

## **SINGLE EQUALITY SCHEME (SES)**

*Last update: January 2011*

Katharine Lady Berkeley's School aims to provide a community which provides equal opportunities for all adults and students to work and learn in an emotionally and physically safe environment. In achieving this aim, the highest priority is placed on eliminating discrimination, harassment and victimisation.

As an employer, the school will ensure that there is no discrimination or harassment during the recruitment process or during employment on the grounds of any of the protected characteristics described in this policy. The school will comply with all current employment legislation concerning Equal Opportunities.

The school's commitment to protecting people from discrimination and harassment extends to all members of the community including parents, carers and Governors.

We aim to provide students with the best possible education that will give each of them the opportunity to fulfil their potential. Fundamental to achieving this aim is ensuring that equal opportunities to succeed are available for all students regardless of physical or academic ability, gender, class, race, sexual orientation or religion. All students need to be positively encouraged to develop non-stereotype attitudes and to have high expectations about themselves, others and their role in school and society in general.

The school's Single Equality Scheme brings together previous policies concerning Race, Equal Opportunities and Inclusion together with aspects of other policies including Appointments, Pay, Accessibility and Community Cohesion. It includes specific sections relating to all six Equality Strands: race, religion/belief, sexual orientation, disability, age and gender (including transsexual students) and also to Vulnerable Children, including students who are pregnant or who have recently had a baby. With respect to adults in the school community, this list is extended to include protection for those who are married or in a civil partnership. The scheme is clear about the school's commitment to providing equal opportunities for all members of the wider school community including parents, carers, employees and Governors.

The school is committed to providing equal opportunities for all children to succeed regardless of their level of academic or physical ability. More detail about our policy and procedures for students with Special Educational Needs and those who are Gifted and Talented are covered in separate documents.

The scheme serves two main purposes:

- 1) To state clearly the school's overall commitment to equality and diversity in one document. The scheme therefore contains:
  - the school's approach to the six Equality Strands and to Vulnerable Children;
  - how the school will manage, plan and include its equality and diversity policy in its day to day work.
- 2) To act as a single document which demonstrates a consistent and coherent approach to equality and diversity covering:
  - the school's statutory equality schemes concerning race, disability and gender;
  - the school's non-statutory schemes in relation to sexual orientation, religion/belief and age illustrating the school's commitment to ensuring equality for all;
  - the school's approach to supporting Vulnerable Children including: children looked after by the local authority (in care); sick children; young carers; children from families under stress; children at risk of exclusion.

The scheme supports the school's development in line with the Gloucestershire Young People's Plan in a range of ways including:

- Reducing the achievement gap between vulnerable children and the main school population;
- Ensuring positive outcomes for Learners with Learning Difficulties and Disabilities;
- Supporting children's emotional health and well being.

## The Equality Duties

The school is obliged to:

- Eliminate discrimination and harassment;
- Avoid and deal with any victimisation that takes place following a complaint relating to equality;
- Have due regard to the promotion of equality and opportunity between all members of the school and wider communities;
- Promote positive attitudes;
- Encourage participation by minority and under-served groups in school life;
- Take steps to take account of people's specific needs even when this requires treating some individuals more favourably than others.
- Conduct impact assessments, and draw up relevant schemes (and publicise them).

## Discrimination

Discrimination can take place in a range of ways as follows. It is helpful to list the various protected characteristics against which discrimination may take place which relate to the six strands of equality and to vulnerable children as follows:

| Protected Characteristic       | Equality Strand     |
|--------------------------------|---------------------|
| Age                            | Age                 |
| Disability                     | Disability          |
| Gender reassignment            | Gender              |
| Marriage and civil partnership |                     |
| Pregnancy and maternity        | Vulnerable Children |
| Race                           | Race                |
| Religion or belief             | Religion or Belief  |
| Sex                            | Gender              |
| Sexual orientation             | Sexual orientation  |

### Direct Discrimination

This occurs when someone is treated less favourably than another person because they have, or are thought to have, a protected characteristic.

