



Achieving Success Together

Equality and Diversity Policy (including Equality Objectives)

Formally adopted by the Governing Board of:	Browick Road Primary and Nursery School
On:	14th May 2024
Headteacher:	Helen Laflin
Chair of Governors:	Jeremy Wiggin
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1 Introduction

Browick Road Primary and Nursery School is deeply committed to the principles of equality, diversity and inclusion and actively promotes this with its staff, governors, volunteers, pupils, parents/carers and all in the school community. We are an inclusive school, where we focus on the wellbeing and progress of every child and where all members of our community are of equal worth.

We believe that the Equality Act 2010 provides a framework to support our commitment to valuing diversity, tackling discrimination, promoting equality and fostering good relationships between people. It also ensures that we continue to tackle issues of disadvantage and underachievement of different groups. We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities and the Human Rights Act 1998.

2 Our approach to equality

This is based on the following key principles:

- All pupils, staff, governors and volunteers are of equal value and shall be enabled to develop to their full potential;
- We recognise, respect and value difference and understand that diversity is a strength;
- We foster positive attitudes and relationships and a shared sense of cohesion and belonging;
- We observe good equalities practice in staff recruitment, retention and development;
- We aim to reduce and remove inequalities and barriers that already exist;
- We aim to support social justice and social mobility, preparing pupils for life in a diverse society;
- We do not tolerate any form of harassment, bullying or discrimination (see the section on links to other policies);
- We will provide training, guidance and information to enable all in the school community to play their part in the implementation of this policy.

3 The legal context

The Equality Act 2010 replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It consolidated this legislation and also provided some changes that schools need to consider.

The Act provides protection from discrimination, harassment and victimisation and confirms and extends certain types of unlawful discriminatory behaviour based on aspects of a person's identity known as '**protected characteristics**'.

These are:

- Age
- Disability
- Gender reassignment
- Race (including colour, ethnic or national origins and nationality)
- Religion, faith or belief
- Sex
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity.

The Equality Act applies to all schools and academies irrespective of how they are funded or managed and applies to the school as employers, as education providers and service providers. It applies to the way in which schools treat pupils (including prospective and former pupils), job applicants, members of staff, parents/carers and the wider school community. The Equality Act covers all aspects of school life in relation to pupils and members of staff.

The Equality Act introduced a single **Public Sector Equality Duty** (sometimes referred to as the “**general duty**”) which applies to all schools (except those in the private sector), as well as **two “specific duties”**.

The Public Sector Equality Duty or “general duty”

This applies to all protected characteristics and requires schools to take steps to eliminate unlawful discrimination and to actively promote equality. The **general duty** has three main elements which schools are required to have ‘due regard’ to when making decisions and developing policies.

When carrying out our functions, we will have due regard to the need to:

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

Two “specific duties”

In order to comply with their **specific duties**, schools are required to:

1. Publish information to demonstrate how they are complying with their general duty;
2. Prepare and publish Equality Objectives.

Schools are required to update published equality information at least annually and to publish one or more measurable and specific Equality Objectives at least once every four years.

We understand that from time to time further legislation and guidance is published by the Government and relevant legal bodies and we will continually monitor and implement relevant policy and practice to ensure compliance.

4 Roles and responsibilities

All governors, staff, volunteers, pupils and their families need to develop an appropriate understanding of, and act in accordance with, the school's Equality and Diversity Policy.

In addition, the Governing Board are responsible for ensuring that the school prepares, publishes, implements, reports on, and reviews the Equality and Diversity Policy and Accessibility Plan (including budget requirements), and in particular the employment implications of meeting the Duty.

The Governing Board is responsible for the implementation of this policy and will delegate the day-to-day operational responsibility to the Headteacher.

The school's "responsible body" is the Governing Board. The responsible body is liable for breaches of the Equality Act. The responsible body will be liable for the actions of the school's employees and agents unless it can show that it has taken all reasonable steps to prevent discrimination harassment or victimisation from taking place.

