




ASHMORE PARK

AND

PHOENIX NURSERY SCHOOLS  
FEDERATION

SINGLE EQUALITY  
POLICY

Senior Leadership Team/Compliance Governor(s) Review Date	03.03.2021
Governing Board Approved/Adopted	11.03.2021
Signed on behalf of the Governing Board/Committee	
Policy to be Reviewed Date	31.03.2023

**This Equality Policy replaces the School's previous policies as listed below:**

- Race Policy
- Disability Equality Scheme
- Gender Equality Scheme
- Equal Opportunity Policy.

**This policy should be read in conjunction with the following guidance documents:**

- The Public Sector Equality Duty Guidance for Schools in England April 2012 (Last Revised July 2014)
- Education and Inspections Act 2006
- Ofsted School Inspection Handbook May 2019 (Last Revised 2 September 2019)
- Wolverhampton City Council Standing Advisory Council on Religious Education Guidelines
- The Equality Act 2010 and Schools Guidance May 2014
- Wolverhampton City Councils Equality, Inclusion and Community Cohesion Audit Guidelines.

### **Purpose**

The purpose of this policy is to set out our commitment to equality and inclusion. In addition, it details how it intends to comply with the Equality Act 2010.

### **Mission Statement**

The Governing Board of the Federation is committed to ensuring equality of education and opportunity for all children, staff, parents and carers receiving services from their schools, irrespective of **sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity, (and age for staff)**. We will adhere to the legal definitions of these protected characteristics as set out in Appendix 1.

We aim to develop a culture of inclusion and diversity, in which all those connected to either school feel proud of their identity and able to participate fully in school life.

The achievement of children will be monitored by sex, race, disability and age, and we will use this data to support children, raise standards and ensure inclusive teaching. We will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes, and creating an environment, which champions respect for all. We believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit our schools.

### **Mainstreaming Equality into Policy and Practice**

Whilst both schools operate in accordance with equality of opportunity in their day-to-day practices specific actions may be identified which result in practices being modified in a particular school. Any anomalies will be identified and documented within the appropriate Federation Policy/Procedure.

## **Teaching and Learning**

We aim to provide all our pupils with the opportunity to succeed and to reach the highest level of personal achievement. To do this, we will:

- Use contextual data to improve the ways in which we provide support to individuals and groups of children
- Monitor achievement data by ethnicity, gender and disability and action any gaps, including providing targeted support where appropriate
- Take account of the achievement of all children when planning for future learning and setting challenging targets
- Ensure equality of access for all children and prepare them for life in a diverse society
- Use materials that reflect the diversity of each school population and local community without stereotyping, and expose children to a range of thoughts and ideas
- Promote attitudes and values that will challenge racist, and other discriminatory behaviour or prejudice
- Provide opportunities for children to appreciate their own culture and celebrate the diversity of other cultures
- Seek to involve all parents in supporting their child's education
- Encourage classroom and staffroom discussion on equality issues which reflect on social stereotypes, expectations and the impact on learning
- Include teaching and classroom based approaches appropriate to the whole school population, which are inclusive and reflective of our children within each school
- Seek to involve the community around each school in the celebration and raising awareness of cultural issues.

## **Admissions and Exclusions**

Our admission arrangements are fair and transparent, and do not discriminate against the protected characteristics or socio-economic factors of our children.

Exclusions will always be based on the Federation's Behaviour Policy. We will closely monitor exclusions to avoid any potential adverse impact and ensure any disproportionality is identified, and dealt with.

## **Equal Opportunities for Staff**

This section deals with aspects of equal opportunities relating to staff within the Federation. We are committed to the implementation of equal opportunities principles and the monitoring, and active promotion of equality in all aspects of staffing and employment.

All staff appointments and promotions are based on merit and ability, and are made in compliance with the law.

## **Employer Duties**

As an employer, we need to ensure that we eliminate discrimination, victimisation and harassment in our employment practice, and advance equality across all groups within our workforce.

Protected equality aspects such as age, sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity are considered when appointing staff. In particular, when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, we

ensure decisions are free from any form of discrimination. Actions to ensure our commitment is achieved include:

- Monitoring of recruitment and retention which includes bullying, and harassment of staff
- Continued professional development opportunities for all staff which are monitored as part of the performance management process
- Senior Leadership Team support to ensure equality of opportunity for all.

## **Equality and the Law**

**The Federation will ensure it does not unlawfully discriminate against its children, prospective children, staff, job applicants, or parents/carers in the performance of its duties, policies and practices.**

Discrimination means treating someone less (or more) favorably than a 'comparator'. Harassment (which is one form of discrimination) means violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for him or her. Victimisation means discrimination because of a previous complaint.

