



EQUALITY, DIVERSITY AND COMMUNITY COHESION POLICY

Status	Statutory	Date created	March 2009
Any other statutory names for this policy (where applicable)		Date first approved	March 2009
Responsibility for this policy (job title)	Deputy Headteacher	Date last reviewed	June 2018
Governors' Committee with responsibility for its review	Teaching & Learning	Frequency of review	Every four years
Tick here if Bucks Policy attached in its entirety		To be put on the school website?	Yes
Approval necessary	Whole Governing Body		

Rationale

Governors' and Headteacher's statement of principles

The philosophy of our school talks of valuing the individual needs of our students & staff. We aim to ensure that the school promotes the individuality of all our students and staff, irrespective of ethnicity, attainment, age, disability, gender, religion, belief/non-belief or background. We are committed to giving all our students and staff every opportunity to achieve the highest of standards. Within this ethos of achievement, we do not tolerate bullying, harassment or prejudice of any kind. We actively tackle discrimination and promote equal opportunities and good relations between and amongst all. We are committed to ensuring that positive action is taken by all staff, where necessary to redress the balance of inequality that may exist. In recruiting staff, our policy is equally inclusive.

Within the context of the school, we aim to have a positive impact on individual and shared circumstances, perceptions, attitudes and relations. We aim to reflect the diversity of our local community and society and ensure that the education we offer reduces the chances of social divisions and parallel lives by recognising, celebrating and valuing different backgrounds, lifestyles and identities.

In our school, we are proud of the diversity of the student and staff populations and mindful of the range of races, religions, genders, disabilities, sexual orientations and ages represented by our community.

Due to the nature of our school we are particularly conscious of challenging sexist assumptions or stereotypes and empowering our students to take risks and compete as equals in today's world.

This policy relates to all those associated with the school: students, staff, governors, parents/carers and visitors.

Introduction

Equality is the principle of equal treatment for all people irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex; sexual orientation or any other recognised statutory area of discrimination. Equality is not about benefiting some people at the expense of others - equality benefits everyone. In an effort to ensure that marginalised groups are given equal opportunity, this policy will prioritise those with protected characteristics, listed below, under the Equalities Act 2010 (The Statutory Framework for this policy can be found in Appendix B).

1. **Disability** - We follow the social model of disability which means that we understand that the barriers to disabled people securing equality are due to the physical environment and people's attitudes. A person is considered disabled for these purposes if they have a physical or mental impairment that has a substantial and long term negative effect on their ability to carry out normal day to day activities.
2. **Gender Reassignment**
3. **Pregnancy and maternity**
4. **Race** - With regard to race equality, 'The law defines racial grounds as including race, colour, nationality or ethnic or national origins.' (Equality and Human Rights Commission Website). We accept the definition of a racist incident based on recommendation 12 of the Report of the Stephen Lawrence Enquiry: 'A racist incident is any incident which is perceived to be racist by the victim or any other person'.
5. **Religion or belief** - With regard to religion, we actively support the rights of all to practise their belief/non beliefs equally, so long as their actions are not to the detriment of others (agreed by LT).
6. **Sex**
7. **Sexual orientation** - With regard to sexual orientation, we refer to the LGBTQ+ community, i.e. lesbians, gay, intersex, bisexual and transgender people.
8. **Age** - With regard to **age**, our focus is on older persons (over 60) and younger people aged 11-18.
9. **Marriage**

(See Appendix B for more detail)

Diversity is the acceptance that we are all different, but we are all equal. Diversity focuses on valuing and celebrating the strengths in people's differences.

Community cohesion is to have common vision and civic pride, valued and celebrated diversity, clear rights and responsibilities, equal life chances for all and strong relations between different communities.

Discrimination is treatment of a person or persons which differs from the norm because of their perceived or actual difference.

Policy Development

We will comply with the Public Sector Equality duty giving due regard to the duty when making decisions, taking actions and developing policies. In line with our specific duties under the Equality Act 2010, we will publish our equality objectives and will publish information about how the School is complying with the Public Sector Equality Duty. Published Information will be updated annually and objectives will be updated every four years. This information is available on our website.

