

Learn the Long Wittenham Way... Be PROUD Be COURAGEOUS!



Adopted on:	16.10.2018	To be reviewed:	October 2022
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Long Wittenham Primary School Equality Statement and Procedures

I STATEMENT OF INTENT

This equality statement and procedure provides a framework outlining how Long Wittenham Primary School will be a fair employer and promote equal opportunities which do not disadvantage any person on the grounds of a protected characteristic. It is designed to ensure that clear and transparent guidelines are provided for all working in our school and to ensure that we comply with our legal obligations under the Equality Act (2010).

Please note: The starting point for developing this policy was the Oxfordshire County Council model policy which had been drawn up following consultation with all the recognised Trade Unions and Associations.

II INTRODUCTION

1. The Equality Act came into force on 1st October 2010 and provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.
2. The Act brings together previous legislation into one single Act providing individuals with protection in relation to the following protected characteristics:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race, including ethnic or national origins, colour and nationality
 - Religion or belief, including the lack of belief
 - Sex
 - Sexual orientation
3. In accordance with its responsibilities under the Act, Long Wittenham Primary School is committed to ensuring the fair and equal treatment of its employees and all other stakeholders including pupils, contractors and applicants.

III OBJECTIVES

The equality and diversity procedure aims to:

- value and recognize all stakeholders and enable them to develop and perform to the best of their ability;
- promote good relations between different groups sharing protected characteristics and those who do not;
- support dignity and respect for all, where no form of discrimination, intimidation, bullying or harassment is tolerated;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- where appropriate, allows positive action to be taken for under-represented groups;
- allow breaches of equality to be investigated and dealt with accordingly as matters of misconduct;
- enable Long Wittenham Primary School to comply with its statutory obligations under the Equality Act (2010).

IV SCOPE

- Governing Body
- All School Staff
- Pupils
- Contractors/ Service Providers

V RELEVANT LEGISLATION

- Equality Act 2010
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Part-time Employees (Prevention of Less Favourable Treatment) Regulations 2000

VI RELATED POLICIES

- Disciplinary Policy
- Grievance Policy
- Maternity Policy
- Pay Policy
- Whistleblowing Policy

VII DATE OF REVIEW

The policy will be reviewed as required by the Board of Governors to take account of any legislative changes and / or national policy development as well as feedback from Long Wittenham Primary School staff and schools and in any event, by 16 October 2022 at the latest.

VIII GENERAL PRINCIPLES

Definitions

- Where the term “relevant body” has been used throughout this policy, this refers to the Board of Governors;
- Unless indicated otherwise, all references to “teacher” include the headteacher;
- Unless indicated otherwise, all references to ‘staff’ include teachers, teaching assistants and all other staff.

Consistency of Treatment and Fairness

The relevant body is committed to ensuring consistency of treatment and fairness and will abide by all relevant employment and equality legislation.

Monitoring and Evaluation

The Governing Body and Headteacher will monitor at school level the operation and effectiveness of the grievance policy.

IX RESPONSIBILITIES

It is Long Wittenham Primary School's view that promoting and delivering Equality is the responsibility of each employee, pupil and stakeholder. Examples of where each group can play their part are as follows:

Key Group	Responsibility
Governing Body	<ul style="list-style-type: none">• Ensuring on a day to day basis the implementation and adherence to equality procedures in the school• Ensuring that the school meets its specific duties under the Public Sector Equality Duty (PSED): i.e. to publish equality objectives every four years and annually publish information demonstrating how the school is meeting the aims of the general PSED• Ensuring that any concerns raised under equality procedures are dealt with seriously, sensitively and promptly
Headteacher/ Line managers	<ul style="list-style-type: none">• Acting as a role model to ensure that all individuals are treated with dignity and respect• Promoting key messages to staff, parents and children and young people about equality and the expectations of them, and the expectations they can have of the school• Ensuring appropriate training is provided to the school community• Ensuring that any concerns raised under equality procedures are treated seriously, sensitively and promptly
School staff	<ul style="list-style-type: none">• Treating everyone with dignity and respect• Acting as a role model• Raising any concerns in relation to equality procedures• Supporting colleagues within the school
Parents	<ul style="list-style-type: none">• Taking an active part in identifying any barriers to equality and reporting these to the Governing Body• Supporting and challenging the school to achieve equality of opportunity for all
Children and young people	<ul style="list-style-type: none">• Treating everyone with dignity and respect• Raising any concerns in relation to equality procedures

Long Wittenham Primary School Equality Statement and Procedures

Aims

1. The equality and diversity procedure aims to:
 - ensure that Long Wittenham Primary School fulfils its legal obligations in accordance with the Equality Act (2010);
 - value and recognize all stakeholders and enable them to develop and perform to the best of their ability;
 - promote good relations between different groups sharing protected characteristics and those who do not;
 - support dignity and respect for all, where no form of discrimination, intimidation, bullying or harassment is tolerated;
 - advance equality of opportunity between people who share a protected characteristic and those who do not;
 - where appropriate, allows positive action to be taken for under-represented groups;
 - enable breaches of equality to be investigated and dealt with accordingly as matters of misconduct.

