



Equality and Diversity Policy and Plan

Version: 1

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Annual Review Date for plan and targets: By January 2024

Full Review Date of policy, plan and objectives: January 2026

Albrighton Primary School and Nursery Equality and diversity Policy

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1. Mission Statement

At Albrighton Primary School and Nursery we are committed to eliminating discrimination and encouraging celebration of diversity. We are committed to ensuring equality of education and opportunity for all pupils, staff, parents and carers receiving services from our school, irrespective of race, gender, sex, disability, faith or religion or socio-economic background. We aim to continue to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity and are able to participate fully in school life constantly shown respect from others.

The achievement of our pupils will be monitored by race, gender and disability and we will use our findings to support pupils, raise standards and ensure inclusive teaching. We will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment, which champions respect for all. At Albrighton Primary School and Nursery, we believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit here. We will make reasonable adjustments to ensure that the school environment is as accessible as possible.

Why we have developed this Equality Policy

This Equality Policy brings together all previous policies, schemes and action plans around equality including those that we had previously had for Equality. It includes all the protected characteristics (see appendix 1) covered under the Equality Act 2010 as well as other aspects, which have the potential to discriminate against or to devalue any individuals within our community. We are further committed to the development of cohesive communities both within our school's physical boundaries and within our local, national and global environments. Our school embraces the aim of working together with others to improve children's educational and wellbeing outcomes, and notes the rights set out in the UN Convention on the Rights of the Child.

Related Policies include:

Teaching and Learning
Early Years Foundation Stage
Health and safety
Confidentiality
Special Educational Needs and Inclusion
Child Protection and Safeguarding
Behaviour & Anti Bullying
Educational Visits
Curriculum
Religious Education
P.S.H.E and Citizenship
SMSC and British values
PE
Responsible computer use
Related guidance includes:
Staff Handbook
School Improvement Plan
Safe use of ICT

Cyber bullying
Code of conduct
Keeping children safe in education
School Brochure

2. Mainstreaming equality into policy and practice

As well as the specific actions set out beneath this plan, the school operates equality of opportunity in its day-to-day practice in the following ways.

Teaching and learning

We aim to provide all our pupils with the opportunity to succeed with our 'Only our best will do' motto, ensuring children reach the highest level of personal achievement. To do this, we will:

- Use contextual data to improve the ways in which we provide support to individuals and groups of pupils.
- Monitor achievement by ethnicity, gender and disability, free school meals, disadvantaged, looked after children, service family children and action any gaps.
- Take account of the achievement of all pupils when planning for future learning and setting challenging targets.
- Ensure equality of access for all pupils and prepare them for life in a diverse society.
- Use materials that reflect the diversity of the school, population, and local community in terms of race, gender, service and disability, without stereotyping.
- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice.
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures.
- Seek to involve all parents in supporting their child's education.
- Encouraging classroom and staff meeting discussion of equality issues, which reflect on social stereotypes, expectations and the impact on learning.
- Including teaching and classroom-based approaches appropriate for the whole school population, which are inclusive and reflective of our pupils.

See further examples in appendix D

Admissions and exclusions

Our admissions arrangements are fair and transparent, and do not discriminate on race, gender, disability or socio-economic factors. Exclusions will always be based on the school's Behaviour Policy, and we will closely monitor exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

3. Equal Opportunities for Staff

This section deals with aspects of equal opportunities relating to staff at Albrighton Primary School and Nursery.

We are committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment.

All staff appointments and promotions are made based on merit and ability and in compliance with the law. However, we are concerned to ensure wherever possible that the staffing of the school reflects the diversity of our community.

Employer duties

As an employer, we need to ensure that we eliminate discrimination and harassment in our employment practice and actively promote equality across all groups within our workforce. Equality aspects such as gender, race, disability, sexual orientation, gender re-assignment and faith or religion are considered when appointing staff and particularly when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, to ensure decisions are free of discrimination.

Actions to ensure this commitment is met include:

- Monitoring recruitment and retention including bullying and harassment of staff.
- Continued professional development opportunities for all staff.
- Senior Leadership Team support to ensure equality of opportunity for all.