Individuals working at school must also not discriminate against pupils or against their colleagues. If they do breach the Equality Act, they may be held personally responsible and liable for their own actions.

All visitors to the school, including volunteers and parents/carers, are expected to support our commitment to equality and comply with the duties set out in this policy. This policy, our Accessibility Plan and Equality Objectives are available to view on the school website (paper copies are available from the school office, upon request). The school's Equality Objectives are displayed in the main reception area and also in the staff room.

5 What we are doing to eliminate discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act

- We take account of equality issues in relation to admissions and exclusions, the way we provide education for our pupils and the way we provide access pupils to facilities and services.
- We are aware of the reasonable adjustment duty for disabled pupils – designed to enhance access and participation to the level of non-disabled pupils and stop disabled pupils being placed at a disadvantage compared to their non-disabled peers.

- The Headteacher ensures that all appointment panels give due regard to this policy so that no one is discriminated against when it comes to employment, promotion or training opportunities.
- We ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones.
- We take seriously the need to consider the equality implications when we develop, adapt and review any policy or procedure and whenever we make significant decisions about the day-to-day life of the school.
- We actively promote equality and diversity through the curriculum and by creating an environment which champions respect for all.
- We ensure that our admissions arrangements are fair and transparent, and we do not discriminate against pupils by treating them less favourably on the grounds of their sex, race, disability, religion or belief, sexual orientation or gender reassignment.
- The school's Behaviour Policy takes full account of the duties under the Equality Act. We make reasonable, appropriate and flexible adjustments for pupils with a disability.
- We closely monitor data on exclusions and absence for evidence of over-representation of different groups and take action promptly to address concerns.
- The school challenges all forms of prejudice and prejudice-based bullying, which stand in the way of fulfilling our commitment to inclusion and equality. We treat all bullying incidents equally seriously.

6 What we are doing to advance equality of opportunity between people who share a relevant protected characteristic and those who do not share it

- We know the needs of our pupils very well and collect and analyse data in order to inform our planning and identify targets to achieve improvements.
- We have procedures, working in partnership with parents and carers, to identify pupils who have a disability through our admissions arrangements, including good links with feeder pre-schools.
- We collect data and monitor progress and outcomes of different groups of pupils and use this data to support school improvement. We take action to close any gaps, for example, for those making slow progress in acquiring age-appropriate literacy and number skills.

- We collect, analyse and use data in relation to attendance and exclusions of different groups.
- We avoid language that runs the risk of placing a ceiling on any pupils' achievement or that seeks to define their potential as learners, such as "less able".
- We use a range of teaching strategies that ensures we meet the needs of all pupils.
- We provide support to pupils at risk of underachieving.
- We are alert and proactive about the potentially damaging impact of negative language in matters such as race, gender, disability and sexuality.
- We ensure equality of access for all pupils to a broad and balanced curriculum, removing barriers to participation where necessary.
- We will take positive and proportionate action to address the disadvantage faced by particular groups of pupils with particular protected characteristics, such as targeted support. The actions will be designed to meet the school's Equality Objectives.

7 What we are doing to foster good relations across all protected characteristics between people who share a protected characteristic and those who do not share it

- We work closely and openly with parents and carers.
- We communicate and engage with a variety of community groups.
- We enable employers and other groups to work with pupils in the school to broaden and deepen their educational experience.

8 Unlawful behaviour

There are four main types of unlawful behaviour; six for people with a disability.

These are:

- direct discrimination (including by association and by perception)
- indirect discrimination
- victimisation
- harassment

and for disability:

- discrimination arising from a disability
- failure to make reasonable adjustments.

9 How the Equality Act applies to pupils

The Equality Act makes it unlawful for the responsible body (Governing Board) of a school to discriminate against, harass or victimise a pupil or potential pupil in relation:

- to admissions
- to the way it provides education for pupils
- to the way it provides access to any benefit, facility or service to pupils
- to excluding a pupil or subjecting them to any other detriment.

The Equality Act extends the victimisation provisions so it is now unlawful to victimise a pupil for anything done in relation to the Act by their parent or sibling.

