

Equality and Diversity Policy

Date Policy due to be reviewed: July 2018

Committee Responsible for Policy: Personnel Committee

Section 1 - Purpose

Hillcrest School is committed to valuing diversity by providing equality of opportunity and anti-discriminatory practice for all children and families. Hillcrest School recognises that diversity is a reality of our community that brings significant educational benefits to all students, enabling the creation of learning experiences enriched by different life experiences, varied perspectives, flexibility and creativity.

Hillcrest School seeks to ensure that no member of the school community, or any person through their contact with the school, will receive less favourable treatment on the grounds of a **protected characteristic**. These include:

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

In this we include all members of the extended school community: pupils, staff, Governors, parents and others from our local community. Partners, contractors and other visitors to the school are also expected to adhere to this policy.

Hillcrest school recognises that the richness and diversity of culture and experience that we now enjoy is our heritage. It is the schools policy to accept and celebrate diversity; any form of intolerance is counterproductive and unacceptable. The school is therefore committed to building and environment where:

1. All students, staff, parents and stakeholders are treated with dignity and respect
2. Diversity is valued
3. Stereotypes are questioned
4. Bias, bigotry, prejudice and racism are wholeheartedly rejected
5. Unlawful discrimination is eliminated

Everyone at school will take responsibility for challenging stereotypes and all forms of discrimination. The school will promote equal of opportunity and will investigate all complaints of discrimination.

Section 2 - Legal framework to which this policy relates

- Children Act 2004
- Duty to Promote Community Cohesion, Education and Inspections Act 2006
- Equality Act 2010 (replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act)

Legal Scope (Equality Act, 2010)

The Act defines four kinds of unlawful behaviour – direct discrimination; indirect discrimination; harassment and victimisation.

Direct discrimination

Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat – or would treat – other people. For example, at Hillcrest School we would never refuse to let a pupil be a college prefect because she is a lesbian.

Indirect discrimination

Indirect discrimination occurs when a “provision, criterion or practice” is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic. An example might be holding a parents’ meeting on a Friday evening, which could make it difficult for observant Jewish parents to attend. At Hillcrest School we would endeavour to rearrange such events to ensure all parents could attend.

Harassment

Harassment has a specific legal definition in the Act - it is “unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic. Thus, if a teacher belittles a pupil and holds her up to ridicule in class because of a disability she has, this could lead to a court case alleging unlawful harassment. The same unacceptable treatment directed at a lesbian pupil, or based on a pupil’s religion, could lead to a case claiming direct discrimination.

Victimisation

Victimisation occurs when a person is treated less favourably than they otherwise would have been because of something they have done (“a protected act”) in connection with the Act. A protected act might involve, for example, making an allegation of discrimination or bringing a case under the Act, or supporting another person’s complaint by giving evidence or information, but it includes anything that is done under or in connection with the Act.

Hillcrest School recognises it is unlawful to victimise a pupil for anything done in relation to the Equality Act (2010) by their parent or sibling. As well as it being unlawful to victimise a person who does a protected act, we will not victimise a pupil because of something done by their parent or a sibling in relation to the Act. This means that a child will not be made to suffer in any way because, for example, her mother has made a complaint of sex discrimination against the school, or her brother has claimed that a teacher is bullying him because he is gay, whether or not the mother or brother was acting in good faith.

Hillcrest School recognises it is unlawful to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom a pupil is associated. So, for example, we will not discriminate by refusing to admit a pupil because his parents are gay men or lesbians.

Hillcrest School also recognises it is unlawful to discriminate because of a characteristic which we think a person has, even if we are mistaken. For example, we recognise a teacher who consistently picks on a pupil for being gay will be discriminating because of sexual orientation whether or not the pupil is in fact gay.

Section 3 - Guiding principles

In fulfilling our legal duties listed above, we are guided by three essential principles:

- Every pupil should have opportunities to achieve the highest possible standards, and the best possible qualifications for the next stages of their life and education.

