



# James Bateman Junior High School

## EQUALITIES ACT 2010

### **GUIDING PRINCIPLES**

James Bateman Junior High School is committed to equality of opportunity and aims to be a school where everyone:

- is respected and respects others
- takes part in the life of the school
- achieves to his or her potential
- develops skills essential to life
- exercises choice

We believe that no-one should receive less favourable treatment on the grounds of: their sex, race, disability, physical ability, age, health, income, religion/belief, colour, ethnic origin or nationality, marital status, gender or transgender, sexuality, nationality, pregnancy or maternity status.

The purpose of the policy is to ensure that unlawful discrimination (either direct or indirect) and other undesirable behaviour, including harassment or victimisation, does not occur (as outlined in law under the Equality Act 2010). In our school, we recognise that this applies to:

- Age
- Sex
- Race
- Disability
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy or maternity
- Marriage and Civil Partnership

## THE LEGAL FRAMEWORK AND OTHER SUPPORTING POLICIES

The following legislation informs our School Equality Policy:

- The Equality Act 2010
- Equal Pay Act 1970 (as amended 1983)
- Health & Safety at Work Act 1974
- Sex Discrimination Act 1975 and 1986 and 2006 amendments
- The Race Relations Act 1976, The Race Relations (Amendment) Act 2000 and Employment Equality (Religion or Belief) Regulations 2003
- Criminal Justice and Public Order Act 1994
- Disability Discrimination Act 1995 and 2005
- The Employment Rights Act 1996
- Protection from Harassment Act 1997
- The Human Rights Act 1998 and 2000
- The Employment Relations Act 1999
- The Part-time Workers Regulations (Prevention of Less Favourable Treatment) 2000
- The Special Educational Needs and Disability Act 2001
- Employment Equality (Religion or Belief) Regulations 2003
- The Gender Recognition Act 2004 and Sex Discrimination Gender Reassignment Regulations 2005
- The Employment Equality (Age) Regulations 2006
- Gender Equality Duty April 2007
- Ofsted Framework for Inspection (January 2012)

The school recognises that discrimination occurs when someone is treated unfairly or less favourably than another person. There are various ways in which discrimination can be said to occur under the Equality Act 2010:

**Direct discrimination:** where an individual or group receives less favourable treatment with some unjustifiable reason because of their race, gender,

disability, religion, belief, sexual orientation, marital status, pregnancy, maternity or trade union activity (all of which are considered "protected characteristics" under the Equality Act 2010).

**Indirect discrimination:** applying unjustifiable requirements and conditions which have a disproportionate impact on an individual of a particular group.

**Discrimination by perception:** (where a person is treated less favourably and is thought to have a protected characteristic even when they do not) is direct discrimination by the employer.

**Discrimination by association:** (where an employer treats a person less favourably because of their association with another person who has a protected characteristic) is unlawful discrimination by association.

**Victimisation:** occurs when an employee or prospective employee is treated badly because they have done something in relation to discrimination legislation e.g. raising a grievance or supporting a colleague doing so.

**Harassment:** unwanted conduct on the grounds of the various protected characteristics under the Equality Act 2010 which violates a person's dignity and creates an intimidating, hostile, degrading, humiliating or offensive environment and may be intentional or unintentional. Harassment may occur as a result of persistent treatment or an isolated incident.

James Bateman Junior High School will not tolerate any form of discrimination or harassment from employees, students or the public. To help James Bateman Junior High School in its equality work, it has a range of policies and procedures (see school policies)

## **EMPLOYMENT**

James Bateman Junior High School is committed to the employment policies and practices of which support the professional development for every member of staff, including part-time, agency and supply. This also includes opportunities for professional development.

The aim is to create an environment where Governors and Employees:

- Apply equality and fairness in employment practices. All decisions including advertising of vacancies, short listing, selection, induction, appraisal, training, development, promotion, and pay will be based on an objective and fair assessment of need.
- Draw the attention of management or the appropriate trade union to suspected acts or practices which affect equal opportunities. The school will ensure that recruitment procedures are fair, honest and open. The school will monitor staff recruitment, retention and career development by ethnicity, gender, disability and age.

All staff have a right to challenge any decision or action which they believe to be in breach of these principles. All complaints relating to employment must be made at first informally and if necessary the next step should be through the formal grievance procedure. Any member of staff who deliberately or knowingly contravenes the policy will be liable to formal disciplinary action.

