



'Educating For Life In All Its Fullness'

Harewood C of E Primary School

Equality and Diversity Policy

'Educating for Life in all its Fullness'

Date: Spring 2023

Review Date: Spring 2027

Headteacher: A. Ratcliffe

Chair of Governors: J. Jayne

School Values

‘Educating For life In All Its Fullness’

(John 10:10)

As a school, we shape all that we do, to allow children to develop a strong sense of their Emotional, Spiritual and Cultural self through our Christian values:

- **Honesty**
- **Forgiveness**
- **Courage**
- **Hope**
- **Community**

We ensure that children are prepared for future life and have the Cultural Capital to be active citizens of the world they live in. Through all work in school, children are supported in developing an understanding of their place in the world. Our collective Christian values shape our thinking and aim to promote the positive Physical, Emotional, Mental and Spiritual development of our community.

Safeguarding

The Governing Body and staff of Harewood C of E Primary School take as our first priority the responsibility to safeguard and promote the welfare of our pupils, to minimise risk and to work together with other agencies to ensure rigorous arrangements are in place within our school to identify, assess, and support those children who are suffering harm and to keep them safe and secure whilst in our care.

Equal Opportunities

We have a clear duty under the Equality Act 2010 to ensure that our teaching is accessible to all pupils, including those who are lesbian, gay, bisexual and transgender (LGBT). Our inclusive curriculum will foster good relations between pupils, tackle all types of prejudice, including homophobia, and promote understanding and respect, enabling us to meet the requirements, and live the intended spirit, of the Equality Act 2010.

Equality Policy

Our School Aims

At Harewood CE Primary School we strive to be leaders in the development of high quality primary education. Key to this is outstanding and innovative practice in the following areas;

- ***ETHOS - Fostering a loving, caring community, underpinned by our Christian ethos, in which everyone, regardless of our differences, feels valued, nurtured and secure***
- ***LEARNING - Creating a stimulating, vibrant educational environment, demonstrating the highest quality teaching consistently throughout the school, so that each and every child can make the best possible progress***
- ***THE WHOLE CHILD - Developing all aspects - spiritual, moral, mental, physical, social and emotional – of each child through exciting and dynamic opportunities and experiences, so that every child will blossom to their full potential, and so become a positive citizen of our modern, multicultural World.***

Introduction

The Equality Act 2010 makes it unlawful for the responsible body of a school to discriminate against, harass or victimise anyone (pupil, potential pupil or any other person):

- in relation to admissions,
- in the way it provides education,
- in the way it provides access to any benefit, facility or service,
- in its activity

The Act essentially prevents schools from unlawfully discriminating against pupils, staff, parents or carers because of the following protected characteristics:

- age (*as appropriate for schools*);
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Under the Act the school has a public duty to “**have due regard**” to the need to:

- Eliminating unlawful discrimination, harassment and victimisation.
- Advancing equality of opportunity between people who share a protected characteristic and people who do not share it.
- Fostering good relations across all protected characteristics between people who share a protected characteristic and people who do not share it.

“Having due regard” means, in practice:

- Decision makers in schools must be aware of the duty to have “due regard” when making a decision or taking an action and must assess whether it may have implications for people with particular protected characteristics.
- Schools should consider equality implications before and at the time that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis.
- The Public Sector Equality Duty (our requirement in law to ensure Equality of treatment for those with “Protected Characteristics”) has to be integrated into the carrying out of the school’s functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind – it is not just a question of ticking boxes or following a particular process.
- Schools cannot delegate responsibility for carrying out the duty to anyone else.

How our school ethos, vision & values are reflected in meeting our duty:

At Harewood C of E Primary School we are committed to ensuring equality of education and opportunity for all pupils, staff, all those receiving services from the school and those working in any capacity with the school. We aim to develop a culture of inclusion and diversity in which people are able to participate fully in school life. We will not tolerate harassment or discrimination towards any member of our community.

We will take account of the recent legislation to ensure that we fulfil our duty towards all members of the school community. Where this refers to pupils, it will be measurable in terms of academic outcomes and the monitoring of pupil wellbeing, behaviour and safety. Where it refers to adults on site, including parents/carers, staff and members of the community it will be reflected in the engagement of adults and their perception of the school as a welcoming, inclusive environment. Governors will review the impact of our

Equality Policy through the Pupil Support Committee, by taking note of recorded/reported incidents, the development of the school and progress on the specific action plan. A lead will be taken on this by the named Equality Governor.