We recognise that discrimination can occur in the following ways and we will actively work to alleviate it:

- Direct discrimination
- Indirect discrimination
- Discrimination arising from disability including failure to make reasonable adjustments and provide auxiliary aids and services
- Harassment
- Victimisation.

## **Accessibility**

Our Federation will comply with the Advice on Standards for School Premises March 2015 and recognises that each school should be physically accessible to disabled children. We will plan to:

- Increase the extent to which disabled children can access their school's curriculum
- Improve the physical environment of each school to increase the extent to which disabled children can access education and associated services
- Improve access to written information, which is provided to disabled children.

This will be done within a reasonable period of time and in formats, which take account of the views expressed, by the children (where appropriate) and parents/carers about their preferred means of communication.

We will review our accessibility targets at least every three years. A copy of these targets can be found in the Accessibility and Disability Plan.

We will work actively to anticipate the needs of disabled staff and children, and will ensure the inclusion of disabled people by making reasonable adjustments. We will consider the following when deciding if a reasonable adjustment request can be met:

- How effective the change will be in assisting the disabled person
- Its practicality
- The cost

- The resources and size of the school (in question)
- The availability of any financial support
- Any safety issues.

### **The General Equality Duty and Public Sector Equality Duty**

From April 2011, The Equality Act 2010 introduced a single equality duty on all public bodies, including schools, which is extended to all protected strands – age, sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity. This combined equality duty, which replaces the three previous public sector equality duties, has three main elements. In the discharge of our functions, we will have due regard for the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

The Federation will tackle discrimination by:

- a. Recording and reporting all racist incidents, and prejudice related bullying incidents.

The Federation is committed to advancing equality of opportunity by:

- a. Removing or minimising disadvantages
- b. Taking steps to meet the needs of its children, parents/carers and staff
- c. Encourage participation in any activity in which participation of protected groups is disproportionately low.

The Federation will foster good relations by:

- a. Tackling prejudice and harassment including bullying
- b. Promoting understanding between children from different backgrounds.

The Federation undertakes routine equality monitoring of its children by race, gender, age and disability across a number of areas including admissions, exclusions, progress and attainment.

The Federation also undertakes routine equality monitoring of our staff. We will collect the following workforce information:

- The number of part-time/full-time staff and the race, gender, disability, and age distribution
- An indication of likely representation on sexual orientation, religion and belief, providing that individuals cannot be identified
- An indication of any issues for transsexual staff, based on our engagement with transsexual staff, providing that individuals cannot be identified, and voluntary groups
- Gender pay gap information
- Grievances and dismissals.

The Federation will undertake equality analysis on all relevant policies and decisions, as part of its policy review process.

## **Roles and Responsibilities**

### **The Role of Governors**

The Governing Board has set out its commitment to equal opportunities in this policy and it will continue to do all it can to ensure that the Federation is fully inclusive to all children, prospective children, and is responsive to their needs.

The Governing Board seeks to ensure that people are not discriminated against when applying for jobs across the Federation on the grounds of any of the protected characteristics. It will take all reasonable steps to ensure that each school environment allows people with disabilities access, and shall strive to make all communication as inclusive as possible with its parents, carers and children.

Governors welcome applications from all children/staff, whatever their socio-economic background, age (where applicable), race, sex, disability, sexual orientation, religion or belief, gender reassignment, or pregnancy/maternity status.

The Governing Board ensures that no child is discriminated against whilst attending one of its schools on account of any of the protected characteristics, and ensures that all reasonable adjustments are made for disabled children.

The Governing Board is liable for any breaches of the legislation. It is also liable for the actions of its employees and any agents associated with either school, unless it can show that it took all reasonable steps to prevent discrimination, harassment or victimisation taking place.

### **The Role of the Headteacher**

It is the Headteacher's role to implement the Federation's Single Equality Policy and they are supported by the Governing Board in doing so.

It is the Headteacher's role to ensure that all staff are aware of the Single Equality Policy and their responsibilities within it, and that teaching and non teaching staff are given appropriate training, and support to apply the Policy fairly in all situations.

The Headteacher ensures that all appointment panels give due regard to the Policy, in order to ensure no one is discriminated against when it comes to employment or training opportunities.

The Headteacher promotes the principle of equal opportunity when developing the curriculum, and promotes respect for other people, and equal opportunities to participate in all aspects of school life.

The Headteacher treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

### **The Role of all Staff:**

#### **Teaching and Non-Teaching**

All staff will ensure that all children and members of staff are treated fairly, equally and with respect, and will maintain awareness of the Federation's Single Equality Policy.

All staff will strive to provide curriculum material that gives positive images and challenges stereotypical images.

All staff will challenge any incidents of bullying, prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the Headteacher.

The Senior Leadership Team shall support the work of all staff and encourage them to intervene in a positive way against any discriminatory incidents.

