



*Yes we can*

## **Equality Policy**

**Spring 2017**

### **1. GUIDING PRINCIPLE**

Henry Fawcett School is committed to equal opportunities and aims to be a school where everyone:

- is respected and respects others
- takes part in the life of the school
- achieves to their potential
- develops skills essential to life
- exercises choice

We share the belief that no-one should receive less favourable treatment on the grounds of race, disability, physical ability, age, income, religion/belief, colour, ethnic or national origin, marital status, gender, gender reassignment, sexuality, nationality or trade union membership. The school makes use of the Government funding, Pupil Premium Grant, to provide additional support to disadvantaged children.

The purpose of the policy is to ensure that unlawful discrimination (either direct or indirect) and other undesirable behaviour including harassment does not occur.

In our school, we recognise that it includes all prospective and existing employees and pupils:

- girls and boys, women and men
- people from minority ethnic backgrounds, Travellers, asylum seekers and refugees
- people of different religions and from different faith backgrounds
- people of all sexual orientations and transgendered people
- pupils who have English as an additional language (EAL)
- pupils with special educational needs
- children in public care
- other children, such as sick children, young carers, those children from families under stress, pregnant schoolgirls and teenage mothers
- any pupils and young people who are at risk of disaffection and exclusion.

### **2. THE LEGAL FRAMEWORK**

The Equality Act 2010 supports our policy.

## 2.1 Overview

- Replaces 9 Acts and almost 100 sets of regulations
- Schools already complying with the law will find few major differences
- Attempts to reduce bureaucracy
- Applies to all maintained and independent schools (including academies) and maintained and non-maintained special schools in England and Wales
- Makes it unlawful for responsible bodies to discriminate against, harass or victimise a pupil or potential pupil:
  - In relation to admissions
  - 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

## 2.2 Scope

The Act deals with the way in which schools treat their pupils and prospective pupils; the relationship between one pupil and another is not within its scope. The determining factor would be how a school dealt with such issues between pupils.

### 2.2.1 Protected Characteristics

- age (for employees not for service provision),
- disability
- ethnicity
- gender
- gender reassignment
- maternity and pregnancy
- religion and belief, and
- sexual identity
- Marriage and Civil Partnership (for employees)

It is unlawful to discriminate because of the protected characteristic of another person with whom the pupil is associated (e.g. Parents). It is also unlawful to discriminate because of a protected characteristic – even if you are mistaken. New protection makes it unlawful to treat a pupil unfavourably because she is pregnant or a new mother. Age is a protected characteristic in relation to employment and the Act extends this to goods and services, but this does not apply to pupils in schools.

### 2.2.2. Unlawful behaviour

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation

### 2.2.3 Disability

- Schools are allowed to treat disabled pupils more favourably than non-disabled pupils and in some cases are required to do so, by making reasonable adjustments to put them on a level footing with pupils without disabilities.

### 2.2.4 Additional provisions for schools

- It is now unlawful to discriminate against a transsexual pupil
- It is now unlawful to discriminate against a pupil who is pregnant or has recently had a baby
- It is now unlawful to victimise a pupil for anything done in relation to the Act by their parent or sibling
- New Positive Action provisions allow schools to target measures which are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics.

- The Act provides for schools to take on a duty to provide auxiliary aids and services to disabled pupils – this will not come into effect until later
- The “questions procedure” which enables a person thinking of bringing a complaint to issue a questionnaire seeking information about the alleged act of discrimination, now applies across the Act.

### 2.2.5 Employment

- May now use under-representation as a factor in deciding between two equally suitable candidates
- It is now unlawful for an employer to enquire about the health of an applicant for the job until a job offer has been made. There is an exception for enquiries about carrying out a function intrinsic to the work concerned.

2.2.6 To help us fulfil our equal opportunities work, Henry Fawcett School has the following policies:

- Anti-Bullying Policy
- Behaviour Policy
- Equalities and Community Cohesion Policy
- Performance Management Policy
- Pay Policy
- Grievance Policy

## 3. SCHOOL'S OBJECTIVES

The aims of this policy will be met by:

### 3.1. Promoting the principles and practices of equality and justice throughout the school

- Ensure that all children receive their entitlement to a broad, balanced and relevant curriculum, which is differentiated to meet identified individual needs through flexible and varied provision
- Promote racial harmony, prepare pupils for living in a diverse and increasingly interdependent society and specifically to prevent and address racism, sexism and other forms of discrimination
- Comply with Equal Opportunities legislation and meet Ofsted criteria for Inclusion

### 3.2. Identifying and removing practices that may result in direct or indirect discrimination

- Develop the support and training available for all staff, including governors, to develop their practice in Equal Opportunities work
- Monitor and evaluate by gender, ethnicity and disability
  - access to educational opportunities and services
  - attainment
  - curriculum, teaching and learning
  - exclusions
  - punishment and reward
  - membership of the governing body
  - parental involvement
  - staff recruitment, retention and career development
- Monitor and evaluate annual data on the number and type of racist incidents in school
- Ensure that families for whom English is an additional language have materials about school and the curriculum translated into their languages, as appropriate.
- Ensure that the admissions policy is objective, clearly set out and does not disadvantage certain groups