Mudeford Community Infants School

Single Equality Policy

This policy reflects the Equality Act 2010 which harmonises and replaces previous legislation including the Race Relations Act 1976, Disability Discrimination Act 1995, Gender Recognition Act 2004 and Sex Discrimination Act 1975. The policy therefore supersedes all previous school policies on Disability, Ethnicity (i.e., Race) and Gender. Through this policy Mudeford Community Infants School (MCIS) will fulfil its public duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and foster good relations in connection with disability, ethnicity, gender, religion, sexual identity, and where appropriate, age (applicable to employees only). The guiding principles in this policy refer to all individuals and therefore are equally applicable to pupils, staff, and governors in addition to visitors to MCIS.

Legal framework

Duties are identified in the Equality Act 2010 and its Schedules. There are nine equality strands (known as Protected Characteristics):

> disability;
> ethnicity (including Gypsy and Traveller groups);
> gender;
> gender identity and transgender;
> faith, religion and belief;
> marriage and civil partnership;
> sexual orientation (homophobia);
> pregnancy and maternity;
> age.

Each relates to direct discrimination, discrimination by association, discrimination by perception, indirect discrimination; harassment and victimization. MCIS will seek to achieve positive action in respect of the Act.

It should be noted that all schools have a duty to comply with the Equality Act 2010 and the Public Sector Duties, and failure to do so could result in legal action against the school's Governing Body. Employees of the school acting on behalf of the Governing Body are also liable for their own discriminatory actions.

MCIS is mindful of the Public Sector Equality Duty which came into force on 5 April 2011, and will publish the following relevant information on the school's website:

(i) This policy.
(ii) Our Equality Objectives. These will be reported on annually to the Full Governing Body.

Good Practice

1. We strive to achieve a cohesive community and expect that children respect one another and behave with respect to one another, and that their parents feel fully engaged in the school.

2. We aim to enhance a wider sense of community locally, as well as in the context of the UK and the World communities.

3. We support the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998. Through our policies and actions we undertake to ensure that every child and young person is healthy, safe, is able to enjoy and achieve in their learning experience, and is able to contribute to the wider community.

4. We consider it prudent and sensible to maintain the practice of logging racist incidents and reporting them to the LA. We monitor and log incidents that discriminate against children and young people or adults in our school with protected characteristics, e.g., homophobic bullying. We also monitor and log bullying incidents directed towards those with special educational needs.

Guiding principles

In fulfilling the legal obligations and establishing our school ethos, we are guided by 9 principles:

Principle 1: All learners are of equal value

We see all learners and potential learners, and their parents and carers, as of equal value:

- whether or not they are disabled,
- whatever their ethnicity, culture, religious affiliation, national origin or national status,
- whatever their gender or gender identity,
- whatever their sexual identity.

Principle 2: We recognise and respect difference

Treating people equally (Principle 1 above) does not necessarily involve treating them all the same. Policies, procedures and activities must not discriminate but must nevertheless 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, so that the different needs and experiences of girls and boys, women and men are recognised;
- sexual identity.

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

Policies, procedure and activities promote:

- positive attitudes and actions towards disabled people, good relations between disabled and non-disabled people, and an absence of harassment of disabled people;
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice related bullying and incidents;
- mutual respect and good relations between boys and girls, women and men and an absence of sexual and homophobic harassment.

Principle 4: We observe good equalities practice in staff recruitment, retention and development

Policies and procedures 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, national origin or national status;
- whatever their gender and sexual identity and with full respect for legal rights relating to pregnancy and maternity.

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

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

- disabled and non-disabled;
- people of different ethnic, cultural and religious backgrounds;
- girls and boys, women and men;
- gay people as well as heterosexual.

Principle 6:   We consult and involve 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. Consultation involves:

- disabled and non-disabled;
- people of different ethnic, cultural and religious backgrounds;
- girls and boys, women and men;
- gay people as well as heterosexual.

Principle 7:   We address prejudice and prejudice related bullying

We oppose all forms of prejudice which stand in the way of fulfilling the legal duties listed above:

- prejudices around disability and special educational needs;
- prejudices around racism and xenophobia, including those that are directed against religious groups and communities, for example anti-Semitism and Islamophobia, and those that are directed against Travellers, migrants, refugees and people seeking asylum;
- prejudice reflecting sexism or homophobia.

