



Equal Opportunities Policy

Document provenance

This policy was approved as follows –

Board of trustees

Date: February 2019

Frequency of review: Three years

ELT Owner: National Director of Education

Summary of changes at last review:

- Specific reference to adherence to the Public Sector Equality Duty and Equality Objectives
- Correct terminology and references to the protected characteristics have been added throughout

Related documents:

- Academy Equalities Objectives including accessibility plan
- Trust-wide equality objectives
- E-ACT Equality and Diversity policy
- Admissions statements
- Behavior and anti-bullying policy
- Academy rules
- Uniform policy
- Special Educational Needs and learning policy
- Concerns and complaints policy

All policies can be made available in large print or other accessible format if required.

This policy's focus is on pupils. The Equality and Diversity policy focuses on staff and pupils.

If you have any questions about the content or application of this policy, you should contact Leanne Mahony (Headteacher).

USEFUL CONTACTS:

Special Educational Needs Co-ordinator (**SENCo**): The Academy's Special Educational Needs Co-ordinator is Sarah Mansell.

Governance Team: governance.team@e-act.org.uk

Equal Opportunities Policy

1. Introduction and purpose

- 1.1. **The Academy:** Nechells Primary E-ACT Academy is an academy for pupils aged from 4-11 years.
- 1.2. E-ACT welcomes staff, workers, volunteers, pupils, parents, applicants and trustees from all different ethnic groups, backgrounds and creeds. The Academy provides for pupils of different abilities and who are wholly or mainly drawn from the area in which the Academy is situated. The term **Academy Community** includes staff (academy, regional and national), trustees, pupils, parents, visitors and volunteers.
- 1.3. The Academy recognises the benefits of having a diverse Academy Community, with individuals who value one another, and the different contributions everyone can make. Pupils will be taught to value and respect others. The Academy is committed to being an equal opportunities education provider and is committed to equality of opportunity for all members of the Academy Community. In the provision of equal opportunities, the Academy recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:
 - 1.3.1. disability
 - 1.3.2. gender reassignment
 - 1.3.3. pregnancy and maternity
 - 1.3.4. race
 - 1.3.5. religion or belief (including lack of religion or belief)
 - 1.3.6. gender
 - 1.3.7. sexual orientation and (in the case of adult members of the Academy Community)
 - 1.3.8. marital or civil partnership status; and
 - 1.3.9. age.
- 1.4. These can be called the **Protected Characteristics**. The Academy also opposes all bullying and unlawful discrimination on the basis that a person has a special educational need or learning difficulty, or because English is an additional language.

2. Through the operation of this policy we aim to:

- 2.1.1. communicate the commitment of the Academy to the promotion of equal opportunities
- 2.1.2. promote equal treatment within the Academy for all members of the Academy Community
- 2.1.3. create and maintain an open and supportive environment which is free from discrimination
- 2.1.4. foster mutual tolerance and positive attitudes so that everyone can feel valued within the Academy
- 2.1.5. remove or help to overcome barriers for pupils where they already exist
- 2.1.6. ensure that there is no unlawful discrimination against any person on any ground listed at paragraph 1.2
- 2.1.7. make it clear that, and ensure, that all discriminatory words, behaviour and images are treated as unacceptable
- 2.1.8. take reasonable steps to avoid putting disabled people at a substantial

disadvantage (the **Reasonable Adjustments** duty).

2.2. The Academy aims to ensure that all policies and practices conform with the principle of equal opportunities and comply with the public sector equality duty set out in section 149 of the Equality Act 2010. The Academy will tackle inappropriate attitudes and practices through staff leading by example, through the Personal, Social and Health Education (**PSHE**) programme, through the supportive Academy culture and through the Academy's policies.

2.3. The Academy is committed to promoting equality and has produced policies to assist promotion of the following aims:

- 2.3.1. to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- 2.3.2. advance equality of opportunity between people who share a protected characteristic and those without
- 2.3.3. foster good relations between people who share a protected characteristic and those who do not.