- Every pupil should be helped to develop a sense of personal and cultural identity that is confident and open to change, and that is receptive and respectful towards other identities.
- Every pupil should develop the knowledge, understandings and skills that they need in order to participate in Britain's multi-ethnic society, and in the wider context of an interdependent world.

Scope

We ensure that the principles listed above apply to the full range of our policies and practices, including those that are concerned with:

- pupils' progress, attainment and assessment
- behaviour, discipline and exclusions, including countering-bullying
- pupils' personal development and pastoral care
- teaching and learning
- public examinations (having regard to the latest JCQ guidance for centres on planning for equality and diversity related issues in external assessment)
- admissions and attendance
- the content of the curriculum
- staff recruitment and professional development
- partnerships with parents and communities

Aims of the policy is to

- provide a secure environment in which all our children can flourish and to:
- provide a learning environment where all individuals see themselves reflected and feel a sense of belonging;
- prepare children for life in a diverse society in which children are able to see their place in the local, regional, national and international community;
- include and value the contribution of all families to our understanding of equality and diversity;
- provide positive information about different groups of people regardless of protected characteristics under the law (disability, gender, race, sexual orientation, religion or belief, gender reassignment and pregnancy);
- plan systematically to improve our understanding and promotion of diversity;
- actively challenge discrimination and disadvantage;
- make inclusion a thread which runs through all our activities.

How these aims will be implemented

- involve stakeholders in the development, review, evaluation, and impact assessment of all relevant improvement plans, policies and procedures;
- publish and share our policies with the whole school community;
- collect and analyse data to ensure all groups are progressing well and no group is subject to disadvantage;
- use all available information to set suitable learning challenges for all, respond to pupils' diverse needs and overcome any potential barriers to learning;
- ensure that the wider school curriculum makes explicit and implicit provision to promote and celebrate diversity;
- have high expectations of behaviour which demonstrates respect to others;
- ensure that all reasonable adjustments are made to ensure equality of opportunity.

Section 4 - Responsibilities

The Governing Body

It is the responsibility of the Governing body to:

- ensure that the school complies with equality legislation;
- ensure that the school's policy and its procedures and strategies are carried out and monitored with appropriate impact assessments informing future plans;
- ensure the school's admissions policy is fair and equitable in its treatment of all groups;
- ensure the school has equitable staff recruitment procedures
- ensure the school follows equitable procedures in the professional development of all staff;
- deal with serious breaches of the policy;

The Headteacher

It is the Headteacher's responsibility to:

- implement the policy and its strategies and procedures;
- ensure that all staff receive appropriate and relevant continuous professional development;
- actively challenge and take appropriate action in any cases of discriminatory practice and record actions;
- deal with any reported incidents of harassment or bullying in line with school guidance and record actions;
- ensure that all visitors and contractors are aware of, and comply with, the school's equality and diversity policy;

All Staff

It is the responsibility of all staff to:

- be vigilant in all areas of the school and look out for any type of harassment and bullying;
- deal effectively with all incidents from overt name-calling to the more subtle forms of victimisation caused by perceived differences;
- identify and challenge bias and stereotypes within the curriculum and in the school's culture;
- promote equality, and good relations and not discriminate on the grounds of any protected characteristics;
- promote an inclusive curriculum and whole school ethos which reflects our diverse society;
- keep up to date with equality legislation, development and issues by attending relevant training and accessing information from appropriate sources;

Parents/carers

It is the responsibility of parents/carers to:

- support our school in its implementation of this policy;
- follow the school policy through their own behaviour;
- ensure their children attend and engage in the learning;
- report to staff about any prejudice related incidents that occur.

Section 5 - Inclusion

The school is committed to inclusion and believes that all children should have the opportunity to succeed in life (EMC).

