

# Equality Policy

## **1. GUIDING PRINCIPLES**

1.1 The Bulmershe 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
- is able to exercise choice.

1.2 The Bulmershe School will promote the principles and practices of equality and justice throughout the whole school community. It will:

- 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, preparing students for living in a diverse and increasingly interdependent society and specifically preventing and addressing racism, sexism and other forms of discrimination
- identify and remove practices that may result in direct or indirect discrimination
- ensure support and training is available for staff and governors to develop their practice in Equal Opportunities work.

1.3 The Equality Act 2010 informs the content of our Policy and we are aware of our duty to comply with this and other relevant Equal Opportunities legislation. As a guide, the school will be advised by the documents produced by Equality & Human Rights Commission, hard copies of which will be kept in the school office. A brief guide to the legal framework is at Annex A.

1.4 Single Public Sector Equality Duty: The Bulmershe School Governing Body is aware that the Act contains provision for a Single Public Sector Equality Duty. When this is implemented, this policy will be amended if it is necessary to do so. However, it is the intention of the Governing Body to carry out its requirements (that the school shall consider the need to eliminate discrimination, advance equality of opportunity and foster good relations in all its functions) in general terms until detailed guidance may be available.

## **2. DUTIES, ROLES AND RESPONSIBILITIES**

2.1 Everyone within the school community is responsible for promoting the aims of this policy as far as they are able. It is the particular responsibility of the school leadership to ensure that they do so.

2.2 The Governing Body (along with the LA) has the responsibility of ensuring that employees of The Bulmershe School and its governors do not commit acts of discrimination, harassment or victimisation within the meaning of the Equality Act 2010. Day to day responsibility for this is delegated to the Headteacher, who will appoint a member of the School Executive to take a lead role on this and other equalities issues.

2.3 The Governing Body shall oversee the promotion and promulgation of this policy and actions shall be delegated to its committees on the following basis:

- the Student Performance and Academic Standards committee shall ensure that the curriculum does not discriminate in content or means of delivery and includes opportunities for students to understand equality issues;
- The Premises & Site Management committee shall ensure accessibility for all to the school and that there are practical means by which students with disabilities can access the curriculum on an equal and safe basis;
- the Personnel and Staff Development committee shall evaluate equal opportunities data concerning staff and oversee their equal opportunities;
- the Strategic committee shall review this policy annually and ensure it is applied.

2.4 Particular responsibilities for the School Executive and Governing Body will include the following:

- developing and monitoring any action plans arising out of the Policy
- identifying a designated person for co-ordinating the school response to and reporting onwards to the LA of racist incidents report forms
- ensuring that training in equal opportunities work is available to staff
- planning, in the curriculum and life of the school, for the promotion of racial harmony and preparing students for living in a diverse and increasingly interdependent society
- monitoring and evaluating the effectiveness of the Policy

2.5 Staff will also monitor and evaluate the following 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.

2.6 The school will ensure that the admissions policy is objective, clearly set out and does not disadvantage certain groups.

**2.7 Supporting Policies** The Bulmershe School strives to consider the equal opportunities aspects of all its policies and procedures. The following policies are designed to ensure the overall aims of this policy are put into operation throughout the school and therefore should be used in conjunction with this policy:

- Special Educational Needs Policy
- Accessibility Policy
- Anti-Bullying Policy (students)
- Anti-Bullying Policy (staff)
- Safeguarding Policy
- Family Care Policy
- Professional Development Policy
- Pay Policy
- Recruitment and Selection Policy
- Grievance Policy.

2.8 The Equal Opportunities Policy will be reviewed annually.

**3. RACE EQUALITY** We believe that our school must be a safe place for everyone. We are committed to the principles outlined in the Stephen Lawrence Inquiry Report and to the recommendations it makes. Therefore we shall tackle racial discrimination and promote equality of opportunity and good race relations.

3.1 Tackling racial discrimination: We shall do so by monitoring the outcomes of opportunities at our school and by dealing with and reporting racist incidents.

3.2 Racist incident report forms will be completed to help the school monitor incidents and take appropriate action. A summary of incidents shall be reported termly to Governors (not naming individuals) and also sent to the LA.

