

# Equality, Diversity and Inclusion Policy



Policy	Date of last review	Date of next review
SVS Equality and Diversity Policy	September 2022	September 2023

## SVS statement on equality

SVS is committed to equality and valuing diversity and actively supports practices that promote genuine equality of opportunity for all staff and young people.

### 1 Aims

This Policy is intended to ensure the promotion of a positive and diverse culture in which all staff and young people are valued and supported to fulfill their potential irrespective of their age, disability, race, religion, belief, sex or sexual orientation.

We recognise our obligations under the Equality Act 2010 and are committed to promoting the equality and diversity of all those we work with especially our employees, pupils, young people and visitors. We oppose all forms of unlawful and unfair discrimination, bullying and harassment and will make every effort to comply with the requirements of the Act and its subsequent provisions.

The following groups have been identified as key recipients in terms of the provision of this statement:

- Are being looked after or on the edge of Care
- Have Special Educational Needs / Learning Difficulties and Disabilities
- Are excluded or at risk of exclusion from school
- Are from an ethnic group, including those from Gypsy, Roma, Traveller background
- Have English as an additional language
- Are missing in education
- Have Ill health, including hospitalisation, affecting attendance at school
- Are Not in Education, Employment or Training (NEET)
- Have drug or alcohol abuse help ensure that the School actively identifies, prevents and redresses unfair discrimination against disadvantaged groups and promotes equality of opportunity for all children.
- Are school age / teenage parents
- Are young carers
- Are offending or at risk of offending

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- Have mental health issues
- Are in receipt of free school meals
- Live in areas of deprivation
- Gifted and talented
- Are gender questioning or going through transition
- Are Lesbian, Gay or Bisexual

This policy and all associated procedures apply to all staff (including volunteers and students on placement), young people and visitors and should be read in conjunction with the following policies:

- Anti-Bullying Policy
- Responding to prejudice related incidents
- Compliments and Complaints Policy
- E-Safety and Multi-Media Policy
- Health and Safety Policy
- Management of Behaviour: Rewards and Sanctions Policy
- Off-Site Visits Policy
- Privacy Policy
- Recruitment and Selection Policy
- Restrictive Physical Intervention (RPI) Policy
- Runaway and Missing from Home, Care and Education (RMFHCE) Policy
- Safe Working (Caring) Practice Policy
- Safeguarding and Child Protection Policy
- Whistle Blowing Policy

Failure to comply with these policies and procedures may result in disciplinary action. Discriminatory treatment, bullying or harassment of staff or young people by visitors will also not be tolerated.

It is the responsibility of all staff to actively promote anti-discriminatory practice, mutual tolerance, harmony and respect for people of all faiths, races and cultures both within the school community and in the wider community. All staff seek to develop the individuality of all children, irrespective of age, learning difficulties or disabilities, gender, race or ethnicity, religion or belief, sex, sexual orientation, culture, home language, ability, or family background. Each child's worth is valued and respected, the cultural diversity of the

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community centred on the School and that of the wider community is appreciated, and respect is shown for all minority groups.

This single policy replaces separate policies the school has on race, disability and gender to eliminate discrimination, advance equality of opportunity and foster good relations. It reflects the legal duties set out in the Equality Act 2010 and non-statutory guidance set out by the government in December 2011 and March 2012.

## 2 Our school ethos

Promotes a welcoming school where everyone is valued highly and where tolerance, honesty, co-operation and mutual respect for others are fostered. We are committed to the development of the whole person within a supportive, secure and creative environment. A broad, balanced and appropriate curriculum provides equal opportunity for all students to maximise their potential regardless of disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender or sexual orientation. We endeavour to promote positive relationships with parents, governors and members of the wider community.

We aim to promote equality and tackle any form of discrimination and actively promote harmonious relations in all areas of school life. We seek to remove any barriers to access, participation, progression, attainment and achievement. We take seriously our contribution towards community cohesion.

### We seek to:

- Eliminate Discrimination
- Advance Equality of Opportunity
- Foster Good Relations

### We aim to:

- provide a secure environment in which all our children can flourish and achieve all five outcomes of 'Every Child Matters' (be healthy, stay safe, enjoy and achieve, make a positive contribution, and enjoy economic well-being);
- provide a learning environment where all individuals see themselves reflected and feel a sense of belonging;
- prepare children for life in a diverse society in which children are able to see their place in the local, regional, national and international community;
- include and value the contribution of all families to our understanding of equality and diversity;



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- provide positive non-stereotyping information about different groups of people regardless of protected characteristics under the law (disability, gender, race, sexual orientation, marriage and civil partnership, religion or belief, gender reassignment and pregnancy /maternity);
- plan systematically to improve our understanding and promotion of diversity;
- actively challenge discrimination and disadvantage;
- make inclusion a thread which runs through all our activities.