Equality of Achievement

We are fully committed to ensuring all pupils, including those sharing any of the protected characteristics, fulfil their potential and achieve highly. The achievement of pupils sharing any of the protected characteristics will be monitored and we will use this data to ensure inclusive teaching and participation. Whilst confidentiality should be protected, teaching staff will need to know sufficient information to enable them to plan for successful outcomes. Data based on special educational needs categories will not necessarily capture all those pupils who have disabilities. Not all pupils with a disability have an SEND. The identification of pupil disabilities will be managed sensitively and achievement will be monitored and supported.

Equality of Opportunities

We will make reasonable adjustments to ensure that the school environment is as accessible and inclusive as possible.

We recognise that many of our school's policies and practices may have an impact on participation and outcomes for those who come into protected categories who are pupils, staff, receiving services from the school and working in any capacity with the school. Due regard will be given to equality when decisions are made in school, in Actions Plans for the School Development Plan and when policies are written and reviewed. A named Governor will be responsible for liaising with the school leadership and championing Equality in governing body discussions.

Due regard to the individual protected characteristics will be shown in the following ways:

For all protected characteristics:

- Equality of opportunity and participation will be monitored at all levels of school life
- We will not discriminate against any member of the school community on the grounds of their characteristics, and will protect them against discrimination within our environment through teaching and pastoral care
- Attention will be given to school resources and activities to ensure that they are inclusive and non-discriminatory

Gender Equality

- Attention will be given within the curriculum and the school environment to ensure that gender does not impact on achievement, opportunity or the development of self image
- Significant differences in attainment for boys and girls will be identified, analysed and addressed

Race Equality

- Attention will be given within the curriculum and the school environment to ensure that race does not impact on achievement, opportunity or the development of self image
- We will promote a multi-cultural environment which celebrates the richness and diversity of our school community
- Throughout the school through the curriculum and through school activities we will engage with the World, promoting always mutual respect, value and tolerance.

Disability Equality

- Attention will be given within the curriculum and the school environment to ensure that disability does not impact on achievement, opportunity or the development of self image
- Awareness of the needs of those with disabilities within the school community will be appropriately addressed on a case by case basis through SEND provision or risk assessments
- Variation to school uniform will be permitted as required for pupils with a disability

- Where appropriate, positive discrimination will be applied to enable those with disabilities to participate fully and achieve their potential
- Our Accessibility Plan will be maintained to ensure that the school premises is managed for the needs of disabled users and revised aims are met

Religious / Belief Equality

- As a Church of England School we are required to demonstrate our 'distinctiveness' of provision through a Christian ethos and values. As a maintained school, our worship is required to be of a 'broadly Christian nature'. Notwithstanding this, we are also required to demonstrate equality and inclusion for members of the school community who may not share the Christian faith, or indeed have any religious belief or non.
- We are an inclusive school and embrace the diversity of members of other faith groups within our community without prejudice
- Parents may exercise their right to withdraw pupils from Religious Education and from Christian Worship and this is respected by staff and pupils
- Variation to school uniform will be permitted through discussion with the school for religious and cultural requirements
- We will seek to understand and accommodate the wishes of members of other faith groups where it would not be discriminatory or contrary to our ethos to do so

Sexual Orientation Equality

- Attention will be given to ensure that practice or actions in school do not negatively impact on the self image of children whatever their developing sexual orientation.
- As we are a primary school matters of sexual orientation are most likely to impact on the school in indirect ways; through same-sex parental or other family relationships or from the media, all of which will be handled fairly and without prejudice
- Any conflicts between an open and non-prejudicial approach to sexual orientation and religious beliefs or attitudes will take account of the guidance in the Appendix.

Gender Reassignment Equality

- Whilst it is unlikely that any pupil will be directly affected during the primary years, it *is* a possibility and so is the possibility that an adult in the school community will be affected. As this would impact on all of the community, it is important that this is included in our policy
- In the same way that other protected characteristics will be treated sensitively and without discrimination, issues around gender reassignment will be monitored and managed with regard to the Equality Act guidance.