3.3 We accept the definition of a racist incident adopted by the Stephen Lawrence Inquiry Report and Wokingham Borough Council: 'A racist incident is any incident that is perceived to be racist by the victim or any other person.'

3.4 Allegations of harassment and discrimination based on ethnicity will be investigated as far as possible, using the school's usual disciplinary procedures, and racism will be directly challenged. Action will be taken to prevent the likelihood of recurrence. Our procedure for dealing with racist incidents will be made known to everyone at or connected with our school.

3.5 Families for whom English is an additional language shall have materials about school and the curriculum translated into their languages on request.

## **4. GENDER**

4.1 We believe that girls and boys should have equal access to all aspects of school life, including the curriculum, subject choices and extra-curricular activities. It may be necessary for children to receive different treatment in

order to ensure equality of opportunity and the school will pursue strategies to ensure that both girls and boys achieve to their full potential. The school will examine its practices to ensure that both girls and boys are given opportunities to achieve and that stereotyped expectations do not limit the experiences available.

4.2 We will promote approaches which provide equality of opportunity, including:

- taking account of the interests and concerns of boys and girls by using a range of activities and contexts for work and allowing a variety of interpretations and outcomes, particularly in English, Science, Design and Technology, ICT, Art and Design, Music and PE
- avoiding gender stereotyping when organising students into groups.

4.3 Allegations of harassment and discrimination based on gender will be investigated and, where proven, directly challenged. Action will be taken to prevent the likelihood of recurrence.

## **5. DISABILITY**

5.1 The Bulmershe School is fully committed to the duties placed on it by the Special Educational Needs and Disability Act 2001 and the Equality Act 2010.

5.2 We will consider the needs of all people in school including:

- students who may be disabled but not have a statement of special educational need nor be on any stage of special needs assessment
- teachers and other school staff
- governors
- professionals from other agencies
- parents
- all visitors to school.

5.3 The Bulmershe School will ensure that reasonable adjustments are made to working conditions for disabled students and staff and to the curriculum for disabled students. In addition the school will ensure that discrimination does not occur and that disabled people will not be placed at substantial disadvantage compared to others who are not disabled.

5.4 We will ensure that our policies, in particular in relation to admissions procedures, do not place disabled students at a disadvantage.

5.5 The Bulmershe School will work with the LA to audit the school for facilities and access for disabled people and for access to buildings, facilities and the curriculum. It will maintain updated written information on facilities and services and produce a plan to develop accessibility.

5.6 Teachers will take specific action to enable the effective participation of students with disabilities by:

- planning appropriate amounts of time to allow for satisfactory completion of tasks

- planning opportunities, when necessary, for the development of skills in practical aspects of the curriculum
- identifying aspects of their programmes of study and attainment targets that may present specific difficulties for individuals.

## **6. EMPLOYMENT**

6.1 The Bulmershe School aims to create an environment where equality and fairness in employment practices is always applied. All decisions including advertising of vacancies, shortlisting, selection, induction, appraisal, training, development, promotion, and pay will be based on an objective and fair assessment of need.

6.2 The School will ensure that staff (and Governors) involved in recruitment are trained in equal opportunities practices and that procedures are fair, honest and open. The School will monitor staff recruitment, retention and career development by ethnicity, gender, disability and age.

6.3 Staff have a right to challenge any decision or action which they believe to be in breach of these principles. All complaints relating to employment must be made at first informally and if necessary the next step should be through the formal Grievance procedure. All complaints are assumed to be made in good faith unless there is evidence to the contrary. If however, an accusation is found to have been made maliciously, disciplinary action may be taken against the person making the false complaint.

6.4 Staff who deliberately or knowingly contravene this policy will be liable to formal disciplinary action.

## **7 POSITIVE ACTION**

The School recognises that the avoidance of discrimination is not sufficient to ensure that equality of opportunity exists in the school. It will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. These measures may include:

- Encouraging applications from specific groups which are under-represented in the school
- Supporting training measures for under-represented groups
- The use of job-sharing arrangements wherever practicable
- Exploring the availability of childcare facilities in the area which can be made available to employees in the school
- Exploring the possibility of career breaks for women to assist with family commitments.