1. Scope

1.1. This policy applies to all members of the current and prospective Academy Community. There is also an equal opportunities policy for staff available on the intranet and main trust webpage.

2. Legislation and regulation

- the Equality Act 2010,
- the Statutory framework for the Early Years Foundation Stage (DfE, March 2017),
- the Education and Skills Act 2008 and the Children and Families Act 2014.
- Data Protection Act 2018.
- Equality Act 2010: explanatory notes (2010),
- the Special educational needs and disability code of practice: 0 to 25 years (DfE, January 2015),
- Working together to safeguard children (HM Government, July 2018)
- non-statutory guidance Equality Act 2010 and schools: departmental advice for school leaders, school staff, governing bodies and local authorities (DfE, May 2014) and
- Technical guidance for schools in England (Equality and Human Rights Commission, July 2014).

3. Forms of discrimination

3.1. Discrimination may be direct or indirect, or arising from disability and it may occur intentionally or unintentionally.

3.1.1. **Direct discrimination:** Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic as set out in paragraph 1.2 above. For example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race would be direct discrimination.

3.1.2. Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy or maternity). For example, if a pupil is harassed or victimised because a

sibling is disabled, this would be direct discrimination against that pupil.

3.1.3. **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for example, their sex or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with gender, they would be indirectly discriminatory on the grounds of gender.

3.1.4. **Discrimination arising from disability:** Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a pupil with cerebral palsy who is a wheelchair user is told they will be unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

4. Admission

- 4.1. **Applicants:** The Academy accepts applications from and admits pupils irrespective of their Protected Characteristics and will not discriminate on these grounds in the terms on which a place is offered, subject to section 8, below. The Academy will treat every application in a fair, open-minded way.
- 4.2. Every application will be considered on its merits within the Academy's criteria for selection on grounds of the pupil's ability and aptitude but this will not be done as a way of excluding pupils with a disability or special educational needs, subject to section 8 below.
- 4.3. **Admissions policy:** The Academy's admissions policy reflects the Academy's approach towards equal opportunities and is consistent with this policy.

5. Education and associated services

- 5.1. **Equal access:** The Academy will afford all pupils equal access to all benefits, services, facilities, classes and subjects including all sports, irrespective of their Protected Characteristics, subject to considerations of safety and welfare, paragraph 5.2 and section 8, below.
- 5.2. **Positive action:** The Academy may afford pupils of a particular racial group, or pupils with a disability or special educational needs, access to additional education or training to meet the special needs of the pupils in that group, for example, special language training for groups whose first language is not English.
- 5.3. **Exclusions:** The Academy will not discriminate against any pupil by excluding him or her from the Academy, or by subjecting him or her to any other detriment, on the grounds of his or her Protected Characteristics, subject to section 8 of this policy.
- 5.4. **Teaching and Academy materials:** Efforts are made to recognise and be aware of the possibility of bias (for example gender or racial), so that this can be eliminated in both the Academy's teaching and learning materials and teaching styles. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias.
- 5.5. **Pupil interaction:** All pupils are encouraged to work and play freely with, and have respect for, all other pupils, irrespective of their Protected Characteristics, subject to considerations of safety and welfare. Positive attitudes are fostered towards all

groups in society through the curriculum and ethos of the Academy, and pupils will be encouraged to question assumptions and stereotypes.

- 5.6. **Bullying:** The Academy will not tolerate bullying or cyberbullying for any reason. The Academy's anti-bullying policy contains more details about the Academy's anti-bullying practices. Specific types of bullying include:
- 2.3.4. bullying relating to race, religion, belief or culture
 - 2.3.5. bullying related to SEN, learning difficulties or disabilities
 - 2.3.6. bullying related to appearance or health conditions
 - 2.3.7. bullying relating to sexual orientation
 - 2.3.8. bullying of young carers or looked after children or otherwise related to home circumstances
 - 2.3.9. sexist or sexual bullying
 - 2.3.10. sexist or sexual bullying or bullying related to gender reassignment

