



# Lanesend Primary School

## Equality Policy 2022 Statutory Policy

**Signed:** ..... **Date:**  
**(Headteacher)**

**Signed:** ..... **Date:**  
**(Chair of Trustees)**

**Review Date:** January 2023 (Yearly)

**Reviewed By:** Headteacher, Money Group and Board of Trustees

# Lanesend Primary School Equality Policy

## **Equality Statement**

At Lanesend Primary School, we are committed to ensuring equality of opportunity for all children, staff, families and carers irrespective of race, gender, disability, belief, sexual orientation, age, cultural heritage or socio-economic background. We are determined to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity and ability to participate fully in school life.

We tackle discrimination through the positive promotion of equality, by challenging bullying and stereotypes and by creating an environment which champions respect for all.

At Lanesend Primary School, we believe that diversity is a strength which should be respected and celebrated by all those who learn, teach and visit us.

## **Introduction**

At Lanesend Primary School, we welcome the equality duties placed upon schools, and regard these as essential in creating the best outcomes for our children.

We believe that all children and members of staff should have the opportunity to understand their potential whatever their background, identity and circumstances. We are committed to creating a community that recognises and celebrates difference within a culture of respect and cooperation. We appreciate that a culture which promotes equality will create a positive environment and a shared sense of belonging for all who work, learn and use the services of our school.

We recognise that equality will only be achieved by the whole community working together – our children, staff, trustees and families in particular. Throughout this policy, ‘families’ can be taken to mean mothers, fathers, carers and other adults responsible for caring for a child.

This Single Equality policy provides a framework for our school to promote equality, inclusion and good community relations and to tackle prejudice, discrimination and their causes in an holistic and proactive way.

Our Single Equality policy is based on the core principles that its effectiveness will be determined by

- active involvement with key stakeholders, not in just developing this Policy but also in its review and implementation
- proactive leadership
- prioritising activities that produce specific, tangible improved outcomes
- removal of any attitudinal and cultural barriers

We have incorporated our equal opportunity and racial equality policy, and our accessibility plan and gender equality policy into one overarching Single Equality Policy to create a coherent framework for promoting equality and diversity within our

school. We have identified how we should continue to promote equality, inclusion and community cohesion. Our Policy includes a plan of action to continue to promote these priorities over the next three years.

We recognise that improving outcomes, such as attendance or attainment for a specific group of children, will help to improve our outcomes for all. Our commitment to equality is thus a fundamental part of our drive towards excellence.

### **National and Legal Context for Diversity**

All schools have duties to promote race, disability and gender equality. The general duty to promote race equality means that we must have due regard to:

1. eliminate unlawful racial discrimination
2. promote equality of opportunity
3. promote good relations between people of different racial groups.

The general duty to promote disability equality means that we must have due regard to:

1. promote equality of opportunity between disabled people and other people
2. eliminate unlawful discrimination
3. eliminate disability- related harassment
4. promote positive attitudes towards disabled people
5. encourage participation by disabled people in public life
6. take steps to take account of disabled peoples' disabilities, even where that involves treating disabled people more favourably than other people.

The disability equality general duty reinforces the reasonable adjustment duties of the Disability Discrimination Act (DDA). In particular, it complements, and in some cases overlaps with, the anticipatory duty to make adjustments.

The general duty to promote gender equality means that we must have due regard to:

1. eliminate unlawful discrimination and harassment and
2. promote equality of opportunity between men and women.

Schools also have specific duties under these three promotional duties, which are explained in Appendix A. This Policy demonstrates our response to both the general and specific duties.

Schools have a duty to promote community cohesion, developing good relations across different cultures, ethnic, religious and non-religious and socio-economic groups. There are no statutory requirements for schools to have a policy or action plan for promoting community cohesion. However, we have incorporated our priorities into our Single Equality Policy and Equality Action plan to make it easier to monitor our progress and performance in meeting the requirements of this duty

Although there are no equivalent promotional duties in relation to age, sexual orientation and religion or belief, we must ensure that we do not discriminate on these grounds. This Policy includes our priorities and actions to eliminate discrimination and

harassment for these equality areas.

