

# The Oaks Community Primary School

## Equal Opportunities Statement and Policy: Pupils



Our vision: The Oaks is a school where we put our children, families and community at the heart of everything we do. We provide an outstanding environment in which your child will flourish and grow. We instil a lifelong love of learning through supportive and inspirational teaching. Within our rich, varied curriculum we actively create and inspire a love of reading across the school in order to unlock every child's potential and open up a world of possibilities. Our school will ignite your child's imagination to become unstoppable as they strive to reach their dreams. Confidence, curiosity, independence and resilience are promoted through opportunities to question, challenge and explore. It is our aim for all children to leave The Oaks as independent, confident learners ready to achieve in a rapidly changing world.

## Statement of Intent

At The Oaks Community Primary School, we understand that, under the Equality Act 2010, all schools have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality between different groups;
- Foster good relations between different groups; and
- Promote mental health and wellbeing.

Our school's overall values are underpinned by our statutory duties under the Equality Act 2010. We are dedicated to ensuring that every pupil receives an education that offers them the best chance at fulfilling their potential, and to promoting mental wellbeing amongst our pupils. We have developed this policy to provide a clear framework for how we will achieve our school's aims.

Our school's demographic state is directly linked to our overall aims for achieving equality. Each year the school identifies and reviews specific equality objectives. These objectives are:

1. To ensure all children gain the knowledge to prepare them for the next stage of their learning and to leave school culturally sensitive, tolerant and positively educated about gender identity and sexuality.
2. To help children to fulfil their potential by supporting families and focussing support on improving the lives of the most vulnerable.
3. To provide equality of opportunity for all pupils in all areas, including core subjects and the wider curriculum.

Specifically, we aim to support our children from disadvantaged families with a focus on pupil premium children.

To achieve our aims, we will adopt the following methods:

- Embedding equality within teaching and resources
- Use key data indicators to understand the needs and characteristics of our school
- Promoting community cohesion
- Promoting parental engagement
- Investing in regular staff training
- Using key data, such as measures of wellbeing, to monitor the progress of pupils with protected characteristics
- Regularly reviewing our equality policy to ensure it reflects current trends and issues

**This Equal-opportunity Policy was formally approved by The Oaks Community Primary School Governing Body in March 2021**

**To be reviewed by Governors on or before March 2022**

**Chair of Governors: F Kwateng**

**Head Teacher: L Roberts**

## Legal framework

The main reason for adopting an equal opportunities policy is to identify, prevent and readdress unfair discrimination against disadvantaged groups. This 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 a more detailed policy and procedures for implementation.

This policy has due regard to statutory legislation, including, but not limited to, the following:

- Human Rights Act 1998
- The Equality Act 2010
- Data Protection Act 2018

This policy has due regard to statutory guidance, including, but not limited to, the following:

- DfE (2014) 'The Equality Act and schools'
- DfE (2018) 'Promoting the education of looked after children and previously looked after children'
- DfE (2018) 'Gender Separation in mixed schools'
- DfE (2014) 'Equality Act 2010: advice for schools'
- DfE (2018) 'Mental health and wellbeing provision in schools'

This policy is related to the following other school policies:

- LAC Policy
- SEND Policy
- Curriculum Policy
- Anti-bullying Policy
- Safeguarding Policy
- Behaviour Policy
- Data Protection Policy
- Complaints Procedures Policy

## Roles and responsibilities

The governing board will:

- Be responsible for ensuring the school complies with the appropriate equality legislation and regulations.
- Take all reasonable steps to ensure pupils and potential pupils will not be discriminated against, harassed or victimised in relation to:
  - Admissions
  - The way the school provides and education for pupils.
  - How pupils are provided with access to benefits, facilities and services.
  - The exclusion of a pupil or subjecting them to any other detriment.

- Ensure all policies are developed and implemented with appropriate equality impact assessments informing future plans in collaboration with the head teacher.