Staff are personally responsible for their own acts of discrimination, harassment or victimisation carried out during their employment, whether or not the employer is liable. An employee, however, is not liable in relation to disability discrimination in schools.

### **Review of Progress and Impact**

The policy has been agreed by our Governing Board and the Compliance Link Governors are responsible for reviewing all policies annually/biannually, and monitoring their impact. In line with legislative requirements, we will review progress against our Single Equality Policy annually and, monitor our equality and accessibility objectives annually as part of the Federation's school improvement planning.

We make regular assessments of all childrens learning and use this information to track their progress. As part of this process, we regularly monitor achievement by ethnicity, gender and disability to ensure that all groups of children are making the best possible progress, appropriate action is taken to address any identified gaps.

## Protected Characteristics

The protected characteristics for the Federation's provisions are:

- Age
- Sex
- Race
- Disability
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy or maternity.

Age, marital status and civil partnerships are NOT protected characteristics for children in either school; however, they do apply to staff.

### Disability

A person is a disabled person (someone who has the protected characteristic of a disability) if they have a physical and/or mental impairment, which has, what the law calls '*a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities*'. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause. In relation to physical impairment:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered
  - HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below)
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist are automatically treated as disabled under the Act.

Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's Syndrome and mental health conditions such as depression and schizophrenia. The other tests to apply to decide if someone has the protected characteristic of disability are:

- The length the effect of the condition has lasted or will continue, i.e. it must be long term. '*Long term*' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur, they will be considered to be a disabled person
- Whether the effect of the impairment is to make it more difficult and/or time-consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience
- If the activities that are made more difficult are 'normal day-to-day activities' at work or at home
- Whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids, or assistance, or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The



exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is taken into account.

An example of this could be:

- Someone who has ADHD might be considered to have a disability even if their medication controls their condition so well that they rarely experience any symptoms, if without the medication the ADHD would have long-term adverse effects.

Progressive conditions and those with fluctuating or recurring effects are included, such as depression, provided they meet the test of having a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

### **Gender Re-assignment**

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with.

This personal process may include undergoing medical procedures or, as is more likely for school children, it may simply include choosing to dress in a different way as part of the personal process of change.

A person will be protected because of gender reassignment where they:

- make their intention known to someone – it does not matter who this is, whether it is someone at school or at home, or a medical professional i.e. a doctor
- once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on
- they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected
- start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person
- undergo treatment related to gender reassignment, such as surgery or hormone therapy
- have received gender recognition under the Gender Recognition Act 2004.

It does not matter which of these applies to a person for them to be protected because of the characteristic of gender reassignment.

This guidance uses the term 'transsexual person' to refer to someone who has the protected characteristic of gender reassignment.

### **Pregnancy and Maternity**

The act lists pregnancy and maternity as a protected characteristic. Pregnancy and maternity discrimination is covered in Section 2.

### **Race**

Race means a person's:

- colour
- nationality (including citizenship)
- ethnic or national origin.

A racial group is composed of people who have or share a colour, nationality or ethnic or national origins.

A person has the protected characteristic of race if they belong to a particular racial group, such as 'British people'.

Racial groups can comprise two or more racial groups such as 'British Asians'.

### **Religion or Belief**

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief.

A religion need not be mainstream or well known to gain protection as a religion. It must, however, be identifiable and have a clear structure and belief system. Denominations or sects within religions may be considered a religion. Cults and new religious movements may also be considered religions or beliefs.

Belief means any religious or philosophical belief and includes a lack of belief.

'Religious belief' goes beyond beliefs about and adherence to a religion or its central articles of faith, and may vary from person to person within the same religion.

A belief, which is not a religious belief, may be a philosophical belief, such as humanism or atheism.

A belief need not include faith or worship of a god or gods, but must affect how a person lives their life or perceives the world.

For a belief to be protected by the Equality Act:

- It must be genuinely held
- It must be a belief and not an opinion or viewpoint based on information available at the moment
- It must be a belief as to a weighty and substantial aspect of human life and behaviour
- It must attain a certain level of cogency, seriousness, cohesion and importance
- It must be worthy of respect in a democratic society
- It must be compatible with human dignity and not conflict with the fundamental rights of others.

### **Sex**

A person's sex refers to the fact that they are male or female. In relation to a group of people, it refers to either men or women or to either boys or girls.

### **Sexual Orientation**

Sexual orientation means the attraction a person feels towards one sex or another (or both), which determines who they form intimate relationships with or are attracted to:

- Some people are only attracted to those of the same sex (lesbian women and gay men)
- Some people are attracted to people of both sexes (bisexual people)
- Some people are only attracted to the opposite sex (heterosexual people).

Everyone is protected from being treated worse because of sexual orientation, whether they are bisexual, gay, lesbian or heterosexual.

Sexual orientation discrimination also covers discrimination connected with manifestations of that sexual orientation.