Various members of the school's community were consulted as part of the policy review. The 2018-20 Equality Objectives (shown in Appendix A) were drawn up by HEART (Healthy Equality and Rights Together) in addition to the Student Equality Working Party that was recently formed. The working group closely reflects our school community.

Roles and Responsibilities

The Governing Body is responsible for ensuring that:

- The school complies with all equalities legislation relevant to the school community
- The school's Equality, Diversity and Community Cohesion Policy is reviewed and updated regularly
- That procedures and strategies related to the scheme are implemented
- The named Equality Governor will take the lead in championing equality and community cohesion on behalf of the Governing Body

The Headteacher and Leadership Team are responsible for:

- Providing leadership and vision in respect of equality, diversity and community cohesion, alongside the Governing Body
- Overseeing the implementation of the Equality, Diversity and Community Cohesion Policy
- Coordinating the school's activities related to equality, diversity and community cohesion
- Ensuring that the Equality, Diversity and Community Cohesion Policy is available via the school website
- Ensuring that staff are aware of their responsibilities and are given relevant training and support
- Taking appropriate action in response to racist incidents; discrimination against persons with a disability or discrimination against any persons because of their age, sex or sexual orientation, gender reassignment, race, religion or belief/non-belief in line with our Behaviour and Exclusions Policy and Staff Code of Conduct
- Supporting parents to become more involved in their children's education
- Considering and overcoming barriers to parents' involvement
- Ensuring that no student will be prevented from accessing the curriculum in any way whatsoever, with regards to essential equipment and necessary educational visits, because their parents/carers cannot afford to pay
- Using Student Voice and assembly to raise awareness regarding inappropriate behaviour

All staff are responsible for:

- Dealing with incidents of discrimination and knowing how to identify and challenge bias, unconscious bias and stereotyping
- Not discriminating on grounds of the protected characteristics
- Keeping up to date with equalities legislation by attending training events organised by the school or other professional bodies
- Engaging in training opportunities
- Providing opportunities for students to raise concerns

All parents/carers are responsible for:

- Their children's education
- Being aware of and complying with, the Equality, Diversity and Community Cohesion Policy
- Positively influencing their children's expectations about education, as well as their attitudes and behaviour towards other students, staff and governors
- Understanding the ethos of the school and becoming involved in school life

All students are responsible for:

- Being aware of and complying with the Equality, Diversity and Community Cohesion Policy
- Not discriminating on grounds of the protected characteristics
- Reporting any racist incident or act of discrimination in which they were directly or indirectly involved either in, or when representing, the school
- Understanding, valuing and celebrating diversity
- Challenging stereotypes and prejudices
- Treating others with respect as their equals

Monitoring

School performance information is compared to national data and Local Authority data, to ensure that students are making appropriate progress when compared to all schools, and to schools in similar circumstances. As well as monitoring student performance information, we also regularly monitor a range of other information. This relates to:

- Exclusions
- Attendance
- Incidents of racism, discrimination, sexual harassment and all forms of bullying
- Participation in extra-curricular activities
- Annual Academic and Pastoral Reviews
- Parental involvement, including surveys

Our monitoring activities enable tutors, Heads of Year and Subject Team Leaders to identify any differences in student performance and between groups of students. This allows us to take appropriate action to meet the perceived needs of specific groups and for example to set targets in our School Improvement Plan, in order to make the necessary improvements.

APPENDIX A

Equality Objectives 2018-20

Strategy	Actions
Teach inclusion and identify and prevent racism and prejudice in all its forms	<ul style="list-style-type: none"> ● Ensure equality of access for all students and prepare them for life in a diverse society ● Provide opportunities for students to appreciate their own culture and celebrate the diversity of other cultures ● Promote attitudes and values that will challenge discriminatory behaviour ● Provide opportunities for students to identify shared interests among members of different social groups and categories ● Develop students' awareness so that they can detect bias and challenge discrimination
Enhance the curriculum to ensure that it is representative of our school diversity	<ul style="list-style-type: none"> ● Develop learning materials and activities that emphasise benefits of having diverse communities, neighbourhoods, schools and groups ● Use materials that reflect diversity within society in terms of age, race, gender, ability, faith, ethnicity, social condition, cultural background and sexual orientation, without stereotyping ● Promote and celebrate the contribution of different ethnic groups to the subject matter in all subject departments, where appropriate
Trans Inclusive School	<ul style="list-style-type: none"> ● As a Stonewall Champion School train staff effectively using the toolkit provided ● Ensure staff are aware of the correct terminology ● Consider our facilities such as bathroom use, changing, residential trips and uniform/dress code ● Respect names and pronouns ● Ensure transphobic bullying, and ways to stop it, are part of our L4L programme

