



# Bishop Vesey's Grammar School

## Equality & Diversity Policy

<b>Scope of policy:</b>	Whole school policy
<b>Review prepared by:</b>	Michele Wallis – HR Manager April 2015
<b>Approved for consultation with staff and trade unions</b>	Further consultation is not needed – no changes made
<b>Original consultation period:</b>	19 <sup>th</sup> - June to 2nd July 2015
<b>Legal check:</b>	Birmingham City Council September 2015
<b>School adoption date:</b>	HR Committee 12th October 2015
<b>Review date – Learning &amp; Teaching: Full Board:</b>	First annual review – October 2016 Subsequent reviews – October 2019 1 February 2021
<b>Signature of Chair of Governors: 1 February 2021</b>	



# Equality & Diversity Policy

## Equal opportunities statement of commitment

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At Bishop Vesey's Grammar School our policy is to promote equality of opportunity for all members of the school community. The way we teach and learn and the way the school is organised should take full account of this policy. This policy applies to, as appropriate, students, Governors, the Head Teacher, teaching and support staff, parents, agency workers, all job applicants and third parties providing services to the school, all the above should be fully aware of this policy, should comply with the Equality Act 2010 and should actively encourage the good practice which must accompany it. Our aim is to ensure that no student, member of staff, job applicant or other member of the school community is treated less favourably on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are known as protected characteristics as outlined in the Equality Act 2010 which defines direct discrimination, indirect discrimination, victimisation and harassment as less favourable treatment because of a protected characteristic. We will seek to achieve greater diversity for pupils and in employment by recognising that the Equality Act 2010 states that compliance with the duty may involve treating some people more favourably than others and may also require the making of reasonable adjustments for a disabled employee in order that they can carry out their duties to the same extent that a person without that disability can.

As stated in our school vision we are a warm, outward-looking community which celebrates diversity. We believe that we must all work together in a spirit of mutual respect and co-operation. We must care for everyone equally and be a school in which everyone is an achiever and everyone is made to feel valued. We recognise that all individuals are different and have different needs. We must prepare students to become responsible citizens, able to take advantage of the opportunities of adult life and respectful of the values and cultures of others. We will continue to tackle discrimination and promote equality. Above all the school should be a place in which we all strive to live, learn and work in harmony.

Where school is referred to in this policy this should be defined as the Governors, the Head Teacher and Senior Leadership Team. The named member of staff with responsibility for equality of opportunity is Mr Robson, Head Teacher.

In line with the Equality Act 2010 this policy includes the new provision relating to the public sector single equality duty and the extended scope for positive action with recruitment and selection of staff (see page 2). The school will undertake any necessary action to ensure compliance with the Equality Act 2010 and the corresponding duty.

In addition, the school will seek to ensure that individuals and any third party whose services are engaged by the School do not practise unlawful and unfair acts of discrimination.

## Aims and objectives

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The school through implementation of this policy aim to:

- Carry out its legal duty in complying with the Equality Act 2010

- Reinforce the school's position as a provider of high quality education and as a good employer providing development opportunities
- Ensure that equality remains high on the school's strategic agenda
  
- Establish good people management practice and set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response
- Work towards achieving a staffing composition that reflects the composition of the wider community
- Ensure all staff work together with a shared sense of purpose to meet the needs of every student
- Ensure that students and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals
- Ensure that complaints or evidence of failure to comply with this policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. allegations or complaints against staff may be investigated either under the disciplinary, grievance or dignity at work procedure as appropriate). All forms of discrimination by any person within the school's responsibility will be treated seriously as such behaviour is unacceptable.

## Staff recruitment and employment

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This section of the policy applies to all members of the Board of Governors, the Head Teacher, employees, agency workers, all job applicants and third parties providing services to the School. All will be expected to act in accordance with this policy and comply with the Equality Act.

Employees are a vital resource in any organisation. The school is committed to promoting equality of opportunity in employment through this policy whereby individuals are selected, trained, promoted and treated on the basis of their relevant merits, skills and competency.