Principle 8:   Society as a whole should benefit

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 and non-disabled;
- people of different ethnic, cultural and religious backgrounds;
- girls and boys, women and men;
- gay people as well as heterosexual.

Principle 9:   Objectives

Each year we formulate and publish specific and measurable equality objectives, based on the evidence we have collected and published, in relation to:

- disability;
- ethnicity, religion and culture;
- gender.

Arrangements, Roles and Responsibilities

1. The equality objectives for MCIS will be set out formally and are referenced in the School Development Plan. They will be reviewed annually, and refreshed on a four year cycle.

2. The equality employment information will be monitored and reported to the Full Governing Body on an annual basis.

3. MCIS will undertake Equality Impact Assessments (EIA) (also known as Equality Analysis exercises) when renewing or reviewing policy or practice to ensure full compliance with the Equality Act 2011. See the EIA Guidance for Schools document at the end of this policy.

Curriculum

4. Curriculum information will also be evaluated by looking specifically at equality groups in addition to the standard analysis conducted by the school and adjustments as appropriate to ensure that equality groups are supported positively.

5. All other data relating to whole school monitoring will encompass scrutiny of equality information so that groups are supported positively.

6. When it is reviewed, each curriculum subject or area will ensure that teaching and learning will reflect our Guiding Principles as set out above.

Staff and Governors

7. The Governing Body is responsible for ensuring that the school complies with legislation, and that this policy and its related procedures and action plans are implemented.

8. A member of the Governing Body has the role of monitoring the implementation of this policy.

9. The Headteacher is responsible for implementing the policy; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.

10. A senior member of staff has day-to-day responsibility for co-ordinating implementation of this policy.

11. All staff are expected to:

   • adhere to this policy;

   • promote equality and inclusion in their classrooms, amongst colleagues and with visitors to the school;

   • deal with any prejudice related incidents that may occur;

   • plan and deliver curricula and lessons that reflect our Guiding Principles ;

   • provide and analyse quantitative and qualitative data that supports better understanding of equality groups and any issues that may arise, e.g., attendance, bullying, exclusion;

   • undertake or support Equality Impact Assessment (Equality Analysis) processes;

   • attend appropriate training that enables MCIS to keep up-to-date with equality issues.

12. All staff and Governors have access to training and a selection of resources which discuss and explain the concepts of equality, diversity and community cohesion. We value the opportunity to take a holistic approach in fulfilling our Equality Duties.

13. All staff and Governors will exercise their Safeguarding responsibilities in relation to equality matters and ensure that any bullying or challenging of Human Rights is addressed immediately.

14. MCIS is opposed to all forms of prejudice that could act as a barrier to achieving our legal duties and a cohesive community. These include:

   • disability;
   • special educational needs;
   • racism and xenophobia;
   • gender and transgender;
   • religious groups and communities;
   • Travellers, migrants, refugees and people seeking asylum;
   • sexism and homophobia.

Member of staff with Lead Responsibility for this policy: The Head Teacher

Governing Body person with responsibility: As indicated on MRI

Approved by Governing Body on: November 2011

Policy Review

This policy has been adopted by the governors and is approved annually by the full governing body at its first routine meeting of each academic year (usually in September). In the meantime it is reviewed as necessary by the owner of the policy and the head teacher, and any resultant changes other than minor clarifications or those of a typographical nature are brought to the attention of the governing body. The policies master record index is updated to reflect the dates of the last and next review, and the owner of the policy.

Reviewed: Sept 2012

Equality Impact Assessments – guidance for schools

The legal background

All public bodies have a legal duty to assess the impact of their policies and practices, and the likely impact of any proposed policies and practices, on the furtherance of the three aims set out in equalities legislation, namely:
- eliminate discrimination;
- advance equality of opportunity;
- foster good relations.

Public bodies are affected in all their functions, particularly:
- as employers;
- as purchasers;
- in policy development;
- in service delivery.

Equality Impact Assessments (EqIAs) have been recommended since 2002 in the case of ethnicity, since 2006 in the case of disability, and since 2007 in the case of gender. From 5 April 2011, the Equality Act 2010 extends the duty to age (pupils in schools are exempt from the 'age' component but not the employees at a school for which the Governing Body has full employer duties), religion or belief, gender identity and sexual identity. These are known as 'Protected Characteristics' and are listed on the Equality Impact Assessment and Initial Screening Report forms.