6. Academy uniform

- 6.1. The Academy uniform policy is consistent with this policy. The same Academy uniform policy applies equally to all pupils, irrespective of their gender, gender reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief or special educational needs, subject to considerations of safety and welfare. However, the Academy will consider reasonable requests to alter the Academy uniform, for example for genuine religious requirements and reasonable adjustments for disabled children.
- 6.2. **Symbols of faith:** Certain items of jewellery, such as the Kara bangle, and certain items of headwear, such as the turban and headscarves may be worn by pupils when doing so is genuinely based on manifesting religious or racial beliefs or identity. This is subject to considerations of safety and welfare and the Academy's existing Academy uniform policy principles (in regards to, for example, the Academy colours). Where there is uncertainty as to whether an item may be worn under this section, the issue must be referred by the pupil or the pupil's parents to the headteacher, whose decision will be final, subject to the complaints procedure.
- 6.3. **Disabled pupils:** Reasonable adjustments may be required to the Academy uniform for disabled pupils who require them. The pupil or his or her parents should refer the matter to the Headteacher to ensure all reasonable adjustments are made to accommodate the pupil.

7. Religious belief

- 7.1. **Religion:** The Academy's religious ethos, services and academy timetable are set in accordance with the Christian tradition, but the Academy respects the right and freedom of individuals to worship in accordance with other faiths, or no faith, subject always to their respecting the rights and freedoms of the Academy Community as a whole and considerations of safety and welfare.

8. Disability and special educational needs

- 8.1. We are an inclusive Academy which welcomes members of the Academy Community with disabilities and special educational needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the Academy and we will not treat a member of the Academy Community less favourably on these grounds without justification.
- 8.2. At present, our facilities, physical and otherwise, for the disabled and those with special

educational needs are limited. However, we will do all that is reasonable to ensure that the Academy's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone.

- 8.3. **Definitions:** Children have 'special educational needs' if they have a learning difficulty which calls for special educational provision to be made for them. A disability is a physical or mental impairment which has a "*substantial and long term adverse effect*" on a person's ability to carry out normal day-to-day activity (Equality Act 2010). For further clarification please refer to the policies mentioned in the front sheet.
- 8.4. The Academy's policy on special educational needs includes details about the welfare and educational provision for pupils with Statements of Special Educational Needs or Education, Health and Care Plans
- 8.5. **Reasonable adjustments:** The Academy has an on-going duty to make reasonable adjustments for disabled pupils and pupils with special educational needs in respect of the education and associated services provided to ensure that such pupils are not placed at a substantial disadvantage in comparison with other pupils. This is a broad expression that covers all aspects of academy life, for example: the curriculum, classroom organisation and timetabling, access to Academy facilities, clubs and visits, Academy sports and Academy policies. Reasonable adjustments may typically include:
- making arrangements for a child in a wheelchair to attend an interview in an accessible ground floor room
 - allowing extra time for a dyslexic child to complete an entrance exam
 - providing examination papers in larger print for a child with a visual impairment
 - rearranging the timetable to allow a pupil to attend a class in an accessible part of the building
 - arranging a variety of accessible sports activities.
- 8.6. The Academy is not legally required to make adjustments which include physical alterations such as the provision of a stair-lift or new ground floor facilities, or a new library
- 8.7. In making reasonable adjustments, the Academy is required to provide auxiliary aids and services for disabled pupils. The Academy will carefully consider any proposals made by parents and will not unreasonably refuse any requests for such aids and services.

Informing the Academy:

- 8.8. Parents of pupils should notify the headteacher in writing if they are aware or suspect that the pupil (or prospective pupil) has a disability or if they (either parent), the pupil (or prospective pupil), or any close relations have at any time had, or has a learning difficulty.
- 8.9. Parents should provide copies of all written reports and other relevant information upon request. Providing the Academy with such information will enable the Academy to support the pupil as much as possible. Confidential information of this kind will only be communicated on a "need to know" basis. The Academy will have due regard to any request made by a parent or pupil (who has sufficient understanding of the nature and effect of the request) to treat the nature or existence of the person's disability as confidential.