Pregnancy or Maternity Equality

- Whilst it is unlikely that any pupil will be directly affected during the primary years, it *is* a possibility and it is likely that adults in the school community will be affected. It is important that this is included in our policy so that it is apparent we have addressed the equality issues involved
- Management of the care of any pupil who fell into this category would be through a multi-agency approach and involve members of the Child Protection team. The school's main responsibility would be in managing the situation sensitively and in seeking out the necessary advice and guidance
- The management of staff members and other adults within the school community who are experiencing pregnancy or maternity related issues will be dealt with in accordance with LA policy, which includes guidance on risk assessment and duties

Guiding principles

In fulfilling our statutory duties, we are guided by seven principles.

Principle 1: All members of the school and wider community are of equal value

We see all members of the school and wider community of equal value:

- whether or not they are disabled;
- whatever their ethnicity, culture or national origin;
- whatever their gender identity and sexual identity;
- whatever their religious or non-religious affiliation or background;
- whatever their age.

Principle 2: We recognise and respect diversity

Treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made;
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised;
- gender identity, including transgender people
- sexual identity/orientation so that the different needs and experiences of girls and boys, women and men lesbian, gay and bisexual people are recognised;
- religion belief or faith background;
- age (where appropriate).

Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging

We intend that our policies, procedures and activities should promote:

- positive attitudes towards people with disabilities, good relations between people with disabilities and those without, and an absence of harassment of any people;
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, or national origin, and an absence of prejudice-related bullying and incidents;
- mutual respect and good relations between boys and girls, women and men, lesbian, gay, bisexual and transgender people and an absence of sexual and homophobic harassment; and
- promote positive intergenerational attitudes and relationships.

Principle 4: We will ensure that the recruitment, retention and ongoing development of staff is undertaken in a fair and equitable manner to support our school's vision and values

Policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled;
- whatever their ethnicity, culture, religious affiliation, or national origin;
- whichever their gender and sexual orientation and with full respect for legal rights relating to pregnancy and maternity; and
- whatever their age.

Principle 5: We aim to reduce and remove inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people;
- people of different ethnic, cultural and religious backgrounds;
- girls and boys, women and men;
- lesbian, gay, bisexual, heterosexual and transgender people; and
- age (where appropriate).

Principle 6: We consult widely

People affected by a policy or activity should be consulted and involved in the design of new policies, and in the review of existing ones. Where possible we consult and involve:

- disabled people as well as non-disabled;
- people from a range of ethnic, cultural and religious backgrounds;
- both women and men, and girls and boys;
- lesbian, gay, bisexual, heterosexual and transgender people; and
- people of different ages and generations.

Principle 7: We feel that the community as a whole should benefit

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled;
- people of a wide range of ethnic, cultural and religious backgrounds;
- both women and men, girls and boys,
- lesbian, gay, bisexual, heterosexual and transgender people; and
- people of different ages and between generations.

4. Practical application of these principles

In the light of the principles stated above the following characteristics have been considered in order to identify practical objectives and plans of specific action:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

5. The curriculum

We will actively seek opportunities to review the curriculum in order to ensure that teaching and learning reflect the seven principles outlined above.

6. Training and development

We will ensure staff and governors are offered the opportunity to engage in appropriate training and development to support the achievement of the seven principles.

7. Ethos and organisation

We ensure that the principles listed above apply also to the full range of our policies and practices, including those that are concerned with:

- pupils' progress, attainment and assessment;
- pupils' and staff personal development, welfare and well-being;
- teaching styles and strategies;
- admissions and attendance;
- staff and governor recruitment, retention and professional development;
- care, guidance and support;
- behaviour, discipline and exclusions;
- working in partnership with parents, carers and guardians;
- working with the wider community;
- participation of groups in wider school activities; and
- preparing all members of the learning community for living and positively contributing to a diverse society.

8. Addressing prejudice and prejudice-related bullying

The school is opposed to all forms of prejudice which stand in the way of fulfilling legal duties for all aspects of equality:

- prejudices related to disability and special educational needs
- prejudices related to racism and xenophobia, including those that are directed towards religious groups and communities, for example anti-semitism and Islamophobia, and those that are directed against Travellers, refugees and people seeking asylum
- prejudices reflecting sexism, homophobia and transphobia

We take seriously our obligation to report regularly to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they were dealt with.

9. Roles and responsibilities

The governing board is responsible for ensuring that the school complies with current legislation, and that this policy statement and its related procedures and strategies are implemented.

The Equality Governor on the governing board is responsible for monitoring the implementation of this policy statement.

The head teacher is responsible for implementing the policy statement; for ensuring that all staff, governors and visitors are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.