The purpose of an Equality Impact Assessment is to give due consideration to each of the protected characteristics with view to identifying any negative or detrimental impact upon groups having one or more protected characteristic – **this is a legal requirement**. An assessment prompts questions that we might not otherwise have thought about and focuses upon achievable possibilities and opportunities. Although using the DCC recommended forms (or similar) is not compulsory, systematic use of such a tool does **provide evidence that all protected characteristics have been considered formally.** Assessments should be conducted whenever new or existing policies, protocols or significant decisions are proposed, developed or reviewed. This task may be eased by use of an Initial Screening Record that would indicate whether a full Equality Impact Assessment is needed.

In essence there are only two questions, but they have to be answered with regard for each of the protected characteristics – age, disability, ethnicity, gender, gender identity, religion or

belief, and sexual identity. Although not a part of the Equalities Act 2010 currently, (this element was due to be included by April 2012 but has been dropped by government) it is considered good practice if rurality and socio-economic factors are evaluated. Those responsible for structuring policies, procedures and practice should examine the full range of evidence available and be confident that consideration has been given to each protected characteristics in turn.

The questions are:

1. Is there a negative impact on one or more of the dimensions of equality – namely, could it increase the inequalities that already exist?

   If so, how can any impact be minimised or can the impact be justified?

2. Is there potential to have a positive impact on equality, by reducing and removing inequalities and barriers that already exist?

   If so, is it possible to maximise the potential?

Groups with more than one protected characteristic are likely to be adversely affected (or have greater inequality than already exists) unless careful thought is given to ways in which any potential impact can be eliminated or reduced. *Top of the Document*

The process of Equality Impact Assessment

Ideally school would have nominated a governor to cover and oversee equality issues. In order to evidence compliance with required duties and the Equality Act 2010, it is proposed that policies, procedures and all significant decisions are accompanied either by an Equality Impact Assessment initial screening record, or a full Equality Impact Assessment. This can be done in the normal life cycle of review and does not require covering all school documents immediately. *Top of the Document*

1.   Equality Impact Assessment – Initial Screening Record

The Initial Screening Record is a tool designed to minimise formal paperwork yet, at the time, provide evidence that schools have considered all equality protected characteristics systematically.

The intended audience for Equality Impact Assessment – Initial Screening Records are Senior Managers, Headteachers and Governors.

Section 3 requires a tick response – if it is not possible to provide an answer to any of these questions, it may require a full Equality Impact Assessment to be completed in order to consider the position comprehensively. If the majority of responses are *Positive Impact* or *No Impact* then it is possible to agree that a policy, procedure or decision is accepted provided that statistical or qualitative information is available to support the screening process. If the screening exercise indicates *Negative Impact* issues then it would be wise to proceed to conducting a full Equality Impact Assessment.

Section 4 refines the data / information held relating to the protected characteristics. This might be found from evidence schools already possess in relation to performance – the sort of information that forms a school profile or is requested by Ofsted. It might be that there is a shortfall in the information known about one or more of the protected characteristics, in which

case schools may wish to add this to the Equality Objectives and focus upon how to accumulate more comprehensive knowledge in relation to those protected characteristics.

It is important to evaluate whether the screening process indicates **any potential illegal situation**, if it does, a plan should be drawn up that enables the school to **remedy the situation immediately.** *Top of the Document*

2. Equality Impact Assessment Form

Use of the full Equality Impact Assessment form is a comprehensive way of ensuring that all aspects of the Equality Act 2010 and the duties on schools (and all public bodies) are met and that the schools is compliant with the law.

Section 5 of the form allows known statistical information to be set out so that full consideration can be given to each question relating to a protected characteristic. Information for responses may be gathered from existing data held in various documents within schools. It enables an in depth evaluation of the present situation experienced by school and will indicate positive actions in the schools activities and planning, and indicate any shortfall in provision that could potentially impact upon those pupils or employees with protected characteristics.

Sections 8 and 9 will conclude the outcome of the Equality Impact Assessment process.