Access

8.10. The Academy will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to other users. Where possible and proportionate, the Academy will take steps to improve access for disabled users of the premises.

8.11. The academy accessibility plan is included within the equality objectives and is kept under regular review

9. Pupils with English as an additional language

9.1. **English as an Additional Language (EAL):** Pupils with English as an Additional Language will receive additional learning support if necessary. The Academy will consult with the pupil and the parents as appropriate. Linguistic diversity is positively recognised.

9.2. **Language and culture:** The Academy will ensure that:

- home-academy links are made to involve parents directly in the work of the Academy;
- interpretation and translation services are made available as quickly as possible;
- links are established within the local community;
- staff work effectively with other local services;
- learning support for ethnic minority pupils is efficient and effective;
- provision is made for the spiritual, moral, social and cultural education, supported by appropriate resources and information; and
- pupils' names should be accurately recorded and correctly pronounced. Pupils should be encouraged to accept and respect names from cultures other than their own.

10. Responsibilities

10.1. All members of the Academy Community are expected to comply with this policy and therefore to treat others with dignity at all times.

10.2. **Overall responsibility:** The Board of Trustees have overall responsibility for the effective operation of the Academy's equal opportunities policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board of Trustees have delegated to the Headteacher day-to-day responsibility for operating the policy and ensuring its accessibility, availability, maintenance and review.

10.3. **Management:** Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to promote the aims and objectives of the Academy with regard to equal opportunities in light of the public sector equality duty

10.4. **Senior management:** The senior management team is responsible for ensuring that appropriate arrangements to monitor the performance of potentially disadvantaged pupils are in place. Arrangements include:

- identifying and investigating any patterns in exclusions and poor attendance;
- monitoring differences in attitudes to academy, work and other pupils;
- addressing harassment and bullying;
- evaluating performance among different groups;
- the impact of any additional support.

11. Monitoring and review

11.1.**Monitoring:** To ensure that this policy is operating effectively with respect to admissions, and to identify those sections of the local community which may be under-represented in the Academy, the Academy monitors applicants' gender, race, disability and religion or belief as part of the [• Admissions] procedure. We also maintain records of this data in an anonymised format solely for the purposes stated in this policy.

11.2.**Review:** Leanne Mahony (Headteacher) is responsible for the ongoing monitoring and regular analysis of the data monitored under paragraph 11.1 above and under paragraph 13 below and will arrange for the taking of appropriate positive steps to eliminate unlawful direct and indirect discrimination where necessary.

11.3. Leanne Mahony (Headteacher) is also responsible for reviewing whether the aims of this policy are carried out throughout all areas of the Academy and taking appropriate action where necessary. Recommendations for any amendments are reported to the National Governance Team.

12. Reporting and recording incidents of discrimination

12.1.**Complaints:** If you believe that you have received less favourable treatment on any of the unlawful grounds listed in paragraph 1.2 above, or if you feel that this policy has been breached in any way to your detriment you are encouraged to raise the matter through the Academy's formal Complaints Procedure.

12.1.1. For a copy of the Academy's Complaints Procedure, please see the main Trust website. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the Complaints Procedure.

12.2.**Reports:** If you would like to report a breach of this policy that does not constitute a complaint under paragraph 12.1 above, please contact Leanne Mahony (Headteacher).

12.3.**Enforcement:** We will treat seriously and urgently investigate every complaint and report. Disciplinary action may be taken against any member of the Academy Community who is found to have acted in contravention of this policy.

12.4.**Record:** All reported breaches of this policy will be recorded and this record will be reviewed annually by the Leanne Mahony (Headteacher).

13. Training

13.1. All staff and Academy Ambassadorial Groups receive annual training in Equalities and Diversity, a record of completion is kept on individuals HR file

13.2. The annual declaration of interests contains a statement to confirm the most recent policy position is read and understood.