All complaints are assumed to be made in good faith unless there is evidence to the contrary. If however, an accusation is found to have been made maliciously, disciplinary action may be taken against the person making the false complaint.

## **SPECIFIC EMPLOYMENT ISSUES**

### **Gender:**

The school is opposed to any direct or indirect discrimination based on gender, including gender change, sexual orientation or marital status. This will include any unequal treatment based on pregnancy/maternity.

### **Race** (including colour, nationality, ethnic origin)/Religion or Belief

The School is opposed to any direct or indirect discrimination based on race, colour, religion/belief, ethnic or national origin. There may be situations in the school which require special consideration and where a genuine occupational qualification may apply, for example to justify the employment of a particular sex or someone of one particular race or ethnic origin. However these situations will be unusual and exceptional and will be discussed with the staff in advance. The school is further opposed to any act of victimisation or sexual harassment against any member of staff on the grounds of their gender or change of gender, colour, ethnic or national origins or religion/belief. Such action will be investigated in accordance with the school's procedure and may lead to formal disciplinary action.

### **Disability**

The school is opposed to any discrimination against people with disabilities based on assumptions on their ability or otherwise to carry out the duties of a post in the school. All candidates with disabilities who meet the essential criteria for a post will be considered for short listing. Usually the school will short list up to at least 3 candidates for any one job. Decisions on short listing will be based on the application form and letter only judged against the essential criteria only. Provision will be made for adjustments to the working conditions or environment where this is practicable. The definition of disability is "a physical or mental impairment which has a substantial and long-term adverse effect on an individual's ability to carry out normal day-to-day activities". The impairment must have lasted or will last at least 12 months or last the rest of an individual's life. This does not mean that people with "disabilities" do not have "abilities" that are valuable within a working environment.

### **Age**

The school is opposed to any direct or indirect discrimination, based on age towards any employee before, during or after employment. All employees have the right to be treated fairly whatever age, and not be subjected to any practice, which may disadvantage because of being a particular age, unless objectively justified. The school must not subject any employee to harassment that violates an employee's dignity, nor victimisation because they have made or intend to make a complaint of discrimination on the grounds of age. This right continues after the working relationship ends.

### **Membership of Recognised Associations**

The school also recognises its statutory obligation not to discriminate on the grounds of:

- Trade Union
- Political Affiliation
- Professional Association

### **Dignity at work**

The school is committed to the principles of dignity at work for all staff in the school. This includes the right to be treated with respect by all managers and colleagues. Any person who fails to act in accordance with this principle will be investigated in accordance with the school's procedure and may lead to formal disciplinary action.

### **Training**

The principle outlined in relation to fair and equal treatment will also apply to selection for training. Details of training opportunities will be made available to all staff, who will be given the opportunity to request training on courses which they believe to be relevant to their role and personal development as identified through the annual performance management cycle. There can, of course, be no guarantee that all such requests will be met. Priorities for training allocation will be based on the school's overall development plan and budget allocations. All staff will be trained annually about Equal Opportunities.

### **Race Equality**

In line with the requirements of the Race Relations (Amendment) Act 2000, James Bateman Junior High School fully understands the need to promote racial harmony and to plan opportunities for combating racism in our policies, procedures and curriculum.

We believe that our school must be a safe place for everyone and we are committed to the principles which:

- eliminate unlawful racial discrimination
- promote equality of opportunity and good race relations

### **Tackling racial discrimination**

We will tackle racial discrimination by monitoring the outcomes of opportunities at our school and by dealing with and reporting racist incidents. Allegations of harassment and discrimination based on ethnicity will be reported to Staffordshire Local Authority and investigated using the school's usual disciplinary procedures, and racism will be directly challenged. Action will be taken to prevent the likelihood of recurrence. Our procedure for dealing with racist incidents will be made known to everyone at or connected with our school through induction, regular training and feedback. Racist incident report forms will be completed to help the school monitor incidents and take appropriate action, with a summary of incidents being reported to the Governing body. Copies of racist incident report forms will be sent to the LA annually. In the event of a member of staff being implicated the incident will be investigated in accordance with the school's procedure.

These aspects of our race equality work will largely be done through seeking out as many opportunities as we can to celebrate cultural diversity, promoting positive images and respect for our own and other communities, individuals and groups, and planning within the curriculum to reflect diversity and engage with teaching about discrimination and race equality. Our Single Equality Action Plan will reflect specific priorities and our rigorous monitoring will help us evaluate progress towards meeting our duties in line with the Race Equality Duty (Race Relations Act 76/amended Race Relations Act 2000). In addition, James Bateman Junior School will audit its policies and practices to identify areas of race equality for development and to inform the School Action Plan.