### Discrimination by Association

This is discrimination against someone because they associate with another person who possesses a protected characteristic.

### Perception Discrimination

Direct discrimination against an individual because others think that they possess a protected characteristic even though they do not.

### Indirect Discrimination

This occurs if there is a condition, rule, policy or practice in the school which applies to everyone but particularly disadvantages people with a particular protected characteristic. Under some circumstances this may be reasonable and lawful if it is necessary for the school to operate effectively – for example the employment of male and female PE teachers.

## Harassment

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading or humiliating environment for that individual”.

All members of the school community are encouraged to complain about behaviour that they find offensive, even if it is not directed at them and even if they do not possess the particular protected characteristic themselves.

The school will also protect students and staff from harassment by people from outside the school. If this is reported, the school will take reasonable steps to prevent it happening again.

## **Victimisation**

Victimisation occurs when a student or employee is treated badly because they have made or supported a complaint under the Equality Act.

## **Race Equality**

### **Descriptions of Racism**

**Institutional racism** is *'the collective failure of an organization to provide an appropriate and professional service to people because of their culture, colour or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtless and racist stereotyping which disadvantages minority ethnic people.'*

A **racist incident** is *'any incident which is perceived to be racist by the victim or any other person'*

The Stephen Lawrence Inquiry report defines racism as:

*'conduct or words which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle form it is as damaging as in its more overt form'*

**Katharine Lady Berkeley's School will not tolerate racial harassment of any kind. We are committed to combating racial discrimination**

### **What is Race?**

A race is a distinct group or population of people distinguished in some way from others most often in terms of physical characteristics but also language, history, ancestry and culture.

### **What is the Race Equality Duty?**

The duty was detailed in the Race Relations Amendment Act 2000 and includes both a general and specific duty.

**The General Duty** as set out in section 71(1) of the Act, requires a school in carrying out its functions to have due regard to the need to:

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

**The Specific Duties** are set out in articles 2(3) and 2(4) of the Race Relations Act 1976 (Statutory Duties) Order 2001 which states that school should develop a race equality scheme which highlights those of its functions and policies, or proposed policies, which it has assessed as relevant to its performance of the duty imposed by section 71(1) of the Race Relations Act and its arrangements for:

- assessing and consulting on the likely impact of its proposed
- policies on the promotion of race equality
- Monitoring its policies for any adverse impact on the promotion of race equality
- Publishing the results of its assessments, consultation and monitoring, providing public access to information
- Training staff in connection with the duties

Katharine Lady Berkeley's School race equality policy enables us to meet our statutory obligations under the Race Relations Amendment Act 2000. The policy takes account of the statutory and non-statutory guidance published by the Commission for Racial Equality as listed at the end of this policy and of recommendation 68 from the inquiry into the death of Stephen Lawrence:

*'Local Authorities and school governors have the duty to create and implement strategies in school to prevent and address racism'*

As stated in the Commission for Racial Equality publication, *Standards of Racial Equality in Schools*, the policy seeks to emphasise the importance of combating racism and working towards racial equality in this school which has a predominantly white population.

This policy covers members of all ethnic and national groups who are currently or who in the future may be represented in the school community, including Gypsy Travellers, asylum seekers and refugees.

This policy, together with those which it complements, sets out our commitment to tackling racial discrimination and promoting equality and good race relations, and explains what this means for the whole school community. It should be noted that this policy applies to all members of the school community including students, members of staff, governors and visitors to the school.

In accordance with the Statement of Aims, we will continuously strive to ensure that everyone in the school is treated with respect. Each person in the school will be given fair and equal opportunities to develop their full potential whatever their ethnic or national group.

This school will promote race equality and oppose racism in all its forms and foster positive attitudes and commitment to an education for equality.