*Approved by the Governing Body on February 2015*

*Next review: February 2018*

Signed: ..... (Chair of Governors)

## **LEGAL FRAMEWORK, ACCESS TO ADVICE AND DEFINITIONS**

### **1. THE LEGAL BACKGROUND**

The Equality Act 2010 provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by incorporating and replacing legislation including the Race Relations Act 1976, the Disability Discrimination Act 1995, the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Employment Equality (Religion or Belief) Regs 2003, the Employment Equality (Sexual Orientation) Regs 2003, the Employment Equality (Age) Regs 2006, the Equality Act 2006, Part 2 and the Equality Act (Sexual Orientation) Regs 2007. Also, it extends the protection from discrimination in certain areas.

The Government issued the following advice in September 2010:

As far as schools are concerned, for the most part, the effect of the new law is the same as it has been in the past – meaning that schools cannot unlawfully discriminate against pupils because of their sex, race, disability, religion or belief and sexual orientation. Protection is now extended to pupils who are pregnant or undergoing gender reassignment. However, schools that are already complying with the law should not find major differences in what they need to do.

The exceptions to the discrimination provisions for schools that existed under previous legislation – such as the content of the curriculum, collective worship and admissions to single sex and schools of a religious character, are all replicated in the new act.

However, there are some changes that will have an impact on schools as follows:

**It is now unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that schools should no longer, as a matter of course, require job applicants to complete a generic health questionnaire as part of the application procedure. We are considering the implications of this in relation to existing guidance for schools on establishing fitness and ability to teach (as required by the Health Standards (England) Regulations 2003). In the meantime, schools are advised to review their existing practices to ensure they are complying with both the Health Standards Regulations and Section 60 of the Equality Act. Schools may decide to ask necessary health questions after job offer. In any case, they should ensure that any health-related questions are targeted, necessary and relevant to the job applied for.**

- 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.

- New Positive Action provisions will 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 – for example providing special catch-up classes for Roma children or a project to engage specifically with alienated Asian boys.
- Extending the reasonable adjustment duty to require schools to provide auxiliary aids and services to disabled pupils. However this duty is not due to come into effect until a later date, following consultation on implementation and approach.
- The three existing general and specific equality duties on schools (race, disability and gender) to eliminate discrimination and advance equality of opportunity will be combined into a single, less bureaucratic and more outcome-focused duty extending to all of the protected characteristics. However, this change will not come into effect until at least April 2011 so the existing equality duties are to remain in place until then.

## **2 Detailed guidance**

The Equality and Human Rights Commission provides detailed guidance on the Act's application in schools. This and other documents, for instance explaining equality law for employers, employees and service users, can be downloaded from the Commission at [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

**NB: Hard copies of these documents will be available from the School Office.**

## **3 Other Acts of Parliament relevant to The Bulmershe School Equality policy** are:

- Health & Safety at Work Act 1974
- Protection from Harassment Act 1997
- The Human Rights Act 1998 and 2000
- The Part-time employees (Prevention of Less Favourable Treatment) Regulations 2000
- The Special Needs and Disability Act 2001

## **4 Who is protected under the Equality Act 2010?**

The Act protects students and staff from discrimination and harassment based on 'protected characteristics,' which are:

- Sex
- race
- disability
- pregnancy and maternity
- sexual orientation

- gender reassignment
- religion or belief
- age (not applicable to students)
- being married or in a civil partnership (not applicable to students).

The Act also protects prospective staff and students in respect of recruitment and admissions issues.

## **5 Definitions of Discrimination in the Act:**

5.1 **Direct discrimination:** where an individual or group receives less favourable treatment with some unjustifiable reason because of their sex, race, age, religious beliefs, sexual orientation or disability.

5.2 **Indirect discrimination:** applying unjustifiable requirements and conditions that have a disproportionate impact on a particular group.

5.3 **Failure to make reasonable adjustments for disabled people** is also an act of discrimination

5.4 **Discrimination Arising from Disability** occurs when a disabled person is treated unfavourably because of something connected with their disability and such treatment cannot be justified. Discrimination arising from disability will occur if the following three conditions are met:

- a disabled person is treated unfavourably, that is putting them at a disadvantage, even if this was not the intention, and
- this treatment is because of something connected with the disabled person's disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour, and
- the treatment cannot be justified by showing that it is 'a proportionate means of achieving a legitimate aim'.

