



St Margaret Mary's RC Primary School

2021-2022

Our Mission:

We try to follow Jesus in everything we do.

We help everybody in our school family and we try to let our light shine as the light of Jesus shines.

Everyone at St. Margaret Mary's is special. We feel happy and safe.
We are encouraged to value ourselves and each other in an atmosphere of trust, good humour, acceptance and enjoyment.

Saint Margaret Mary's school is where we come to learn through exciting and fun lessons. We try to always be welcoming and caring to all. We want to do our best, even if we find it difficult.

Equality Policy

Our school aims to meet its obligations under the public sector equality duty by having due regard to the need to:

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

This document meets the requirements under the following legislation:

- [The Equality Act 2010](#), which introduced the public sector equality duty and protects people from discrimination
- [The Equality Act 2010 \(Specific Duties\) Regulations 2011](#), which require schools to publish information to demonstrate how they are complying with the public sector equality duty and to publish equality objectives
- This document is also based on Department for Education (DfE) guidance: [The Equality Act 2010 and schools](#).

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation. We welcome our general duty to eliminate discrimination, to advance equality of opportunity and

to foster good relations; and our specific duties to publish information every year about our school population; to explain how we have due regard for equality; and to publish equality objectives which show how we plan to tackle particular inequalities, and reduce or remove them.

We believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

This policy applies to all members of St Margaret Mary's RC Primary School including:

- Staff
- Governors
- Pupils
- Visitors to the school or when engaged in off-site learning
- Temporary staff or contractors
- Students/Trainees

The school recognises its responsibilities for equality for all and will work to ensure fair treatment for all.

Equality of opportunity

Equal opportunity is about the right of everyone to:

- equal chances,
- make good progress and achieve well;
- fair and equal access to provision and opportunities; and
- be respected for who they are.
-

Equal opportunities should permeate all aspects of school life, and is the responsibility of every member of the school community.

All members of the school community should be aware that every individual has a right to be considered of equal value and be given equal opportunities regardless of ethnicity, gender, social background, ability, disability, belief, age, marital status, nationality, citizenship or sexual orientation.

Within the school, leaders are instrumental in demonstrating mutual respect between all members of the school community. There should be an 'openness' of atmosphere which welcomes everyone to the school. Staff and pupils should be expected to greet visitors to the school with friendliness and respect.

Definitions

The Equality Act 2010 covers policies that were previously separate under the headings of disability, race and gender. These broad areas and some new definitions are now encompassed in one policy commitment.

This policy refers to equality in the following groups and covers a number of areas of discrimination. Protected Characteristics:

- Age
- Disability: a person who has a physical or mental impairment which has a substantial and long term effect on his/her ability to carry out normal day to day activities
- Gender reassignment: a person who proposes to, starts or has completed a process to change his/her gender. This does not have to be under medical supervision
- Marriage & civil partnership
- Pregnancy and maternity: pregnancy related illness must not be taken into account when considering a woman's employment
- Race: this encompasses colour, nationality, and ethnic or national origins
- Religion or Belief: this covers all faith with a structure and belief system which has weighty and substantial influence on human life and behaviour. Those of no faith are also covered
- Sex: both men and women are protected under the Act
- Sexual Orientation: the Act protects bisexual, gay, heterosexual and lesbian people

Types of Discrimination:

- Direct discrimination: someone is treated less favourably than another person because of a protected characteristic
- Discrimination by Association: direct discrimination against someone because they associate with another person who possesses a protected characteristic
- Discrimination by Perception: direct discrimination against someone because others think they possess a particular protected characteristic
- Indirect Discrimination: resulting from a rule or policy that applies to everyone but disadvantages a particular protected characteristic
- Harassment: behaviour that is offensive to others even if not directly aimed at them
- Victimisation: someone is treated badly made or supported a complaint under the Equality Act 2010

Responsibilities

At St Margaret Mary's School, the governing body are responsible for overseeing the implementation and monitoring of equal opportunities throughout the school. The Governing Body will ensure the Equal Opportunities provision in the school and that the school is meeting the statutory requirements.