We will achieve this by:

- treating all those within the school as individuals with their own particular abilities, beliefs, challenges, attitudes, background and experiences;
- creating a school ethos which promotes race equality, develops understanding and challenges myths, stereotypes, misconceptions and prejudices;
- encouraging everyone within our school community to gain a positive self-image and high self esteem;
- having high expectations of everyone involved with the school;
- promoting mutual respect and valuing others' similarities and differences and facing equality issues openly;
- striving to identify and remove all practices, procedures and customs which are discriminatory and replacing them with practices which are fair to all;
- working with relevant agencies when the school's normal practice is in conflict with the customs of an ethnic group in order to ensure that the provision for the relevant students is not compromised.
- Monitoring and reviewing all of the above to seek to secure continuous improvement.

## **Disability Equality**

### **What is Disability?**

People are affected by disability or health conditions in different ways. This can happen suddenly, as a result of accidents or strokes for example, or gradually as a result of conditions such as arthritis and multiple sclerosis. There is often no defining moment when a health issue becomes a disability, at least for the individual concerned. If a condition affects everyday activities, such as

- the ability to move around
- manual dexterity
- physical co-ordination
- continence
- the ability to lift, carry or move ordinary objects
- speech, hearing or eyesight
- memory, or ability to concentrate, learn or understand
- ability to recognise physical danger

If a person has a disability or health condition such as one or more of those listed above and it has lasted, or is likely to last, at least a year, then it is likely to be covered by the Disability Discrimination Act. There are two approaches to disability commonly used, the Medical Model and the Social Model.

### **Social Model of Disability**

The school fully supports the Social Model definition of disability. We must ensure that we do not impose barriers on anyone accessing our services and that we consider the needs of the individual person rather than focusing on any impairment. This model focuses on the social environment and how it causes some people to be disabled. This is different from the perspective that it is the individual's particular difficulties which prevents them from undertaking everyday activities which non-disabled people take for granted. The 'social model' takes the view that, if the organisation of society e.g. stairs to access buildings, lead to disability then it is these things which must be changed. The disabling forces at work where the 'social model' is applied can be seen below:



### What is the Disability Equality Duty?

The **General Duty** requires the school to:

Promote equality of opportunity between disabled members of the school and wider community and other members of those communities;

- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life; and
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

This general duty provides a framework for the school to carry out their functions more effectively and to tackle discrimination and its causes in a proactive way. It requires us to adopt a proactive approach, mainstreaming disability equality into all decisions and activities.

The **Specific Duties** require the school to publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties. The school must involve disabled people in the development of the scheme which outlines:

- The way in which disabled people have been involved
- The school's methods for impact assessment
- Steps which the school will take towards achieving the general duty
- The school's arrangements for gathering information in relation to employment, education and service delivery
- Deliver the scheme within three years, unless it is unreasonable and impractical to do so

### What are the key issues for our school?

The school has students with long term physical disabilities relating to physical mobility, sight and hearing. There are also students who have shorter term disabilities in these areas from time to time. The vast majority of the school buildings date from 1960's and 1970's and were not designed to take into account the needs of people with disabilities. While ramps and lifts have been installed, certain areas of the school are inaccessible to students in wheelchairs. However, all curriculum areas are accessible to all students and therefore timetables for classes including students with relevant disabilities are written to take the inaccessible areas into account.

### Gender Equality

In accordance with our school's mission statement and values and also the statutory Gender Equality Duty (see below), the school will work to:

- Eliminate unlawful sexual discrimination
- Eliminate sexual harassment
- Promote gender equality

By unlawful sexual discrimination we mean treating one person less favourably than another on grounds of sex or gender. We understand that this could be done directly but that it could also occur

indirectly. Indirect discrimination means that a particular policy or practice may impact more negatively on one gender than on the other, or may favour one gender to the disadvantage of the other.

By sexual harassment we refer to behaviour or remarks based on a person's sex or gender, perceived to be unpleasant, threatening, offensive or demeaning to the dignity and self-esteem of the recipient or subject. We see such behaviour as also damaging to the perpetrator. (This is also included in the school's Behaviour and Anti-Bullying policies).