### **Lanesend Primary School is committed to:**

- Tackling discrimination of all kinds: including race, disability, gender, gender identity, sexual orientation, religious belief and age discrimination.
- Positively promoting race, disability and gender equality.
- Creating good relationships with all groups it serves: by race, culture, gender, disability, sexual orientation, religious belief and age.
- Promoting equality of opportunity for all.

### **Involvement of staff, children, and families:**

#### **a) Developing our Policy**

The involvement of a diverse group of people has been instrumental in shaping our Single Equality Policy and Equality Action Plan. We have strived to involve the full diversity of our school and community, recognising that people who share an aspect of their identity in relation to race disability, gender, age, sexual orientation and religion or belief are best placed to identify any key issues for us to address.

In developing our policy, we have involved staff, children and families in the following ways: -

- We regularly canvas views of children, families, staff and trustees for their views about school and take any action on suggestions for improvements
- Discussion with extended service providers

These discussions have involved disabled people, people from different ethnic communities and gender.

#### **b) Ongoing involvement**

We have strategies in place to promote the participation of children in decision-making and in making a positive contribution to school life. We will embed equality and inclusion into these strategies so that learners from diverse backgrounds are involved in shaping provision and improving practice. We ensure that outcomes from these involvement activities are acted upon by the school's leadership team. All children take part in class council meetings and their views are brought to the pupil council meetings by their elected representatives.

### **Information gathering**

We will continue to collect a broad range of qualitative and quantitative information to monitor our policies and practice and to demonstrate our progress in equality, inclusion and community cohesion. Our single equality approach helps us to more effectively monitor our progress and performance, as our children and staff may face more than one barrier to recognising their potential.

### **Children**

Every effort is made throughout the teaching / learning environment to ensure that

there is a comprehensive and ongoing culture of equality which is planned, practised, recorded and reviewed throughout every strand of school life. This is evidence in the participation surveys of e.g. clubs, Ofsted feedback, children' self-evaluation on their annual reports, Child Council, Headteacher's parent meetings and child and parent forums.

### **Admissions**

Lanesend Primary is an inclusive school and we are aware of the rights of all children to be admitted to our school in accordance with our admissions policy.

### **Attendance**

We are aware of the right of every child to receive the best possible education and of the correlation between good attendance and educational achievement and progress. We are proactive in promoting outstanding attendance at Lanesend Primary School.

### **Achievement and Progression**

Our school tracking systems enable us to monitor the progress and achievement of all groups of children within the school, which leads to tailored programmes of work. Data is analysed carefully to identify any trends in outcomes for children.

### **Rewards**

Through a range of rewards every child is given an equal incentive to behave and perform well. There are regular celebration assemblies throughout the year during which children are given certificates for characteristics of a standout learner, achievement, progress and attainment, 100% attendance, school values and etiquette as well as sharing their successes in front of the whole school.

### **Sanctions**

There are consistent approaches to dealing with poor or unacceptable behaviour as detailed in the school's policy. Throughout the school the 'Good to be Green' positive behaviour policy is used as well as Class Dojo. Where necessary, modifications are made to behaviour sanctions to match the emotional needs and circumstances of the child.

### **The Curriculum**

All children have equal access to the curriculum and, where necessary, modifications are made in order to facilitate full participation.

### **The Pupil Council**

Elections of members are held in each class. A record is kept of children who achieve these positions to ensure that the views of all groups are represented.

### **Before and After School Activities**

Every child is encouraged to participate in as many extra-curricular activities (depending on spaces available) whatever their ability.

## **Child Complaints and Concerns**

All children are reminded to talk to an adult if they have a problem or worry. All new children are provided with a Buddy. Staff, including the Headteacher, are regularly available to children at break time and spend time on the playground to ensure that children have easy access to a trusted adult.

## **Incidents of race discrimination or bullying**

Any racial incidents are investigated, recorded and reported. We are proactive in addressing all types of bullying and there are strict sanctions for this behaviour as detailed in our policies.

