




Princecroft
PRIMARY SCHOOL

Incorporating The Hive Nursery

Single Equality Policy

Issue date	
Review date	
Date of next policy review	

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Single Equality Policy

This policy should be read and understood in conjunction with the following documents:

- [The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities \(May 2014, updated June 2018\)](#)
- Equality Act 2010
- [Services, public functions and associations – Statutory Code of Practice published by the Equality Human Rights Commission](#)

Together with the school's policies on:

- Accessibility Plan
- Anti-Bullying
- Behaviour
- Complaints
- Relationships and Health Education
- Safeguarding and Child Protection
- Special Educational Needs and Disability (SEND) Offer
- Supporting pupils with medical needs

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1. Introduction and purpose of this policy

This policy is based on the guidance contained within The Equality Act 2010 (the Act) which has consolidated all pre-existing equality legislation as well as extending its reach.

It applies equally to all members of our school community at **Princecroft including the Hive Nursery** and in fulfilling our obligations under the Act we have also sought to consult with and consider the particular characteristics and needs of our local community.

It sets out clearly the school's statutory duties under the Act, including the information and objectives we are required to gather, assess and publish and in addition, how the impact of the objectives we set are monitored, evaluated and reported on.

2. Legal Framework

The Act:

- defines seven ‘**protected characteristics**’ which are:
 - sex
 - race
 - disability
 - religion or belief
 - sexual orientation
 - gender reassignment
 - pregnancy or maternity
 - in addition – there is a protected characteristic of ‘age’ which applies to employees of the school and not to pupils or prospective pupils)
- makes it unlawful for the school to discriminate (either directly or indirectly), harass or victimise¹ employees, current pupils, prospective pupils (and, to a limited extent, former pupils) by treating them less favourably because they fall into one or more of the groups of ‘protected characteristics’
- makes it is unlawful for the school to discriminate (either directly or indirectly), harass or victimise former pupils for example in the provision of references or access to normal opportunities that might be extended to former pupils
- allows the school to take positive action by introducing targeted measures that are designed to address disadvantages experienced by certain groups of pupils or to meet the needs of particular pupils with particular characteristics
- makes it unlawful for the school to discriminate against pupils or employees because of a protected characteristic of another person they associate with, for example the school may not refuse to admit a child because their parents are known to be gay men or lesbians.
- makes it unlawful to discriminate because of a characteristic which you think a person has, even if you are mistaken.
- **However** it does not cover the relationships between one pupil or another, for example racist or homophobic bullying by pupils; this is covered by our school’s bullying policy.

3. Guiding principles and aims

We welcome our duties under the Equality Act 2010 to eliminate discrimination and advance equality of opportunity for all our pupils and staff, and we recognise that these duties and intentions reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

¹ A more detailed explanation of the terms used can be found in the definitions (Appendix A) at the end of this policy

At Princecroft School and the Hive Nursery we endeavour to foster attitudes, values and relationships which promote an understanding and respect for each other. We are committed to demonstrating equality and inclusion for all individuals and in respecting and celebrating differences. We wish to encourage positive attitudes and relationships and a shared sense of cohesion and belonging between all the members of school community, whatever their characteristics.

Through the implementation of this policy, we will take all reasonable steps to ensure that every adult and pupil will have access to the necessary support required to enable them to reach their highest potential and that all the school's policies and procedures are fair, effective and equitable.

We believe that all learners are of equal value but equally recognise that treating people equally does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate but must nevertheless take account of differences of life-experience, outlook and background, and in the kinds of prejudice that people may face.

We will challenge and tackle prejudice and discrimination and their causes in a holistic and proactive way and we aim to reduce and remove inequalities and barriers that already exist.

We observe good equalities practice in staff recruitment, retention and development and ensure that policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development.

the implementation of the policy and the setting of objectives, our aim is to ensure that all adults and pupils have access to the necessary support required to enable them to reach their highest potential.

We consult and involve widely by engaging with a range of groups and individuals to ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones.

We intend that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of all groups and individuals.

4. Roles and responsibilities

The school's responsibilities

The governing body is responsible for ensuring that the school complies with legislation, and that this policy and its related procedures and action plans are implemented.

The head teacher is responsible for implementing this policy; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support and for taking appropriate action in any cases of unlawful discrimination.

We take seriously our obligation to report regularly to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they are addressed.

A senior member of staff has day-to-day responsibility for co-ordinating implementation of the policy.

A member of the school's governing body has particular responsibility for overseeing the implementation of this policy.