We understand 'sex' to refer to the biological differences between males and females and 'gender' to refer to the wider social roles and responsibilities which structure our lives. By promoting gender equality our intention is to recognize and help overcome those lasting and embedded patterns of advantage and disadvantage which are based on socially ascribed gender stereotypes and assumptions.

This section also describes the protection for transsexual people. A transsexual person is someone who proposes to, starts or who has completed a process to change his or her gender. This does not require a person to have started medical supervision – therefore a woman who decides to live as a man but does not undergo any medical procedures would be covered.

It is discrimination to treat transsexual people less favourably for being absent from school because they propose to undergo, are undergoing or have undergone gender reassignment that they would if they were absent through injury or illness.

We understand that in some circumstances it may be appropriate to treat girls and boys, and women and men differently, if that action is aimed at overcoming previous, current or possible future disadvantage.

We will endeavour to retain a gender balance amongst the school staff as a whole and at various levels – for example the Leadership Team. We will also take steps to counteract the effects of any past discrimination in staff recruitment. There are certain posts in the school for which there will be a clear preference for one gender over the other, for example a teacher of girls' Physical Education. Where we are uncertain whether there is a genuine occupational requirement for preference to be given to the employment of someone of a particular gender we will seek specialist advice.

We understand the three parts of the duty to be different, but that they should normally support each other. However, we are aware that achieving one may not lead to achieving all three.

In taking due regard we will exercise the principles of proportionality and relevance. By this we mean that the weight we give to gender equality will be proportionate to its relevance to a particular function. The greater the relevance of a function to gender equality, the greater regard we will pay to it.

### **What is the Gender Equality Duty?**

The duty to promote Gender Equality was issued under the Equality Act 2006 which amended the Sex Discrimination Act of 1975, in a similar vein to Race and Disability legislation, it contains both a general and specific duty:

**The General Duty** on all schools is when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination between women and men
- eliminate harassment
- to promote equality of opportunity between men and women
- to eliminate discrimination against transsexual people

**The Specific Duties** are as follows:

- to prepare and publish a gender equality scheme, showing how it will meet its general and specific duties and setting out its gender equality objectives
- in formulating its overall objectives, to consider the need to include objectives to address the causes of any gender pay gap
- to gather and use information on how the school's policies and practices affect gender equality in the workplace and in the delivery of services
- to consult stakeholders and take account of relevant information in order to determine its gender equality objectives

- to assess the impact of its current and proposed policies and practices on gender equality
- to implement the actions set out in its scheme within three years, unless it is unreasonable or impractical to do so, to report against the scheme every year and review the scheme at least every three years.

#### **What are the issues for this school?**

- There are currently few suitable applicants for senior positions in the school such that it can be difficult to prioritise the recruitment of a person of one gender or the other in order to create or maintain a gender balance at that level in the school's management structure.
- Some girls consider that they should have more access to sports which are dominated by boys – this includes football and rugby.

## **Age, Religion & Belief and Sexual Orientation**

“Strong and Prosperous Communities” the recent Local Government White Paper has recognised the importance of community cohesion and valuing all residents to improving quality of life. This is coupled with the ongoing Discrimination Law Review which is considering the introduction of a single public sector equality duty, thus creating a more streamlined equalities structure. Also, the ongoing equalities review has recently reported and identifies the core priorities for local authorities and their partners in terms of promoting equalities. This will enshrine all aspects of equalities into the work of public authorities.

The school is already committed to improving its services for all members of the school community regardless of their race, gender or disability but also their age, faith and sexual orientation. As a result the school is looking to develop strategies and action plans in these areas over the short to medium term. This will supplement the general commitment in this scheme to introduce actions which wherever possible accommodate all six diversity strands. Further information on age, faith and sexual orientation is given below.

