



St Nicholas C of E (VC) Primary School

'Love your neighbour as yourself.' Matthew 22:37

Equal opportunities Policy

Purpose

The Equal Opportunities Policy will assist the governing body to address legal, managerial and social issues from the basis of a statement of commitment to equality supported by more detailed policy and procedures for implementation.

The legal responsibilities of governors with respect to promoting equal opportunities are set out in further detail in Section 12 of the DfES Publication A Guide to the Law for School Governors. Governors are strongly advised to familiarise themselves with this guide.

The Equality Act 2010

The general thrust of The Equality Act 2010 is to make many activities illegal unless they fall within one or more of the statutory exceptions. Unlawful discrimination or 'prohibited conduct' under The Equality Act extends to discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation. There is, however, very often a distinction to be made between what a provider of education does as an employer of staff and what that same provider does in relation to its pupils and students. The Law of Education concentrates on pupils and students in an educational environment rather than detailed information on discrimination in staff and employment. This needs to be covered under policies as they relate to employment; some reference is made to this in the latter part of these guidelines.

Rationale

The governing body and school is committed to a policy of equality and aims to ensure that no employee, job applicant, pupil or other member of the school community is treated less favourably on grounds of sex, race, colour, ethnic or national origin, marital status, age, sexual orientation, disability or religious belief.

Any behaviour, comments or attitudes that undermine or threaten an individual's self-esteem on these grounds will not be tolerated. We aim to provide equal access to high quality educational opportunities and to ensure that everyone feels that they are a valued member of the school community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated. We aim to empower our pupils to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community.

Equality of opportunity cannot be realised without the involvement and commitment of all members of the school community and a common understanding of the pivotal role of equal opportunities in the context of the school's ethos and values, in particular, the recognition that the role of all staff is crucial in the delivery of the objectives of the policy. All members of the school community are responsible for promoting the school's equal opportunities policy and are obliged to respect and act in accordance with the policy.

Aims

The governing body and school, through its adopted Equal Opportunities Policy, aims to:

- carry out its legal duty in complying with the relevant legislation (including The Sex Discrimination Act, Race Relations Act, Disability Discrimination Act and Employment Equality Regulations);
- reinforce the school's position as a provider of high quality education and as a good employer providing development opportunities;
- ensure that equality remains high on the school's strategic agenda;

- establish good people management practice and to set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response;
- achieve a staffing composition that reflects the composition of the wider community;
- ensure all staff work together with a shared sense of purpose to meet the needs of every pupil;
- ensure that pupils and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals, being mindful of the Protected Characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.;
- ensure that complaints or evidence of failure to comply with the school's equal opportunities policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. complaints relating to staff may be investigated either under the disciplinary, grievance or anti-harassment procedure as appropriate). All forms of discrimination by any person within the school's responsibility will be treated seriously as such behaviour is unacceptable.

Policy and planning

Equal opportunities implications, including race equality, will be considered and recorded whenever school policies are developed or reviewed. All policies will be regularly reviewed to provide a comprehensive and consistent process of monitoring and evaluation.

Employment matters Appointments: in all staff appointments the best candidate will be appointed based on strict professional criteria.

Family-friendly policies: the governing body/school is a family-friendly employer and will do its best to respond to the changing needs of all staff by publicising existing schemes designed to support employees in combining work and other responsibilities (parental leave arrangements, job share opportunities, flexitime where appropriate, carers' leave provision).

HIV/AIDS: the governing body/school recognises that people with HIV/AIDS suffer not only from the purely medical effects of the infection but may also experience prejudice and misunderstanding leading to unfair discrimination and victimisation. The governors/school therefore will ensure that people with HIV/AIDS do not experience unfair treatment in relation to employment, as pupils or as other members of the school community. The school and governing body will follow the detailed guidelines regarding staff recruitment and pupil admissions set out in Appendix B.

Transsexual employees and gender reassignment: The Sex Discrimination Act now expressly covers discrimination on grounds of gender reassignment. *[Governors/school should consult their local authority's gender reassignment code of practice. This provides clear guidelines in respect of recruitment and selection and arrangements for existing staff in cases of gender reassignment.]*

Training and development The success of the Equal Opportunities Policy is closely linked to the provision of relevant training. Governors will be encouraged to take up all relevant opportunities provided by the Local Authority's Governors Training Programme. The school will endeavour to:

- enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status;
- provide equal access to training and development opportunities for all staff, including part time, on the basis of their assessed training needs;
- promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and pupils can make;

- equip employees with the skills to provide personal and organisational solutions, discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally. Wiltshire Council's Equal Opportunities Guidelines and Model Policy Statement for Schools Professional development involves a continuous process of learning involving self-development, encouragement and motivation. The school places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the school's performance management system.

