if—

- (a) B's absence was because of sickness or injury, or
- (b) B's absence was for some other reason and it is not reasonable for B to be treated less favourably

(3) A person's absence is because of gender reassignment if it is because the person is proposing to undergo, is undergoing or has undergone the process (or part of the process) mentioned in section 7(1).

Pregnancy and maternity discrimination: non-work cases:

- (1) This section has effect for the purposes of the application to the protected characteristic of pregnancy and maternity of—
- (a) Part 3 (services and public functions);
 - (b) Part 4 (premises);
 - (c) Part 6 (education);
 - (d) Part 7 (associations).
- (2) A person (A) discriminates against a woman if A treats her unfavourably because of a pregnancy of hers. .
- (3) A person (A) discriminates against a woman if, in the period of 26 weeks beginning with the day on which she gives birth, A treats her unfavourably because she has given birth.
- (4) The reference in subsection (3) to treating a woman unfavourably because she has given birth includes, in particular, a reference to treating her unfavourably because she is breast-feeding.
- (5) For the purposes of this section, the day on which a woman gives birth is the day on which—
- (a) she gives birth to a living child, or .
 - (b) she gives birth to a dead child (more than 24 weeks of the pregnancy having passed).
- (6) Section 13, so far as relating to sex discrimination, does not apply to anything done in relation to a woman in so far as—
- (a) it is for the reason mentioned in subsection (2), or
 - (b) it is in the period, and for the reason, mentioned in subsection (3).

Pregnancy and maternity discrimination: work cases:

- (1) This section has effect for the purposes of the application of Part 5 (work) to the protected characteristic of pregnancy and maternity.
- (2) A person (A) discriminates against a woman if, in the protected period in relation to a pregnancy of hers, A treats her unfavourably —
- (a) because of the pregnancy, or
 - (b) because of illness suffered by her as a result of it.
- (3) A person (A) discriminates against a woman if A treats her unfavourably because she is on compulsory maternity leave.
- (4) A person (A) discriminates against a woman if A treats her unfavourably because she is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.
- (5) For the purposes of subsection (2), if the treatment of a woman is in implementation of a decision taken in the protected period, the treatment is to be regarded as occurring in that period (even if the implementation is not until after the end of that period).
- (6) The protected period, in relation to a woman's pregnancy, begins when the pregnancy begins, and ends—
- (a) if she has the right to ordinary and additional maternity leave, at the end of the additional maternity leave period or (if earlier) when she returns to work after the pregnancy;
 - (b) if she does not have that right, at the end of the period of 2 weeks beginning with the end of the pregnancy.
- (7) Section 13, so far as relating to sex discrimination, does not apply to treatment of a woman in so far as—
- (a) it is in the protected period in relation to her and is for a reason mentioned in paragraph (a) or (b) of subsection (2), or
 - (b) it is for a reason mentioned in subsection (3) or (4).

Pregnancy in School Pupils:

Protection for pupils from discrimination because of pregnancy and maternity in schools is covered in the Equality Act. This means it is unlawful for schools to treat a pupil less favourably because she becomes pregnant or has recently had a baby, or because she is breastfeeding. Schools will also have to factor in pregnancy and maternity when considering their obligations under the Equality Duty (see chapter 5).

Local authorities have a duty under Section 19 of the Education Act 1996 to arrange suitable full-time education for any pupils of compulsory school age who would not otherwise receive such an education. This could include pupils of compulsory school age who become pregnant or who are parents. In particular, where pupils are unable to attend their previous school, the local authority would need to consider whether this duty is applied. 'Suitable education' should meet the individual needs of the pupil and must take account of their age, ability, aptitude and individual needs including any special educational needs they may have. Local authorities must have regard to statutory guidance on alternative provision and the ensuring a good education for children unable to attend school because of health needs.

Indirect discrimination:

(1) A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's.

(2) For the purposes of subsection (1), a provision, criterion or practice is discriminatory in relation to a relevant protected characteristic of B's if—

(a) A applies, or would apply, it to persons with whom B does not share the characteristic,

(b) it puts, or would put, persons with whom B shares the characteristic at a particular disadvantage when compared with persons with whom B does not share it,

(c) it puts, or would put, B at that disadvantage, and

(d) A cannot show it to be a proportionate means of achieving a legitimate aim.

(3) The relevant protected characteristics are—

age;

disability;

gender reassignment;

marriage and civil partnership;

race;

religion or belief;

sex;

sexual orientation.

Adjustments for disabled persons:

Duty to make adjustments.

(1) Where this Act imposes a duty to make reasonable adjustments on a person, this section, sections 21 and 22 and the applicable Schedule apply; and for those purposes, a person on whom the duty is imposed is referred to as A.

(2) The duty comprises the following three requirements.

(3) The first requirement is a requirement, where a provision, criterion or practice of A's puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.

(4) The second requirement is a requirement, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.

- (5) The third requirement is a requirement, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.
- (6) Where the first or third requirement relates to the provision of information, the steps which it is reasonable for A to have to take include steps for ensuring that in the circumstances concerned the information is provided in an accessible format.
- (7) A person (A) who is subject to a duty to make reasonable adjustments is not (subject to express provision to the contrary) entitled to require a disabled person, in relation to whom A is required to comply with the duty, to pay to any extent A's costs of complying with the duty.
- (8) A reference in section 21 or 22 or an applicable Schedule to the first, second or third requirement is to be construed in accordance with this section.
- (9) In relation to the second requirement, a reference in this section or an applicable Schedule to avoiding a substantial disadvantage includes a reference to—
- (a) removing the physical feature in question,
 - (b) altering it, or
 - (c) providing a reasonable means of avoiding it.
- (10) A reference in this section, section 21 or 22 or an applicable Schedule (apart from paragraphs 2 to 4 of Schedule 4) to a physical feature is a reference to—
- (a) a feature arising from the design or construction of a building,
 - (b) a feature of an approach to, exit from or access to a building,
 - (c) a fixture or fitting, or furniture, furnishings, materials, equipment or other chattels, in or on premises, or .
 - (d) any other physical element or quality.
- (11) A reference in this section, section 21 or 22 or an applicable Schedule to an auxiliary aid includes a reference to an auxiliary service.
- (12) A reference in this section or an applicable Schedule to chattels is to be read, in relation to Scotland, as a reference to moveable property.
- (13) The applicable Schedule is, in relation to the Part of this Act specified in the first column of the Table, the Schedule specified in the second column.

Complaints Procedure:

Where possible, concerns/complaints should be written down and passed to the Headteacher, Mr Jason Ashley as soon as possible after the event. Where the complainant considers this to be unsuitable, issues should be addressed to the chairperson of the board of governors, Mr David Whalley via Redbridge Community School.