## **Incidents of gender, sexuality orientation discrimination or bullying**

Any incidents are investigated, recorded and reported. We are proactive in addressing all types of bullying and there are strict sanctions for this behaviour as detailed in our policies.

## **Staff**

### **Open Channels of Communication and Consultation**

There is a wide range of points of contact between the staff and the school leadership team, through meetings, briefings and the Progression Team. All staff are provided with training in Child Protection and the Whistleblowing Policy is shared with all staff. A staff handbook is issued annually. All staff are encouraged to contribute to school policy development and improvement initiatives.

### **Promotion and Career Development**

All vacancies are publicised. The school complies with all equal opportunities recruitment and employment legislation. Staff development is prioritised through Performance Management and school improvement priorities.

### **Staff Wellbeing & Leavers**

Without disclosing identities, the Trustees are kept regularly informed of circumstances surrounding leavers and matters of wellbeing via the Headteacher and Chair of Trustees at meetings. With regard to the Cessation of Employment the school adopts personnel guidance as set out in the Local Authority's Personnel Practice which incorporates equal rights of all employees in the school, and the Headteacher's Report.

### **Specific Equality Areas**

This section of our policy highlights what we have already achieved for specific aspects of equality, and further action that we intend to take.

#### **a) Race Equality**

##### **Rationale**

At Lanesend Primary School we believe that mutual respect and tolerance amongst staff and children is fundamental. We celebrate the enrichment of our community,

which comes from the diversity of age, gender, racial and social origins, abilities, culture and religion.

### **Objectives**

- To educate, develop and prepare our children for life whatever their race, origin, religion, disability/ability, gender, sexual orientation or age.
- To be socially inclusive and ensure equal access and opportunity for all.
- To be fair in our recruitment and employment by showing no prejudice to any group or individual.
- To provide a positive and caring environment where mutual respect and appreciation is shown to one another as individuals.
- To provide a broad range of opportunities to reduce barriers to learning and advancement and promote success.

### **Strategies**

1. The school follows Hampshire & Isle of Wight Policies and national guidance and does not permit race origin, religion, disability/ability, gender, sexual orientation or age to be used as criteria for admission or employment.
2. All names will be accurately recorded and correctly pronounced. Everyone will be expected to accept and respect names from other cultures.
3. The school views linguistic diversity positively. All languages are valued and celebrated.
4. All forms of discrimination by any person within the school community will be treated as an act requiring action. Any racial incidents are recorded and reported in accordance with the school's Race Equality Policy.
5. No symbols, badges or insignia supporting discrimination or promoting lack of respect may be worn at school.
6. In all appointments the best candidate will be appointed based on agreed professional criteria.
7. Families will be made aware of the school's commitment to equal opportunities.
8. We will continue to develop a curriculum that values diversity and challenges racism and all other forms of harassment/discrimination.
9. Staff and trustee development and training in equal opportunities will comply with legal obligations.

To ensure effective equality, implementation of race equality measures are monitored as recommended by the Equal Opportunities Commission and the Commission for Racial Equality codes of practice.

### **b) Community Cohesion**

Lanesend Primary School recognises its place in promoting and achieving Community Cohesion. The school has good links with the local community and this includes collaborative curriculum work as well as charity events. Within the school community, families, children, staff and trustees all contribute to the school's success and take a key role in promoting a strong sense of community and belonging. Links with schools

help children gain an understanding of different cultures and communities. National and global community work is an integral part of curriculum work and wider school events. Due to the locality of the school; children's appreciation of the diversity of Britain is limited and this is being addressed through curriculum work.

## **c) Disability Equality**

### **Key Objective**

To ensure that all children with a disability continue to have full access to the curriculum and wider school events.

### **Principles**

Compliance with the DDA is consistent with the school's aims and equal opportunities policy, and the operation of the school's AEN policy.