The school has a Deputy Headteacher responsible for inclusion, well-being and co-ordinating the transition process. A coordinated approach to transition has been developed and refined, to ensure that children with special or additional needs are identified prior to transition and that the school is aware of any special provision, or reasonable adjustments, which an individual might require. Parents who may be considering applying for their child to attend the school are also welcome to contact the school themselves to discuss any particular issues or concerns, The open Evening and Induction Evening both provide further opportunities for parents to inform the school about any needs their child might have. Where Pupils join the school at other times of the year, initial interviews with the parents or careers enable them to notify the school about any special needs. Further opportunities for communication are provided through the school planner system and by Parents' Evenings, so that any issues that develop during a pupil's school career can also be dealt with.

- The school has a well-established pastoral system through which pupils can raise any concerns.
- The school engages a wide range of external agencies to allow us to raise and gain appropriate support with any concerns they may have.
- The school has regular school council and year council meetings at which issues of concern to pupils can be raised.
- Pupils and parental surveys are carried out through which satisfaction with the educational experience can be monitored.

Section 6 – Curriculum

The way in which a school provides education – the delivery of the curriculum – is explicitly included in the Equality Act (2010). Teaching and Learning strategies ensure that the way in which issues are taught do not subject individual pupils to discrimination.

Staff recognise that valid complaints that the curriculum being delivered in a discriminatory way might well arise in situations such as the following:

- A teacher uses the fact that 'The Taming of the Shrew' is a set book to make derogatory generalisations about the inferiority of women, in a way which makes the girls in the class feel belittled. Or, in teaching 'The Merchant of Venice', he encourages the class to laugh at a Jewish pupil.
- In class discussions, black pupils are never called on and the teacher makes it clear that she is not interested in their views.
- Girls are discouraged from opting for GCSE design technology courses.

At Hillcrest School weekly assemblies and daily form periods provide opportunities for worship or other forms of collective religious observance. Through assemblies and our wider curriculum we celebrate a wide range of religious festivals throughout the year.

We aim to provide all our pupils with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, learning and teaching will endeavour to:

- Ensure equality of access to the whole school experience for all pupils and prepare them for life in a diverse society;
- Use materials that reflect a range of cultural backgrounds, without stereotyping;
- Promote attitudes, values and skills that challenge discriminatory behaviour;

- Provide opportunities for pupils to appreciate their own culture, religion and beliefs and celebrate the diversity of other cultures;
- Use a range of sensitive teaching strategies when teaching about different cultural and religious traditions;
- Develop pupils' advocacy skills so that they can detect bias, and challenge discrimination, leading to justice and equality;
- Ensure that the curriculum covers issues of equality, diversity, religion, human rights and inclusion;
- Prepare pupils for living in a multicultural society and promote good relations between different racial groups;
- Celebrate diversity and promote (where appropriate) the positive contribution of different ethnic minority groups to the curriculum area, as well as profiling the positive contributions made to society by other minority groups;
- Celebrate what we have in common;
- Seek to involve all parents/carers in supporting their child's education;
- Provide educational visits and extra-curricular activities that involve all pupil groupings;
- Take account of the composition of individual teaching groups;
- Take account of the different learning needs of different groups of pupils, using an appropriate range of teaching strategies to enable all pupils to progress;
- Utilise seating plans to foster effective learning;
- Take account of the current performance of all pupils when planning for future learning and setting challenging targets;
- Make best use of all available resources to support the learning of all groups of pupils.

Learning Environment

There is a consistently high expectation of all pupils regardless of age, gender, race, disability, ability, social background and sexual orientation. To secure the best possible outcomes for all our young people, we recognise the importance of:

- Teacher commitment, expertise and enthusiasm as a vital factor in achieving a high level of motivation and good results from all pupils;
- Adults in the school providing good, positive role models in their approach to all issues relating to equality and diversity;
- The school as a whole placing a high priority on the provision for those with special educational needs and disabilities. We strive to meet all pupils' learning needs, including the more able;
- The school providing an environment in which all pupils have equal access to all facilities and resources;
- Creating an environment where all pupils are encouraged to be actively involved in their own learning;
- Encouraging pupils and parents to create an appropriate learning environment at home and providing them with advice about how to do this;
- Providing opportunities for completing homework beyond the school day on the school site;
- Using a range of teaching methods throughout the school to ensure that effective learning takes place at all stages for all pupils.