The Headteacher

- To ensure the place of equal opportunities within the annual School Improvement Plan
- To ensure that the 'equal opportunities policy and practice' is in-line with current guidance
- To report to governors on a regular basis
- To ensure the school has identified all staff and students with protected characteristics
- To record and deal with incidents of racism, bullying and other cases of inappropriate behaviour
- To co-ordinate the curriculum in conjunction with curriculum coordinators to ensure equality of opportunity is represented in the core and foundation subjects
- To ensure appropriate action is taken in response to breaches of the equality act
- To ensure that equal opportunities is covered within all subject policies and plans
- To provide opportunity for resources to be ordered to support this policy
- To apply equal opportunities legislation and guidance in the school's appointment process and general procedures
- To monitor performance by groups of children in their subject either through analysis or discussion with other senior staff
- To ensure the appropriate application of the admissions policy
- To continue to monitor and formulate accessibility plans in conjunction with the governing body

The Classteachers

- To ensure the implementation of this policy within the classroom and in their own dealings with staff, children and the wider school community
- To contribute to discussions about equal opportunity issues across the school
- To monitor their own procedures and routines to ensure that children are treated equitably
- To refer incidents and concerns, where appropriate, to the Senior Leadership Team

The Role of all School Staff

- To be aware of their responsibilities under the Act and this policy and recognise that they have a role and responsibility in their day to day work to promote equality, inclusion and good community relations
- To foster good relations between groups of people with and without protected characteristics
- To set an example to all children in terms of their treatment of one another and display of tolerance and understanding towards the beliefs and cultures of others [see Mission Statement]
- To ensure that policies and procedures are implemented according to the equal opportunities policy
- To be vigilant for incidents of racism, sexism, prejudice and inequality and act swiftly upon them
- To encourage children to try new activities, challenging stereotypical roles and prejudice
- To promote equality through their curriculum teaching

The Role of All Pupils

All pupils will be encouraged to recognise that they have a role and responsibility:

- To promote equality, inclusion and good community relations and act in accordance with this policy;
- To challenge inappropriate language and behaviour;
- To tackle bias and stereotyping;
- To act in accordance with the school's anti bullying strategies;
- To respond appropriately to any incidents of discrimination, harassment and bullying they witness and to understand what they need to do to report these;
- To regard people of all faiths, races, religions, cultures and with other protected characteristics as their equal and to treat others with respect and kindness;
- To support the school's approach and commitment to equality;
- To be involved in producing a simplified version of this policy to be displayed in classrooms and other areas in school as appropriate, understanding equality in an age-appropriate manner.
-

Complaints Procedure

If any pupil or parent feels they have a complaint, which falls under the Equality Act they should, in the first instance, report this to the Headteacher.

Examples of Promoting Equality at St Margaret Mary's

- The school will promote equality in the following ways:
- Pupil achievement and progress
- Support the development of a child's self-esteem.
- Encourage pupils to recognise their own strengths
- Ensure all pupils have equal access to extra-curricular activities
- Ensure that all pupils are offered the guidance and support they need
- Encourage pupils to appreciate their own uniqueness and the uniqueness of their peers.
- Ensure pupils receive regular encouragement and praise to help them become confident, motivated and independent learners.
- Monitor progress and achievement by protected characteristics
- Provide strategies/support to tackle under achievement in protected characteristic groups
- Data will be analysed at SLT level to ensure all pupils are making appropriate progress
- Ensure the highest standards of teaching and learning for all irrespective of ethnicity, religious belief, age, gender, ability and disability or social background
- Continue to develop a learning environment where there are consistently high expectations of all pupils regardless of age, gender, ethnicity, ability or social background.
- Seek to promote the welfare in school of individuals who have specific physical, emotional, learning and religious needs

