



Policy title: EQUAL OPPORTUNITIES POLICY	Policy Status: AGREED	Policy Number: POL_055
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1. INTRODUCTION

- 1.1 Whitfield Aspen School has a major role as a service provider, committed to the educational, social, personal, spiritual and cultural development of young people. The school has a commitment to the equality of opportunity both in employment and in the provision of educational services.
- 1.2 It is recognised that in our society, groups and individuals have been, and continue to be, discriminated against in many ways and that the school is a part of that society. By adopting the following policy, the school aims to ensure that all job applicants, employees and service users receive equal treatment and are not disadvantaged by unnecessary conditions or requirements.
- 1.3 There is an unstoppable demand from staff and parents for fairness and equality of treatment in school. Good equal opportunity practice is about achieving the best professional standards and quality of service for all. Equal Opportunity also makes good business sense in terms of improved moral, lower sick absence, less stress and greater commitment. A simple definition of Equal Opportunity is:
- It is about giving all staff and pupils a fair and unbiased way to reach their potential.
 - It is about ensuring equal access to employment and services.
- 1.4 A distinction must be drawn between equal opportunities policies that promote equality of opportunity for students/pupils through the curriculum/subject options and facilities and the policies that promote Equal Opportunities in general personnel management.

1.5 STATEMENT OF EQUALITY

This school recognises the equality in rights and status of all pupils within. It recognises that all children have a variety of needs and will support them in meeting those needs and promoting the philosophy of inclusive learning.

2. SCHOOL AIMS

- 2.1 To maintain a caring school community which is concerned for the quality of experience provided for each and every pupil.
- 2.2 To maximise pupil's potential through stimulating their motivation to learn, meeting individual needs and extending expectations and aspirations.

- 2.3 To encourage in pupil's positive attitudes to learning, a pride in themselves and their work through a shared Code of Behaviour.
- 2.4 To help pupils to achieve and demonstrate confidence in their abilities and skills.
- 2.5 To inspire awareness and understanding towards individual differences and disability, and to strive for equality of opportunity for all.
- 2.6 To keep what we do under review so that we can change where necessary, but continue to maintain continuity and quality.
- 2.7 To achieve these aims through professionalism and experience of our staff, through open and trusting relationships with parents, through the supportive role of governors enhancing the working relationships between the school, parents and wider community.
- 2.8 Vision Statement - Learning Together demonstrated by our Statement of Equality and with Inclusion defined by: Inclusive Education – treating everyone equally but not necessarily the same.
Our ethos is focused on learning and teaching our children the necessary skills and strategies that will enable them to become efficient and effective learners.

3. PRINCIPLES

- 3.1 The school is committed to changing attitudes and opinions; changing the behaviour of people towards each other; improving access to learning opportunities and levels of achievement for all groups and individuals. This is in line with KCC (2011) "Mainstream Minimum Standards for all Learners."
- 3.2 The school is committed to the development of an ethos and values which:
 - (a) Raise the self-esteem of adults and children in an environment conducive to the realisation of true potential;
 - (b) Recognises the interdependence between the quality of service and equality; and
 - (c) Acknowledges the dignity and mutual respect of individuals.

4. RESPONSIBILITIES

- 4.1 **The responsibilities of all employees are:**
 - (a) To ensure the equality of opportunity to education services for all children within the school.
 - (b) To ensure equality of opportunity for employees and applicants for employment.
- 4.2 **The responsibilities of management are:**
 - (a) To ensure that all members of staff for whom they are responsible have knowledge of and understand the Equal Opportunities policy.
 - (b) To take appropriate corrective action, when Senior Leadership Team (SLT) become aware of incidents which contravene this policy.
- 4.3 The Headteacher, AEN Governing Body and supervising staff are responsible for taking appropriate action to eliminate harassment and intimidation of

which they are aware. Failure to do so will be considered a failure to fulfil all the responsibilities of the position. However, where it is appropriate, a person of a different gender may be designated to deal with cases of sexual harassment.