All staff are expected to:

- promote an inclusive and collaborative ethos in their classroom
- deal with any prejudice-related incidents that may occur
- plan and deliver curricula and lessons that reflect the relevant principles outlined above
- support pupils in their class for whom English is an additional language
- keep up-to-date with equalities legislation relevant to their work.

The Public Sector Equality Duty (PSED)

The PSED has two main parts, the 'general' equality duty and the 'specific duties'.

The general equality duty clearly states that schools must have 'due regard' when making decisions and developing policies with the need to:

- a.** eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Act
- b.** advance equality of opportunity between people who share a protected characteristic and people who do not share it: this means removing or minimising disadvantages, taking steps to meet different needs and encouraging participation when it is disproportionately low
- c.** foster good relations across all characteristics: between those who share them and those who do not

For our school this means that:

- when making a decision or taking an action we must assess whether it may have implications for people with particular protected characteristics
- we should consider equality implications before and at the time that we develop policy and takes decisions; not as an afterthought, and we need to keep them under review
- we should consciously consider each aspect of the duty (having due regard to the need to eliminate discrimination is not the same thing as having due regard to the need to advance equality of opportunity)
- we should assess the risk and extent of any adverse impact that might result from the introduction of a policy/policy change or the implementation of any decisions we make and the ways in which the risk may be eliminated before the adoption of a proposed policy
- this equality duty has to be integrated into the carrying out of our school's functions.

- In the development of and/or change in practice and policies at our school, we take into consideration the impact of any such changes by asking ourselves two questions with reference to all of the protected characteristics:
- Will the impact be negative in any way on one or more of the dimensions of equality; namely could it increase any inequalities that already exist and, if so can it be justified or minimised?
- Is there potential to have a positive impact on equality by reducing or removing inequalities and barriers that already exist and if so, how can that be maximised?

Specific duties

In addition to the general duties outlined above, there are **two** specific duties that all public bodies, including schools, must comply. They are:

- a. Based on the analysis we have carried out on the data that is routinely collected throughout the academic year, we are required to publish information annually to demonstrate how we are complying with the three strands of the general equality duty (as outlined above)².
- b. Secondly, as a result of the analysis we have undertaken and the information we have published, we are required to formulate and publish at least every four years, one or more specific and measurable objectives.

Both the annual analysis and assessment of our progress with regard to our PSED and the objectives that we set ourselves will be published on our school website, along with this policy. Hard copies can also be obtained from the school office.

5. Protected Characteristics

Adults and pupils who hold one or more of any of the protected characteristics as detailed in section 2, are all protected in law from discrimination (direct and indirect), harassment and victimisation. This includes discrimination based on perception and on association³. Whilst these general concepts apply to all the protected characteristics there are also some specific points to bear in mind with regard to some of these characteristics.

Disability

The Act defines disability as when a person has a 'physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities'. Some specified medical conditions including HIV, multiple sclerosis and cancer are all considered disabilities, regardless of their effect.

² whilst having due regard to the data protection legislation thereby ensuring that no individual can be identified

³ For legal definitions of these terms see Appendix A below

Disability provisions in the Act are different from those for all the other protected characteristics in a number of ways. The overriding principle of equality legislation is generally one of equal treatment, i.e. you must treat people of different colour, race sex, religion etc. in the same way. However, the provisions relating to disability discrimination are different in that you may, and often must, treat a disabled person more favourably than a person who is not disabled and may have to make changes to your practices to ensure, as far as is reasonably possible, that a disabled person can benefit from what you offer to the same extent that a person without that disability can.

Auxiliary Aids

The term 'auxiliary aids' as used in the Act covers both physical aids and services but there is no legal definition for what constitutes auxiliary aids. Legal cases have referred to the Oxford English Dictionary's definition as "helpful, assistance, affording aid, rendering assistance, giving support or succour" and that auxiliary aids and services are "things or persons which help".

Schools are expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.

Many disabled children will have a SEN and may need auxiliary aids which are necessary as part of their SEN provision; in some circumstances as part of a formal SEN statement. Therefore these aids may be provided in the school under the SEN route, in which case there will be no need for the school to provide those aids as part of their reasonable adjustment duty.

Schools will have to consider whether to provide auxiliary aids as a reasonable adjustment for disabled children and this will particularly be the case where a disabled child does not have an SEN statement or where the statement does not provide the auxiliary aid or service.

There should be no assumption, however, that if an auxiliary aid is not provided under the SEN regime then it must be provided as a reasonable adjustment and all decisions will depend on the facts of each individual case.

The key test is reasonableness and what might be reasonable for one school to provide may not be reasonable for another, taking into account all the considerations in each case.