The Curriculum

- The school will promote equality and diversity through an inclusive and broad curriculum
- Curriculum planning will take account of the needs of all, ensuring equality
- Curriculum provision will be monitored and evaluated by Senior Leaders
- Resourcing will reflect the need to provide equal access for all
- The RE and PSHE curriculum will provide opportunities to celebrate and develop an awareness and understanding of faiths from around the world.
- Teaching methods will be diverse and appropriate for all needs and learning styles
- The school will seek to make full use of resources available in the wider community

Pupil Behaviour Policies

School will:

- Ensure procedures for managing behaviour and discipline will be fair and applied equally to all
- Deal swiftly, effectively and firmly with comments and incidents which are detrimental to the well-being of others
- Challenge inappropriate discrimination and promote cultural diversity.
- Ensure all incidents are recorded and reported to governors regularly.
- Keep a record of prejudice-related incidents and, if requested, provide a report to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they are dealt with.
- Monitor and act upon data gathered about the attendance of all pupils but with particular reference to those with protected characteristics

Admissions and transfers

- See Admission Policy
- The school support the Local Authority with Fair Access Admissions

Language

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

- does not transmit or confirm stereotypes
- does not offend
- creates and enhances positive images of all groups
- creates the conditions for all people to develop their self esteem
- uses correct terminology in referring to particular groups or individuals
- Promotes good inter-personal and community relations.

Governors and the Headteacher will:

- Operate fairly and provide equal opportunities to all with regard to staff appointments and staff development.
- Incorporate equality of opportunity into all aspects of the school's operations.
- Monitor and review our performance on a regular basis.
- Ensure the school's access plans are reviewed and updated regularly.
- Ensure all staff and children in the school have access to resources available in the school.
- Ensure all staff and governors are well informed about the policy and trained where necessary

School Impact Assessment

The school will monitor the impact of this policy via analysis of data collected to ensure that there is no disadvantage to those with protected characteristics within the school.

GUIDANCE/FURTHER INFORMATION ON THE EQUALITY ACT 2010 ("THE ACT")

An Overview

This guidance is provided by the school with a view to preventing pupils, staff, parents, carers and the wider school community from engaging in any form of behaviour or conduct which is deemed unlawful under the Act. The guidance is intended to create a general awareness and understanding of the school's obligations and duties under the Act, including any exemptions and exclusions which may apply.

The Act provides a single, consolidated source of discrimination law, replacing all previous anti - discrimination laws and extending protection from discrimination in some areas. The Act defines types of unlawful behaviour in relation to people with protected characteristics.

The Act applies to all schools and academies including maintained and non-maintained special schools. The Act applies to schools as educators, employers and as service providers. It applies to the way schools treat their pupils and potential pupils, and in limited circumstances, former pupils. As employers, schools must not discriminate against potential employees in respect of whether to offer a job or the terms on which a job is offered. Schools must also not discriminate against existing employees in respect of benefits, facilities and services offered including training opportunities, promotion or dismissal.

In relation to pupils, schools must not discriminate against, harass or victimise a pupil or potential pupil in relation to admissions, in the way education is provided, in the way pupils are provided with access to any benefit, facility or service and by excluding a pupil or subjecting them to any other detriment.

The school's "Responsible Body" must ensure compliance with the Act. The Responsible Body is the Governing Body (and the Local Authority in maintained schools) and the proprietor in independent schools, academies or non-maintained special schools. Any person acting on behalf of the Responsible Body, including school employees may be liable for their own discriminatory actions. The Responsible Body may also be liable unless it can show that it has taken all reasonable steps to stop an individual from doing the discriminatory action or from doing anything of that kind.

Types of Unlawful Behaviour and Protected Characteristics

Types of unlawful behaviour under the Act are: -

- direct discrimination,

- indirect discrimination,
- harassment,
- victimisation.

The Protected Characteristics under the Act are:-

- age,
- disability,
- race,
- religion or belief,
- sex,
- sexual orientation,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity.

