

Diversity and Equalities Policy

Introduction

This policy aims to outline **Dearham Primary School's** commitment to ensuring equality of opportunity and equal treatment for children, staff, families and other stakeholders in terms of employment and access to services; and to provide guidance on anti-discriminatory practice. This policy is non-contractual.

Scope

The policy applies to employees directly employed by **Dearham Primary School**, to children, families, workers employed via agencies, contractors in terms of employment and all other stakeholders in terms of service provision. The policy applies specifically to discrimination and equality of opportunity in respect of 'protected characteristics' as defined in the Equalities Act 2010:

- (a) Age
- (b) Disability
- (c) Race
- (d) Sex
- (e) Religion
- (f) Gender
- (g) Marital status and civil partnership
- (h) Sexual orientation

- (i) Pregnancy and maternity

The policy applies across the range of employment policies and practice, including those relating to Discipline, Grievance, Harassment and Complaints.

Responsibilities

Dearham Primary School values its children, families, staff, contractors, workers and other stakeholders, and expects them to be treated in a respectful manner. Accordingly, all have a responsibility to treat others with dignity and mutual respect. The Head Teacher and Board of Governors are responsible for providing advice and guidance on equality and diversity issues, and to ensure the Policy document is kept up to date.

Aims

Dearham Primary School aims to:

- Promote equality of opportunity
- Celebrate and value diversity
- Eliminate unlawful direct and indirect discrimination

Dearham Primary School will provide equality of opportunity and equal treatment as an integral part of good practice. The school is committed to a working environment in which the contribution and needs of everyone are fully valued and recognised. We will support our children, families, staff, contractors, workers and other stakeholders, in not tolerating any inappropriate, violent or abusive behaviour.

General purpose

Dearham Primary Schools practices will ensure that children, families, staff, contractors, workers and other stakeholders will not be discriminated against on any grounds including age, disability, race, sex, religion or cultural beliefs, gender reassignment, marital status and civil partnership, sexual orientation, pregnancy and maternity.

Dearham Primary School's commitment to anti-discriminatory practice relates to all kinds of discrimination, as set out below:

- Direct discrimination - where someone is treated less favourably than another because they have a protected characteristic
- Indirect discrimination – when a requirement or a condition is applied which has a detrimental effect on a particular group or individual. This applies even if there was not a deliberate intention to discriminate.
- Associative discrimination – direct discrimination against someone because they associate with another person who has a protected characteristic.
- Perceptive discrimination - direct discrimination against someone because others think they have a protected characteristic even if they do not possess that characteristic.
- Harassment – unwanted conduct related to a protected characteristic which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. This applies even if the conduct is not directed at the individual or if they do not have the protected characteristic.
- Third party harassment – potential liability for the harassment of staff by others such as clients or customers.
- Victimisation – when someone is treated badly because they have made or supported a complaint under the Equalities Act or it is thought that they have done so.

Employment Practices

Dearham Primary School aims to promote equality and diversity and to ensure that no job applicant or employee receives less favourable treatment or is disadvantaged by conditions or requirements that cannot be shown to be justifiable in the context of the policy. Selection, recruitment, training, promotion and employment practices will be subject to regular review to ensure that they comply with the Diversity and Equalities Policy. All training opportunities will be published widely to all appropriate employees and not in such a way so as to exclude particular groups.

Dearham Primary School regards discrimination, abuse, harassment, victimisation or bullying of children, families, staff, contractors, workers and other stakeholders in the course of work as disciplinary offences that could be regarded as gross misconduct.

Dearham Primary School as Service Provider

In developing its services, **Dearham Primary School** will seek to ensure access to all stakeholders, this will include, wherever practicable, making specific access arrangements for all person/persons with disabilities or learning difficulties, or any other protected characteristic which may apply, such as religion and belief.

Dearham Primary School will attempt to ensure that none of its policies discriminate directly or indirectly against any group or individual.

Data Collection

Dearham Primary School complies with the requirement of the Data Protection Act. Any data, either qualitative and or quantitative, required in order to monitor the requirements or the impact of the Equalities Act 2010, will be collected where it is reasonable, proportionate and practical to do so. Any such requirements will be notified to **Dearham Primary Schools** stakeholders and will follow a common data format.

This policy will be reviewed on an on-going basis and amended in line with new developments in Equality and Diversity best practice and read in line with the following policies: Anti-Bullying, Behaviour, SEN and Gifted and Talented.

Dearham Primary School fully supports the principle of equality and diversity. We aim to encourage, value and manage diversity and we recognise that talent and potential are distributed across the school. Not only are there moral and social reasons for promoting equality of opportunity, it is in the best interest of this school to recruit and develop the best people for our jobs from as wide and diverse a pool of talent as possible.

Dearham Primary School recognises that certain groups and individuals in society are oppressed and disadvantaged due to discrimination directed against them. We aim to remove any barriers, bias or discrimination that prevents individuals or groups from realising their potential and contributing fully to our school's performance and to develop an organisational culture that positively values diversity.

Discrimination operates through commonly held assumptions and prejudices, which are reinforced by laws, rules and customs. This makes discrimination appear normal and inevitable. Discrimination works by stereotyping people into different roles, by treating some people worse than others, or simply by ignoring them.

Dearham Primary School is committed to opposing all forms of discrimination including that based on protected characteristics such as age, disability, gender reassignment, race (including colour, nationality, and ethnic or national origins), religion or belief, sex, sexual orientation, marriage or civil partnership, pregnancy and maternity. This list is not exhaustive.