Application

2. The equality and diversity procedure applies to all employees within Long Wittenham Primary School, including those engaged on permanent and fixed-term contracts, casual workers, agency workers and apprentices. It also applies to job applicants.
3. Through application of the equality and diversity procedure, Long Wittenham Primary School aims to promote a culture of fairness and to ensure that no employee, or applicant, is treated less favourably than another on the grounds of a protected characteristic.
4. The scope of the procedure covers all aspects of the employment relationship including selection for employment; promotion; learning and development; pay and benefits; employment practices and performance management.

Discrimination, Victimisation and Harassment

Long Wittenham Primary School is committed to the avoidance of all forms of discrimination, victimisation and harassment in the workplace. This could take various forms as outlined below.

5. Direct discrimination occurs when a person treats another less favourably than they treat or would treat others because of a protected characteristic. This could arise at any point in the employee life-cycle from recruitment through to selection for redundancy.
6. Direct discrimination includes discrimination by perception: i.e. when an individual is treated less favourably because others think they possess one of the protected characteristics even if this isn't actually the case.
7. Direct discrimination also includes associative discrimination where someone is treated less favourably because they associate with another person who possesses a protected characteristic; e.g. turning down someone for a job because they are known to have caring responsibilities for someone with a disability.

8. Indirect discrimination may occur if a particular working practice or rule is applied which puts one group of employees, who share a protected characteristic, at a disadvantage- e.g. limiting part-time employees from training opportunities would impact females indirectly as they make up the largest component of part-time workers. Indirect discrimination can only be lawful if there is an objective justification for it and it is a proportionate means of achieving a legitimate aim.
9. Harassment is defined as occurring when a person engages in unwanted conduct which is related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an environment that is hostile, intimidating, degrading, humiliating or offensive for that individual. Harassment may also arise through perception or association.
10. Victimisation is where an employee is subject to a detriment because they have made or supported a complaint or grievance under the Equality Act or because they are suspected of doing so.
11. Positive action is permitted under law and Long Wittenham Primary School may take positive action if it is believed that employees or applicants who share a particular protected characteristic suffer a disadvantage connected to that characteristic.
12. Schools with a religious character are allowed by specific legislation in the School Standards and Framework Act 1998 to use religious criteria in the appointment of some teaching staff in ex-VC schools that are not sponsored academies and of all teaching staff in ex-VA schools and in all sponsored academies. Also in certain circumstances an 'occupational requirement exception' may arise in respect of a non-teaching post allowing an employer to require employees or applicants to have religious or other particular protected characteristics.

Protected Characteristics

Long Wittenham Primary School is committed to the fair and equal treatment of all its employees and will not tolerate discrimination on the basis of any of the following protected characteristics.

13. **Age:** Long Wittenham Primary School recognises the positive contribution employees from all age groups can bring to the organisation and employees will be treated fairly regardless of age across the whole employment life-cycle. Employees will also not be compulsorily retired because of their age (although there are certain exceptions that may be justified if there are genuine age-based rules or work practices that have to be complied with).
14. **Disability:** a person is disabled if they have a physical or mental impairment which has a substantial, long-term adverse effect on their ability to carry out normal day to day activities. Long Wittenham Primary School commits that its employees will not be directly or indirectly discriminated against on the grounds of a disability and that applicants and employees who are disabled are treated fairly with any needs arising as a consequence of the disability being addressed during the recruitment process and during employment.

Long Wittenham Primary School will:

- Take prompt action to identify and implement reasonable adjustments to ensure, wherever possible, disabled people can access, progress and remain in employment;
- Access specialist support and advice where required;
- Ensure action is taken against those who discriminate against disabled people;
- Take all reasonable steps to ensure employees understand their responsibilities under the Equality Act in relation to disabled workers.

Any information disclosed by an individual to Long Wittenham Primary School about a disability will be treated sensitively and confidentially.