All the protected characteristics apply to staff but the protected characteristics of age, marriage and civil partnership DO NOT apply to pupils. It is not a breach of equality law therefore for schools to admit and organise pupils in age groups and to treat pupils in a way that is appropriate to their age.

Direct Discrimination

This occurs when because of a protected characteristic a person treats another less favourably, than they treat, or would treat other people. Direct discrimination involves comparing how you treat a person with the protected characteristic compared to how you treat someone else. In most cases there is no defence to direct discrimination. Motive or intention are irrelevant. Direct discrimination can also be by association (when a person is treated less favourably because of their association with someone who has a protected characteristic) or by perception (when a person is treated less favourably because it is believed they have a protected characteristic even if that is a mistaken belief).

Indirect Discrimination

This occurs when a "provision criterion or practice" (PCP) is applied generally but has the effect of putting people with a protected characteristic at a disadvantage when compared to people without that characteristic. It is possible to defend a claim of indirect discrimination if it can be shown that the PCP is a "proportionate means of achieving a legitimate aim and that it could not reasonably be achieved in a different way which did not discriminate. In the context of schools, examples of legitimate aims might be maintaining academic or other standards, safeguarding or ensuring the health, safety and welfare of pupils.

Harassment

This has a specific legal definition in the Act based on the definition from the European Convention on Human Rights. It is unwanted conduct, related to a relevant protected characteristic or of a sexual nature 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. It is also treating someone badly because they have submitted to or rejected sexual harassment or harassment related to sex or gender. Motive or intention are irrelevant. Harassment is about the perception of the victim provided it is reasonable for them to feel that way. A person does not have to possess the protected characteristic to bring a claim under the harassment provisions. Harassment can also be by association (harassing someone because they associate with someone with a protected characteristic) or by perception (harassing someone because you think or perceived they have a protected characteristic even if that is wrong).

Victimisation

This occurs when a person is treated badly or treated less favourably than they otherwise would have been because they have done "a protected act" or because the school believes that a person has done or is going to do a protected 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 or doing anything else under or in connection with the Act.

Additional Provisions Relating to Disability

With regard to disability, there are two further types of unlawful behaviour, these are:-

- Discrimination arising from a disability,
- A failure to comply with the duty to make reasonable adjustments.

Discrimination Arising From A Disability

This occurs when a disabled person is treated unfavourably because of something arising in consequence of their disability. This is unlawful unless the discrimination can be justified.

Duty To Make Reasonable Adjustments

The duty to make reasonable adjustments means that where something a school does places a disabled pupil or member of staff at a disadvantage compared to other pupils or members of staff, the school must take reasonable steps to try and avoid that disadvantage. The duty applies to the way things are done, to the physical features of a school and to the provision of auxiliary aids and services. The Act extended the duty to provide auxiliary services and aids to pupils. Auxiliary aids or services are things or persons which help. Whether a school should provide an auxiliary or service is a question of reasonableness in all the circumstances of the case. They may already be provided for a disabled pupil under the terms of their EHC Plan. More favourable treatment for people with disabilities. The overriding principle of the equality legislation is one of equal treatment but schools may, and often must, treat disabled pupils and disabled members of staff more favourably than non-disabled pupils or non-disabled members of staff by making reasonable adjustments to put them on a more level footing with pupils and members of staff without disabilities and to comply with their public sector equality duty. Schools must also carry out accessibility planning for disabled pupils and members of staff under the Act. With regards to pupils, schools must implement accessibility plans which are aimed at increasing the extent to which disabled pupils can participate in the curriculum; improving the physical environment of school to enable disabled pupils to take better advantage of education, benefits, facilities and services provided; and improving the availability of accessible information to disabled pupils. With regard to staff, schools are under a duty to consider alterations to physical features of the school as part of their duty to make reasonable adjustments where it is reasonable to avoid disadvantage caused by their disability.