The school recognises its duty under the DDA:

- (i) not to discriminate against children in their admissions and exclusions, and provision of education and associated services
- (ii) not to treat disabled children less favourably
- (iii) to take reasonable steps to avoid putting disabled children at a substantial disadvantage

In performing their duties, trustees and staff will have regard to the DCR Code of practice (2002);

The school recognises and values families' knowledge of their child's disability and its effect on their ability to carry out normal activities, and respects the families' and child's right to confidentiality:

The school provides all children with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual children and their preferred learning styles;

- (i) setting suitable learning challenges
- (ii) responding to children' diverse learning needs
- (iii) overcoming potential barriers to learning and assessment for individuals and groups of children.

## **Actions**

### **a) Education & related activities**

The school will continue to seek and follow the advice of LA services, such as specialist teacher advisers and SEN inspector/advisors, and of appropriate health professionals from the local NHS trusts.

### **b) Physical environment**

The school will take account of the needs of children and visitors with physical difficulties and sensory impairments when planning and undertaking future improvements and refurbishments of the site and premises, such as improved access, lighting, acoustic treatment and colour policies, and more accessible facilities and



fittings.

### **c) Provision of information**

The school will make itself aware of local services, including those provided through the LA, for providing information in alternative formats when required or requested.

At Lanesend Primary School, we are committed to ensuring equality of opportunity for disabled children, staff and all those receiving services from the school. Our aim is to build upon our culture of inclusion and diversity so that people feel free to disclose their disability and to participate fully in school life. The achievement of disabled children will be monitored through our child progress systems and we will use this data to ensure inclusive teaching. We will make necessary adjustments to ensure that our building is as accessible as possible. At Lanesend Primary School, we believe that diversity is a strength which should be respected and celebrated by all those who learn, teach and visit here.

### **d) Gender Equality**

Lanesend Primary School Single Equality Policy is committed to combating sex discrimination and sexism and promoting the equality of women and men.

- Recognises that society has stereotypes for both women and men, and both women and men can lose opportunities because of these stereotypes.
- Is aware that staff with caring and domestic responsibilities may need to work part-time or flexible working hours.
- Will work in partnership with other agencies to eliminate sexual harassment, domestic violence and other hate crimes and is committed to ensuring the rights, under the Gender Recognition Act 2005, of transgender people (who have Gender Recognition Certificates).
- We welcome the requirements of the Gender Equality Duty and this section sets out our commitment to meeting the duty. We will give due regard to the need to:
- Eliminate unlawful discrimination and harassment on the grounds of sex, including domestic violence, sexual violence, bullying and exploitation
- Promote equality of opportunity between women and men in all of our functions.

#### **At Lanesend Primary School:**

- We monitor children's progress in relation to their gender and set targets accordingly.
- We address gender stereotyping through aspects of the curriculum and in school procedures. Where appropriate gender stereotyping is addressed when children are discussing future subject choices, careers advice and work related learning.
- Gender based disciplinary issues will be investigated and treated seriously.
- Gender issues are addressed as part of our curriculum, specifically through PSHE.
- Staffing in the school consists of both genders.

### **e) PSHE, Wellbeing, British Values and Citizenship**

PSHE, which includes wellbeing, British Values and Citizenship, is an integral part of our curriculum and is designed to promote children's personal, social and health development. It gives children the experiences, knowledge, skills and understanding that they need to stay healthy and safe, develop worthwhile relationships, respect differences, develop independence and responsibility, make the most of their abilities and those of others. PSHE at Lanesend incorporates Citizenship; Sex and Relationships education; Drugs Education; SEAL (Social and Emotional Aspects of Learning); economic awareness and community cohesion, a range of different strategies are included in the teaching of PSHE, including regular circle times and Value Education.

### **Aims of PSHE at Lanesend Primary School:**

We want to enable our children to

- Stay healthy
- Keep themselves safe and others safe
- Respect the differences between people
- Have worthwhile and fulfilling relationships
- Develop independence and responsibility
- Play an active role as members of a democratic society
- Make the most of their abilities and those of others
- Behave in a socially and morally acceptable way including to authority and each other
- To become involved in the life of their community
- To know about democracy and how to be active citizens
- To know about economic well-being
- For children to take responsibility for their actions and learning.
- For children to understand and demonstrate that they have rights and responsibilities, towards others and to themselves.