5. DISCRIMINATION, VICTIMISATION AND HARASSMENT

- 5.1 Discrimination is defined by law as being either direct or indirect.
- 5.2 **Direct discrimination** refers to the treatment of an individual less favourably than another on the basis of gender, marital status or race.
- 5.3 **Indirect discrimination** refers to when a requirement or condition, which cannot be justified on grounds other than sex or race, is applied to men and women equally, but has the effect of disadvantaging a higher proportion of one sex or racial group than another.
- 5.4 **Victimisation** occurs when an employee is treated less favourably than other employees are or would be treated, on the grounds that the employee has made allegations or brought proceedings about discrimination under the Race or Sex Discrimination Acts. It is an additional offence that is unlawful. Complaints of victimisation should receive thorough investigation at a senior level.
- 5.5 **Personal Harassment** is behaviour that is objectionable and offensive and might threaten the victim's security or create an intimidating or hostile environment which may hinder them in their performance. The college will not tolerate harassment, and sees it as a form of discrimination.
- 5.6 Harassment does not depend on the intention of the offender but rather the impact of that behaviour on others. There are no acceptable levels.
- 5.7 It is the intent to provide all members of school staff and pupils with a working environment free of harassment and intimidation. Racial and sexual harassment and oppressive behaviour are unacceptable. Any imposed conduct which is unwanted, unreciprocated or offensive to the person on the receiving end, can be regarded as harassment.
- 5.8 If an individual is being harassed, they should make it clear to the offender that their behaviour is unacceptable and unwelcome. If satisfaction cannot be achieved informally, the grievance procedure may be appropriate. If they need to, they should talk to someone they can trust (e.g. Union representative, Headteacher or Governors).
- 5.9 The attention given to a complaint of discrimination or harassment may be considered by an Industrial Tribunal as an indication of whether the legal duty is discharged. For racial harassment the advice of the Race Equality Council should be sought.
- 5.10 Thorough records of how a grievance/harassment has been handled must be kept for two years. Making a decision in respect of any such grievance is rarely straightforward. Industrial Tribunals are increasingly paying closer attention to the reasons behind decisions and the factors that lead decision takers to reach their conclusions. The record should include details of:
- the nature of the harassment or discrimination;

- what the aggrieved party wanted to achieve;
- what evidence or other factors were taken into account;
- what management action has been taken;
- how was the grievance resolved;
- reasons why if not resolved; to the satisfaction of the aggrieved.

6. GENDER

- 6.1 The school is opposed to any form of gender discrimination. Selection Panels must be aware of any tendencies to stereotype men or women as unsuitable for particular roles. For example it must not be assumed that candidates with family responsibilities would be less committed.
- 6.2 Pupils should have equal access to all areas of the curriculum and have guidance for non-stereotypical opportunities.

7. RACE, MINORITY ETHNIC GROUPS INCLUDING REFUGEES

- 7.1 The School is opposed to any form of racism or racist behaviour. Race relations are characterised by racial disadvantage, discrimination and high levels of racial prejudice and tension. The school has an important role to play in challenging racism and promoting social justice and equality.
- 7.2 Under the Race Relations Act 1976 there is a duty of every school to make appropriate arrangements with a view to:-
- (a) eliminate unlawful racist discrimination, and
 - (b) to promote equality of opportunity and good relations between persons of different racial groups.
- 7.3 It should be recognised that each community has its own distinct lifestyles and traditions. No group should therefore be discriminated against because of these lifestyles. This would amount to racist behaviour.
- 7.4 It is the duty of the school to be aware and educate their pupils in the differences within society and emphasise a positive image of diverse cultures.

8. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

- 8.1 The school is opposed to any form of discrimination on the grounds of special educational need and/or disability.
- 8.2 The school will, through its working practices, ensure commitment for people with special educational needs or disabilities is evident to all. All levels of further education and training will demonstrate sensitivity and high expectations, empathy and support for individual needs.

9. THE CURRICULUM

- 9.1 The school will seek to create an atmosphere in which no pupil suffers unfair discrimination.
- 9.2 Pupils should have equal access to all entitlement offered by the curriculum with differentiation in delivery being set by pupil ability only. In assessing

provision, individuals will not be denied consideration for training and educational opportunities. Assessment for suitability for participation in a particular activity will be based upon the principle that each pupil is offered appropriate and adequate training or educational opportunities.

- 9.3 Equal opportunities form part of the curriculum. Syllabi, materials, methods and assessments recognise and reflect this commitment.
- 9.4 Pupils should be made aware of the channels of communication for help, advice or complaint when unfair discrimination affects them within school.
- 9.5 Pupils should be educated in the principles of equal opportunities.

10. POSITIVE ACTION

- 10.1 Positive action is not to be confused with positive discrimination which is unlawful. Positive action enables an employer to encourage individuals to undertake work previously performed exclusively or mainly by members of the opposite sex or a particular racial group. This can be achieved by using job advertisements which encourage applications from a particular group.