APPENDIX B

The Equality Act 2010

The Equality Act 2010 replaced all existing equality legislation from 1st October 2010. It streamlines all the various legislation into a single requirement.

The Act prohibits schools from discriminating against, harassing or victimising:

- prospective students
- students at the school
- in some circumstances, former students

Schools also have obligations as employers, bodies which carry out public functions and service providers.

What the law protects against

These are the main forms of prohibited conduct.

1. Discrimination

This includes:

- Treating a person worse than someone else because of a protected characteristic (known as **direct discrimination**). Although in the case of pregnancy and maternity direct discrimination, this can occur if they have protected characteristic without needing to compare treatment to someone else. It is not possible to justify direct discrimination, so it will always be unlawful.
- Putting in place a rule or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified (known as **indirect discrimination**). Indirect discrimination will occur if the following four conditions are met:
 - i) You apply (or would apply) the provision, criterion or practice equally to all relevant students, including a particular student with a protected characteristic, and
 - ii) The provision, criterion or practice puts or would put students sharing a protected characteristic at a particular disadvantage compared to relevant students who do not share that characteristic, and
 - iii) The provision, criteria, practice or rule puts or would put the particular student at that disadvantage, and
 - iv) You cannot show that the provision, criteria of practice is justified as a 'proportionate means of achieving a legitimate aim'.
- Treating a disabled person unfavourably because of something connected with their disability when this cannot be justified (**known as discrimination arising from disability**).

Discrimination arising from disability occurs when you treat a disabled student unfavourably because of something connected with their disability and cannot justify such treatment. Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising from disability, the motive for the treatment does not matter; the question is whether the disabled student has been treated unfavourably because of something connected with their disability.

- Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled student or for the disabled student to compare themselves with anyone else. Discrimination arising from disability will occur if the following three conditions are met:
 - i) you treat a disabled student unfavourably, that is putting them at a disadvantage, even if this was not your intention, and
 - ii) this treatment is because of something connected with the disabled student's disability, and
 - iii) you cannot justify the treatment by showing that it is 'a proportionate means of achieving a legitimate aim'.

Failing to make reasonable adjustments for disabled people

- The reasonable adjustments duty was first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act operates slightly differently and has been extended to cover the provision by a school of auxiliary aids and services; however, this element of the duty will not come into force until a later date yet to be confirmed. The object of the duty is the same: to avoid as far as possible by reasonable means, the disadvantage which a disabled student experiences because of their disability.
- In some cases, the support a disabled student may receive under the special educational needs framework may mean that they do not suffer a substantial disadvantage and there is no need for additional reasonable adjustments to be made for them. In other cases, disabled students may require reasonable adjustments in addition to the special educational provision they are receiving. There are also disabled students who do not have special educational needs but still require reasonable adjustments to be made for them.

2. Harassment

- Unwanted conduct which has the purpose or effect of violating someone's dignity or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way that is sexual in nature.

3. Victimisation

- Treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so. These are called 'protected acts'.

A 'protected act' is:

- Making a claim or complaint of discrimination (under the Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the school or someone else has breached the Act.
- Doing anything else in connection with the Act.

There is also protection for students who are victimised because their parent or sibling has carried out a protected act.

As well as these characteristics, the law also protects people from being discriminated against:

- By someone who wrongly perceives them to have one of the protected characteristics.
- Because they are associated with someone who has a protected characteristic. This includes the parent of a disabled child or adult or someone else who is caring for a disabled person.