The Headteacher and SLT have day-to-day responsibility for co-ordinating implementation of the policy statement.

All staff are expected to:

- promote an inclusive and collaborative ethos in their classroom;
- challenge and deal with any prejudice-related incidents that may occur;
- identify and challenge bias and stereotyping in the curriculum;
- support pupils in their class for whom English is an additional language;
- keep up-to-date with equalities legislation relevant to their work;
- ensure that pupils have the opportunity to have their voices heard with regards to equality issues

10. Information and resources

The content of this policy statement is shared regularly with all staff and governors and, as appropriate, to all pupils and parents and carers.

All staff and governors have access to a selection of resources which discuss and explain concepts of equality, diversity and community cohesion in appropriate detail.

11. Religious observance

We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

12. Breaches of the policy statement

Breaches will be dealt with through the relevant policies and procedures, for example the grievance or disciplinary policy.

13. Monitoring and review

Quantitative and qualitative data will be collected relating to the implementation of this policy and adjustments made as appropriate. In particular achievement data, broken down as appropriate according to special educational needs and disabilities, ethnicity, language, religious affiliation, national origin, sex, sexual orientation and age (as appropriate) will be analysed and used to inform objectives.

14. Publishing information on the school's public sector equality duty

This policy is available electronically on the school website, in hard copy on request at the school office and in the staff handbook and governor induction packs.

Review

This policy will be subject to review in line with changes in employment law and related policies and procedures. Our School Equality objectives and Accessibility Plan are reviewed at the times specified and are monitored by the Governing Body via the named equality governor.

Appendix – Accompanying Notes

Types of Discrimination

Direct discrimination

Direct Discrimination occurs when an individual receives less favourable treatment than another person in similar circumstances. This includes discrimination based on factual information, or the perception or assumptions relating to any of the above categories.

Examples of direct discrimination include:

- Failure to short-list any BME applicants even though they meet the relevant criteria.
- Refusing a woman a promotion because you are concerned that she might want to take time off to start a family in the future.
- Choosing not to give a female teacher a pay rise because she is pregnant
- Unfavourable treatment of an individual because they are suffering from cancer or are HIV positive.

Indirect discrimination

Indirect discrimination occurs when there's a practice, policy or rule which applies to everyone in the same way, places a group who share a characteristic at a particular disadvantage. Examples of indirect discrimination include:

- Stipulating that people must speak clear fluent English where the job does not require verbal communication.
- Refusal to consider part time working hours.

Discrimination by association

Associative discrimination occurs when someone discriminates against someone because they associate with another person who possesses a protected characteristic.

- Unfavourable treatment because a person has homosexual friends or relations or because a person is married to someone of a particular religion.

Genuine occupational requirements

Indirect discrimination may on rare occasions be justifiable by law if it relates to a specific requirement of a job where race, sexual orientation, religion, belief or gender is a genuine occupational requirement for the job. For example, an advertisement for the post of Head Teacher at a Catholic school could reasonably state that candidates must be practicing Catholics.

If such a requirement cannot be justified by an organisation, it may be deemed unlawful. An employment tribunal may deem a finding of unlawful discrimination even though an employer has no intention to discriminate.

Additional information around Equality

Gender Equality:

It is unlawful for a school, or a member of school staff, or anyone associated with the school, to harass or discriminate against a pupil or those associated with a pupil (eg members of the wider school community) on the grounds of gender, and equal opportunities must be actively extended to both sexes.

Gender Reassignment:

There are now specific duties or requirements on schools in relation to gender reassignment, as a 'protected characteristic'. This means that for the first time it will be unlawful for schools to treat pupils less favourably because of their gender reassignment and that schools will have to factor in gender reassignment when considering their obligations under the new Equality Duty.

Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. This definition means that in order to be protected under the Act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so.

It is relatively rare for pupils – particularly very young pupils – to want to undergo gender reassignment, but when a pupil does so a number of issues will arise which will need to be sensitively handled. There is evidence that the number of such cases is increasing and schools should aim to address any issues early on and in a proactive way.

Race Equality:

The definition of race includes colour, nationality and ethnic or national origins.

Schools need to make sure that pupils of all races are not singled out for different and less favourable treatment from that given to other pupils. Schools should check that there are no practices which could result in unfair, less favourable treatment of such pupils.