4. Equality and the law

There are a number of statutory duties that must be met by every school in line with the Equality Act (2010). Our action plan outlines the actions we will take at Albrighton Primary School and Nursery to meet the general duties detailed below.

4a. Race Equality

This section of the plan reflects the general and specific duties of schools as detailed in the Equality Act 2010.

The Equality Act (2010) requires us to have due regard to the need to:

- Eliminate racial discrimination.
- Promote equality of opportunity.
- Promote good relations between people of different racial groups.

Under our specific duty we will:

- Prepare an Equality Policy/plan, which includes our written policy for race equality.
- Assess the impact of our policies, including this Plan, on pupils, staff and parents by ethnicity including the achievement levels of these pupils.
- Monitor the impact our plans and policies have on such pupils, staff and parents towards raising the achievement of minority ethnic groups.

4b. Disability

This section should be read in conjunction with the school's Special Educational Needs Policy.

Definition of disability

The Equality Act 2010 defines disability as when a person has a 'physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to

carry out normal day-to-day activities. Some specified medical conditions, HIV, Multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.

The Act sets out details of matters that may be relevant when determining whether a person meets the definition of disability. Long term is defined as lasting, or likely to last, for at least 12 months.

Legal duties

The Equality Act 2010 places a general duty on schools, requiring them to have due regard for the following when carrying out and delivering services:

- Promoting equality of opportunity between disabled people and other people.
- Eliminating discrimination and 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 favorable treatment.

Under our specific duty we will:

- Prepare and publish an Equality Plan, which covers the requirements for a Disability Equality Scheme identifying our disability equality goals and actions to meet them.
- Review and revise this Scheme every three years.

Reasonable Adjustments and Accessibility Plans (Schedule 10)

- We take reasonable steps to avoid disadvantage caused by a provision, criteria or practice or a physical feature that puts a disabled person at a substantial disadvantage compared to a non-disabled person. This involves removing or avoiding physical features, for example steps.
- Take reasonable steps to provide auxiliary aids/services.
- Provide information in accessible format.
- Develop and implement (by allocating appropriate resources) accessibility plans which will:
 1. Increase disabled pupil's access to the school curriculum.
 2. Improve the physical environment.
 3. Improve provision of information.

The duty is an anticipatory and continuing one that school owe to disabled pupils generally, regardless of whether the school knows that a particular pupil is disabled or whether the school currently has disabled pupils. The school plan ahead where possible making any reasonable adjustments.

4c. Gender Equality

The Equality Act 2010 places a general and specific duty on schools to eliminate unlawful discrimination and harassment on the grounds of gender and to promote equality of opportunity between female and male pupils and between women and men and transgender people.

Under our general duty, we will actively seek to:

- Eliminate unlawful discrimination and harassment on grounds of sex and gender reassignment.
- Promote equality between men and women.

Under our specific duty, we will:

- Prepare and publish an Equality Plan, which covers the requirements for a Gender Equality Scheme identifying our gender equality goals and actions to meet them.
- Review and revise this Scheme every three years.

4d. Sexual Orientation

The Equality Act 2010 makes provision for regulations to be introduced to extend protection against discrimination on grounds of religion or belief to sexual orientation. The Equality Act 2010 makes discrimination unlawful in the area of goods, facilities and services on grounds of sexual orientation. For schools this means admissions, benefits and services for pupils and treatment of pupils.

4e. Community cohesion

The Education and Inspections Act 2006 inserted a new section 21(5) to the Education Act 2002, introducing a duty on the governing bodies of state schools to promote community cohesion. Community cohesion encompasses promoting good relations between pupils from different races, faiths / beliefs and socio-economic backgrounds. The duty came into force on 1 September 2007.

5. Consultation and involvement

It is a requirement that the development of this plan and the actions within it have been informed by the input of staff, pupils and parents and carers. We have achieved this by using the following to shape the plan:

- The setting up of a working party including governors, school staff and parents.
- Feedback from parents and children
- Input from staff surveys and through staff meetings / CPD.
- Feedback from the school council, PSHE lessons, whole school surveys on children's attitudes to self and school.
- Issues raised from stakeholders
- Discussion and feedback at Governing body meetings.