The provision of good quality resources and materials within Hillcrest is a high priority. These resources will:

- Reflect the reality of an ethnically, culturally and sexually diverse society;
- Reflect a variety of viewpoints;
- Show positive images of different ethnic groups, males and females in society, and people with disabilities;
- Reflect non-stereotypical images of all groups in a global context;

- Include materials to raise awareness of equality and diversity issues;
- Be equally accessible to all members of school community, consistent with health and safety
- Not promote, explicitly or implicitly, racist, anti-disability, sexist, homophobic or ageist views.

We recognise that it is important that all members of the school community use appropriate language which:

- Does not transmit or confirm stereotypes;
- Does not intentionally offend;
- Creates and enhances positive images of particular groups identified at the beginning of this document;
- Creates the conditions for all people to develop their self esteem;
- Recognises the individuality and background of all members of the school community, with everyone endeavouring to spell and pronounce names correctly;
- Uses appropriate terminology in referring to particular groups or individuals.

We make appropriate provision for all EAL/bilingual children/groups in Years 7-13 to ensure access to an appropriate curriculum. These groups may include:

- Traveller and Gypsy Roma children;
- Those from refugee families;
- Asylum seekers;
- Pupils for whom English is an additional language;
- Pupils who are new to the United Kingdom.

Section 7 - Staffing and Staff Development

We recognise the need for positive role models and distribution of responsibility among staff. This will include pupil access to a balance of male and female staff at different key stages. We undertake to encourage the career development and aspirations of all individuals. It is our policy to provide staff with training and development, which will increase awareness of the needs of different groups of pupils in the various dimensions of equality of opportunity.

Staff Recruitment and Professional Development

- All posts are advertised formally.
- All those involved in recruitment and selection are trained and aware of what they should do to avoid discrimination and ensure good practice which takes account of equalities through the recruitment and selection process.
- The school encourages applicants from all sections of the community.
- Access to opportunities for professional development is monitored on equality grounds.
- Equalities policies and practices are covered in all staff inductions.
- All supply staff are made aware of equalities policies and practices.
- Employment policy and procedures are reviewed regularly to check conformity with legislation and impact.
- As part of the staff recruitment process all applicants are asked to complete an Equal Opportunities Monitoring Form. Summary information will be reviewed by the Governors Personnel committee.

Section 8 – Racial Discrimination

The definition of race includes colour, nationality and ethnic or national origins.

At Hillcrest school we ensure pupils of all races are not singled out for different and less favourable treatment from that given to other pupils. For example, we recognise it is unlawful to impose stricter disciplinary penalties on African Caribbean pupils than they do in similar circumstances to children from other backgrounds.

We are very proactive in tackling racial discrimination, and promote equality of opportunity and good race relations, and will not discriminate against anyone on the basis of race, colour, nationality or citizenship, or ethnic or national origin. The school will not tolerate any form of racial discrimination, racial harassment or inciting of racial hatred. Incidents of this nature may be offences under criminal law and will be treated as such.

Section 9 – Religion or belief

The Equality Act defines “religion” as being any religion, and “belief” as any religious or philosophical belief. A lack of religion or a lack of belief are also protected characteristics. Religion will include for example all the major faith groups and belief will include non-religious worldviews such as humanism. Religion will also include denominations or sects within a religion, such as Catholicism or Protestantism within Christianity. It is not however intended to include political beliefs such as Communism or support for any particular political party. Lack of religion or belief is also included in the definition of “religion or belief”. This means it is unlawful to discriminate against someone on the grounds that they do not adhere, or sufficiently adhere, to a particular religion or belief (even one shared by the discriminator), or indeed any religion or belief at all – such as, for example, an atheist.