Disability Equality:

Disability equality differs from the other ‘characteristics’ in that the law on disability discrimination is different from the rest of the Act in a number of ways. In particular, it works in only one direction – that is to say, it protects disabled people but not people who are not disabled. This means that 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 more level footing with pupils without disabilities

Schools and LAs need to carry out accessibility planning for disabled pupils. These are the same duties as previously existed under the DDA and have been replicated in the Equality Act 2010.

Schools must implement accessibility plans which are aimed at:

- increasing the extent to which disabled pupils can participate in the curriculum;
- improving the physical environment of schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided; and
- improving the availability of accessible information to disabled pupils.

Schools will also need to have regard to the need to provide adequate resources for implementing plans and must regularly review them. An accessibility plan may be a freestanding document but may be included as part of the School Development Plan. OFSTED inspections may include a school’s accessibility plan as part of their review.

Religion or Belief Equality

The Equality Act defines “religion” as being any religion, and “belief” as any religious or philosophical belief. A lack of religion or a lack of belief is also a protected characteristic. To benefit from protection under the Act, a religion or belief must have a clear structure and belief system, and should have a certain level of cogency, seriousness and cohesion, and not be incompatible with human dignity.

“Religion” will include for example all the major faith groups and “belief” will include non-religious worldviews such as humanism. Religion will also include denominations or sects within a religion, such as Catholicism or Protestantism within Christianity. Lack of religion or belief is also included in the definition of “religion or belief”. It is not however intended to include political beliefs such as Communism or support for any particular political party.

There is a general exception, which applies to all schools, to the religion or belief provisions in the Act, which allows all schools to have acts of worship or other forms of collective religious observance. This means the daily act of collective worship, which for maintained schools is mandatory and should be of a broadly Christian nature, is not covered by the religion or belief provisions. The exception means that schools will not be acting unlawfully if they do not provide an equivalent act of worship for other faiths.

Similarly, schools are also free to celebrate religious festivals and could not be claimed to be discriminating against children of other faiths if, for example, they put on a nativity play at Christmas or hold a celebration to mark other religious festivals such as Diwali or Eid.

Sexual Orientation:

There is a relationship between protection because of sexual orientation and protection of religious freedom.

Protection in the area of discrimination on grounds of religion or belief and the right to manifest one’s religion or belief is set out above. Many people’s views on sexual orientation/sexual activity are themselves grounded in religious belief. Some schools with a religious character have concerns that they may be prevented from teaching in line with their religious ethos. Teachers have expressed concerns that they may be subject to legal action if they do not voice positive views on same sex relationships, whether or not this view accords with their faith. There are also concerns that schools with a religious character may teach and act in ways unacceptable to lesbian, gay and bisexual pupils and parents when same sex relationships are discussed because there are no express provisions to prevent this occurring.

Schools with a religious character, like all schools, have a responsibility for the welfare of the children in their care and to adhere to curriculum guidance. It is not the intention of the Equality Act to undermine their position as long as they

continue to uphold their responsibilities in these areas. If their beliefs are explained in an appropriate way in an educational context that takes into account existing guidance on the delivery of Sex and Relationships Education (SRE) and Religious Education (RE), then schools should not be acting unlawfully. However, if a school conveyed its belief in a way that involved haranguing, harassing or berating a particular pupil or group of pupils then this would be unacceptable in any circumstances and is likely to constitute unlawful discrimination.

Where individual teachers are concerned, having a view about something does not amount to discrimination. So it should not be unlawful for a teacher in any school to express personal views on sexual orientation provided that it is done in an appropriate manner and context (for example when responding to questions from pupils, or in an RE or Personal, Social, Health and Economic education (PSHE) lesson). However, it should be remembered that school teachers are in a very influential position and their actions and responsibilities are bound by much wider duties than this legislation. A teacher's ability to express his or her views should not extend to allowing them to discriminate against others.

Pupil Pregnancy or Maternity:

Local Authorities have a duty under the Education Act 1996 to provide suitable education for all pupils for whom they are responsible including pupils of compulsory school age who become parents. 'Suitable education' must meet the needs of the pupil and should take account of their age, ability, aptitude and individual needs including any special educational needs they may have. The 2001 guidance emphasises the importance of support from re-integration and education welfare officers to enable pregnant pupils and school age mothers to complete their education. Schools already have a duty of care to their pupils and it is not expected for them to have to alter their policies because of this new legal provision, providing they are not excluding pregnant pupils or requiring them to study at home or in alternative provision when they wish to remain in school, and are letting them return to education when they have had their babies.