6. Roles and Responsibilities

The role of governors

The governing body has set out its commitment to equal opportunities in this policy and plan and it will continue to do all it can to ensure that the school is fully inclusive to pupils, and responsive to their needs based on race, gender and disability. The governing body seeks to ensure that people are not discriminated against when applying for jobs at our school on grounds of race, gender or disability. The governors take all reasonable steps to ensure that the school environment gives access to people with disabilities and strive to make school communications as inclusive as possible for parents, carers and pupils. The governors welcome all applications to join the school, whatever a child's socio-economic background, race, gender or disability.

The governing body ensures that no child is discriminated against whilst in our school on account of their race, sex or disability.

The role of the head teacher

It is the head teacher's role to implement the school's Equality Plan and s/he is supported by the governing body in doing so. It is the head teacher's role to ensure that all staff are aware of the Equality Plan, and that teachers apply these guidelines fairly in all situations. The head teacher ensures that all appointments panels give due regard to this plan, so that no-one is discriminated against when it comes to employment or training opportunities. The head teacher promotes the principle of equal opportunity when developing the curriculum with staff and promotes respect for other people and equal opportunities to participate in all aspects of school life

The head teacher treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

The role of all staff: teaching and non-teaching

- All staff will ensure that all pupils are treated fairly, equally and with respect, and will maintain awareness of the school's Equality Plan.
- All staff will strive to provide material that gives positive images based on race, gender and disability, and challenges stereotypical images.
- All staff will challenge any incidents of prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the head teacher.
- Teachers support the work of ancillary or support staff and encourage them to intervene in a positive way against any discriminatory incidents.

The role of pupils

- All pupils will refrain from engaging in discriminatory behaviour or any other behaviour that contravenes this policy.

The role of visitors

- To be aware of and comply with the school's equality policy.
- To refrain from engaging in discriminatory behaviour on school premises.

7. Recruitment

The school will:

- demonstrate an open and transparent approach to recruitment
- ensure that recruitment decisions are made using pre-agreed objective criteria
- seek to appoint the most suitable applicant for the job based on merit
- ensure the recruitment and selection process conveys a positive image of the school and portrays the school as an employer of choice
- demonstrate its commitment to employ, retain and develop the abilities of disabled people, for example through achievement of the 'two ticks' award by Job Centre Plus.
- ensure that the recruitment and selection of staff is conducted in a professional, timely and responsive manner and in compliance with current employment legislation

- provide appropriate training, development and support to those involved in recruitment and selection activities in order to ensure the recruitment of employing people is fair and legally compliant.
- treat all applicants fairly, equitably and efficiently, with respect and courtesy, aiming to ensuring that the applicant experience is positive, irrespective of the outcome
- ensure that if any member of staff involved in the recruitment process is related to, or has a close personal relationship with an applicant then they are not involved in the recruitment process at any point. Including, but not restricted to, restructures, ring-fencing, decisions about post-creation and job description content.
- ensure that all documentation relating to applicants will be treated confidentially and kept securely in accordance with the schools Data Protection Policy and GDPR.

8. Tackling discrimination

Harassment on account of race, gender, disability or sexual orientation is unacceptable and is not tolerated within the school environment.

All staff are expected to deal with any discriminatory incidents that may occur. They are expected to know how to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a pupil's individual circumstances.

Racist and homophobic incidents and other incidents of harassment or bullying are dealt with by the member of staff present, escalating to a class teacher / head teacher where necessary. All incidents are reported on CPOMS and shared with the head teacher and racist incidents are reported to the governing body and local authority on a termly basis.

What is a discriminatory incident?

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic status, can take many forms including verbal or physical abuse, name calling, exclusion from groups and games, unwanted looks or comments, jokes and graffiti.

A racist incident is defined by the Stephen Lawrence Inquiry Report (1999) as: 'Any incident which is perceived to be racist by the victim or any other person'.