The head teacher will:

- Implement this policy, ensuring that all staff and pupils apply its guidelines fairly in all situations.
- Conduct regular training sessions to ensure all members of staff are aware of their responsibilities, as well as to develop their skills and knowledge
- Review and amend this policy, taking into account new legislation and government guidance, and previously reported incidents, in order to improve procedures.
- Ensure that appropriate counselling is made available for pupils who require immediate interventions, parental assistance and personal counselling.

Staff will:

- Be alert to the possible harassment of pupils, both inside and outside of the school, and to deal with incidents of harassment/discrimination as the highest priority.
- Carry out their statutory duties relating to equal opportunities, inclusivity and pertaining to their specific roles.
- Have due regard to the sensitivities of all pupils, and not provide material that may cause offence.

### **Data protection**

At The Oaks, we have adopted secure controls on sensitive personal data, ensuring all data is accurate, secure and processed fairly and lawfully. We have gained consent from pupils and parents before any sensitive personal data is processed. The school will respect all pupils' right to privacy and will not disclose a pupil's trans1\* status or sexual orientation to any other pupils, staff members or third parties. The school holds a Data Protection Policy containing further information addressing data protection.

*(Trans\* is an umbrella term that refers to all of the identities within the gender identity spectrum.)*

### **Protected characteristics**

We will not discriminate against, harass or victimise a pupil, or prospective pupil, because of their:

- Sex.
- Race.
- Disability, which includes mental health, encompassing prejudiced assumptions, attitudes or behaviours related to mental health
- Religion or belief.
- Sexual orientation.
- Gender reassignment.

- Pregnancy or maternity.

We will not discriminate against a pupil, or prospective pupil, because of a characteristic related to a person, such as a parent, with whom the pupil or prospective pupil is associated. We will not discriminate against a pupil, or prospective pupil, because of a characteristic which they are believed to have, even if the belief is mistaken. We will regularly review our school practices to ensure that they are fair with regard to all the protected characteristics listed in

## **Sex**

For the purpose of this policy, sex refers to their biological assignment at birth depending on their reproductive organs. We understand some pupils may wish to identify with another gender, and we will support pupils through their transitioning phases. We will ensure that pupils of one sex are not singled out for different or less favourable treatment from that given to pupils of other sexes. There may be occasions where we deem it necessary to teach some subjects in single-sex classes, such as RSE, but we will ensure that such classes do not give pupils an unfair disadvantage when compared to pupils of the other sex in other classes. The Oaks will only separate pupils by sex where there is reasonable justification or if one of the following applies:

- Girls or boys will suffer a disadvantage connected to their sex
- Girls or boys have needs that are different from the needs of the other sex
- Participation in an activity by girls or boys is disproportionately low

The school will consider non-statutory exceptions on a case-by-case basis, and regularly review the impact of any separation to ascertain whether it remains lawful. Boys and girls will be offered an equal opportunity to undertake any activity in the school, e.g. in relation to technology lessons all pupils will be allowed to choose which skills they learn. Occasions where boys and girls are separated to be taught in single-sex classes will be documented and the separation justified to ensure parents, Ofsted and, where necessary, the wider community can understand the reasons behind segregation. Where a subject is taught in a single-sex class, pupils undergoing gender reassignment will be allowed to attend the single-sex class that corresponds with the gender they identify with. Pupils' age and stage of development will be taken into consideration before segregating sports teams. Both sexes will have equal opportunities to participate in comparable sporting activities; where segregation is deemed necessary, the single-sex sports teams will receive the same quality and amount of resources.

## **Race and ethnicity**

We will ensure that pupils of all races and ethnicities (including those who have EAL) are not singled out for different and less favourable treatment from that given to other pupils, regularly reviewing our school practices to ensure that they are fair. We will not segregate pupils on the basis of their race or ethnicity, understanding that claims of 'separate but equal' will not be tolerated, and that such actions will always be viewed as direct discrimination. We may, however, take positive action, e.g. organising

open days for pupils and families of a specific race that is under-represented, to address the particular challenges affecting pupils of one racial or ethnic group, where this can be shown to be a proportionate way of dealing with such issues.