10 How the Equality Act applies to employees

The Equality Act applies to all members of staff. Staff do not have to be working under a contract of employment to be protected against discrimination under the Act.

The Equality Act covers job applicants, employees (and sometimes former employees), agency staff or contract workers, casual workers and trainees.

The Governing Board is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a supportive and inclusive working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

We do not discriminate against staff on the basis of age; disability; gender reassignment; race; religion, faith or belief; sex; sexual orientation; marriage and civil partnership; pregnancy and maternity (Equality Act 2010 **protected characteristics**).

The principles of non-discrimination and equality of opportunity also apply to the way in which staff and governors treat visitors, volunteers, contractors and former staff members.

All staff have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against or harass other members of staff, regardless of their status.

This policy does not form part of any employee's contract of employment and may be amended at any time.

This policy covers all individuals working at all levels and grades, including senior leaders, employees, trainees, part-time and fixed-term employees, volunteers, casual workers, agency staff and governors (collectively referred to as staff in this policy).

All leaders must set an appropriate standard of behaviour, lead by example and ensure that those they manage adhere to the policy and promote the school's aims and objectives with regard to equal opportunities. Leaders will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice.

The Headteacher has overall responsibility for equal opportunities training. All members of staff are personally responsible for ensuring that they adhere to the policy and promote our aims and objectives with regard to equal opportunities. In certain circumstances, the Governing Board could be held to be vicariously liable for actions of their staff. Staff should be aware that they may be personally liable if they are found to have discriminated against another person whilst in school or on school-related business.

This policy applies to all aspects of our relationship with staff and to relations between staff members at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, conditions of service, pay and benefits, conduct at work, disciplinary and grievance procedures and termination of employment.

We will take appropriate steps to accommodate the requirements of different religions, cultures and domestic responsibilities.

11 Staff training

The Equality and Human Rights Commission Guidance states that equality training can be an important part of showing that an employer is preventing discrimination, harassment and victimisation from occurring.

The Department for Education's non-statutory advice for schools also states "*evidence of staff training on the Equality Act would be appropriate...*" in relation to schools showing compliance with the first element of the Public Sector Equality Duty.

Given that the school will be liable for the actions of employees and agents unless it can be shown that it has taken all reasonable steps to prevent discrimination, harassment or victimisation from taking place, and given staff may be personally liable if they breach the Act, we will ensure that all staff and governors receive equality training. This will ensure that they are clear about their duties and responsibilities under the Equality Act and that they understand how equality law applies to them.

12 Forms of discrimination (employees)

Discrimination by, or against an employee, is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics set out above.

For example, rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

Indirect discrimination is where there is a provision, criterion or practice that applies to everyone but adversely affects people with a particular protected characteristic more than others, and is not justified. For example, a requirement to work full-time adversely affects women because they generally have greater childcare commitments than men. Such a requirement will be discriminatory unless it is objectively justified.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, creating an intimidating, hostile, degrading, humiliating or offensive environment for them or peer-on-peer abuse. Harassment is dealt with further in our staff Bullying and Harassment Policy.

Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

13 Fixed-term employees, casual and agency workers

The school monitors its use of fixed-term employees, casual and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. The school will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

14 Part-time work

The school monitors the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. The school will ensure requests to alter working hours are dealt with appropriately using the flexible working guidance and procedure.

15 Staff training and promotion and conditions of service

Staff training needs will be identified through annual staff appraisals. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.

Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all staff who should have access to them and that there are no unlawful obstacles to accessing them.

16 Discipline and termination of employment

We will ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

17 The Equality Act in relation to disability

Section 15 of the Equality Act extended the protection from discrimination available for people with a disability. Discrimination occurs under this provision, if a disabled pupil or member of staff is treated unfavourably because of something arising in consequence of their disability, and the treatment cannot be justified as a proportionate means of achieving a legitimate aim.

If a member of staff is disabled or becomes disabled, we encourage them to inform the Headteacher about their condition so that they can be supported as appropriate.