New positive action provisions

Students with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains provisions which enable schools to take action to tackle the particular disadvantage, different needs or disproportionately low participation of a particular student group, provided certain conditions are met.

These are known as the positive action provisions and allow (but do not require) schools to take proportionate action to address the disadvantage faced by particular groups of students. Such action could include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged student group.

Positive action is intended to be a measure that will allow schools to provide additional benefits to some students to address disadvantage and is not the same as positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged student group that exceeded the positive action conditions.

It is never unlawful to treat disabled students (or applicants) more favourably than non-disabled students (or applicants). That is, a school is permitted to positively discriminate in favour of disabled students (applicants).

Why we need to address race equality issues:

Legal Requirements:

The Equality Act 2010 outlines that all public authorities including schools have a statutory duty to

- Eliminate racial discrimination;
- Promote equality of opportunity;

- Promote good relations between people of different racial groups.

The specific duties require us to:

- *Prepare a written policy on racial equality;*
- *Assess the impact of our policies, including this policy, on students, staff and parents of different racial groups including, in particular, the impact on attainment levels of these students;*
- *Monitor the operation of our policies through the impact they have on such students, staff and parents, with particular reference to their impact on the attainment levels of such students*

Why we need to address gender issues:

Legal requirements:

The Equality Act 2010 states that it is unlawful to treat a person less favourably than another is treated in similar circumstances on the grounds of sex:

- Apply a condition which discriminated against a man or a woman because they are less able to comply with it than a member of the opposite sex is, and;
- Discriminate against somebody because they are married.

The Equality Act 2010 requires that men and women should be paid equally where they are carrying out:

- The same job
- Work of equal value
- Work related as equivalent under the job evaluation scheme.

The Equality Act 2010 permits employers to act positively in favour of a particular gender by:

- Offering access to training to employees and/or non-employees to help fit them to particular work in the organisation in which their gender group has been identified as underrepresented and;
- Encouraging employees and/or non-employees to take up opportunities for work.

The Equality Act 2006 purpose was to create a public duty to promote equality of opportunity between men and women and to prohibit sex discrimination.

The specific duties:

- Consider the need to include objectives to address the causes of any gender pay gap.
- Gather and use information.
- Consult stakeholders and take account of relevant information.
- Assess the impact of its current and proposed policies and practices.
- Implement the actions set out in its scheme.

- Monitor, evaluate and report.

Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female student of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby, who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female student of any age) less favourably because she is breastfeeding a child, who is more than 26 weeks old.

Gender reassignment

Gender reassignment is defined in the Equality Act as anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. The definition means that in order to be protected under the Act, a person will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so. This personal process may include undergoing medical procedures or, as is more likely for school students, 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 someone like a doctor:
 - i) 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
 - ii) 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,
- or 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.

Why we need to address disability issues:

The Equality Act 2010 outlines that a person is a disabled person (someone who has the protected characteristic of 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:
 - i) The length the effect of the condition has lasted or will continue: 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 or if the person no longer has the condition, they will be considered to be a disabled person.
 - ii) 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.
 - iii) If the activities, that are made more difficult, are 'normal day-to-day activities' at work or at home.
 - iv) 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.

The Duty:

The Equality Act 2010 places a general duty on schools, who need to have due regard for the following when carrying out their functions:

- Promoting equality of opportunity between disabled people and other people;

- Eliminating discrimination that is unlawful under the DDA;
- Eliminating harassment of disabled people that is related to their disability;
- Promoting positive attitudes towards disabled people;
- Encouraging participation in public life by disabled people;
- Taking steps to meet disabled people's needs, even if this requires more favourable treatment.

Why we need to address sexual orientation issues:

Legal requirements:

- The Equality Act 2010 covers discrimination, harassment and victimisation in work and vocational training. It makes it unlawful to deny people jobs because of prejudice about their sexual orientation.
- The Equality Act 2006 included an order making power that allows Regulations to be made to prohibit sexual orientation discrimination in the provision of all goods, facilities and services in education and in the execution of public functions. These Regulations entered into force on the 30 April 2007.