11. REDUNDANCY

- 11.1 It is important that school Governing Bodies who need to reduce staffing levels do so in accordance with **section 18 of the LM Manual**. In particular it is important to ensure that the selection criteria are fair and non-discriminatory.

12. RETURNING FROM MATERNITY LEAVE

- 12.1 A woman has a statutory right to return to the job, or a similar one, that she was originally employed to do and on the same or no less favourable terms and conditions.
- 12.2 However, some women, who originally worked full-time may not be able to reconcile the demands of a full-time job with their child-care responsibilities. They may therefore want to change their working pattern to some degree, by working shorter hours, job sharing, working the same number of hours but at different times or working on a flexi-time basis.
- 12.3 Whilst there is no “right” for a woman to return from a full-time contract to a part-time one, if an employer refuses to accommodate an employee’s request to alter her working patterns on return from maternity leave, this may amount to indirect sex discrimination.

13. PATERNITY LEAVE AND SHARED PARENTAL LEAVE

- 13.1 Paternity / partner leave and shared parental leave is in line with current legislation and enables a flexible approach to leave for all fathers.
<https://www.gov.uk/browse/childcare-parenting/financial-help-children>

14. LIABILITY

- 14.1 To avoid liability for the actions of employees the employer must be able to demonstrate that its employment policies and practices are known and applied fairly and effectively. It will be necessary to ensure that EO policies have been adopted, that information and training on equal opportunities has been made available to all staff and that there are effective procedures for dealing with grievances and allegations of harassment.
- 14.2 The Education Department, the Headteacher, AEN Governing Body and individual employee can be liable for prosecution under Equal Opportunities Legislation.

15. TRAINING AND DEVELOPMENT

- 15.1 All employees should be given support and advice in identifying their training and development needs. Where appropriate this should be linked in with the appraisal process. A system of regular reviewing of progress will be helpful. All employees should be able to seek opportunities for career and professional development without prejudice.
- 15.2 It is recognised that Governors and staff may have training needs which arise from the establishment of an equal opportunities policy and procedures. Training may be needed to enable them to discharge their responsibility in designing job descriptions, candidate specifications, advertisements and undertaking the selection processes, including interviewing.
- 15.3 Training for minority groups is important. Women should be well represented on courses and arrangements for in-service training should extend the use of school-based work in school time.

16. GRIEVANCE PROCEDURE

- 16.1 If they need to, employees may raise complaints relating to equal opportunity issues and harassment through the school's Grievance Procedure.

17. DISCIPLINE

- 17.1 All employees are expected to perform their duties in accordance with and in furtherance of good equal opportunity practice. Wilful breaches of policy may result in disciplinary action.
- 17.2 Full details of the discipline procedures are given at Section 17 of the LM Manual. For discipline cases involving equal opportunities issues the Area Personnel Officer should be informed at an early stage.
- 17.3 Particular care should be taken to ensure that any employee who has taken action in good faith either under the grievance procedure, the Sex Discrimination Act, Equal Pay Act, the Race Relations Act or the Disability Discrimination Act does not receive less favourable treatment than other employees.

- 17.4 Care should be taken that members of one sex, or a particular ethnic minority group are not disciplined or dismissed for performance or behaviour which is overlooked or condoned in the other sex or another racial group.

18. MONITORING EQUALITY OF OPPORTUNITIES

- 18.1 At the heart of any strategic approach to equal opportunities must be sensible monitoring by both the school and LEA. This need not be bureaucratic, as pupil and staff statistics (in terms of gender, ethnicity and disability) need monitoring only yearly to provide milestones from which to measure progress.

19. INFORMATION

- 19.1 Head-teachers should ensure a copy of the Equal Opportunities Policy Statement is to be made available to every governor and employee engaged in the school, including all new staff on appointment.
- 19.2 Further advice and information on Equal Opportunity issues is available from Area Personnel and the Equal Opportunity Adviser at County Hall. National Organisations are:

The Equal Opportunities Commission

<https://www.eoc.org.uk/>

Equality and Human Rights Commission

<https://www.equalityhumanrights.com/en/about-us/who-we-are>

- 19.3 Further advice on disability issues is available from the local Disability Employment Adviser based at local Job Centres.
- 19.4 This policy will be reviewed on a bi-ennial basis.



Whitfield Aspen School Statement of Equality

This school recognises
the equality in rights and
status of
all pupils within.

It recognises that all
children have a variety of
needs and will support
them in meeting their
needs and potential,
promoting the philosophy
of inclusive learning.