### **Disability**

At The Oaks, we will ensure that pupils with disabilities are not singled out or treated less favourably than other pupils simply because they have a disability, which includes any mental health issue, regularly reviewing our school practices to ensure they are fair. We will ensure that we do not discriminate against pupils with a disability by implementing a rule for all pupils that could have an adverse effect on pupils with disabilities only (for example, making physical fitness a basis for admission, or asking all pupils to deliver a presentation, as this could be unfair towards pupils with anxiety), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim. We will ensure that we do not discriminate against pupils with disabilities because of something which is a consequence of their disability (for example, by not allowing a pupil on crutches outside at break time because it would take too long for him/her to get in and out), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim. We will make any reasonable adjustments, and provide any auxiliary aids, necessary to ensure the full inclusion of pupils with disabilities, especially where the pupil also has SEND but does not have a SEND statement or EHC plan. We will meet our duty to undertake accessibility planning for pupils with disabilities and ensure that an Accessibility Plan is implemented and reviewed where necessary. The school adheres to our SEND Policy containing further information addressing equal opportunities for pupils with SEND.

### **Religion and belief**

We will ensure that pupils are not singled out or treated less favourably because of their religion or belief, regularly reviewing our school practices to ensure that they are fair. Pupils will be provided with the appropriate space in which they can practice their faith, e.g. to perform their daily prayers. Absences in relation to religious observances will be handled in accordance with the school's Attendance and Truancy Policy. The Oaks will liaise with local religious leaders of all faiths to inform the amount of leave pupils will be granted in relation to religious observance.

### **Sexual orientation**

Staff at The Oaks will ensure that all gay, lesbian and bi-sexual pupils, or the children of gay, lesbian or bi-sexual parents, are not singled out for different or less favourable treatment from that given to other pupils, regularly reviewing our school practices to ensure that they are fair. Through our PSHE curriculum, pupils will be taught about the nature of marriage, including same-sex marriage by presenting the facts of English and Welsh law - teachers will not offer personal opinions when discussing marriage in RSE. We will ensure that any religious beliefs with regards to sexual orientation are taught to pupils in an educational context, in a manner that is not prejudicial or discriminatory. RSE lessons will be taught in accordance with our Relationships and Sex Education

Policy. Pupils will have a designated safe space within our school where pupils can discuss issues of sexual orientation without fear of discrimination.

### **Gender reassignment**

At The Oaks, we ensure that pupils are not singled out or treated less favourably because they have undergone, or are proposing to undergo, gender reassignment, or have trans\* parents, regularly checking our school practices to ensure that they are fair. We will make reasonable adjustments to accommodate absence requests for treatment and support of trans\* pupils by external sources, e.g. charities such as Stonewall. Any such absences will be recorded accurately and sensitively by the SENCO to ensure the privacy of the pupil. Pupils have the right to dress in accordance with their true gender identity within the constraints of our dress code, outlined in our School Uniform Policy. We will ensure that there are suitable toilet and changing facilities for pupils to use, including:

- Gender specific toilets and changing facilities

The facilities will be made available to all pupils and pupils can use the facility they feel most comfortable in. We will ensure that there is a designated safe space within our school where trans\* pupils can discuss issues of gender without fear of discrimination.

### **Looked after children (LAC)**

LAC will be given the highest priority for admissions, as per the requirements of our Admissions Policy. We will ensure that pupils are not singled out or treated less favourably because they are looked after, or have previously been looked after, by the state. A personal education plan will be created, and implemented, for all LAC to ensure that their education and development needs are fully covered, including appropriate transition and catch-up support to ensure that they do not fall behind. We will ensure that any SEND that a LAC has, are duly taken into account and addressed, whether this is with or without a SEND statement or EHC plan. The school adheres to our LAC Policy containing further information addressing equal opportunities for LAC.