At Hillcrest School all religious beliefs are valued and respected. We recognise, for example, a teacher should not discriminate against a pupil because of his own personal religious views about homosexuality or the role of women. We recognise, respect and celebrate the various traditions, customs and rules of different religious groups and will not discriminate against any pupil on the grounds of his or her religion or belief.

The school understands that for religious reasons certain pupils might wish to behave in ways that are contrary to accepted school rules. Every effort will be made to meet the sincere wishes of these pupils. The school undertakes to tailor collective worship and religious teaching to reflect the particular racial and religious mix in the school.

Section 10 – Sex and Gender

All applicants for admission to the school, and all pupils of the school, will be treated the same way, irrespective of sex. In particular, the school will ensure that:

- No attempt is made to balance the number of boys and girls admitted to the school (Sixth Form Consortium)
- All children have equal access to the National Curriculum
- Careers advice, interviews and literature are not sex –discriminatory.
- All pupils, regardless of their sex will have equal access to work experience placements, all forms of community and social service, all recreational, sport and social facilities and all out of school activities.

Section 11 - Sexual-Orientation

Hillcrest School will not discriminate directly or indirectly against anyone because of her / his actual or perceived sexual orientation. The school will not tolerate the harassment or victimisation of anyone because of her / his actual or perceived sexual orientation. The school will promote equality of opportunity for all students regardless of their sexual orientation. This is included in its equal opportunities and behaviour policies and the curriculum. We will ensure all gay, lesbian or bi-sexual pupils, or the children of gay, lesbian or bi-sexual parents, are not singled out for different and less favourable treatment from that given to other pupils.

At Hillcrest School we are committed to providing a safe environment for all pupils and will apply the schools anti-bullying policy to deal with all instances of homophobic bullying or abuse.

Homophobia is a dislike or fear of someone who is, or is perceived to be lesbian, gay or bisexual. Reaction can vary in intensity from passive resentment to active victimisation.

We follow the DfE 'Relationship and Sex Education' Guidance, which makes clear that teachers should deal honestly and sensitively with sexual orientation, answer appropriate questions and offer support where necessary. We recognise we have a legal requirement to teach about the 'nature of marriage' when we are delivering RSE. Teachers are encouraged to accurately state the facts about the marriage of same sex couples under the law of England and Wales, in a way that is appropriate to the age and level of understanding and awareness of the pupils. Teaching about marriage is done in a sensitive, reasonable, respectful and balanced way. Individual teachers are aware they are not under a duty to support, promote or endorse marriage of same sex couples. Teaching is based on facts and enables pupils to develop an understanding of how the law applies to different relationships.

Where individual teachers are concerned, having a view about something does not amount to discrimination. So it would not be unlawful for a teacher to express personal views on sexual orientation provided that it is done in an appropriate manner and context (for example when responding to questions from pupils, or in an RE or PSD lesson). However, it should be remembered that school teachers are in a very influential position and their actions and responsibilities are bound by much wider duties than this legislation. A teacher's ability to express his or her views should not extend to allowing them to discriminate against others.

Section 12 – Gender Reassignment

Gender reassignment is defined in the Equality Act as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. This definition means that in order to be protected under the Act, a pupil will not necessarily have to be undertaking a medical procedure to change their sex but must be taking steps to live in the opposite gender, or proposing to do so.

Protection from discrimination because of gender reassignment in schools was new for pupils in the Equality Act, although school staff were already protected. This means that for the first time it will be unlawful for schools to treat pupils less favourably because of their gender reassignment and that schools will have to factor in gender reassignment when considering their obligations under the Equality Duty. The protection against discrimination because of gender reassignment now matches the protection because of sexual orientation in schools.

At Hillcrest School we will make sure that all gender variant pupils, or the children of transgender parents, are not singled out for different and less favourable treatment from that given to other pupils. Staff recognise it is unlawful discrimination for a teacher to single out a pupil undergoing gender reassignment and embarrass them in front of the class because of this characteristic.

Section 13 - Pregnancy and maternity

Protection for pupils from discrimination because of pregnancy and maternity in schools is covered in the Equality Act. This means it is unlawful for schools to treat a pupil less favourably because she becomes pregnant or has recently had a baby, or because she is breastfeeding.