Types of discriminatory incident

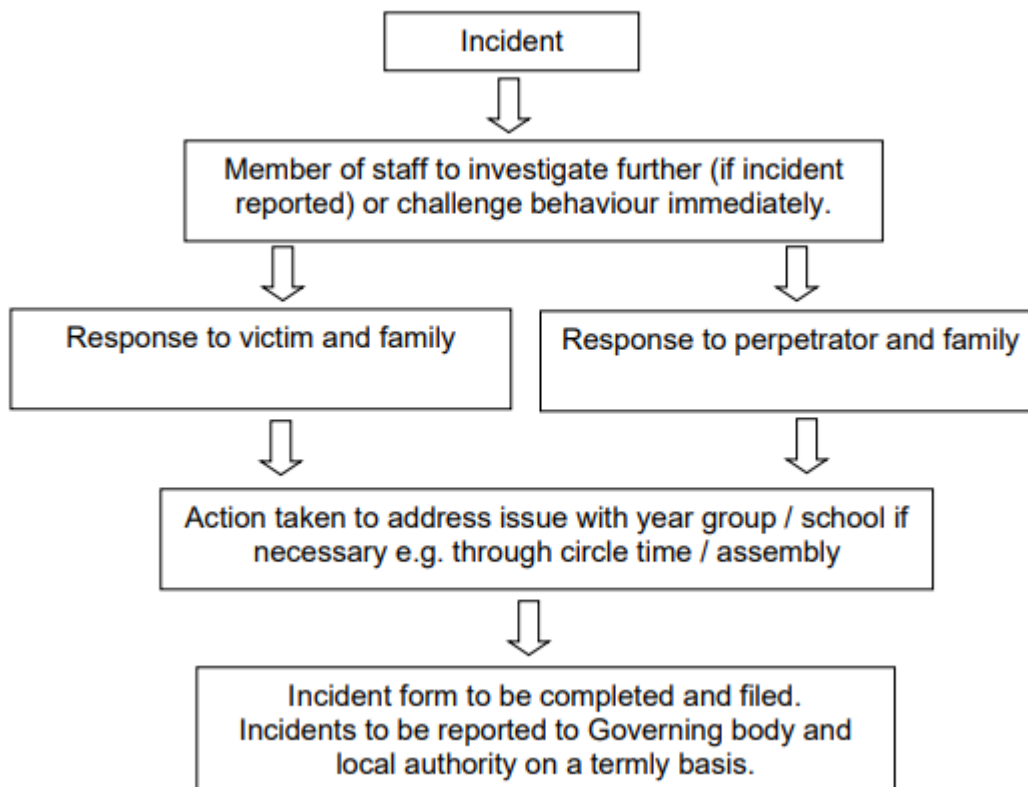
Types of discriminatory incidents that can occur are:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender.
- Use of derogatory names, insults and jokes.
- Racist, sexist, homophobic or discriminatory graffiti.
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia.
- Bringing discriminatory material into school.
- Verbal abuse and threats.
- Incitement of others to discriminate or bully due to victim's race, disability, gender or sexual orientation.
- Discriminatory comments in the course of discussion.
- Attempts to recruit others to discriminatory organisations and groups.

- Ridicule of an individual for difference e.g. food, music, religion, dress etc;
- Refusal to co-operate with other people on grounds of race, gender, disability or sexual orientation.
- Discriminatory comments pasted on face book or other social networking sites.

Responding to and reporting incidents

It should be clear to pupils and staff how they report incidents. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school. Our procedure for responding and reporting is outlined below on the following page:



(Current recording system is on CPOMS and child will complete a reflection form)

How to identify and act on Hate Crime

Hate crime is an offence committed against a person or property motivated by the perpetrator's hostility and prejudice towards people because they are seen as being different. By working together schools should try to meet their equality and diversity obligations, particularly in seeking to eliminate discrimination, harassment and victimization. In addition, working together aims to encourage social inclusion and promotes a resilient and caring society.

The Hate Crime Reporting protocol with website links attached at Appendix B. The website links are also shown below.

<https://shropshire.gov.uk/crime-and-community-safety/hate-crime/report-a-hate-crime/>
<https://shropshire.gov.uk/media/13407/hate-crime-reporting-form.pdf>

9. Review of progress and impact

The Plan and equality targets have been agreed by our Governing Body. We have a rolling programme for reviewing our school policies and their impact. In line with legislative requirements, we will review progress against our Equality plan and targets annually and review, update or rewrite the entire policy, accompanying action plan and equality targets at least every three-years.

We make regular assessments of pupils' learning and use this information to track pupil progress. As part of this process, we will monitor achievement by ethnicity, gender socio-economic background and disability, to ensure that all groups of pupils are making the best possible progress and take appropriate action to address any gaps.