### **The curriculum**

We believe that pupils should be exposed to thoughts and ideas of all kinds, however challenging or controversial, and will not make any unjustified changes to our curriculum content on the grounds of any protected characteristics that a pupil may have. We will ensure, however, that the curriculum is as balanced as possible, and delivered in such a way that prevents discrimination, and the promotion of prejudicial stereotypes. To ensure equality, diversity and tolerance is taught and promoted throughout each subject area, our teachers will be supported with regular staff training and encouraged to use guidance from PSHE association to support planning and learning content. SLT will also conduct observations of inclusive teaching strategies.

### **Promoting inclusion at The Oaks**

At The Oaks, we will promote inclusion and equality through:

- Ensuring that pupils are called by their preferred names, taking into account the correct spelling, structure and pronunciation.
- Ensuring, as far as possible, that our governing board and staff reflect the full diversity of our local community.
- Providing an environment where prejudiced assumptions, attitudes and behaviours are continually challenged.
- Instilling in pupils an awareness of prejudice, giving them confidence that it can, and must, be eradicated.
- Providing a variety of educational and residential visits that expose pupils to a wide range of cultural experiences.
- Ensuring equal access to opportunities, such as extra-curricular activities and the curriculum.
- Taking care in the use of language and the choice of resources, so that teaching and non-teaching staff avoid reinforcing stereotypical views of society.
- Valuing the cultural experiences and contributions of all pupils, regardless of any protected characteristic that they may have.
- Communicating our policy to parents to gain their understanding, agreement and support for its provisions.
- Discussing equality issues as an agenda item for the school council.
- Promoting equality of opportunity within the wider society.

### **Supporting pupils with medical conditions**

We will ensure that any medical conditions related to a pupil with a protected characteristic is fully supported in line with our Supporting Pupils with Medical Conditions Policy. Our responsibility not to discriminate, harass or victimise does not end when a pupil has left school. It will continue to apply with regards to subsequent actions related to our previous relationship with the pupil, such as the provision of references.

### **The Public Sector Equality Duty**

We will meet our duty to publish:

- Annual information to demonstrate how the school is complying with the Public Sector Equality Duty, taking into account the specific circumstances surrounding pupils who have any of the protected characteristics outlined.
- Equality objectives every three years outlining how we may further ensure equality in our school. There are some protected characteristics where statistical data is less likely to be readily available, and pupils will not be pressured into providing information related to any characteristic which they may identify with.

### **Bullying and discrimination**

Our Anti-bullying Policy will be used in conjunction with this policy in order to prevent, and effectively deal with, any discriminatory incidents. Any incidents of a child protection or safeguarding nature will be reported, recorded and dealt with in line with the process in our Child Protection and Safeguarding Policy. It is the responsibility of

the head teacher to decide whether it is appropriate to notify social services, and/or the police, of any incident. Concerns with regards to the handling of bullying and discrimination incidents will be dealt with via the procedures outlined in our Complaints Procedures Policy.

### **Staff training**

New staff will receive relevant training on the provisions of this policy during their HR induction. Whole-school staff training will be delivered in-house regularly. Staff will receive the appropriate equalities training that will:

- Focus on staff specialisms in relation to equality, for example, a focus on homophobic bullying to address a planned approach towards inclusion.
- Ensure all staff are aware of, and comply with, current equalities legislation and government recommendations.
- Ensure all staff are aware of their responsibilities and how they can support pupils with protected characteristics.
- Provide support for teachers to effectively manage any discrimination towards pupils with protected characteristics.
- Provide up-to-date information on the terms, concepts and current understandings relating to each of the protected characteristics.
  - Develop appropriate strategies for communication between parents, educators and pupils about any issues related to a protected characteristic.
  - Ensure that the school is aware of, and participates in, relevant awareness days, such as Black History Month, World Disability Day, Transgender Day of Remembrance, PRIDE, and International Women's Day. Due to the global pandemic, these events will be introduced into our curriculum from summer term 2021.

### **Monitoring and review**

This policy will be reviewed by the head teacher and governing board annually and updated where appropriate - any amendments will be duly communicated to staff members. This policy will next be reviewed in summer term 2022.