## **GENDER**

We believe that girls should have equal access to all aspects of school life, including the curriculum, subject choices and extra-curricular activities. It may be necessary for children to receive different treatment in order to ensure equality of opportunity and the school will pursue strategies to ensure that pupils achieve to their full potential. The school will examine its practices to ensure that pupils are given opportunities to achieve and that stereotyped expectations do not limit the experiences available. Departments are actively encouraged to plan together to break down stereotypical expectations. Through our regular staff training we will raise awareness and use of appropriate teaching and learning styles. We will promote approaches which provide equality of opportunity, including:

- taking account of the interests and concerns of boys and girls by using a range of activities and contexts for work and allowing a variety of interpretations and outcomes, particularly in English, Science, Design and Technology, ICT, Art, Music and PE
- avoiding gender stereotyping when organising pupils into groups

Allegations of harassment and discrimination based on gender, transgender or gender reassignment will be investigated and, where proven, directly challenged. Action will be taken to prevent the likelihood of recurrence. The school's approach will adhere to the Gender Equality Duty (in line with the Sex Discrimination Act 1975) and take account with regards to gender identity of the

Recognition Act 2004, Employment Equality (Sexual Orientation Regulations 2003 and Gender Recognition Act 2004.

## **DISABILITY**

James Bateman Junior High School is fully committed to the duties placed on schools in the Special Educational Needs and Disability Act 2001 and Disability Discrimination Act 2005.

James Bateman Junior High School accepts the definition of a disabled person as someone who has:

“a physical or mental impairment which has a substantial and long-term effect on his or her ability to carry out normal day-today activities.”

The Disability Discrimination Act 2005 identifies a number of conditions such as cancer, HIV infection or multiple sclerosis which are deemed to be disabilities from the time of diagnosis.

For many years the school has worked actively to promote positive attitudes towards disabled people and to encourage participation by disabled people in the life of the school. We promote disability equality in our policies, procedures and curriculum even if this results in more favourable treatment within the parameters of „reasonable adjustment“; this policy details steps to help the school meet these requirements, and further updates to this policy will be made as guidance is received. We will consider the needs of all people in school including:

- Students who may be disabled but not have a statement of special educational need nor be on any stage of special needs assessment.
- Teachers and other school staff.
- Governors.
- Professionals from other agencies.
- Parents.
- All visitors to school.

In addition, the school will ensure that discrimination does not occur and that disabled people will not be placed at substantial disadvantage compared to others who are not disabled. We will seek to support all students and employees with health conditions or resulting disabilities whether or not they are covered by the Equality Act 2010.

We will ensure that our policies, in particular in relation to admissions

procedures, do not place disabled students at a disadvantage. The school will work with the LA to audit the school for facilities and access for disabled people and for access to buildings, facilities and the curriculum. It will maintain updated written information on facilities and services and produce a plan to develop accessibility which is regularly updated. Teachers will take specific action to enable the effective participation of students with disabilities by:

- planning appropriate amounts of time to allow for satisfactory completion of tasks
- planning opportunities, when necessary, for the development of skills in practical aspects of the curriculum
- identifying aspects of their programmes of study and attainment targets that may present specific difficulties for individuals.

The school's approach to Disability includes its formal responsibilities within the Disability Equality Duty (in line with the Disability Discrimination Act 1995, amended 2005).

## **ROLES AND RESPONSIBILITIES**

The general duties of the school in relation to equality of opportunity are the responsibility of all members of staff and people involved in working at the school.

Specific responsibilities should include:

- The Headteacher and SLT are responsible with the Governors of the Curriculum Committee for developing and monitoring of the school objectives arising out of this Policy.
- The Headteacher who is the designated person for coordinating the school's response to and reporting onwards of racist incidents report forms.
- The Deputy Headteacher who is responsible for ensuring that induction and training in equal opportunities work is available to all members of staff.
- The Governors Curriculum Committee is responsible for monitoring and evaluating the success of the school objectives and effectiveness of the Policy.
- All staff who teach at this school and all support staff who help facilitate learning are responsible for promoting racial harmony and preparing students for living in a diverse and increasingly interdependent society.