The Equality and Diversity working party including governors, parents and teaching staff will meet at agreed points in the year to use available data and other evidence such as pupil and parent voice, children's work and staff feedback to review progress against the equality targets. The impact will be shared in staff and governor meetings and on the school website.

Publishing the plan

To meet the statutory requirements of the Equality Act 2010 we will: Publish our plan on the school website, including our equality objectives. We will also raise awareness of the plan through the school weekly newsletter, letters, parent meetings, staff meetings and other communications. If required, we will make hard copies available also.

Equality objectives must be specific and measurable. The school must publish one or more equality objectives as per the minimum of every four years.

Policy Statement

This policy was written in January 2023

This statement of policy was approved by the Governing Body at their meeting on

Chair of governor's Signature

Name

Head teacher's Signature

Name

Appendices

Appendix A: Definitions

Appendix B: Shropshire Council Hate Crime Reporting Protocol Documentation

Appendix C: Further Reference

Appendix D: Further examples of how we develop children's understanding about equality and diversity in school

APPENDIX A

DEFINITIONS

The Protected Characteristics are as follows:

AGE

Discrimination directed at either 'young' or 'old' is likely to be unfair.

It is important to emphasise that employers are highly vulnerable if they decide not to interview any job candidates who have reached an age which they regard as an appropriate age for retirement. Employers should therefore interview all suitable candidates irrespective of age focusing on their skills and ability to do the job rather than age alone. The school should also insure not to impose restrictions on jobs that target a particular age group.

Retiring from work

Dismissal

Unless it can be objectively justified it is not permissible to dismiss someone on the grounds of retirement. Older workers (age 55 plus) can voluntarily retire at a time they choose and draw any occupational pension they are entitled to. Older workers may also request flexible retirement from age 55. Employers cannot force employees to retire or set a retirement age. It is advisable for the employee to contact their pension provider for further information regarding pension benefits.

Teachers Pensions <https://www.teacherspensions.co.uk/>

Local Government pension Scheme <https://www.shropshirecountypensionfund.co.uk/>

Work place discussions

Whatever the age of an employee, discussing their future aims and aspirations can help an employer to identify their training or development needs and provide an opportunity to discuss their future work requirements.

For all employees these discussions may involve the question of where they see themselves in the next few years and how they view their contribution to the organisation. A useful exercise is to ask open questions regarding an employee's aims and plans for the short, medium and long term. Employers may find it useful to hold these discussions as part of their formal appraisal processes.

The outcome of any workplace discussions should be recorded and held for as long as there is a business need for doing so. A copy of the discussion should be given to the employee.

Poor performance

If an employee is performing poorly the employer should discuss this with them to establish a cause. Failure to address any poor performance with an employee because there is an expectation they will retire soon may be discriminatory. Employers should establish a reason for poor performance, setting improvement periods and agreeing what training, development and support would help the employee meet the required expectation.

If levels are not improved and an employer has followed the company's performance procedure they then may decide to dismiss the employee on capability grounds, contact Human Resources for further information.

DISABILITY

It is unlawful to discriminate against workers because of a physical or mental disability or fail to make reasonable adjustments to accommodate a worker with a disability. Under the Equality Act 2010 a person is classified as disabled if they have a physical or mental impairment which has a substantial and long-term effect on their ability to carry out normal day-to-day activities. Day-to-day activities include things such as using a telephone, reading a book or using public transport.

If an employee has a disability that is making it difficult to work, employers should consider what reasonable adjustments they can make in the workplace to help or schedule an interview with the employee to discuss what can be done to support them. This could be as simple as supplying an adequate, ergonomic chair or power-assisted piece of equipment. Reasonable adjustments also include re-deployment to a different type of work if necessary. Further advice may be obtained from the Managing Attendance Policy and Occupational Health.

GENDER REASSIGNMENT

Gender reassignment is a personal, social, and sometimes medical process by which a person's gender presentation (the way they appear to others) is changed. Anyone who proposes to, starts or has completed a process to change his or her gender is protected from discrimination under the Equality Act. An individual does not need to be undergoing medical supervision to be protected and all transsexual people share the common characteristic of gender reassignment. So, for example, a woman who decides to live as a man without undergoing any medical procedures would be covered.