Exceptions and Exclusions

There are some exceptions in the Act which apply to all schools and some which apply specifically to schools with a religious character (faith schools) and to single sex schools. The daily act of collective worship is an exemption which applies to all schools in relation to the Act's religion or belief provisions. Schools are permitted to have acts of worship or other forms of collective religious observance and will not be acting unlawfully if an equivalent act of worship is not provided for other faiths. Schools are permitted to celebrate religious festivals. The content of the school curriculum is excluded from the Act but the way, in which schools provide education, i.e. the delivery of the curriculum is not. Schools must ensure that the curriculum is not delivered in a discriminatory way and that it is delivered in accordance with the public sector equality duty. Schools should provide a broad and balanced curriculum for all pupils and should ensure that all pupils have equal access to all areas of the curriculum. When a school's Curriculum Policy is reviewed, due regard must be given to equality

considerations. The Act does not deal specifically with school uniform or other aspects of appearance such as hair, jewellery and make up. The school's Governing Body determines uniform policy and the rules relating to appearance but must have due regard to equality law and to obligations under the Human Rights Act 1998 when making decisions in this regard. Governing Bodies should be sensitive to the needs of different groups and should act reasonably in endeavouring to accommodate those needs without compromising other school policies and requirements including requirements relating to health, safety and discipline.

Faith Schools

Certain exceptions apply to the religion or belief provisions in the Act which mean that faith schools may conduct themselves in a way which is compatible with their religious ethos. Faith schools may discriminate because of religion or belief in relation to admissions and in the access to any benefit, facility or service. Faith schools may give priority in admissions to pupils of the school's own religion although this may only be done when a school is oversubscribed. Faith schools may also choose to allocate some places to children of a specific faith if the school wishes for example to ensure a mixed intake to reflect the diversity of the local population. Any such selection would be on the basis of faith only and not on the basis of ethnic background. There are also exemptions in relation to how education is provided to pupils in faith schools and the way in which faith schools allows access to other aspects of school life which are not necessarily part of the school curriculum. If for example, a faith school was to organise a visit for pupils to sites of particular interest to the school's faith, the school would not be discriminating unlawfully by not arranging trips to sites of significance to the faiths of other pupils. Nor could a pupil of a different faith claim they were being treated less favourably because objects symbolic of the school's faith are given special status in school. Faith schools must not treat a pupil less favourably because they do not (or no longer) belong to the school's religion. They must not discriminate in relation to other protected characteristics. There are some specific exceptions for faith schools in relation to the employment of staff. The provisions differ for voluntary controlled and foundation schools with a religious character, and voluntary aided independent schools, academies and free schools with a religious character. Further information about the exceptions in relation to the employment of staff in faith schools can be found in the DfE's non-statutory advice for schools on the Equality Act 2010 and these are reflected in the schools' recruitment and other relevant policies.

The Public Sector Equality Duty and Supporting Specific Duties

The Act introduced a single Public Sector Equality Duty (PSED) made up of the general duty and supporting specific duties. The PSED applies to public bodies, including all schools and academies but not independent schools.

The general duty is contained in S149 of the Act and requires schools, when carrying out their functions, to have due regard to the need to:-

- eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it;
- foster good relations across all characteristics.

Having due regard means that the Governing Body and the school's leadership team must ensure that whenever significant decisions are being made or policies developed, thought will be given to equality considerations.

Equality will not just be an afterthought and will never be just a matter of ticking boxes. Decisions and actions will be made with an open mind and an assessment will always be made as to whether a particular decision or action may have implications for people with particular protected characteristics. The first aim of the PSED applies to all the protected characteristics. The second and third aims apply to all the protected characteristics except marriage and civil partnership. The protected Characteristics of age and marriage and civil partnership do not apply to pupils.

Specific equality duties are detailed in the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. In order to comply with their specific duties, schools are required to:-

- publish information to demonstrate how they are complying with their general duty;
- prepare and publish one or more specific and measurable equality objectives;
- publish gender pay gap information if they employ 250 or more employees.

Schools are required to update published equality information at least annually and to publish objectives at least once every four years.