Reasonable adjustments

The Act does not set out what would be a reasonable adjustment nor does it provide a list of factors to consider in deciding what is reasonable. It is for the school to consider based on the circumstances of each case.

In some cases cost will have to be taken into consideration, especially for smaller schools. However, effective and practicable adjustments for disabled people will involve little or no cost or disruption and therefore may be considered to be reasonable.

The requirement for a school to make reasonable adjustments applies only to disabled people and for schools this means that where something a school does places a disabled person at a disadvantage compared to other pupils and staff then the school must take reasonable steps to try and avoid that disadvantage.

Often though, effective and practicable adjustments for disabled people will involve little or no cost or disruption and are therefore very likely to be reasonable for a school to have to make.

Schools generally will try to ensure that disabled pupils can play as full a part as possible in school life and the reasonable adjustments duty will help support that.

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

Accessibility Planning

Schools are required to carry out and publish their accessibility planning for disabled people and 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 schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided, and
- improving the availability of accessible information to pupils and where appropriate, their families.
- The school's 'Accessibility Plan' is published on our website.

Gender reassignment

Gender reassignment is a term applied to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of that process) of reassigning their sex by changing physiological or other attributes.

It is relatively rare for pupils, particularly the very young to want to go through gender reassignment but when a pupil does so, a number of issues will arise which will need to be sensitively handled. There is evidence that the number of such cases is increasing and it is therefore important that schools aim to address any such issues early on and in a proactive way. Further guidance is available from the GRIS website as listed below in the section on '**Useful links**' protection against discrimination of gender reassignment matches.

Pregnancy and maternity

The Act also protects pupils from discrimination because of pregnancy and maternity, which means it is unlawful for the school to treat a pupil less

favourably because she becomes pregnant or has recently had a baby, or is breastfeeding.

Race

The definition of race under the Act includes colour, nationality and ethnic or national origins and is not simply limited to colour. As a school, we acknowledge that racism exists in society and we endeavour to promote good relations between different racial groups within the school and the wider community through all our practice and policies.

Religion or belief

The Act defines religion as belonging to any religion and belief as any religious or philosophical belief. A lack of religion or a lack of belief are also protected characteristics. As these definitions are fairly broad, the concept of religion and belief must therefore be viewed in accordance with existing law, which means that to benefit from protection under the Act, a religion or belief must have a clear structure and belief system and should have a certain level of clarity, seriousness and cohesion and not be incompatible with human dignity. It is not intended to include political beliefs such as communism.

The Act also makes it clear that unlawful discrimination can take place between people of the same religion e.g. Orthodox and Reform Jews, Shia and Sunni Muslims.

It is also important to understand that it is unlawful for a teacher to discriminate against pupils with other protected characteristics because of religious views that they might hold, for example on homosexuality.

The school acknowledges the multi-faith nature of British society and we respect the religious beliefs and practices of all staff, pupils and parents.

Sex/gender

Schools need to ensure that pupils of one sex are not singled out for different and less favourable treatment from that given to other pupils and that there are no practices that could result in less favourable treatment based on gender.

There will however be occasions when pupils might be separated by gender for the teaching of specific areas of the curriculum, (for example some aspects of relationship, sex and health education or sport) but the school needs to be clear of the purpose and benefits of segregation and that resources are equally available to both sexes.

Where there are any single sex classes, a pupil undergoing gender reassignment should be allowed to attend the class that accords with the gender role in which they identify.

Sexual orientation and marriage and civil partnerships

Schools must ensure that all gay, lesbian or bi-sexual pupils or the children of gay, lesbian or bi-sexual parents are not singled out for different and less favourable treatment, even if this challenges the religious views of a particular member of staff. The same applies to members of staff.

This must also be reflected in the school's teaching of relationship, sex and health education which should be based on facts and should enable pupils to develop an understanding of how the law applies to different forms of relationships.

Sexual orientation and religion or belief

There is a relationship between protection because of sexual orientation and protection of religious freedom. Many people's views on sexual orientation and sexual activity are themselves grounded in religious belief. Some teachers have expressed concerns that they may be subjected to legal action if they do not voice positive views on same sex relationships, whether or not this view accords with their faith.

There are also concerns that schools with a religious character may teach and act in ways unacceptable to lesbian, gay and bisexual pupils and parents when same sex relationships are discussed, because there are no express provisions to prevent this occurring.

All schools, including schools with a religious character, have a responsibility for the welfare of the children in their care and to adhere to curriculum guidance. Where beliefs are explained in an appropriate way and in an educational context that takes into account existing guidance on the Relationship and Health Education and Religious Education then schools would not be acting unlawfully. However, should either the school or an individual teacher within the school convey their views in a way that involved haranguing, harassing or berating a particular pupil or group of pupils then this would be viewed as unlawful discrimination.