It is discrimination to treat transgender or gender fluid people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured, or if they were absent for some other reason.

- **Support for individuals undergoing gender transitions** - Discuss with the transgender person how they would prefer information about their transition to be communicated to colleagues. Some transgender people may feel comfortable talking about their transition with colleagues, but others may prefer not to.
- **Confidentiality** - At a point agreed with the individual, all personal records should be changed to reflect the acquired name and gender. Access to personal records which indicate a person's previous gender should be retained only if necessary, and otherwise deleted or destroyed. Employees should make sure that they consider the following.
 - **Telling people about your situation** - Make a list of the people who need to be informed. You may wish to speak to them personally, or may prefer to ask HR or your line manager to communicate with them
 - **Medical appointment and absences** - Make sure the employer knows when you will need to take time off work. It is discrimination for your employer to treat you less favourably if you are absent from work for a reason related to gender reassignment than you would be treated if you were absent because you are ill or injured, or if you were absent for some other reason
 - **Changing everything into your new identity** - You will need to change your name on your email address, company directories, records and work pass. Speak to the Headteacher at an early stage about how this should be managed.

MARRIAGE AND CIVIL PARTNERSHIPS

Gay and lesbian couples are able to get married or register their civil partnership in England, Scotland and Wales, which gives many of the same rights as other married couples.

Same sex couples who marry or register as civil partners have the same rights as other married couples in respect of employment rights.

The Equality Act protects employees who are married or in a civil partnership or marriage against discrimination.

PREGNANCY AND MATERNITY

It is unlawful to discriminate, or treat employees unfavourably because of their pregnancy, or because they have given birth recently, are breastfeeding or on maternity leave.

Discrimination happens when a woman is treated unfavourably because of her pregnancy, pregnancy-related illness or she exercises the right to statutory maternity leave. Ensure that an employee absent from work is notified of any important information, such as restructures, changes to terms and conditions and organisational/management changes within the school.

RACE

It is unlawful for an employer to discriminate against employees because of race which includes colour, nationality, ethnic or national origin. Discrimination occurs when an individual is treated differently because of this. Examples include:

- Direct discrimination: rejecting a job application from a candidate of a different nationality not based on skills but because you think they won't fit in with your staff
- Indirect discrimination: having policies or procedures that while it applies to all workers, only puts a person or a group of people of the same race at a disadvantage.

In very limited circumstances, there are some jobs which can require that the job-holder is of a particular racial group. This is known as an 'occupational requirement'. One example is where the job-holder provides personal welfare services to a limited number of people and those services can most effectively be provided by a person of a particular racial group because of cultural needs and sensitivities.

RELIGION OR BELIEF AND LACK OF RELIGION OR BELIEF

There is no specific list that sets out what religion or belief discrimination is. The law defines it as any religion, religious or philosophical belief. This includes all major religions, as well as less widely practised ones.

To be protected under the Equality Act, a philosophical belief must:

- be genuinely held
- be a belief and not an opinion or viewpoint, based on the present state of information available
- be a belief as to a weighty and substantial aspect of human life and behaviour
- attain a certain level of cogency, seriousness, cohesion and importance
- be worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental rights of others.

Humanism and atheism are examples of philosophical beliefs.

Workers are also protected against discrimination if they do not hold a particular (or any) religion or belief.

Employers do not have to give workers time off or facilities for religious observance, but they should try to accommodate them whenever possible. For example, if a worker needs a prayer room and there is a suitable room available then a worker could be allowed to use it, providing it does not disrupt others or affect their ability to carry out their work properly.

Many employers find that being sensitive to the cultural and religious needs of their employees makes good business sense. This can mean making provisions for:

- flexible working
- religious holidays and time off to observe festivals and ceremonies
- prayer rooms with appropriate hygiene facilities
- dietary requirements in staff canteens and restaurants
- dress requirements.

At Voluntary Controlled (VC) and foundation schools, when appointing a Headteacher the governing body may take into account any candidate's suitability and ability to preserve and develop the religious character of the school. The head may also be a reserved teacher. VC and foundation schools must include reserved teachers where the number of teaching staff is more than two. Reserved teachers are selected according to their competence to teach RE according to the school's faith and are specifically appointed to do so. This may include the Headteacher. The number of reserved teachers must not exceed one-fifth of the teaching staff (including the Headteacher). Where there are 8 teachers, the maximum number of reserved teachers would be two. Reserved teachers must not be appointed unless the governors are satisfied that they are suitable and competent to give RE.