### **Family and Community Involvement**

Working in partnership with families is a vital part of our school culture and family involvement is high. Families are invited to join in events in school, including family consultations, working with children in school, participating in action/development groups, supporting school initiatives and events and attending curriculum and information workshop. Families are regularly informed of events and developments through newsletters, Class and School Story on Dojo, curriculum plans and our website. There are good links with local businesses, community groups and partner schools.

### **Impact Assessment**

When writing policies within school, they are written alongside the Equality Policy to ensure that no inequality or bias occurs.

## **Working in Partnership**

We will continue to involve stakeholders in the implementation of this policy in the following ways:

**Children** – Aspects of the policy will be discussed in PSHE lessons and through the Pupil Council.

**Families** – The policy will be made available to families.

**Staff and Trustees** – The policy will be shared with all staff and Trustees. Comments about it will be welcomed, either individually or through union representatives.

**External Partners** – The school will publish the policy on our website, including associated school policies.

## **Monitoring and evaluating the Equality Policy**

We will regularly monitor and evaluate the implementation of our Equality Policy. We want this policy to be a document that drives forward equality and achieves improved outcomes. We will formally review, evaluate and revise this policy yearly and set new priorities if needed. This process will again involve staff, learners, families and trustees who reflect the full diversity of the school community.

## **Links with other school policies**

School policies that link with, and have informed this Policy include:

- Anti-Bullying Policy
- Behaviour Policy
- Complaints Policy
- Confidentiality Policy
- Relationships and Sex Education Policy
- AEN Policy
- Safeguarding and Child Protection Policy
- Health and Safety Policy
- Whistleblowing Policy

## **Roles and Responsibilities**

The Trustees will

- monitor the implementation of this policy and action plan to check progress and assess impact on staff, learners and families
- ensure that all trustees are aware of their legal responsibilities under equality legislation
- receive and discuss regular equality reports on progress and performance
- monitor achievement of equality targets
- check that implementation of this policy and Action Plan achieves improved outcomes for people who share an aspect of their identity in relation to race, disability, gender (including gender identity), age, sexual orientation, religion and belief

The Headteacher will:

- provide proactive leadership to create a community that recognises and celebrates difference within a culture of respect and cooperation
- ensure staff, children, families and any other interested stakeholders are aware of this policy and their roles and responsibilities in implementing this policy
- monitor to ensure effective implementation of the policy and Action plan
- provide regular reports for trustees on progress and performance
- allocate appropriate responsibilities, and provide suitable training and development for staff to implement this policy

The Progression Team will:

- drive forward implementation of the policy and Action Plan
- support staff to carry out their role in implementing this policy
- provide effective leadership on equality, inclusion and community cohesion
- ensure the policy is successfully promoted
- respond in a timely and appropriate manner when dealing with any incidents or issues of discrimination, harassment or victimisation

All staff will recognise that they have a role and responsibility in their day-to-day work to:

- promote equality, inclusion and good community relations
- challenge inappropriate language and behaviour
- tackle bias and stereotyping
- respond appropriately to incidents of discrimination and harassment and report these
- highlight to the Progression Team any staff training or development that they require to carry out the above role and responsibilities

All staff will also ensure that children are encouraged to recognise that they have a role and responsibility to themselves and others so that they understand and are able to:

- promote equality, inclusion and good community relations
- challenge inappropriate language and behaviour
- tackle bias and stereotyping
- work to promote anti-bullying strategies
- respond appropriately to incidents of discrimination and harassment and understand the action needed to report these

## **Appendix A – the legal requirements in more detail**

## **The duty to promote race equality**

The Race Relations Act 1976 has been amended by the Race Relations (Amendment) Act 2000 (the RRAA). This Act was introduced as a result of the MacPherson Report, which followed the Stephen Lawrence inquiry. This report highlighted the issue of institutional discrimination.