## To achieve these aims we will:

- take reasonable and necessary steps to meet students' needs by using a variety of approaches and planning reasonable adjustments for disabled students, enabling our students to take as full a part as possible in all the activities of the school. We will make reasonable adjustments to ensure the school environment and its activities are as accessible and welcoming as possible for students, staff and visitors to the school. We are also committed to ensuring staff with a disability have equality of opportunity.
- actively encourage positive attitudes towards students and staff and expect everyone to treat others with dignity and respect.
- regularly consider the ways in which the taught and wider curricula will help to promote awareness of the rights of individuals and develop the skills of participation and responsible action.
- regularly consider the ways in which our teaching and the curriculum provision will support high standards of attainment, promote common values, and help students understand and value the diversity that surrounds them, and challenge prejudice and stereotyping.
- monitor the progress and achievement of students by the relevant and appropriate protected characteristics. This information will help the school to ensure that individual students are achieving their potential, the school is being inclusive in practice, and trends are identified which inform the setting of our equality objectives in the school improvement plan.
- collect and analyse information about protected characteristics in relation to staff recruitment, retention, training opportunities and promotions to ensure all staff have equality of opportunity. We will not ask health-related questions to job applicants before offering a job, unless it relates to an intrinsic function of the work they do. We will make reasonable adjustments such as providing auxiliary aids for our disabled staff.
- ensure the curriculum is accessible to all students with special educational needs and disabilities (SEND) or those for whom English is not their first language. Auxiliary aids and services will be provided for them, where reasonable adjustments are required. By planning ahead, we will ensure that all students are able to take part in extra-curricular activities and residential visits, and we will monitor the uptake of these to ensure no one is disadvantaged on the

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grounds of a protected characteristic.

- seek the views of advisory staff and outside agencies and partnerships with other schools where this is needed. In planning the curriculum and resources we will take every opportunity to promote and advance equality.
- Ensure Bullying and Prejudice Related Incidents are carefully monitored and dealt with effectively. Regular training will be given to both existing and new staff to ensure that they are aware of the process for reporting and following up incidents of prejudice-related bullying (follow link to new DCC guidance).
- expect that all staff will be role-models for equal opportunities, deal with bullying and discriminatory incidents and be able to identify and challenge prejudice and stereotyping.
- plan on-going events to raise awareness of equality and diversity. This may include a focus on disability, respect for other cultures, religions and beliefs, anti-homophobia/gay pride, gender equality, developing community cohesion and an understanding of the effects of discrimination. This will be set out as equality objectives in the school improvement plan.
- ensure student/parent/staff consultation is regularly sought in the development and review of this policy.
- We will regularly seek the views of students, parents, advisory staff and visitors to the school, to ensure that the school environment is as safe and accessible as possible to all school users. We will regularly review our accessibility plans.
- We will ensure that all staff are aware of their legal duties under the Equality Act 2010, the different forms of discrimination and what 'reasonable adjustments' mean in practice.
- When drawing up policies, we will carry out an equality impact assessment (EIA) to ensure a policy does not, even inadvertently, disadvantage groups of students with protected characteristics. We will consider to what extent a new/revised policy, practice or plan meets the Public Sector Equality Duties (eliminates discrimination, advances equality and fosters good relations for all the protected characteristics) and recommend changes/mitigations where necessary.

## 3 Our Legal Duties

Legislation relating to equality and discrimination is laid out in the Equality Act 2010. This legislation covers employment (work), the provision of services and public functions, and education.

Employers (schools) are liable for discriminatory acts of their employees if they did not take reasonable steps to prevent such acts. Employees can be liable for acts (where an employer took reasonable steps to prevent such acts).