## **6 Legal Definition of Disability in the Act**

6.1 In the Act, a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

For the purposes of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial
- 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping

People who have had a disability in the past that meets this definition are also protected by the Act.

6.2 Progressive conditions considered to be a disability: There are additional provisions relating to people with progressive conditions. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairments are automatically deemed to be disabled.

6.3 Conditions that are specifically excluded: Some conditions are specifically excluded from being covered by the disability definition, such as a tendency to set fires or addictions to non-prescribed **substances**.

NB: the legal definitions of disability have changed with the Equality Act 2010 and that more people within the school community may be disabled within the meaning of the Act. We shall therefore ensure that appropriate staff are aware of this.

The situation will be monitored and this policy will be amended to reflect any guidance from the government or LA.

## **7. What else is unlawful under the Act?**

**7.1 Harassment** The Equality Act 2010 prohibits schools from harassment in relation to the protected characteristics of disability, race or sex.

**7.2 Victimisation** Victimisation is defined in the Act as treating someone badly because they have done a 'protected act' (or because the school believes that a person has done or is going to do a protected act). A 'protected act' is:

- Making a claim or complaint of discrimination (under the Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the school or someone else has breached the Act.
- Doing anything else in connection with the Act.

There is also protection for pupils who are victimised because their parent or sibling has carried out a protected act. (ends)

## Staff Data (October 2017)

		Teachers (91)	Associate Staff (50)
<b>Gender</b>	Male	31	13
	Female	60	37
<b>Age</b>	Under 25	7	5
	25-44	50	14
	45-59	25	28
	60+	9	3
<b>Ethnicity</b>	Asian or Asian British, Any other Asian Background Count	1	1
	Asian or Asian British, Indian Count	4	1
	Asian or Asian British, Pakistani Count	2	
	Black or Black British, African Count	2	1
	Black or Black British, Caribbean Count	1	
	Mixed White and Asian Count	2	
	Mixed, any other mixed background Count	1	
	White, any other White Background Count	5	6
	White, British Count	69	40
	White, Irish Count	4	
	Black or Black British, Any other Black background Count		1

## Student Results Summer 2017

### Percentage of students achieving

Results Summer 2017	5 A*-C (or equivalent grades) including English and Maths	P8	A8
All	57.8%	+0.23	47.21
Female	59.1%	+0.43	48.36
Male	56.6%	+0.01	46.13
White-British	50.0%	-0.22	44.33
Pakistani	64.7%	+0.96	46.75
Any other Asian Background	63.6%	+0.98	54.16
Pupil Premium	41.5%	-0.12	37.85
SEN S+E	0.0%	-0.56	18.39
SEN K	33.3%	-0.13	35.63
EAL	63.4%	+1.1	49.74

## Ethnicity of students at the Bulmershe School 2017

	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Total
Any other Asian background	4	6	2	8	5	16	12	53
Any other Black background	0	0	3	2	1	1	0	7
Any other White background	25	22	11	18	17	10	6	109
Any other ethnic group	2	1	2	2	3	3	1	14
Any other mixed background	7	1	3	4	0	3	0	18
Bangladeshi	1	0	0	0	0	1	0	2
Black - African	7	6	4	13	9	11	3	53
Black Caribbean	2	2	1	2	3	2	0	12
Chinese	1	2	0	0	2	0	2	7
Gypsy/Roma	0	0	1	0	0	0	0	1
Indian	4	4	4	12	4	9	1	38
Information Not Yet Obtained	3	0	3	6	1	2	1	16
Pakistani	14	15	11	28	26	23	13	130
Refused	3	0	1	2	2	1	0	9
White - British	131	117	73	71	54	40	25	511
White - Irish	1	1	1	0	0	0	0	3
White and Asian	7	4	1	2	1	1	1	17
White and Black African	5	2	0	1	0	3	1	12
White and Black Caribbean	10	6	1	11	5	6	3	42
{None}	0	2	1	4	0	0	0	7
<b>Total</b>	<b>227</b>	<b>191</b>	<b>123</b>	<b>186</b>	<b>133</b>	<b>132</b>	<b>69</b>	<b>1061</b>