Discrimination can be direct, associative, perceptive, indirect, harassment (including by 3rd parties) or victimisation. (See glossary at end for definitions). All forms of discrimination are unacceptable, regardless of whether there was any intention to discriminate or not. All stakeholders have a duty to co-operate with **Dearham Primary School** to ensure that this policy is effective in ensuring equal opportunities and in preventing discrimination. Staff should draw the attention of their line manager to suspected discriminatory acts or practices or cases of bullying or harassment.

Dearham Primary School recognises that the promotion of equal opportunities requires more than passive opposition to discrimination; we are therefore committed to taking positive action towards equality of opportunity. We further recognise that the limited resources and the operational needs of the organisation may impose justifiable restrictions upon our ability to take such action. However, we will undertake regular monitoring and review the effectiveness of this Policy.

Legislation

We will take all reasonable steps to ensure that all staff and stakeholders do not unlawfully discriminate under:

- (j) The Rehabilitation of Offenders Act 1974;
- (k) The Employment Rights Act 1996;
- (l) The Human Rights Act 1998;

- (m) The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- (n) The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002;
- (o) The Civil Partnership Act 2004
- (p) The Work and Families Act 2006;
- (q) The Equality Act 2010;
- (r) Race Relations Act 1976;
- (s) Disability Equality Duty
- (t) Gender Equality Duty
- (u) Racial Equality Code of Practice for Employment
- (v) The Sex Discrimination Act 1975
- (w) Equal Pay Act 1970
- (x) The Disability Discrimination Act (DDA) 1995 and;
- (y) Any other relevant legislation in force from time to time relating to discrimination in employment and the provision of goods, facilities or services.

Equal Opportunities Policy Implementation:

- i) **Dearham Primary School** is committed to promotion of equal opportunities in all aspects of our work including management, employment practices with both paid workers and volunteers, access to services and service provision.
- ii) The Governing Body shall ensure that it acts in such a way that no individual or group referred to in this policy is discriminated against, in particular:
 - by making arrangements to accommodate the needs of the Governing Body and volunteers including travel and care costs;
 - by providing information in a way that is accessible, for example, large print, community languages etc.;
 - by meeting in premises with facilities which are physically accessible to those participating;
 - by making training in discrimination awareness and equal opportunities available to all members of the Governing Body, paid workers and volunteers.
- iii) The recruitment of paid workers and volunteers shall be undertaken in accordance with this policy, in particular:
 - by ensuring that posts are advertised in such a way as to encourage applications from groups experiencing discrimination;
 - by preparing job descriptions which clearly set out what the worker is to do, and person specifications which recognise that relevant experience can be as valuable as qualifications or previous paid employment;
 - by ensuring that in all selection procedures only factors relevant to the requirements of the post are taken into account, and that the spirit of the policy statement is adhered to;
 - by ensuring that a copy of this policy is to be sent to prospective applicants for all posts.
- iv) The employment of paid workers and volunteers shall be undertaken in accordance with this policy, in particular:
 - by providing training relevant to the needs of staff and designed to enable them to carry out their jobs;
 - by ensuring that any staff member who, in the course of their work, displays attitudes contrary to this policy to any person whether by word, behaviour or other manner shall be liable to disciplinary action;
 - by recognising and responding to the individual needs of staff, especially those who are carers or who have disabilities, and ensuring that, within available resources,

the necessary support is provided to enable them to work effectively.

Members Needs

In every aspect of the planning, management, access, provision and monitoring of services, the Governing Body and staff shall seek to promote equality of opportunity in accordance with this policy, in particular:

- by seeking to identify and respond to the needs of those groups experiencing discrimination, altering priorities and methods of service delivery where necessary;
- by seeking the views of stakeholders through an annual members Feedback Questionnaire;
- by liaison and consultation with relevant groups and by regular analysis of the user profiles, to monitor the extent to which services are being taken up by groups experiencing discrimination.

Dealing with third parties

Dearham Primary School will not unlawfully discriminate in dealings with third parties.

Review

The Governing Body shall regularly monitor and evaluate the effectiveness of this policy in achieving the stated aims. This process shall be undertaken at least annually, shall include the

review of each component of the policy, and shall aim to seek the views of stakeholders representing the interests of those groups referred to in this policy.

Complaints and Sanctions

Dearham Primary School will treat seriously any complaints of unlawful discrimination on any of the stated grounds made by children, families, staff, contractors, workers and other stakeholders and will take action where appropriate.

All complaints made by external parties will be investigated in accordance with **Dearham Primary Schools** Complaints Procedure and the complainant will be informed of the outcome.

In the event of an investigation concerning a complaint against an employee, **Dearham Primary Schools** Grievance Policy and Procedures will be followed and any action necessary dealt with under **Dearham Primary School's** Disciplinary Procedure. Complaints will be monitored annually and any outcomes/action recorded.

Glossary

Protected Characteristics

The protected characteristics as listed in the Equality Act 2010 are sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.

Disability

Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse affect on their ability to carry out day-to-day activities.

Gender reassignment

A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not have to be under medical supervision.

Race

Race includes colour, nationality and ethnic or national origins.

Religion or belief

Under the Equality Act 2010, religion includes any religion. It also includes lack of religion, in

other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

Sexual orientation

Includes bisexual, gay, heterosexual, and lesbian people.

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

Associative discrimination

This is direct discrimination against someone because they are linked or associated with another person who possesses a protected characteristic.

Perceptive discrimination

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic and which cannot be justified in relation to the job.

Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

Third party harassment

Harassment of employees by people (third parties) who are not employees of your company, such as clients.

Dearham Primary School has a duty to prevent harassment and may be liable if aware that harassment has occurred on at least two previous occasions and does not take reasonable steps to prevent it from happening again.