### **Age**

The Employment Equality (Age) Regulations 2006 came into force on 1 October 2006. They apply to employment and vocational training, and prohibit unjustified direct and indirect age discrimination, as well as harassment and victimisation on grounds of age. The regulations (which do not affect the age at which people can claim their state pension):

- ban age discrimination in terms of recruitment, promotion and training.
- ban unjustified retirement ages of below 65.
- remove the current age limit for unfair dismissal and redundancy rights.

They also introduced:

- A right for employees to request working beyond retirement age and a duty on employers to consider that request.
- A new requirement for employers to give at least six months notice to employees about their intended retirement date so that individuals can plan better for retirement, and be confident that "retirement" is not being used as cover for unfair dismissal.

The school is implementing these regulations through employment practices to ensure no current or potential employee experiences discrimination as a result of their age. We are also committed to ensuring that no members of the school community face any such discrimination in all aspects of their lives and has equal access to all the services provided by the school.

### **Religion and Belief**

As a result of the Employment Equality (Religion or belief) Regulations (2003), it is unlawful to discriminate against an employee on grounds of their religion or belief. These regulations prevent both the indirect and direct discrimination as well as harassment and victimisation of an individual and have been implemented throughout the school.

In the wider community, the school has tended to consider race and religion together.. Work will continue within the school to further develop understanding of the issues and consideration given to how best to address any religion based discrimination identified. Also we will work to further develop our understanding of the issues surrounding belief. Appropriate actions for religion and belief will be developed through the implementation of this scheme.

## **Sexual Orientation**

Gay men, lesbians and bisexuals are protected at work by the Employment Equality (Sexual Orientation) Regulations of 2003, which prevent discrimination and harassment at work as a result of sexual orientation. The school has implemented these regulations and works to ensure no discrimination takes place amongst its workforce. In the wider community the Government estimates that approximately 5% of the population are either gay men, lesbians or bisexuals although figures are not clear as no national census has requested data on sexual orientation.

Amongst the school population, the greatest risk is that of homophobic bullying which can take place of real or perceived issues concerning sexual orientation. Our anti-bullying policy and practice is clear that, along with other forms of bullying, this will not be tolerated.

## **Vulnerable Children**

In addition to the six equality strands above, we are also aware that there are other children who have particular needs which should be accommodated. The following is not exhaustive but indicates some of the young people who have particular needs but who may not fall in to any of the above groups:

### **Children looked after by the local authority (in care)**

We are aware that students in care often underachieve and that, in some cases, this is caused by higher than normal truancy and exclusion rates. The school will make every effort to maintain a constructive dialogue with all those who have parental responsibility for the child so that all involved in looking after the child can work together to support his or her education and general development.

### **Sick children**

When children are absent from school for an extended period of time due to their illness, work will be set so that, as far as possible, they can follow the curriculum of their teaching groups. When necessary, the school will work with the LEA re-integration service in order to support the child's progress. On return to school, attention will be paid to the student's re-integration with additional support provided if necessary.

### **Young carers**

The school will take account of the particular circumstances of students who have to look after sick or disabled relatives or members of their family for other reasons. If necessary, absence will be approved for a child to look after a relative. Such approval will be time limited and work will, as far as possible, be sent home so that the child does not fall far behind while they are not in school. We will also work with the Education Welfare service in asking Social Services to ensure that the family are receiving the benefits and support which will enable the child to attend school.

### **Pregnant students and those who have recently had a baby**

The school will make every effort to support students who are pregnant and who have recently had a baby, including the use of external agencies as appropriate for the needs of the student. Work will be sent home for the student when they have absences associated with their pregnancy or the care of their child so that the compromises for the student's opportunities for continuing education and employment are minimised.

### **Children from families under stress**

Children's social and educational development can be affected by stressful circumstances in the family such as bereavement, unemployment, divorce and the formation of new adult partnerships. The school will take into account the needs which these situations create and work with other agencies such as Social Services and Winston's Wish in order to support the child.