The Headteacher will ensure that all existing and potential employees receive equal consideration and ensure that non-discriminatory treatment of all job applicants and employees is practised as well as equality of opportunity, noting the statutory obligations on recruitment in the existing equality legislation, including where applicable reasonable adjustments and positive action.

The staffing structure of the school conveys very important messages to students, e.g. about the relative power positions of men and women and the appropriateness of various areas of work for **all** sexes. The school cannot lawfully discriminate in the selection of employees for recruitment but it may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group that is identified as being under-represented in particular types of job. However, positive action does not allow an employer to appoint a less suitable candidate just because that candidate has a protected characteristic that is under-represented or disadvantaged.

All posts advertised are open to anyone to apply provided that they have the necessary qualifications or aptitudes for the job. Initial selection of candidates is made on scrutiny of application forms and supporting letters of information based on the extent to which the candidate has qualifications and/or experience relating to the job description and person specification. Interviews are conducted based on a list of core questions drawn up by the interview panel. Interview panels for teaching posts will include a Governor, wherever possible.

Where there is a lack of positive role models for a particular group within the school, it may be necessary to invite other adults into school to address this issue.

The school will ensure all employees are aware of this policy and their rights and role in its implementation at all levels and locations within the School. Employees have a duty to promote, own, comply and be responsible for this policy and for promoting diversity in the School.

The School has a code of conduct which sets out its expectations of employees and which complies with the Equality Act. The School has a monitoring system to examine the implementation of the policy and assess whether it is achieving its aims and equality objectives.

The school will ensure that employment policies such as the disciplinary policy are applied without discrimination in respect of an investigation or any sanction that may be given. Allegations regarding potential breaches of this policy will be treated in strict confidence. An employee that makes such an allegation in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith, will be dealt with in accordance with the Disciplinary Policy. An employee who is found to have committed an act of discrimination, harassment or victimisation will be subject to disciplinary action. Such behaviour may constitute gross misconduct and as such may result in summary dismissal.

The Head of CPD, Induction, Staff Development and Initial Teacher Training will be responsible for ensuring that all employees are informed and trained about the school's equality duties, either in staff meetings or on training days. This person will also ensure that training in other matters, such as health and safety, has due regard for the school's equality duties. This person will be responsible for reporting to the school's leadership team about training in equality duties and identifying any gaps.

## Training and development

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The School will endeavour to:

- Enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status
- Provide equal access to training and development opportunities for all staff, including part-time, on the basis of their assessed training needs
- Promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and students can make
- Equip employees with the skills to provide personal and organisational solutions to discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally
- Professional development involves a continuous process of learning involving self-development, encouragement and motivation. The School places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the School's performance development systems
- Governors will be encouraged to take up all relevant training and development opportunities provided.

## Admissions and attendance

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We take steps to ensure that the Admissions process is fair and equitable to all pupils. The school monitors attendance and uses data to develop strategies to address poor attendance.

## Classroom practice

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Our principal aim is to enable all of our students to achieve to the best of their ability in as many areas as possible. We must recognise and reward each student's progress in line with our Behaviour & Student Discipline Policy. We value and aim to make sensitive use of student's own knowledge, culture and experience in our teaching. Wherever possible we aim to celebrate all aspects of diversity through the curriculum. Departments should aim to use a variety of different teaching styles and assessment techniques so that all students have the opportunity to learn and to be assessed in a way which is most appropriate to their needs. We use assessment outcomes to identify the specific needs of any pupils who may be underachieving. Teachers should be sensitive when grouping students. Departments should be aware of equality issues when setting students. We must not limit students' chances of success by placing them in a set which is inappropriate for their level of ability in that particular subject. We will try to ensure that resources and displays do not perpetuate stereotypes but rather we will aim to encourage students to develop the skills and confidence to recognise bias. Active steps will be taken to use and produce materials which present positive images of a whole range of groups. Departments will be encouraged to review and develop equal opportunities statements within their documentation. The pastoral curriculum deals explicitly with many issues related to equal opportunities. Quality careers education, for example, is an important way of raising aspirations and thus 'opening doors' for our students. We strive to challenge stereotypes in employment through this programme.