15. **Gender reassignment:** people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their gender have the protected characteristic of gender reassignment. Long Wittenham Primary School commit that any such employee or applicant will not be discriminated against on account of this characteristic, e.g. absence from work due to a gender reassignment process will be treated in the same manner as absence for illness or injury.
16. **Marriage or civil partnership:** Long Wittenham Primary School employees and job applicants who are married or in a civil partnership will be treated fairly and equally to all others.
17. **Pregnancy and maternity:** women who are pregnant or on maternity leave are protected from discrimination during the period of pregnancy or statutory maternity leave to which they are entitled. Additional statutory rights are also applicable to a pregnant employee such as time off for antenatal care and unfair dismissal protection.
18. **Race:** a racial group is a group of people who have or share a colour, nationality and ethnic or national origins. Employees of Long Wittenham Primary School will not be treated less favourably on account of these characteristics.
19. **Religion or belief:** Long Wittenham Primary School employees and applicants will not be discriminated against on the basis of their religion or beliefs and will be respectful of those of other religions or their own. This protection also applies to those who do not follow a religion.
20. **Sexual orientation:** Long Wittenham Primary School employees and applicants will be treated fairly regardless of their sexual orientation and the dignity of all should be respected. Care should be taken to avoid situations where a person feels excluded or unwelcome because of their sexual orientation and line managers should be aware that harassment that takes the form of a general culture, e.g. the telling of homophobic jokes, should not be tolerated.
21. **Sex:** male and female employees and job applicants will not be treated less favourably on the basis of their gender.

General Provisions

22. In recruiting staff, Long Wittenham Primary School will ensure that its practices do not discriminate against candidates in ways which are unrelated to their ability to carry out the role.
23. All opportunities for employees to develop their skills and expertise will be carried out in a fair manner.
24. The pay of staff within Long Wittenham Primary School will be based upon their skills and abilities, and linked to their job role, and not based upon any particular characteristic.

25. Long Wittenham Primary School is committed to ensuring relevant training is provided to employees in respect of the provisions of the Equality Act and any subsequent revisions to it.
26. The Equality and Diversity Procedure is applicable to all staff, governors and contractors working within a school. Pupils are subject to separate policies relating to Behaviour.

Raising Concerns

27. If any employee has concerns about conduct or behaviour in the workplace pertaining to the equality and diversity procedure they should speak to their line manager at the earliest opportunity. In the event that the concern relates to the line manager, an employee should speak to the headteacher in the first instance.
28. Any employee found to be in breach of this procedure as a result of behaviour, conduct or comments towards another employee or stakeholder will be subject to disciplinary proceedings.
29. If a parent/ carer feels that their child or young person is being treated unfairly they should follow the school's Complaints Procedure.

Appendix 1- The Public Sector Equality Duty

The Equality Act 2010 sets out the equality matters that schools need to consider when making decisions that affect pupils or staff with different protected characteristics. This duty has three elements.

In carrying out their functions public bodies, such as schools, are required to have 'due regard' when making decisions and developing policies, to the need to:

- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- Foster good relations across all protected characteristics – between people who share a protected characteristic and people who do not share it.

In order to help schools in England meet the general equality duty, there are two specific duties that they are required to carry out. These have been in place since April 2012 and are:

- To publish information to demonstrate how they are complying with the equality duty;
- To prepare and publish one or more specific and measurable equality objectives.

Further guidance on equality objectives is contained in Appendix 2.

Appendix 2- Guidance on Equality Objectives for Schools

Background

The DfE's guidance on [Statutory Policies for Schools](#) (Sep 2014) states that schools have responsibilities to:

- draw up and publish equality objectives every four years, and
- annually publish information demonstrating how they are meeting the aims of the general public sector equality duty.

Producing equality objectives

- The DfE [guidance](#) is clear that schools are free to meet their duties in ways appropriate to their own circumstances and also that the process is not intended to be overly burdensome,
- Schools are therefore able to choose equality objectives that best suit their individual situation and contribute to the welfare of their pupils and the school community,
- Objectives do need to be specific and measurable and should be used as a tool to help improve the school experience of a range of different pupils. They should also be achievable,
- A school should set as many objectives as it believes are appropriate to its size and circumstances.

Any equality objective needs to be relevant to the particular school, the following are examples of objectives:

- To increase the extent to which all pupils, including in particular those with protected characteristics as defined by the Equality Act, feel valued and confident, and in consequence more likely to achieve their potential,
- To promote spiritual, moral, social and cultural development through all appropriate curricular opportunities, with particular reference to issues of equality and diversity,
- To promote cultural development and understanding through a rich range of experiences both in and beyond the school,
- To reduce prejudice and increase understanding of equality through direct teaching across the curriculum,
- To narrow the gap between boys and girls in writing by the end of KS1
- To support learners with particular needs.

Long Wittenham Primary School's Equality Objectives

The table below outlines Long Wittenham Primary School's Equality Objectives, the actions required to achieve them and how the success of the objectives will be measured.