Sexual orientation means an individual's sexual orientation towards:

people of the same sex as him or her (gay or lesbian)

people of the opposite sex (heterosexual)

people of both sexes (bisexual)

It does not include transsexuality which is related to gender and is covered in the employment context by sex discrimination legislation.

The Regulations prohibit discrimination on the basis of a person's:

- Actual sexual orientation
- Perceived sexual orientation by him or her
- Sexual orientation of someone with whom he/she is associated

Why we need to address religious belief / non-belief issues:

Legal requirements:

- *The Equality Act 2010 outlines discrimination on grounds of religion, religious belief or similar philosophical belief. They cover direct or indirect discrimination, harassment and victimisation in work and vocational training on grounds of perceived as well as actual religion or belief (i.e. assuming - correctly or incorrectly - that someone has a particular religion or belief). It is illegal to discriminate against any one because of their religion or faith when providing goods or services.*

- Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular religion or belief in order to do the job or to comply with the religious or belief ethos of the organisation
- Religion or belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It will be for the Employment Tribunals and other courts to decide whether particular circumstances are covered by the law

For example, it is unlawful to:

- Decide not to employ someone
- Dismiss them
- Refuse to provide them with training
- Deny them promotion
- Give them adverse terms and condition because they follow, or do not follow, a particular religion or belief

Why we need to address age issues:

Legal requirements:

- *The Equality Act 2010 prevents unjustified age discrimination in employment and vocational training. It protects against discrimination that is directly against anyone:*
- That is, to treat them less favourably than others because of their age – unless objectively justified
- Discriminate indirectly against anyone – that is, to apply a criterion, provision or practice which disadvantages people of a particular age unless it can be objectively justified
- Subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances including the perception of the victim
- Victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of age

Discrimination is defined as:

- Direct discrimination on the grounds of sexual orientation happens when a person is treated less favourably than another person is, or would be, treated in the same circumstances, and that treatment is because of their sexual orientation, perceived sexual, or that of a person with whom he or she is associated- such as a parent.
- Indirect discrimination on the grounds of sexual orientation happens where a provision, criterion or practice is applied to everyone but it has the effect of putting a person of a particular sexual orientation at a disadvantage - and it cannot be reasonably justified by reference to considerations other than sexual orientation.

- Victimising someone by treating them less favourably because of anything they have done or intend to do in relation to these regulations such as making a complaint or giving evidence for a complainant, is also unlawful discrimination.

The specific duties require us not to unlawfully discriminate against a person:

- In the terms on which it offers to admit her as a student
- By refusing to accept an application to admit her as a student
- In the way in which a student is afforded access to any benefit, facility or service
- By refusing access to any, benefit, facility or service
- By excluding her

By subjecting her to any other detriment

Why we need to address Community Cohesion issues

Legal Requirements:

The Education and Inspections Act 2006 establishes general duties of governing bodies:

Section 38 states that governing bodies should conduct the school with regard to four new duties one of which is the duty to “promote community cohesion”.

Section 154 states the duty to report to OFSTED on the contribution of certain schools to community cohesion.

Section 33 about requirements to foundation school contains a subsection 96) which establishes an explicit requirement that a foundation school should “promote community cohesion”. This seems to be linked to the Government’s desire “to promote ethnic, religious, and cultural tolerance and respect between different groups of people living together.” Therefore, trusts will need to demonstrate that they are committed to providing “opportunities for young people from different backgrounds to learn from each other and encourage an understanding of, and respect for, other cultures and faiths and by activities in the community, which help build bridges between different ethnic groups.” This duty also implies assessing if certain activities would constitute an obstacle to meeting this requirement.

Schools play a fundamental role in decreasing deprivation and exclusion, in valuing and celebrating ethnic diversity, raising achievement and attainment, preventing and managing bullying, anti-social behaviour and discrimination incidents.

Beyond statutory requirements for schools to promote community cohesion, it is important that these policies are developed in a context-wise, evidence-based and problem-solving manner. Likewise, it is useful to acknowledge that the school’s efforts to promote community cohesion will be more significant if the duty is mainstreamed across all areas such as curriculum and teaching and learning, equity and excellence, engagement and extended services.