## The hidden curriculum

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We must be aware that our actions, what we say, and how we say it convey messages to our students. This is known as the hidden curriculum. Tasks around school should not be allocated on the grounds of any of the protected characteristics. We must make an effort not to use language or terms which discriminate against individuals or a particular group. Our assembly themes support the principles of equality. Assemblies can be used to acknowledge and celebrate diversity. They can also be a forum for highlighting the fact that discrimination will not be tolerated. Student participation in assemblies should be encouraged wherever possible.

## Behaviour of students

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We treat any form of harassment or discriminatory behaviour as unacceptable. We will deal sensitively with inappropriate behaviour, including language, whether intended or not. We promote the use of positive images avoiding stereotypes. We ensure everyone knows that any complaint will be listened to sympathetically and be dealt with in a supportive and consistent manner. All prejudice-related abuse can take both physical and verbal forms. Verbal attacks such as name-calling and racist, homophobic, biphobic, transphobic, sexist, religious intolerant, disabilist jokes undermine and demean individuals. No member of staff should ignore such incidents. Steps should be taken to explain fully to those students perpetrating this behaviour that abuse will not be tolerated. Support should be provided for those involved. The pastoral curriculum empowers students to deal effectively and assertively with such incidents.

## Parents and the local Community

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Parents should be informed of the existence of this policy. Our policy is to regularly inform all parents of their child's progress. By bringing a range of people in to school from the local community we will actively challenge stereotypes and promote positive role models for our students.

## Governors

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The Board of Governors will consider this policy when introducing new policies or revising existing policies to ensure all policies comply with legislation.

The composition of the Board of Governors will be included in the school monitoring process.

## Meeting our duties

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### 1. Statutory requirements

Under the statutory single public sector equality duty (effective from April 2011) the school recognises its responsibilities for certain protected characteristics namely race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership and gender reassignment to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and those who do not share it
- Foster good relations across all characteristics between people who share a protected characteristic and those who do not share it.

NB Age, marriage and civil partnerships are a relevant characteristic for employees, governors and parents but not students.

### 2. Dealing with incidents of discrimination involving students

2.1 All incidents should be recorded on the school incident sheet and a copy given to the Deputy Head Teacher – Behaviour

2.2 The Deputy Head Teacher – Behaviour will record this on the school record. In the case of all prejudice-related incidents he/she will also inform the relevant Committee(s) of the Board of Governors.

2.3 Incidents involving students will be dealt with in accordance with the Behaviour/Student Discipline Policy.

NB Incidents involving a member of staff will be dealt with in accordance with the Disciplinary, Grievance or Dignity at Work Policy as appropriate.

### 3. Disability Equality

The disability provisions in the Equality Act are different from those for other protected characteristics in a number of ways. The responsibilities in section 1 above still apply together with:

3.1 Encouraging participation by people with a disability in all areas of public life

3.2 Making reasonable adjustments for a person with a disability where otherwise they would be at a substantial disadvantage compared to a non-disabled person if the adjustment was not made. If you have a disability or have any significant health issues we encourage you to tell us about your condition so that we can support you as appropriate, which may include making reasonable adjustments in accordance with the Equality Act.

3.3 The definition of disability within the Act is 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. Long term is defined as lasting, or likely to last, for at least 12 months.

3.4 See Appendix A for further information.

#### 4. Accessibility

There is specific legislation in relation to people with a disability and accessibility which means the school must plan strategically over time to:

4.1 Make improvements to the physical environment of the school to increase access

4.2 Make written information accessible to pupils in a range of different ways

4.3 Ensure that people with a disability do not receive less favourable treatment and to achieve this the school has a duty to make reasonable adjustments.