### **Disaffected children**

Students become disaffected for a wide range of reasons. Some of the contributors are as follows:

- Being expected to follow an inappropriate curriculum;
- Low self esteem – this may be compounded by the above, but is more often a product of interactions at home and in the wider social context;
- Becoming trapped in a cycle of poor behaviour which creates, for the student, a perception of negative pre-judgements by adults and an image which the student considers must be maintained amongst their peer group;
- Particular difficulties in dealing with emotions such as anger;

- Alcohol and/or drug related changes in behaviour;
- A failure of the school and/or parents to appreciate the particular difficulties experienced by the student;
- Being the victim of bullying.

This list is far from exhaustive but describes some of the issues which the school must deal with in a positive and pro-active way.

### **Children with particular physical characteristics**

Some children have particular physical characteristics not covered by the above which can lead to discrimination and harassment. The school will not tolerate such behaviour and, where appropriate, will work with the children, parents and carers to provide support.

### **Equality Impact Assessments**

Equality Impact Assessments are a crucial mechanism for ensuring the embedding of equalities and diversity. Impact assessments will be carried out covering all 6 equality and diversity strands (race, religion, disability, age, gender and sexual orientation) and will identify both good practice as well as areas where our performance in ensuring diversity could be improved. In line with statutory requirements our equality impact assessment process will be applied to both new policies as well as existing policies and functions on an agreed programme.

### **Roles and Responsibilities for Implementing the Single Equality Scheme**

#### **The Head Teacher will:**

- ensure that staff and parents are informed about the Single Equality Scheme
- ensure that the scheme is implemented effectively
- manage any day to day issues arising from the policy whether for students or for the school as an employee
- ensure staff have access to training which helps to implement the scheme
- liaise with external agencies regarding the policy so that the school's actions are in line with the best advice available
- monitor the scheme and report to the Governing Body at least annually, on the effectiveness of the policy
- provide appropriate support and monitoring for any students to whom the scheme has direct relevance, with assistance from relevant agencies

#### **The Governing Body will:**

- designate a governor with specific responsibility for the Single Equality Scheme
- establish that the action plans arising from the policy are part of the SIP
- support the Headteacher in implementing any actions necessary
- inform and consult with parents about the scheme
- evaluate and review this scheme every year

#### **The Senior Leadership Team will:**

- have general responsibility for supporting other staff in implementing this scheme
- provide a lead in the dissemination of information relating to the scheme
- identify good quality resources and CPD opportunities to support the scheme
- with the Headteacher, provide advice/support in dealing with any incidents/issues
- assist in implementing reviews of this scheme as detailed in the SIP

#### **Parents/Carers will:**

- have access to the scheme
- be encouraged to support the scheme
- have the opportunity to attend any relevant meetings/awareness raising sessions related to the scheme

- have the right to be informed of any incident related to this scheme which could directly affect their child

#### **School Staff will**

- accept that this is a whole school issue and support the Single Equality Scheme
- be aware of the Single Equality Scheme and how it relates to them
- make known any queries or training requirements

#### **Students will**

- be made aware of any relevant part of the scheme, appropriate to age and ability
- be expected to act in accordance with any relevant part of the scheme

Associated policies:

Accessibility Plan  
 Behaviour and Discipline Policy  
 Safeguarding Policy  
 Child Protection Policy  
 Anti-bullying Policy  
 Community Cohesion Policy  
 Admission Policy  
 Recruitment Policies for Teaching and for Associate Staff

Bibliography:

Equality and Human Rights Commission Gender Equality code of practice, 2006  
 Equality and Human Rights Commission Race Equality code of practice, 2002  
 Equality and Human Rights Commission Disability Equality code of practice, 2005  
 London Borough of Islington schools gender equality template 2007  
 Stockton on Tees School Single Equality Scheme 2007  
 The Equality Act 2010  
 Previous KLB policies for Inclusion, Race Equality, Racial Harassment, Equal Opportunities.

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