Pupils and the curriculum The school follows local authority and/or governing body pupil admission policies that do not permit sex, race, colour or disability to be used as criteria for admission. The schools aim is to provide for all pupils according to their needs, irrespective of gender, ability or ethnic origin. The Education Reform Act 1988 stated that 'the school curriculum should reflect the culturally diverse society to which pupils belong and of which they will become adult members.' Pupils should have access to a broad and balanced curriculum which avoids stereotypes and provides good role models for all pupils. Equality of opportunity should inform the whole of the curriculum and be reviewed regularly. Equal opportunities issues will be taken account of in planning the curriculum. This should be reflected in curriculum planning documentation.

Monitoring, review and evaluation

1. Governors have a duty to ensure that policies are regularly monitored and reviewed. Monitoring is an essential aspect of this policy, as it should provide important information by which the school can measure its performance against its aims and objectives. Statistical information can also enable the governors and head teacher to detect where potential or actual imbalances exist and to take steps to correct them.

2. Monitoring with respect to employment will be undertaken in the following areas on at least an annual basis by sex, race, disability, grade and subject area:

- composition of the school staff;
- recruitment trends;
- take up of training opportunities;
- promotion patterns;
- use of complaints procedure;
- use of grievance, disciplinary, harassment etc;
- use of sanctions;
- take-up of family-friendly policies, e.g. flexible working arrangements.

3. Exit interviews can also provide further helpful information and feedback.

4. Governors should ensure that the Equal Opportunities Policy is reviewed on an annual basis.

Appendix A: Discrimination, victimisation and harassment

Discrimination on grounds of race, sex, disability, religion or belief, or sexual orientation is illegal. However, for the school community, discrimination is also unacceptable on any of the other grounds referred to in this policy statement. Failure to comply with the policy will be fully and promptly investigated using the appropriate procedures. There are four ways in which discrimination may occur: 1.

Direct discrimination: This means treating someone less favourably than others would be treated in the same or similar circumstances on the grounds of race, sex etc

Indirect discrimination: This means applying a requirement or condition which cannot be justified to all groups but which has a disproportionately adverse effect on one group because the proportion of that group which can comply is smaller than the proportion of the group(s) which can comply with it.

Victimisation: This occurs when a person is treated less favourably than other persons would be treated because that person has done a 'protected act' under the Equal Pay Act, Sex Discrimination Act, Race Relations Act or Employment Equality Regulations, for example, by bringing forward proceedings or giving evidence or information.

Harassment: Harassment can take many forms, from the most obvious abusive remarks to extremely subtle use of power. As with unfair or unlawful discrimination, harassment can be intentional or unintentional. However, the key issue is not simply the intention of the offender but the impact of the behaviour on the person receiving it. Harassment may involve any of the following:

- physical contact or violence;
- offensive humiliating and intimidating remarks or actions;
- exclusion from participation in job-related or classroom-related discussions, training or social or other events;
- unfair work allocation;
- unjust or excessive or humiliating criticism of performance;
- offensive signs or notices;
- graffiti;
- repeated demands or requests for sexual favours.

These are merely examples and not an exhaustive list. Whatever the form, the school will provide support for any member of the school community, pupil or staff member who feels threatened or isolated because of such actions.

Appendix B:

HIV/AIDS guidelines

The governors and school will:

- ensure that job applicants who are deemed to be medically fit to perform the job for which they have applied, are not denied an offer of work solely because they are HIV positive. In arriving at the decision, the school's normal recruitment criteria will be observed including the normal medical procedures;

- ensure, where possible, that resources are available to support employees or pupils with AIDS or other major health problems associated with HIV infection. The school's normal rules and procedures regarding ill health will apply in such cases. Equally the school will make appropriate arrangements for the provision of counselling (i.e. by referral to external agencies);
- give positive consideration to applications for unpaid leave for those with responsibility for caring for people with AIDS-related conditions in accordance with carers' leave arrangements;
- treat any breaches of confidentiality as a serious matter to be dealt with in accordance with the normal disciplinary (or other appropriate) procedure;
- provide appropriate training in relation to AIDS in order to combat fears and prejudice and to enable the school community as a whole to function without risk to health.

Date of issue:	September 2023
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To be reviewed	Headteacher, Staff and Governors
Authorised by	Headteacher and Governors