4.4 The school has an Accessibility Plan and Action Plan to comply with their responsibilities.

#### 5. Gender Reassignment

Under the Equality Act 2010, a person has the protected characteristic of gender reassignment if they are undergoing, proposing to undergo, or have undergone a process (or part of a process) for the purpose of reassigning one's sex by changing physiological or other attributes of sex. This is a broad definition, which includes medical (hormone therapy and/or surgery) and/or social transition (changes in pronouns, name, dress etc). Gender reassignment processes vary in length and are different for each trans person.

5.1 The school will respect the confidentiality of an individual who has the protected characteristic of gender reassignment and will provide a supportive environment within the school community.

#### 6. Our school values and vision

Meeting the duties described above will mean that all our actions will embody the school's key principles and values, which includes that:

6.1 We believe that all should have equal access to opportunities regardless of a protected characteristic outlined on page 1, paragraph 1.

6.2 We celebrate the diversity of our community.

6.3 We respect the religious, spiritual, cultural and moral values of others and consider thoughtfully their own attitudes, values and beliefs.

6.4 We seek to provide an atmosphere of harmony, respect and safety within an educational environment.

6.5 We seek to make the best possible provision for all students regardless of a protected characteristic.

6.6 We respect diversity. We know that treating people equally is not simply treating everyone the same. Within the concept of being a selective school we seek to take the necessary steps to ensure that every student is given an equality of opportunity to develop socially, to learn and to enjoy community life. This means we do our best to make reasonable adjustments for disability, recognise and celebrate cultural differences and understand the needs and experiences of people because of their sex and gender identity.

6.7 We know that equality is not simply about protecting the potentially vulnerable. We believe that all pupils may be disadvantaged by the holding of prejudicial views and seek to promote good relationships between all groups and positive attitudes towards people with a disability, from a different ethnic or cultural group or faith background and people of a different gender or sexual orientation.

6.8 We value staff for their ability and potential to help us make the best possible provision for the students.

## Communication

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This policy is available to all on the school website. All new members of the school community will be familiarised with the policy and new staff informed through the respective induction processes. Current students will be informed through the pastoral curriculum and assemblies. Opportunities to share the equal opportunities aspects of the school's ethos, vision and values will be taken at open days/evenings and options evenings. Current staff will be informed through training days and staff briefings.

## Monitoring and evaluation

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A variety of performance indicators will be analysed and any issues raised will be addressed. Performance indicators will include:

Students:

Examination and assessment results

Exclusions

Attendance data

Uptake and attendance at extra-curricular activities in school

Student profiles

Outcomes of actions taken to secure the involvement of parents and others who have been identified as difficult to engage

Incidents of discrimination

Employees:

Staffing profiles

Numbers of full and part time staff

Recruitment and promotion

Pay grades

Training

Return to work of women on maternity leave

Return to work of disabled employees following sick leave related to their disability

Performance Management

Grievances

Disciplinarys

Capability

Dismissals and other reasons for leaving

Incidents of discrimination

Student views are sought via the School Council and through questionnaires.

Parents will be consulted through questionnaires and the Parent Association Committee.

### POLICIES AND PLANNING

Equal opportunities implications will be considered and recorded whenever school policies, procedures or guidelines are developed or reviewed. All policies will be regularly reviewed to ensure a comprehensive and consistent process of monitoring and evaluation.

### ACTION PLAN

Any concerns identified in respect of students or staff or from the above performance indicators will be reported to the Head Teacher and Senior Leadership Team who will seek ways to address the issue and decide what action, if any should be taken and by whom. All the above should be documented in an Action Plan.

#### REPORTING

The Head Teacher will report to the FEP Committee of the Board of Governors on progress within the Action Plan. The Head Teacher will report on performance indicators to the Teaching & Learning and FEP Committees of the Board of Governors and to the Senior Leadership Team.

## **Appendix A Additional Guidance on Specific Areas**

### **Age Discrimination**

The School is committed to being an age diverse organisation which actively encourages the continued employment of people who want to work past their normal retirement age.

It is unlawful to discriminate against someone on the grounds of their age and the School also recognises that age discrimination does not just affect older people and we take on board that research shows that 1 in 7 young people feel that their progression is being hindered because of their age.