Section 12 of the Equality Impact Assessment form should indicate any potential **illegal situation**; a plan should be structured to **remedy the situation immediately.**
Top of the Document

Suggestions on how Equality Impact Assessments might be summarised

You may like to copy and paste one of the following statements into your document, and then expand and explain it as appropriate.

A   positive impact is explicitly intended and very likely.

B   An adverse impact is unlikely, and on the contrary the policy has the clear potential to have a positive impact by reducing and removing barriers and inequalities that currently exist.

C   An adverse impact is unlikely. On the contrary there is potential to reduce barriers and inequalities that currently exist. There is insufficient evidence, however, for this assessment to be made with as much confidence as is desirable.

D   Adverse impact is unlikely, but positive impact is also unlikely.

E   Adverse impact is probable or certain, since certain groups will be disadvantaged, either proportionately or absolutely, or both. Remedial action is therefore necessary.

F   Adverse impact is probable or certain for certain groups but the policy as a whole can nevertheless be justified.

Semantics and terminology   (Insted Consultancy – paper 9 – Equality in Education)

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Introductory notes

Words change in their meanings and implications over time, and mean different things to different people.

Changes of language occur partly because the outer world changes; partly because understandings of the world change; and partly because various groups and communities gain greater power and influence than hitherto and are in consequence able to insist their voices, viewpoints and self-definitions are listened to and taken into account.

In consequence, there are worries and concerns about avoiding offence, and about so called political correctness.

This paper recalls some of the principal debates and discussions which have taken place in relation to equalities over the years.

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GENERAL

Equality / diversity

As moral and political values, these may be seen as two sides of the same coin – neither without the other is complete. But they can be current in different contexts, since discourse of diversity may be preferred by those who do not wish talk about racism and unequal power relations. In UK and European law, the preferred term is equality. A phrase using both words is in increasing use.

DISABILITY

Disability / impairment

In the field of disability equality, words vary in their meaning and implications according to the context, framework or theoretical model within which they are used.

The term social model of disability has been developed by disabled campaigners and their non-disabled allies over the last 30 years to emphasise that disability should be seen as a social process, not as a characteristic of an individual. The social model sees disability as arising from barriers, beyond the person, of attitude, organisation and environment. An *impairment* is a long term loss of physical or mental function.

Through the Disability Discrimination Act duties to promote disability equality and to provide reasonable adjustments, and through subsequent guidance issued by the

Disability Rights Commission and the Office for Disability Issues, the social model of disability is enshrined in UK legislation.

The UN Convention on the Rights of People with Disabilities enshrines this paradigm shift from medical model to social model thinking. It was ratified by the UK government on 8 June 2009.

According to the social model, someone who has an impairment is disabled by barriers in society, essentially, not by the impairment itself. The effects of these can be ameliorated by reasonable adjustments and changing attitudes and practices, but to be fully included disabled people need activities, services and environments to be planned and designed to be barrier-free. For this reason the term disabled people is increasingly preferred in the UK to the term people with disabilities.

The term disabled, it has been said, should be seen as a verb not as an adjective – it refers to things being done to people, not to what or who they are.

The term disablement is sometimes used to refer to the social, physical and attitudinal processes which lead to certain people becoming seen and treated in disabling ways.

Special educational needs

SEN and SEND are nouns and should never be used as adjectives (as in 'SEN children').

However, it has also been argued they should never be used at all, for they risk locating problems in children and young people rather than in barriers, including attitudinal barriers, in the social and school environment. From the point of view of the social model of disability (see above), children who have what are called special educational needs may be more accurately described as disabled.

ETHNICITY

Race/ethnicity

The term race appears in legislation, as for example in the terms race equality, race relations and racial group, and also therefore in much administrative usage. There is no scientific basis for dividing the human species into races, however. The term **ethnicity**, which implies cultural, linguistic and religious aspects of identity as well as (sometimes but not always) visible differences, more accurately reflects the intentions in race relations legislation. Also, it is more consistent with the understanding that forms of cultural racism (for example, Islamophobia and antisemitism) can be as serious in their effects as colour racism. It is increasingly the preferred term in DCSF usage.

Statistical breakdowns published by the DCSF in recent years have always used the term by ethnicity in their titles, if appropriate, not by race or by racial group. This is also the established practice in other government departments.