Voluntary Aided (VA), independent, academies and free schools with a religious character may apply religious criteria in recruitment, remuneration and promotion. Religious criteria may not be applied to other non-teaching posts in a VA school unless there is a genuine occupational requirement, e.g., a member of staff who gives pastoral care to pupils.

SEX

It is unlawful to discriminate against workers because of their sex, e.g. paying women less than men for carrying out the same role. In very limited circumstances, there are some jobs which can require that the job-holder is a man or a woman. This is known as an 'occupational requirement'. The list of occupational requirements is restricted and very rare.

SEXUAL ORIENTATION

An employer should protect employees from discrimination on grounds of the sexual orientation. Sexual orientation is defined as:

- orientation towards people of the same sex
- orientation towards people of the opposite sex
- orientation towards people of the same sex and the opposite sex

ADDITIONAL PROTECTIONS APPLY TO THE FOLLOWING:

Equal Pay

An employer must give equal treatment in the terms and conditions of their employment contract if staff are employed on:

- Like work – which is the same or broadly similar
- Work rated as equivalent under job evaluation
- Work found to be of equal value

Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 aim to ensure employees on a fixed term contract are treated no less favourable than compared to permanent employees.

Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 should receive the same rate of pay as an equivalent full time member of staff, they should not be

excluded from training and should receive holiday pay pro rata to an equivalent full time employee.

Rehabilitation of Offenders Act 1974, many ex-offenders are given certain employment rights if their convictions become 'spent'. The DBS Code of Practice and the Rehabilitation of Offenders Act states that employers are not allowed to discriminate against employees with a criminal background and must treat applicants fairly. Recruitment decisions should therefore be based on if the criminal information presented is relevant to the job the applicant will be carrying out.

Trade Union Membership. In accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 protection from discrimination either because of membership or non-membership of a trade union.

TYPES OF DISCRIMINATION

Direct discrimination

Direct discrimination occurs if an employer treats a person less favourably on the grounds of a person's protected characteristic compared to a person who does not have that protected characteristic. There may be rare instances during recruitment where a genuine occupational requirement is acceptable, but this should be discussed with the HR Business Partner.

Direct discrimination - associative discrimination

Associative discrimination is direct discrimination against someone because of their association with another person who possesses a protected characteristic.

Direct discrimination - perceived discrimination

Perceived discrimination is direct discrimination against a person because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic but is perceived by others to do so.

Indirect discrimination

Indirect discrimination is where a criterion or practice is applied to everyone, but particularly disadvantages people who share a protected characteristic.

Harassment

Harassment is a behaviour deemed offensive by the recipient and occurs when, for a reason which relates to a protected characteristic another person engages in unwanted conduct which may be physical, verbal or non-verbal and which violates the person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person. It is the effect of the conduct rather than the perpetrators intentions that define whether it constitutes harassment. Employees can raise a complaint against behaviour that they find offensive even if it is not directed at them. Complainants need not possess the relevant protected characteristics themselves. Employees are also protected from harassment because of perception and association.

Victimisation

Victimisation has a specific meaning in discrimination law. It does not just mean singling someone out. Victimisation makes it unlawful for one person to treat another less favourably than others because they made or supported a discrimination complaint or raised a discrimination grievance or because they are suspected of doing so.

An employee is not protected if they have maliciously made or supported an untrue complaint. However, it is sufficient if the employee believes that the victim has done or intends to do any of the things listed above.

APPENDIX B

SHROPSHIRE COUNCIL HATE CRIME REPORTING PROTOCOL

The recommended protocol to follow when dealing with reports of racist or other hate crime incidents is as follows:

1. The procedure

In principle, the procedure for investigating accusations of racist or other hate crime incidents should be similar to the procedure which is used for dealing with complaints.

For example, all reports of incidents should be handled courteously, helpfully and promptly. Hate crime is an offence where the victim, or any other person, perceives it to be motivated by prejudice or hate” - borne out of the Stephen Lawrence enquiry.