## **James Bateman Junior High School Objectives under the 2010 Equalities Act 2010**

1. Narrow the gap in performance between boys and girls attainment in English from 21% in Year 8 to 10%
2. Improve the school environment and facilities to support pupils with disabilities in their ability to access and make progress across the whole curriculum
3. Improve the attainment of children on free school meals to match that of their academic cohort (reduce the difference in average points score for English from 22% to 11%, reduce the difference in average points score for Mathematics from 27% to 15%)
4. To raise the value added progress measure for School Action Plus students to match the academic cohort
5. Raising university and career aspirations for girls from low income families

### **Supporting equality at James Bateman Junior High School**

Awareness of issues surrounding equality and discrimination are raised and actively discussed throughout all of the key stages in the school. The Social Moral, Spiritual and Cultural programme is designed to develop upon the central ethos of the school as a community in which its members respect each other.

James Bateman Junior High School pays due regard to its responsibilities under the Equalities Act 2010 through the following actions:

- There is an extensive range of activities which allow pupils to explore the values and beliefs of others, develop their own personal values and beliefs, understand human feelings and emotions, investigate moral values and ethical issues and develop an understanding of how communities and societies function.
- Individualising pupils' curriculums and develop flexible learning arrangements to support all pupils in attaining their target grades.
- Weekly assemblies (visiting speakers- Police, local churches etc.) which raise a wide range of moral and religious issues. The themes for assemblies focus on respect to other people's values and beliefs, thereby challenging racism and valuing race equality.
- The development of integrated transition arrangements for new intake pupils, which follow discussions with parents, the SEN Co-ordinator and the SEN co-ordinators of our pyramid schools Learning Managers and the school Transition Manager.

- Close monitoring of exclusion statistics by SLT team and Progress Managers
- The use of external support agencies such as, CAMHS, Mentor, Counselling, School Nurse and local Youth Centre.
- The school provides opportunities for a wide range of local and International travel e.g. Germany,
- The 3 Curriculum Enrichment Days each year focus on all aspects of the spiritual, social, moral, and cultural education of the pupils. On our Culture day pupils' experience personal enrichment through encountering cultural beliefs and traditions from a range of external providers. This has allowed pupils' develop a respect for cultural diversity and understand, accept, respect and celebrate diversity.
- There is an extensive partnerships with outside agencies and individuals to extend pupils' cultural awareness, for example, theatre, museum, concert and gallery visits, resident artists, foreign trips.
- In curriculum subjects such as History the treatment of minority groups is studied and in Geography the issues surrounding the treatment of refugees and asylum seekers is discussed in a contemporary context.
- The PSHE programme actively addresses discrimination on the grounds of race, religion, gender, sexual orientation, age and other criteria.
- Successful levels of fundraising and charitable activities in school have supported events such as 'Children in Need', 'Sports Relief', and Donna Louise Trust. As well as collecting considerable sums of money the events have raised awareness for the pupils of the moral and social issues that form the basis of the fundraising.
- The English department is very active in trying to narrow the gap in boys' and girls' progress and attainment. They have employed a wide range of strategies and actions including:

1. 'Boy friendly' texts.

3. 'Boy friendly' teaching strategies (for example competitive, kinaesthetic, practical activities, group work);

4. Focus on the factual, non-fiction elements of the curriculum

5. AFL - Lots of praise, use of data to constantly let pupils know where they are and how they can improve, instant feedback (such as Flip cameras).

- The Governing Body review all cases of bullying that take place in the school and the management of these incidents. An annual report is made to the full Governing body which reviews the extent of 'due regard' paid to the regulations under the Act.

## **MONITORING AND EVALUATING THE EFFECTIVENESS OF THE POLICY**

A range of information, including quantitative and qualitative data, will be used. It will include:

Data from all of the protected characteristics of gender, age, race, disability, religion or belief and sexual orientation (where appropriate data is obtainable):

- Pupil attainment
- Access to the curriculum and subject areas
- Exclusions from school
- Exclusions from areas of the curriculum, including school trips and extracurricular activities
- Punishment and rewards
- Staff recruitment, retention and career development
- Analysis of racist incident report forms
- Ofsted reports on educational provision and standards
- Consultation with parents, students, governors and the LA

Data will be used to inform planning, identify priorities and to ensure the School's commitment to equal opportunities goes from policy to practice in order that we improve outcomes for all of our learners. The data from the above monitoring is to be produced and reviewed annually by the School.