The School will eliminate any possible age discrimination and has increased awareness that it is unacceptable and unlawful to discriminate or harass someone on the grounds of age.

### **Disability Discrimination**

The main purpose of the Equality Act 2010 (EA) is to streamline and strengthen anti-discrimination legislation in Great Britain. It provides the legal framework that protects people, including disabled people, from discrimination. It replaces a range of anti-discrimination legislation, including the Disability Discrimination Act 1995 (DDA) and subsequent amendments.

The EA generally carries forward the protection provided for disabled people by the DDA. However, there are key differences.

- The DDA provided protection for disabled people from direct discrimination only in employment and related areas. The EA protects disabled people against direct discrimination in areas beyond the employment field (such as the supply of goods, facilities and services).
- The EA introduced improved protection from discrimination that occurs because of something connected with a person's disability. This form of discrimination can be justified if it can be shown to be a proportionate means of achieving a legitimate aim.
- The EA introduced the principle of indirect discrimination for disability. Indirect discrimination occurs when something applies in the same way to everybody but has an effect which particularly disadvantages to a disabled people. Indirect discrimination may be justified if it can be shown to be a proportionate means of achieving a legitimate aim.
- The EA applies one trigger point at which there is a duty to make reasonable adjustments for disabled people. This trigger point is where a disabled person would be at a substantial disadvantage compared to non-disabled people if the adjustment was not made.
- The EA extends protection from harassment that is related to disability. Previously, explicit protection only applied in relation to work. The EA applies this protection to areas beyond work.
- The EA provides protection from direct disability discrimination and harassment where this is based on a person's association with a disabled person, or on a false perception that the person is disabled.
- The EA contains a provision which limits the type of enquiries that a recruiting employer can make about disability and health when recruiting new staff. This provision will help prevent disabled candidates from being unfairly screened out at an early stage of the recruitment process.

## **Gender Re-assignment**

Gender Dysphoria is an overwhelming desire to live and to be accepted as a member of the sex different to the one they were born as.

Individuals undergoing gender reassignment are known as 'trans people' – and it is believed that there are around 5,000 people in the UK whose gender identity does not match their appearance and/or anatomy.

The process which trans people go through can take a number of years. The diagnosis itself is a specialist area and can take a considerable length of time.

Once a diagnosis has been made, hormone therapy will start to bring on a number of physical changes. At this point, trans people will then change social gender in order to have a Real Life Experience (RLE) or Real Life Test (RLT), which involves:

- Changing name and other records
- Living, working and socialising in the new gender.

Some people choose to maintain their usual gender role at work for longer.

The School is committed to the health and wellbeing of all our employees and we will make every effort to handle this sensitive issue and support people through the process professionally, seamlessly and without prejudice.

## **Implementing Positive Action**

The term Positive Action was first used in the Sex Discrimination Act 1975 (SDA) and then again in the Race Relations Act 1976 (RRA).

The law allows us under both Acts to take positive action to help members of a particular group to gain employment by providing training, in areas or jobs where they are under-represented. It also encourages women, men, or black and minority ethnic people to apply for jobs where they are under-represented in the workplace or in a particular type of work and provide special training for groups where appropriate.

It is also possible to use positive action to improve the representation of people with disabilities. The Disability Discrimination Act 1995 provides the opportunity to use positive advertising in order to welcome applications from people with disabilities

## **Genuine Occupational requirement/qualification**

There are occasions when it is lawful to advertise for someone of a particular sex, racial group, religion, belief or sexuality, because of a Genuine Occupational Requirement (GOR) or Genuine Occupational Qualification (GOQ).

## **Flexible Working Summary**

Flexible working allows for many different patterns of working that go beyond the traditional arrangements. Flexible working gives us the ability to schedule the time available to us in the most effective way so that it meets both the needs of the service, and as far as possible, the personal needs of our diverse workforce. Employees can apply for a more flexible pattern of working such as job share or banked hours.