As a response, the government introduced a duty to promote race equality for listed public bodies, including Local Authorities and schools. The duty is designed to assist institutions to tackle discrimination, promote equality of opportunity and promote good race relations. Its aim is to make promotion of race equality central to the way that public bodies work, and to all areas of their work, including policy making, service delivery, (including teaching and learning), regulation and enforcement and employment practice.

The Race Equality Duty has a general duty with three inter-related parts. It means that schools, in carrying out their functions, must give due regard to the need to:

1. eliminate unlawful racial discrimination
2. promote equality of opportunity
3. promote good relations between people of different racial groups.

Although these different elements often interlink, they need to be given 'due regard' in their own right. To support progress in delivering the general duty, there are a series of 'specific duties' for schools, to:

- assess the impact of policies, including the Race Equality Policy, on children and staff of different racial groups;
- monitor policies for adverse impact on race equality, by gathering and using information on the admission and progress of children and the recruitment and career progress of staff (including training for staff);
- include in the written Race Equality Policy a statement indicating the arrangements for publishing the policy, and the results of assessment and monitoring;
- publish annually the results of monitoring data, and actions taken towards achievement of overall objectives and priorities
- fully review the race equality policy every three years.

## **The duty to promote community cohesion**

The Commission for Integration and Cohesion, set up by the Government in the wake of the London 2005 terrorist attacks, identified an integrated and cohesive community as one in which:

- everyone knows their rights and responsibilities
- people of different backgrounds have similar opportunities
- there is trust in local institutions such as the local council, the police and the courts, to act fairly
- everyone recognises the contribution of both new arrivals and those already settled, and are not threatened by change
- there are positive relationships between people from different backgrounds, at work, at school and at college.

From September 2007, schools have a duty to promote community cohesion. DCSF guidance states that

- 'By community cohesion, we mean working towards a society in which there is a common vision and sense of belonging by all communities
- the diversity of people's backgrounds and circumstances is appreciated and valued
- similar life opportunities are available to all · strong positive relationships exist and to continue to be developed in the workplace, in schools and in the wider community

Community cohesion does not just apply to differences in faith or ethnicity, but includes any difference, for example in gender, disability or sexual orientation. However, the main focus of the duty is to promote good community relations across different cultures, ethnic, religious and non religious and socioeconomic groups.

Unlike the promotional duties for race, disability and gender equality, there are no statutory requirements to produce a policy or policy or action plan. Schools must decide the best approach to implement the duty effectively, for example through a policy, action plan or working party. However, embedding the school's response in a single Equality Policy and Action Plan will make it easier for schools to monitor their progress and performance in meeting the requirements of this duty Further information can be found in DCSF guidance; 'Guidance on the duty to promote community cohesion' which may be downloaded from

[http://www.teachernet.gov.uk/wholeschool/Communitycohesion/Community\\_Cohesion\\_Guidance/](http://www.teachernet.gov.uk/wholeschool/Communitycohesion/Community_Cohesion_Guidance/)

## **Disability equality legislation**

There are several pieces of disability equality legislation that schools must respond to, including

- SEN duties
- duties under the SEN and Disability Act 2001 (SENDA)
- the Planning Duties of DDA 1995 Part 4
- Disability Equality Duty (DDA 2005)

Each of these are now considered in turn

SEN duties provide auxiliary aids and services for schools to make adjustments for individual disabled learners to support inclusion. SENDA protects current and prospective disabled learners from discrimination. Schools are required to make reasonable adjustments so that disabled learners do not experience less favourable treatment or substantial disadvantage. The reasonable adjustment duties for schools under SENDA do not include the provision of auxiliary aids and services as these are provided by the SEN framework (see above), and over time through the planning duties (see below).

The planning duties of DDA Part 4 aims to ensure schools increase over time their

accessibility to disabled people. Three year Accessibility Plans should have been in place by April 2003, and updated for 2006-2009.