The Equality and Human Rights Commission, amongst others, often uses the composite term race/ethnicity implying it sees the two terms as interchangeable, or considers that neither term is sufficient if unaccompanied by the other.

The term 'BME'

The term BME (short for 'black and minority ethnic') can be useful for providing a broad-brush overview in order to refer to all people not categorised as 'white British'. It is seldom if ever helpful, however, for clarifying the practical measures which need to be introduced to make improvements in provision.
Further objections to the term include:

⬦ it runs the risk of dehumanising, as does any such use of an abbreviation

⬦ it implies Black people are not of a minority or minoritised background

⬦ it cannot be used grammatically as an adjective before a noun such as 'person' or 'people'

⬦ it reflects a simplistic majority/minority distinction that is frequently inaccurate or inappropriate

⬦ it is arguably no more than code for the discredited term 'coloured'.

'Group'

The term group is used by statisticians when referring to tabulations based on the categories in the 2001 Census (as, for example, in 'the Black Caribbean group'). It also appears in legislation ('racial group'). In most or all other contexts, however, it can be subtly demeaning. Terms such as background, heritage and community are preferable.

Racism / xenophobia

Arguably the same, though also corresponding to visible/invisible differences amongst those who are targeted by racist prejudice and discrimination, and to the distinction between colour racism and culture racism. The term xenophobia is much more used in other European countries than in UK.

Islamophobia / anti-Muslim racism

The latter term is arguably clearer, since it does not imply a mental disorder. But the former is now current and is useful for referring to a general climate of opinion. Like anti-Semitism, it refers to a form of racism. In certain international organisations the preferred term is intolerance and discrimination against Muslims.

The term 'Asian'

- Publications sometimes use the term *Asian* as a blanket reference to Bangladeshi, Indian and Pakistani communities. However, these communities vary considerably in terms of social class and migration history; recent economic trends; the geographical area within Britain where they are mainly settled; religious tradition, culture and language; and the nature of the prejudice, hostility and discrimination they may encounter. There are few if any practical policies and measures that are relevant to all 'Asian' communities without exception.

The term 'Black'

- In an analogous way, publications sometimes use the blanket term *black*, without

distinguishing between African and African-Caribbean communities. Occasionally, further, reports use the term *black* to refer to all people who may experience racism based on their physical appearance. Racism based on colour is a serious matter, most certainly. But the blanket term *black* can mask rather than clarify patterns of disadvantage and discrimination.

The term 'white'

- Similarly the word *white* is used in different ways in different studies. Sometimes it refers to all people who describe themselves as white in the categories of the 2001 census. At other times, however, it refers only to those who *in addition* describe themselves as British. Since terms such as 'ethnic minority' and 'BME' are usually defined as 'not white', it follows that they too vary in their meaning according to who is and is not classified as white.

The term 'African'

- Communities of African backgrounds in Britain are different from each other in terms of in terms of social class and educational levels in the countries from which they came; the length of time they have been in Britain; the mix of push and pull factors affecting their decision to move to Britain; religious tradition, culture and language. Because of these differences, there are few if any practical policies and measures that are relevant to all 'African' communities without exception.

FAITH

Religion / faith / belief

Historically, religion has referred to a general tradition and ethno-religious identity, whereas faith has referred to inner beliefs and commitments (as in 'faith, hope and charity'). Recently, this distinction has been changing, with faith being used increasingly to refer to ethno-religious tradition or to institutions with religious connections (as for example in 'faith schools') rather than, necessarily, to inner beliefs.

However, the term in legislation, derived from EU directives, is religion or belief.

GENDER

Gender / sex

The former term refers to social and cultural roles and expectations, the latter to biological differences. The original legislation in the UK refers to 'sex discrimination' but more recently the legal duty is to promote 'gender equality'.

SEXUAL IDENTITY

The self-definition preferred by people who are targeted by homophobia and trans-phobia, and who are now protected by anti-discrimination legislation, is lesbian, gay, bisexual and trans, frequently abbreviated to LGBT. The term homosexual is not seen as acceptable, since it was originally coined to imply deviance or a medical condition.

Older members of the LGBT community, however, may be more comfortable with its use than younger.

The legal term to describe the grounds on which unlawful discrimination takes place derived.