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## The 'Protected Characteristics' within equality law are:

1. **Age** - A person of a particular age (e.g. 32 year old) or a range of ages (e.g. 18 - 30 year olds). Age discrimination does not apply to the provision of education, but it does apply to work.
2. **Disability** - A person has a disability if s/he has, or has had, a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. It includes discrimination arising from something connected with their disability such as use of aids or medical conditions. HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.
3. **Gender reassignment** - A person (usually with 'gender dysphoria') who is proposing to undergo, is undergoing or has undergone gender reassignment (the process of changing physiological or other attributes of sex, therefore changing from male to female, or female to male). 'Trans' is an umbrella term to describe people with this 'Gender Identity'. 'Intersex' or 'Third Sex' is not covered by the Act but the school will treat Intersex children with the same degree of equality as children with gender dysphoria. Children as young as five may begin to show signs of gender dysphoria and therefore it is relevant in any school environment.
4. **Marriage and civil partnership** – Marriage and civil partnership discrimination does not apply to the provision of education, but it does apply to work.
5. **Pregnancy and maternity** - Maternity refers to the period of 26 weeks after the birth (including still births), which reflects the period of a woman's Ordinary Maternity Leave entitlement in the employment context. In employment, it also covers (where eligible) the period up to the end of her Additional Maternity Leave.
6. **Race** - A person's colour, nationality, ethnic or national origin. It includes Travellers and Gypsies as well as White British people.
7. **Religion and belief** - Religious and philosophical beliefs including lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition. Religion and belief discrimination does not prevent a school from carrying out collective worship or other curriculum-based activities, but students may withdraw from acts of collective worship.
8. **Sex** - A man or a woman.
9. **Sexual orientation** - A person's sexual orientation towards the same sex (lesbian or gay), the opposite sex (heterosexual) or to both sexes (bisexual). Although children may not identify as gay or lesbian when very young, promotion of sexual orientation equality is as relevant in a primary school environment as it is in a secondary school. For example, a child may have an older sibling or parent who is gay. Children may experience friends



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'questioning' or 'coming out' when they are in secondary school or college. Schools with a particular religious ethos cannot discriminate against lesbian, gay or bisexual students.

It is also unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the student is associated. So, for example, a school must not discriminate by refusing to admit a student because his parents are gay men or lesbians. It would be race discrimination to treat a white student less favourably because she has a black boyfriend.

## **'Prohibited Conduct' (acts that are unlawful):**

**Direct discrimination** - Less favourable treatment because of a protected characteristic.

**Indirect discrimination** - A provision, criteria or practice that puts a person at a particular disadvantage and is not a proportionate means of achieving a legitimate aim.

**Harassment** - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It includes harassment by a third party (e.g. customer or contractor) in the employment context.

**Victimisation** - Subjecting a person to a detriment because of their involvement with proceedings (a complaint) brought in connection with this Act.

**Discrimination arising from disability** - Treating someone unfavourably because of something connected with their disability (such as periods of absence from work or medical conditions) **and failure to make reasonable adjustments.**

**Gender re-assignment discrimination** - Not allowing reasonable absence from work for the purpose of gender-reassignment in line with normal provision such as sick leave).

**Pregnancy/maternity related discrimination** - Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman or girl because she is breastfeeding.

**Discrimination by association or perception** - For example, discriminating against someone because they "look gay", or because they have a gay brother; discriminating against someone because they care for a disabled relative.

Schools are allowed to treat disabled students more favourably than non-disabled students, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with students without disabilities.

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## Public Sector Duties (applies to schools):

A school must, in the exercise of its functions, give due regard to the need to (in relation to protected characteristics above):

1. Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
2. Advance equality of opportunity (remove or minimise disadvantage; meet people's needs; take account of disabilities; encourage participation in public life).
3. Foster good relations between people (tackle prejudice and promote understanding).

In practice, 'due regard' means giving relevant and proportionate consideration to the duty, so decision makers in schools must have due regard when making a decision, developing a policy or taking an action as to whether it may have implications for people because of their protected characteristics.

## Reasonable Adjustments and Accessibility Plans (Schedule 10)

Schools are required to:

- Take reasonable steps to avoid disadvantage caused by a provision, criteria or practice or a physical feature that puts a disabled person at a substantial disadvantage compared to a non-disabled person. This involves removing or avoiding a physical feature, for example steps and lifts.
- Take reasonable steps to provide auxiliary aids/services.
- Provide information in an accessible format.
- Develop and implement (by allocating appropriate resources) Accessibility Plans which will

- Increase disabled students' access to the school curriculum
- Improve the physical environment
- Improve provision of information.

The duty is an anticipatory and continuing one that schools owe to disabled students generally, regardless of whether the school knows that a particular student is disabled or whether the school currently has disabled students. The school will need to plan ahead for the reasonable adjustments that it may need to make, working with the **relevant admissions authority** as appropriate.