If a staff member experiences difficulties at work because of their disability, they should speak to the Headteacher to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The Headteacher may wish to consult with the staff member and their medical adviser(s) about possible adjustments. The school will consider the matter carefully and try to accommodate the staff member's needs. If the Headteacher considers a particular adjustment would not be reasonable, they will explain their reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled workers and job applicants at a substantial disadvantage compared to other staff. Where reasonable, the school will take steps to improve access for disabled staff.

18 Reasonable adjustments

The duty to make reasonable adjustments which existed under the Disability Discrimination Act (DDA) is replicated in the Equality Act. The duty is triggered where a disabled person is placed at a substantial disadvantage in comparison to others who are not disabled and requires schools to take such steps as is reasonable to avoid the disadvantage.

There are three parts to the duty:

- changing the way things are done
- making changes to physical features
- providing auxiliary aids.

19 Accessibility Plan

Schools are required to publish an Accessibility Plan which demonstrates how the school plans to:

- increase the extent to which disabled pupils can participate in the school's curriculum;
- improve and maintain the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the school;
- improve the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.

20 Equality Objectives

The Department for Education's non-statutory advice for schools states that a school "*should set as many objectives as it believes are appropriate to its size and circumstances; the objectives should fit the school's needs and be achievable*". Schools are therefore free to choose equality objectives that best suit their individual circumstances and contribute to the welfare of their pupils and the school community.

Good objectives will be specific and measurable. The development of objectives is one of the most significant ways in which the school can demonstrate it is meeting its obligations under the general duty. These objectives are identified to represent the school's priorities and are the outcome of a careful review of and analysis of data and other evidence. They also take into account national and local priorities and issues.

We evaluate our success in meeting the Public Service Equality Duties by the extent to which we achieve improved outcomes for the different groups. We produce equality data analysis which informs our discussions about the Equality Objectives.

Our Equality Objectives for 2024-2027 are:

- 1. To reduce prejudice and increase understanding of equality through direct teaching across the curriculum, including PSHE and RSE.**
- 2. To increase staff's understanding of equality and its implications on a day-to-day basis, in order to reduce or remove inequalities in attainment throughout the school, particularly inequalities relating to the protected characteristics listed in the Equality Act.**
- 3. To increase the level of pupil voice by extending our pupil leadership roles to include a fair representation of all pupils in school, in order to foster good relationships in the school between those who have protected characteristics and those who do not.**

The school's progress towards these objectives will be evaluated annually. We note also that Ofsted has a statutory duty to report on the outcomes and provision for students who are disabled and those who have special educational needs.

21 Breaches of this policy

If a member of staff believes that they may have been discriminated against, they are encouraged to raise the matter through our Grievance Policy and Procedure. If a member of staff believes that they may have been subject to harassment or bullying, they are encouraged to raise the matter through our staff Bullying and Harassment Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our Disciplinary Policy and Procedure.

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

22 Monitoring and reviewing the policy

The Governing Board is responsible for the effective implementation of this policy. The Headteacher, with responsibility for equalities issues, has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. The responsibility for monitoring the implementation of this policy has been delegated to the Headteacher.

This policy will be reviewed every three years by the Governing Board.

Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Headteacher.

23 Monitoring and reviewing the Equality Objectives

The school reviews and updates the equality objectives every three years. We will publish an evaluation of the success in meeting these objectives annually, on the school website.

24 Disseminating the policy

This Equality and Diversity Policy, the Equality Objectives and evaluation of the success in meeting these objectives are available:

- on the school website
- as paper copies available from the school office, upon request
- as part of the induction pack for new staff.

25 Links to other policies

Although this policy is the key document for information about our approach to equalities in line with the Public Sector Equality Duty, we ensure that information about our responsibilities under the Equality Act are also included in other aspects of school life such as the School Improvement Plan, website, newsletters and other policies:

- Accessibility Plan
- Appraisal Policy
- Bullying and Harassment Policy
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- SEND Policy
- Staff Code of Conduct
- Whistleblowing Policy and Procedure