Equality Objective	Actions required	Success Criteria
Supporting learners with particular needs	<ul style="list-style-type: none"> • Teachers and support staff attend training relating to the needs of individuals or groups of children as appropriate. • Teachers prepare Individual Education Plans where appropriate and share regularly with parents. • Extra tuition is provided where appropriate. • Transition arrangements for children with disabilities, medical needs and/or learning disabilities are carefully managed with support from outside agencies where appropriate. 	<p>The school will have in place:</p> <ul style="list-style-type: none"> • Pupil Profiles that focus on learning priorities • Basic Skills support, where appropriate • Language support available as required • Tutoring/mentoring schemes available as appropriate • Homework/Revision support provided as appropriate • Appropriate training to enable staff to meet particular learning needs - planned well in advance of a child's admission. <p>Outcomes-</p> <p>Learners with particular needs:</p> <ul style="list-style-type: none"> • Will feel welcome and supported (measured through surveys and feedback) • Will make the expected progress in line with their abilities (measured through progression and achievement data) <p>Teachers and support staff will:</p> <ul style="list-style-type: none"> • Feel able to support learners with particular needs (monitored through training and feedback)
Making the school accessible to all	<ul style="list-style-type: none"> • Good interagency links are maintained by the school. • Very supportive relationships are developed with parents of children with additional needs • Children with additional physical, medical and emotional needs are supported appropriately in school (and outside e.g. home school link, Seesaw) • Adaptations are made to include all children in educational visits, extra-curricular opportunities, residential trips etc. 	<p>The school will ensure that:</p> <ul style="list-style-type: none"> • It meets the needs of pupils, staff and others with physical, medical and emotional needs • Curricular and extra-curricular opportunities are available for pupils with physical, medical and emotional needs • It will identify further developments to address outstanding issues where these constitute reasonable adjustments

		<p>Outcomes –</p> <ul style="list-style-type: none">• Inter-agencies are actively involved where appropriate• Regular meetings between the Special Education Needs Co-ordinator and the parents of children with additional needs• There are good relationships with parents with children with additional needs (as demonstrated through feedback)• Children with physical, medical and emotional needs are able to participate in curricular and extra curricular activities• Adaptations are made to include children where appropriate
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Further examples of equality objectives

For an example of a school which has published equality objectives see page 12 of <http://www.wheatley.oxon.sch.uk/html/policies/pdf/Equality%20Policy%20WCEPA%20objectives%202014.pdf>.

Further generic examples can be found at the link immediately below and an internet search will provide other examples-

<https://www.cumbria.gov.uk/elibrary/Content/Internet/537/6381/6386/40828154541.pdf>

Useful links

Statutory policies for schools:

<https://www.gov.uk/government/publications/statutory-policies-for-schools>

The Equality Act and Schools:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

Equality and Human Rights Commission Guidance:

http://www.equalityhumanrights.com/sites/default/files/documents/EqualityAct/PSED/public_sector_equality_duty_guidance_for_schools_in_england.doc

Appendix 3- Disability and Reasonable Adjustments

Under the Equality Act, Long Wittenham Primary School will not enquire about the health of a job applicant until the offer of a role has been made, unless the questions are specifically related to an intrinsic function of the work.

For schools that have purchased Occupational Health (OH) provision from the Local Authority, pre-employment (post-offer) health checks will be carried out by the OH provider.

Long Wittenham Primary School is committed to the welfare of its employees and will ensure that a health questionnaire is provided once a job offer has been made so as to enable Long Wittenham Primary School to fulfil its duty of care to the new employee. For reasons of confidentiality details of the completed form will be kept remotely and will not normally be made available to the school.

Disability

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”, they are defined in legal terms as being ‘disabled’.

Reasonable adjustments

There may be situations where an employee taken on by Long Wittenham Primary School is defined as ‘disabled’ or an employee develops a disability during the course of their working relationship in Long Wittenham Primary School.

In such circumstances Long Wittenham Primary School has a duty to provide reasonable adjustments in the workplace to make sure workers with disabilities, or physical or mental health conditions, aren’t substantially disadvantaged when doing their jobs.

This applies to all workers, including trainees and apprentices.

Reasonable adjustments may include:

- [changing the recruitment process](#) so a candidate can be considered for a job;
- doing things another way, such as allowing someone with social anxiety disorder to have their own desk instead of hot-desking;
- making physical changes to the workplace, like installing a ramp for a wheelchair user or an audio-visual fire alarm for a deaf person;
- letting a disabled person work somewhere else, such as on the ground floor for a wheelchair user;
- changing their equipment, for instance providing a special keyboard if they have arthritis;
- allowing employees who become disabled to make a phased return to work, including flexible hours or part-time working;
- offering employees training opportunities, recreation and refreshment facilities.

Whilst the Act does not set out what constitutes a reasonable adjustment, the school will look at the circumstances of each case, and consider factors such as the resources required for the adjustment, it’s effect on the nature of the role, the financial impact and health and safety requirements.