Local authorities have a duty under Section 19 of the Education Act 1996 to arrange suitable full-time education for any pupils of compulsory school age who would not otherwise receive such an education. This could include pupils of compulsory school age who become pregnant or who are parents. In particular, where pupils are unable to attend their previous school, the local authority would need to consider whether this duty is applied. 'Suitable education' should meet the individual needs of the pupil and must take account of their age, ability, aptitude and individual needs including any special educational needs they may have.

Hillcrest School recognises that the Equality Act (2010) extends protection against discrimination on grounds of pregnancy or maternity to pupils, so it will be unlawful for the school to treat a pupil unfavourably because she is pregnant or a new mother. The Hillcrest school will engage fully with the Teenage Pregnancy Unit to ensure appropriate health, emotional and academic support is in place both before and after the pupil gives birth.

Section 14 - Disability Discrimination

The overriding principle of equality legislation is generally one of equal treatment - i.e. that you must treat a black person no less well than a white person, or a man as favourably as a woman. However, the provisions relating to disability discrimination are different in that you may, and often must, treat a disabled person more favourably than a person who is not disabled and may have to make changes to your practices to ensure, as far as is reasonably possible, that a disabled person can benefit from what you offer to the same extent that a person without that disability can. Discrimination is also defined rather differently in relation to 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.

Hillcrest School will not tolerate any form of discrimination against disabled pupils. This includes the use of any derogatory term to indicate the disabled persons supposed mental capacity. No assumptions will be made about the general abilities of people who are disabled. The school will bear in mind that a child with special education needs (SEND) is not necessarily disabled and that a disabled child does not necessarily have SEND. The school will make every effort to ensure that its premises are accessible to people with all kinds of disabilities.

Hillcrest School will develop and annually review an 'Accessibility Plan' detailing the planned improvements that will be made for:

- Increasing the access of disabled pupils to the school curriculum
- Improving the access of disabled pupils to the physical environment of the school
- Improving the delivery of information to disabled pupils.

We fully recognise our duty to make 'reasonable adjustments' under the following circumstances:

- Where something we do places a disabled pupil at a disadvantage compared to other pupils then the school must take reasonable steps to try and avoid that disadvantage.
- We will be expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.

We are not subject to the requirement of reasonable adjustment duty concerned with make alterations to physical features because this is already considered as part of our planning duties.

The Equality Act (2010) does not set out what would be a reasonable adjustment or a list of factors to consider in determining what is reasonable. We will therefore consider the reasonableness of adjustments based on the circumstances of each case. When assessing the reasonableness of an adjustment will be consider the financial or other resources required for the adjustment, its effectiveness, its effect on other pupils, health and safety requirements, and whether aids have been made available through the Special Educational Needs route.

Section 15 – External Services

Visitors

All visitors will be treated fairly and irrespective of gender.

Procurement, Lettings etc.

As far as the school has control over outside agencies and parties it will try to ensure that gender equality is built into any contractual arrangements with the school.

Section 16 – Complaints Procedure

Ant complaints about discriminatory behaviour by members of staff, students, external visitors and community stakeholders should be referred directly to the Headteacher.

Any complaints about discriminatory behaviour from the Headteacher should be referred to the Chair of the Governing Body.

Section 17 - Review and Revision (and publication)

Monitoring and Review

This will be carried out by the Senior Leadership Team. Amendments may be made to the policy and action plans in the light of the monitoring and review. SLT will consider feedback from a range of sources including:

- Analysis of attendance and truancy figures;
- Analysis of exclusions;
- Incidents of racism, homophobia and sexism and all forms of bullying;
- Pupils achievement data for particular groups compared to National and Local Authority data;
- Feedback from Parents, School Parliament and other attached stakeholders;
- Any other information related to the Equality Act.

Policy written by Steven Connor-Hemming

Date – July 2017

Review Date – July 2018