Accessibility Plans should demonstrate how the school will

- increase access to disabled children in the school curriculum, for example changes to teaching and learning, classroom organisation, deployment of learning support, staff training, curriculum delivery
- improve access to the physical environment, for example improved signage, floorings and room layouts
- improve accessibility of written material, for example ensuring handouts, timetables and information on school events are available in alternative formats such as large print or easy read

These three sets of duties work together to ensure disabled learners access and enjoy education in its broadest sense with the same degree of dignity and choice as their non- disabled peers. The Disability Equality Duty has a general duty with six inter-related parts. It means that schools, in carrying out their functions, must give due regard to the need to:

1. promote equality of opportunity between disabled people and other people
2. eliminate unlawful discrimination
3. eliminate disability- related harassment
4. promote positive attitudes towards disabled people
5. encourage participation by disabled people in public life
6. take steps to take account of disabled peoples' disabilities, even where that involves treating disabled people more favourably than other people.

Although these different elements often interlink, they need to be given 'due regard' in their own right.

The general duty reinforces the reasonable adjustment duties of the Disability Discrimination Act (DDA). In particular, it complements, and in some cases overlaps with, the anticipatory duty to make adjustments. An anticipatory approach requires adjustments to be made in advance of individual disabled people attempting to use a service or access education or employment.

To support progress in delivering the general duty, there are a series of 'specific duties' for schools, to:

- produce and publish a Disability Equality Policy and equality action plan;
- involve disabled people in the development of the DES and equality action plan;
- explain the method of assessing the impact of policies and practice upon disabled people;
- monitor the impact of policy and practice on disabled people by gathering and using information on:
  - staff recruitment, development and retention
  - the educational opportunities available to, and the achievements of disabled children.

(This should be interpreted broadly)

- explain how the results of steps taken to achieve the Action Plan will be published on an annual basis;
- fully review the Disability Equality Policy every three years.

### **Definition of a disabled person**

Under the DDA a person has a disability if s/he has a 'physical or mental impairment which has a substantial or long-term, adverse effect on her / his ability to carry out day-to-day activities'. 'Substantial' does not mean significant – it simply means more than 'minor' or 'trivial'. 'Day to day' activities often include activities that children are asked to carry out in the classroom. 'Long term' generally means more than one year. This is a broad definition that is likely to cover people with

- physical or sensory impairments
- learning difficulties, including specific learning difficulties such as dyslexia
- mental health difficulties
- medical conditions such as epilepsy, diabetes, HIV, cancer, multiple sclerosis

Between 7 – 8% of learners will be covered by the definition of a disabled person, rising to 10% of 16-24 year olds and 15 - 20% for people of working age. One in three people between 50 and 65 will be covered by the definition. While there is an overlap between the definition of disabled children and children with special educational needs, not all disabled children will have SEN, and not all children with SEN will be disabled. For example, a learner with diabetes may not have SEN but have rights under DDA. A learner with emotional and behavioral difficulties because of difficult personal and social circumstances may have SEN but not be covered under DDA. It is important to note that many impairments are 'unseen', and also that over 50% of people who are covered by the DDA definition of a disabled person are unlikely to consider themselves as disabled.

### **Involvement of disabled people**

At the heart of the Disability Equality Duty is the need to involve disabled people. The Code of Practice for the duty makes clear that consultation by itself is not sufficient to meet this legal requirement. Consultation may allow choice between limited, often predetermined options, or canvas opinion, but participants have few or no opportunities to propose alternatives, or to take part in putting plans into action. Participants have a voice, but no power to ensure their voice has influence. Providers must move beyond consultation to achieve active and genuine involvement with disabled people. This empowers and enables participants to create a vision of their own future and to become actively involved in making it happen. Participants establish a partnership to share decision-making, are given genuine opportunities and are actively engaged in exploring options, and shaping action and outcomes.