2. Timescales

Timescales for responding to an incident are the same as those for complaints:

- an acknowledgement or final response is sent within 5 working days
- a reply is sent within 20 working days, or the person reporting the incident is given an explanation of the delay

However, whereas it might be appropriate for some complaints to be dealt with informally, all reports of racist or other hate crime incidents should be dealt with on a formal basis.

3. Responsibilities

The person who sees, or is first made aware of, the incident should record the details, including the name, telephone number and address of the person reporting the incident.

This person should report the incident at once to their Headteacher.

The Headteacher will have overall responsibility for the investigation of the incident and will decide who should lead this. It is also the responsibility of the Headteacher to inform the Police when necessary.

4. Referencing

In order to ensure that incidents are not double counted, the Headteacher should allocate a reference number to the incident - incorporating:

- an incremental reference number indicating total number of incidents within the school
- the month and year

For example: School Name, Ref no. 1, Feb 2016

5. Complainant is unsatisfied with response

If the complainant is not satisfied with the response then, as with complaints, this can be reviewed by the Governing Body to ensure that an appropriate investigation has been carried out.

6. Reports via the website

Incidents which are reported on the Shropshire Council website will be passed on to the Diversity Officer in the first instance, who will then forward them to the appropriate Headteacher. If a report is received via the Shropshire Council Website from an employee regarding the behaviour of another employee, this will be treated within the **grievance procedure** guidelines.

<https://shropshire.gov.uk/crime-and-community-safety/hate-crime/report-a-hate-crime/>

<https://shropshire.gov.uk/media/13407/hate-crime-reporting-form.pdf>

APPENDIX C

FURTHER REFERENCE

Shropshire Council

<https://www.shropshire.gov.uk/equality,-diversity-and-social-inclusion/>

Equality Act Guidance

<https://www.gov.uk/guidance/equality-act-2010-guidance>

Equality and Human Rights Commission EHRC

www.equalityhumanrights.com/

The Equality Act 2010 and Schools

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

Equality and Social Inclusion Impact Assessments

<https://shropshire.gov.uk/equality-diversity-and-social-inclusion/equality-and-social-inclusion-impact-assessments-esiia/>

Hate Crime

<https://shropshire.gov.uk/crime-and-community-safety/hate-crime/report-a-hate-crime/>

<https://shropshire.gov.uk/media/13407/hate-crime-reporting-form.pdf>

Contact Details

- Paul Jones, Schools HR Advice Manager, Shropshire Council.
Paul.jones@shropshire.gov.uk
- Lois Dale, Rurality and Equalities Specialist, Shropshire Council.
Lois.dale@shropshire.gov.uk

APPENDIX D

Opportunities to promote and support equality and diversity

These opportunities are likely to include all or some of the following dependent on our current priorities:

- The engagement participation and involvement of a broad and diverse range of children, young people and their parents and partner agencies
- School policies

- Assemblies
- Reading areas and displays around school
- The provision of school meals – special days to try food from different countries
- Opportunities for assessment and accreditation
- Access arrangements for national tests
- Behaviour management approach and sanctions exclusion procedures
- School clubs, activities and school trips
- The school's arrangements for working with other agencies
- Preparation of pupils for the next phase of education
- Learning and teaching and the planned curriculum
- Classroom organisation
- Timetabling
- Grouping of pupils
- Access to school facilities
- Activities to enrich the curriculum, for example, visits and visitors
- School sports
- Links to more diverse schools both in Britain and beyond
- Employees and staff welfare
- Personalised learning including IEP's (Individual Education Plan) and/or one-page profiles for children with SEND and appropriate interventions to support pupils with SEN or EAL and those new to the United Kingdom
- Monitoring of attendance
- Signposting parents and carers to other agencies where appropriate
- Promoting RESPECT through the school values
- Promoting the development of SMSC
- Promoting British values
- Opportunities for spiritual development through collective worship, the school ethos, a reflection/prayer room.
- Achievement for Quality Marks, and continued participation in the programme
- Learning Mentor work with individuals and groups
- Transition work for Year 6 pupils and RAF pupils
- Books in both class book areas and the library
- Choosing topics that are appealing to different groups
- Sharing of family's heritage
- Celebrations and special days