6. Bullying

Although, as explained above, the scope of the Act does not extend to the relationship (and treatment) between one pupil and another, we can assure parents that the school takes all forms of bullying very seriously, including any bullying that is motivated by prejudice and that any occurrences will be dealt with consistently and firmly in line with our school's policy.

7. Curriculum

The Act does not place any restrictions on the content of our curriculum, which leaves us free to ensure that we deliver a broad and balanced curriculum and includes a full range of issues, ideas and materials and exposes pupils to thoughts and ideas of all kinds, however challenging and controversial. However we need to ensure that the way in which these areas are taught does

not subject any individual pupils or groups of pupils to discrimination. We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the relevant principles as set out above.

8. Uniform

The Act does not specifically deal with school uniform or other aspects of appearance (e.g. hair style and colour or wearing of jewellery and make up) as this is the responsibility of the school's governing body to decide upon and is outlined when children join the school and on our web site.

We are however aware of our obligations to ensure that our policy does not discriminate against any individual pupil or groups of people because of their race, religion or belief, gender, disability, gender reassignment or sexual orientation.

In writing our policy we have been sensitive to the needs of different cultures, races and religions without compromising school safety or discipline.

9. Religious observance

We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

10. Specific provisions regarding employment in schools

All of the protected characteristic, including age are covered by the provision of this act.

As an employer, a school must not discriminate against a potential employee in its policies and practices in recruitment, benefits, facilities, services, professional development, and training opportunities.

Schools are under the same duties to make reasonable adjustments in relation to disability: in arrangements or practices and in the provision of any necessary auxiliary aids and services and the physical features of the school.

There are some specific exceptions to the religion or belief provisions for schools designated as having a religious character.

More detailed information is contained within the DfE document and the European Human Rights Commission guidance and Codes of Practices (see 'Useful links' below)

11. Breaches of the policy

Breaches of this policy will be dealt with in the same way that breaches of other school policies are dealt with, as determined by the head teacher and governing body. A copy of the school's Complaints policy can be found on our website or obtained in hard copy from the school office.

12. Monitoring and evaluation

We collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.

In particular we collect, analyse and use data in relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin and national status; and gender. This may not be possible with reference to all of the protected characteristics as the numbers involved may be statistically too small to have relevance.

13. Policy review

This policy will be reviewed every three years or earlier if there is a change in legislation.

Useful Links and websites

Department for Education publications guidance on bullying including:

- [Tackling race and faith targeted bullying face to face and online: a guide for schools](#)
- [Homophobic, biphobic and transphobic bullying: evidence review](#)

The Equality and Human Rights Commission (EHRC):

- [Being disabled in Britain – specific section on Education and Bullying](#)
- [Services, public functions and associations – Statutory Code of Practice](#)
- [Employment – Statutory Code of Practice on Employment](#)

The Gender Identity Research and Education Society (GIREES) site provides information and have also so published:

- [Guidance on combating transphobic bullying in schools – a complete toolkit](#)
- [A glossary of terminology related to the transgender field](#)

Stonewall have a wealth of material on homophobic bullying on their website

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Appendix A: Definitions of unlawful behaviour

The Act defines four kinds of unlawful behaviour which are outlined below. More detailed descriptions and examples can be found in the DfE Document on 'The Equality Act and schools'.⁴

- **Direct discrimination** - when one individual treats another less favourably because of a protected characteristic
- **Indirection discrimination** - when a measure, provision or practice is applied generally but has the effect of putting individuals with a particular characteristic at a disadvantage.
- **Harassment as defined in the Act** – when “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or unpleasant environment for that person”. This can also be by association. However, the offence of harassment as defined in this way in the Act applies only to harassment because of disability, race, sex or pregnancy and maternity, not to religion or belief or to sexual orientation and gender reassignment as, in such circumstances this would be viewed as direct discrimination.
- **Victimisation** - when an individual is treated less favourably than they might otherwise have been because of something they have done (a “protected act”) in connection with the Act. For example making an allegation under the Act for discrimination or harassment or supporting another individual in a complaint by giving evidence. This extends to the children of parents who may have made a complaint of unlawful behaviour under the Act.
- **Discrimination by association** – when an individual is discriminated against because someone they associated holds one of the protected characteristics.
- **Discrimination by perception** – when an individual is discriminated against because of a characteristic you think that they might have, even if you are mistaken.

⁴ [The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities \(May 2014, updated June 2018\)](#)