### **Approaches to disability equality**

The Disability Rights Commission highlighted the social model of disability as being essential to the successful implementation of the DDA duties. The social model identifies that; 'The disadvantage and social exclusion experienced by many disabled people is not the inevitable result of their impairments or medical conditions, but rather stems from attitudinal and environmental barriers.' This premise provides the basis for



the school's commitment to implement the Disability Equality Duty by examining its policies, procedures and practices and making every effort to remove attitudinal, cultural, social and physical barriers. The Disability Equality Duty shifts the focus away from the individual, placing responsibility firmly on the shoulders of the institution to dismantle barriers before these have an impact on the individual. Further information can be found in DCSF guidance 'Implementing the Disability Discrimination Act in schools and early years settings' which may be downloaded from <http://www.teachernet.gov.uk/wholeschool/disability/disabilityandthedda/>

### **The duty to promote gender equality**

The Sex Discrimination Act (1975) has been amended by the Equality Act 2006 to place a duty on all public authorities to promote gender equality. The Gender Equality Duty has a general duty with two inter-related parts. It means that schools, in carrying out their functions, must give due regard to the need to:

1. eliminate unlawful discrimination and harassment and
2. promote equality of opportunity between men and women.

The duty has been introduced in recognition of the need for a radical new approach to gender equality – one which places more responsibility with public bodies to think strategically about gender equality, rather than leaving it to individuals to challenge poor practice. As with race and disability equality, the gender equality duty applies in respect of all the school's functions including policy-making, teaching and learning, and employment. It also applies to people who use the services of the school who are not staff and learners, such as people who participate in family learning evening courses provided by the school. To support progress in delivering the general duty, there are a series of 'specific duties' for schools, to:

- prepare and publish a Gender Equality Policy, showing how the school will meet the general and specific duties and setting out gender equality objectives.
- in formulating overall objectives, to consider the need to include objectives to address the causes of any gender pay gap in support of the Equal Pay Act (1970).
- gather and use information on how policies and practices affect gender equality in the workforce and in the delivery of services, including teaching and learning
- consult stakeholders (i.e. employees, children and others, including trade unions) and take account of relevant information in order to determine gender equality objectives.
- assess the impact of current and proposed policies and practices on gender equality.
- explain how the results of steps taken to achieve the Action Plan will be published on an annual basis;
- fully review the Gender Equality Policy every three years.

### **Transsexual / Transgender**

As part of the Gender Equality Duty, public authorities are also required to have due regard to the need to eliminate unlawful discrimination and harassment in employment and vocational training for people who intend to undergo, are undergoing or have undergone gender reassignment. Transsexual people are people who identify their gender to be different from the gender assigned to them at birth. Sometimes known as gender dysphoria, this is a recognised medical condition. It is accompanied by a

sense of discomfort with one's physical body and a wish to go through a process known as gender reassignment or transition. The term transsexual is usually used to describe a person who intends to undergo, is undergoing or has undergone gender reassignment.

### **Other Equality Legislation**

In addition to the duties to promote race, disability and gender equality, and the duty to promote community cohesion, schools are also covered by duties not to discriminate on the grounds of sexual orientation, age or religion and belief. These laws do not have positive duties to promote equality associated with them, but schools must ensure that through their policies and practices, they are not discriminating on any of these grounds. The regulations, for example, make it unlawful to

- discriminate directly or indirectly because of a person's actual or perceived sexual orientation, religion or belief, or because they associate with someone of a particular sexual orientation or religion or belief, including friends and families / carers / responsible adults subject someone to harassment because of a person's actual or perceived sexual orientation, religion or belief, or because they associate with someone of a particular sexual orientation or religion or belief, including friends and families / carers / responsible adults
- victimise someone because they have or intend to make an allegation of discrimination or harassment, or they have or intend to give evidence in relation to an allegation of discrimination or harassment.

In relation to religion and belief regulations, there are certain and limited exceptions such as admissions, curriculum, collective worship and faith schools. For example, faith schools may give preference to young people who follow that particular faith. No school is allowed to deny someone education on the grounds of their race, sexual orientation, religion or belief or because they have a disability. However, schools are allowed to reject prospective children based on their age. Once they are above the national school leaving age, children are expected to go to college or other learning providers. Single sex schools are allowed to select children on the grounds of their gender.