# The Oaks Community Primary School

## Equal Opportunities Statement and Policy: Staff



## **Statement of Intent**

The Oaks Community Primary School is committed to promoting equality of opportunity for all staff and job applicants. We aim to create a 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, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (protected characteristics). Amended in line with the Equality Act 2010.

The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat students, parents, governors, third party organisations 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 employees contract of employment and may be amended at any time.

### **Who is covered by the policy?**

This policy covers all individuals working at all levels and grades, including members of the senior leadership team, teachers, teaching assistants, learning mentors, support staff, trainees, home workers, part-time and fixed-term employees, volunteers, interns, casual workers and agency staff (collectively referred to as staff in this policy).

### **Who is responsible for this policy?**

Our Governing board has overall responsibility for the effective operation of this policy and for ensuring compliance with discrimination law. Day-to-day operational responsibility, including regular review of this policy, has been delegated to the head teacher. All members of the senior leadership team must set an appropriate standard of behaviour, lead by example and ensure that they adhere to the policy and promote our aims and objectives with regard to equal opportunities. Managers will be given appropriate training on equal opportunities awareness and equal opportunities recruitment and selection best practice. The head teacher has overall responsibility for equal opportunities training.

### **Purpose of the policy**

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.

## **Forms of discrimination**

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 would be direct discrimination.

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. For example, a requirement to work full time puts women at a particular disadvantage because they generally have greater childcare commitments than men. Such a requirement will need to be 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, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. 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.

## **Employment Equality Regulations**

It is unlawful to discriminate on the grounds of sexual orientation as it relates to employment or vocational training of individuals. Sexual orientation is defined as sexual orientation towards persons of the same sex and/or towards persons of the opposite sex. The Employment Equality (Religion or Belief) Regulations 2003 make it unlawful to discriminate on the grounds of religion or similar belief in employment and vocational training. Religion or belief is defined as meaning any religion; religious belief or similar philosophical belief. The legislation gives protection against direct and indirect discrimination, harassment and victimisation and applies throughout the employment relationship, including recruitment and dismissal.

## **Recruitment and selection**

We aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics above. Our recruitment procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria are regularly reviewed to ensure that they are relevant to the job and are not disproportionate. Short listing of applicants will be done by more than one person wherever possible. Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. We take steps to ensure that our vacancies are advertised to a diverse labour market.

Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the HR's approval. For example:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the decision-making process).

Applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants will not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment. We are required by law to ensure that all staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Border Agency. To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, we monitor applicants ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure.

Provision of this information is voluntary and it will not adversely affect an applicant's chances of recruitment or any other decision related to their employment. The information is removed from applications before short listing, and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.

### **Staff training and promotion and conditions of service**

Staff training needs will be identified through regular 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. Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the special needs of disadvantaged or underrepresented groups. Our conditions of service, benefits and facilities are reviewed regularly to ensure that they equal opportunities for all.

## **Termination of employment**

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory. We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

## **Disability discrimination**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriately. If you experience difficulties at work because of your disability, you may wish to contact your line manager or Human Resources to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your line manager or a member of the HR team may wish to consult with you and a medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our 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, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

## **Zero hours, Fixed-term employees and agency workers**

We monitor our use of zero hours and fixed-term employees 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. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

## **Part-time work**

We monitor 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. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

## **Breaches of this policy**

If you believe that you may have been discriminated against you are encouraged to raise the matter through our Grievance Procedure. If you believe that you may have been subject to harassment you are encouraged to raise the matter with your line manager and / or a member of the HR team.

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 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.

### **Monitoring and review of the policy**

We will continue to review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process we monitor the composition of job applicants and the benefits and career progression of our staff. Staffs are invited to comment on this policy and suggest ways in which it might be improved by contacting the head teacher.

**This Equal-opportunity Policy for staff was formally approved by The Oaks Community Primary School Governing Body in March 2021**

**To be reviewed by Governors on or before summer term 2022**

**Chair of Governors: F Kwateng**

**Head Teacher: L Roberts**