## For more information download guidance from the DfE:

<http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010>



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## Equality Human Rights website:

<http://www.equalityhumanrights.com> which includes the guidance for education providers (schools)

Aspects of educational legislation have also promoted equal opportunities, for example the Education Act includes a duty for local authorities to educate children with special educational needs in mainstream schools wherever possible.

## 4 Roles and Responsibilities

### Governing Body

- Ensure that the school complies with equality-related legislation.
- Ensure that the policy and its procedures are implemented by the Principal.
- Ensure all other school policies promote equality.
- Give due regard to the Public Sector Equality Duty when making decisions.

### Principal

- Implement the policy and its related procedures.
- Make all staff aware of their responsibilities and provide training as appropriate to enable them to effectively deliver this policy.
- Take appropriate action in any case of actual or potential discrimination.
- Ensure that all staff understand their duties regarding recruitment and providing reasonable adjustments to staff. It is unlawful for an employer to enquire about the health of an applicant for a job until a job offer has been made, unless the questions are specifically related to an intrinsic function of the work - for example ensuring that applicants for a PE teaching post have the physical capability to carry out the duties. Schools should no longer require job applicants to complete a generic health questionnaire. Neither should a school seek out past sickness records until they have made a job offer.
- Ensure that all staff and students are aware of the process for reporting and following up bullying and prejudice-related incidents.

### All staff

- Enact this policy, its commitments and procedures, and their responsibilities associated with this policy.
- Deal with bullying and discriminatory incidents, and know how to identify and challenge prejudice and stereotyping.
- Promote equality and good relations and not discriminate on any grounds.

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- Attend such training and information opportunities as necessary to enact this policy and keep up to date with equality legislation.
- To be models of equal opportunities through their words and actions.

## Students

- Refrain from engaging in discriminatory behaviour or any other behaviour that contravenes this policy.

## Visitors (e.g. parent helpers, contractors)

- To be aware of, and comply with, the school's equality policy.
- To refrain from engaging in discriminatory behaviour (for example, racist language) on school premises.

## 5 Reporting and recording incidents of discrimination and harassment

All incidents of discriminatory treatment, bullying and harassment must be reported to senior staff and recorded as soon as is reasonably possible (and in any event within 24 hours of the incident).

All bullying-related incidents (confirmed or otherwise), will be addressed in accordance with our Anti-Bullying Policy.

## 6 Complaints and grievances

If an individual believes that they have been discriminated against, harassed or victimised, they are asked to follow our complaints or grievance procedure.

## 7 Implementation, monitoring, evaluation and review

The designated senior member of staff with overall responsibility for the implementation, monitoring and evaluation of the 'Equality and Diversity Policy' is the Principal. The designated member of staff is also responsible for ensuring that all young people, staff, parents/carers and placing local authorities are aware of our policy.

Additional support would also be provided to any parent or significant person, wishing to know more about the policy and procedures outlined above. A copy of this policy document is available for inspection on the premises during office hours and an electronic copy is posted on our website.

This policy document will be reviewed and publicised in writing, at least annually and, if necessary, more frequently in response to any significant incidents or new developments in national, local and organisational policy, guidance and practice.

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## Appendix 1: Definitions

**Equality** This is more clearly defined as equality of opportunity and outcome, rather than equality of treatment. This means treating people fairly and according to their needs as some people may need to be treated differently in order to achieve an equal outcome.

**Inclusive** Making sure everyone can participate, whatever their background or circumstances.

**Diversity** Recognising that we are all different. Diversity is an outcome of equality and inclusion.

**Cohesion** People from different backgrounds getting on well together (good community relations). There is a shared vision and sense of purpose or belonging. Diversity is valued. Relationships are strong, supportive and sustainable. Cohesion is an outcome of equality and inclusion.

**Community** From the school's perspective, the term "community" has a number of meanings:

The school community – the students we serve, their families and the school's staff.

The community within which the school is located – in its geographical community, and the people who live and/or work in that area.

The community of Britain – all schools by definition are part of it.

The global community – formed by European and international links.

**Gender Dysphoria** Gender dysphoria is a recognised condition in which a person feels that there is a mismatch between their biological sex and their gender identity.

Biological sex is assigned at birth, depending on the appearance of the infant. Gender identity is the gender that a person "identifies" with, or feels themselves to be.

**Sandwell Valley School**