



Equality Policy

Policy Review

This policy will be reviewed every three years by the Full Governing Board.

The policy was last reviewed and agreed in December 2021.

It is due for review in Autumn 2024.

Contents

- Related Policies and Documents
- Policy statement and objectives
- Scope and principles
- Communication of the equality and diversity commitments and policy
- Policies and procedures
- Disability discrimination
- Responsibilities and accountabilities
- Employees
- Pupils
- Review of this Policy

Related Policies and Documents

- Equality Act 2010
- Teacher Standards
- Disciplinary Policy
- Continuous Professional Development Policy
- Whistleblowing Procedure
- Grievance Procedure
- Pay and Appraisal Policy
- Safeguarding Child Protection Policy
- Dealing with Allegations Against a Member of Staff
- Spiritual, Moral, Cultural and Social Development Policy
- Complaints Policy
- Behaviour Management Policy
- Supporting Pupils with Medical Conditions Policy
- Special Educational Needs Policy
- Anti-bullying Policy

Policy statement and objectives

1.1. Windhill21 is committed to developing, maintaining and supporting a culture of equality and diversity across all aspects of the academy's work. The school aims to create an environment in which all employees, pupils and stakeholders are recognised as being of equal value and are able to grow and develop through equality of opportunity.

1.2. Windhill21 takes its public sector equality duty very seriously, in particular to have due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations between different groups of people.

1.3. The objectives of this policy are to establish, promote and provide accountability in relation to the school's commitment to:

- a. develop an ethos which respects and values all people;
- b. actively advance equality of opportunity;
- c. prepare pupils for life in a diverse society;
- d. create an environment in which diversity is valued and celebrated;
- e. promote good relations amongst people within each academy's community and the wider communities within which we work;
- f. eliminate all forms of unfair indirect and direct discrimination, bullying, harassment, victimisation or other oppressive behaviour;
- g. deliver equality and diversity through the school's policies, procedures and practice;
- h. make reasonable adjustments and do our utmost, within available resources, to remove barriers which limit or discourage access to the academy's provision and activities;
- i. take positive action to provide encouragement and support to individuals and groups whose progress has been limited by protected characteristics, stereotyping and cultural expectations;
- j. ensure that recruitment and selection procedures and practices within the school are open and transparent and ensure that fair and equal selection criteria are applied;
- k. monitor the implementation of equality and diversity within the school.

Scope and principles

2.1. The Equality Act 2010 provides a single legal framework designed to be more effective at tackling disadvantage and discrimination. It places legal responsibilities on the school and covers the following nine protected characteristics:

- age - a person of a particular age or belonging to a particular age group;
- race - a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins;
- disability - a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities;
- sex - a man or a woman;
- sexual orientation - whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes;
- gender reassignment – a person who has undergone the process of transitioning from one gender to another;
- marriage and civil partnership – regardless of between a man and a woman or a same-sex couple;
- pregnancy and maternity - being pregnant or expecting a baby and the period up to 26 weeks after giving birth, including breastfeeding;
- religion and belief - religious and philosophical beliefs, including lack of belief, which affect life choices or the way a person chooses to live.

2.2. Equality of opportunity and inclusivity are fundamental to the vision and values of the school. The commitment to equality and diversity is, in part, achieved through the eradication of discrimination and is implemented through appropriate policies, procedures and good practice which reflect the following key principles:

- equality and social justice;
- acknowledging and valuing diversity;
- respect for others;
- compliance with equality legislation;
- elimination of all forms of prejudice and unfair discrimination;
- active challenge to stereotypes and prejudiced attitudes;
- commitment to inclusive education and a working environment which enables and supports all pupils and staff to flourish and meet their potential;
- commitment to the positive development of all staff and governors
- accountability for compliance with this policy by all members of the school and all those engaged in school activities.

2.3 All staff, pupils and stakeholders have a duty to act in accordance with both the content and spirit of this policy and treat one another with respect and dignity at all times. The school will not tolerate discrimination on the basis of any of the protected characteristics listed above and will treat all instances of such conduct extremely seriously. Conduct which does not comply with this policy may be dealt with under the School's Disciplinary Policy (staff) or Behaviour Management Policy (pupils) as appropriate.

2.4. This policy does not form part of any employee's contract of employment, and it may be amended at any time following consultation with staff and recognised trade unions.

3. Definitions

3.1. Equality

The Equality and Human Rights Commission describes equality as “ensuring that every individual has an equal opportunity to make the most of their lives and talents, and believing that no one should have poorer life chances because of where, what or whom they were born, what they believe, or whether they have a disability”.

3.2. Diversity

Diversity can be described as having or being composed of differing elements. In the context of this policy, diversity exists in both visible and non-visible ways through our employees, pupils and stakeholders having physical, religious and cultural differences and varied life experiences and choices, views and perspectives. The school aims to foster an environment in which diversity is promoted and celebrated through inclusion, respect and appreciation of one another.

3.3. Direct Discrimination

Direct Discrimination is the term used in law to describe a situation in which an individual is treated less favourably than someone else has been treated (or would be treated) because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic under the Equality Act (see paragraph 2.1 above). Unless there is a statutory exception, direct discrimination cannot be excused or defended in law.

3.4. Indirect Discrimination

Indirect discrimination can occur when action is taken which appears to treat everyone equally, but which in practice leads to people from a particular protected group under the Equality Act 2010 (see paragraph 2.1 above) being treated less favourably than others. This may occur through the implementation of policies or procedures and will not be justified unless the action is needed to achieve a legitimate aim, and the means of achieving that aim is appropriate and necessary.

3.5. Victimisation

Victimisation occurs when a person is treated less favourably because they have asserted their legal rights in line with the Equality Act 2010 or supported another individual to do so.

3.6. Harassment

Harassment can be described as unwanted conduct related to one of the protected characteristics under the Equality Act 2010 (see paragraph 2.1 above) which has the purpose or effect of violating the individual's dignity or of creating an intimidating, hostile, humiliating, or offensive environment.

4. Communication of the equality and diversity commitments and policy

4.1. The School will take active steps to communicate the existence and/or principles of the Equality and Diversity Policy via appropriate means to all pupils, staff and stakeholders of the School.

5. Policies and procedures

5.1. All school policies and procedures will be designed to promote equal opportunity and protection against discrimination for all employees, pupils and stakeholders. The impact of any policy changes on equality issues will be considered prior to implementation. In some instances of substantial changes to policies or procedures, a formal equality impact assessment will be required.

6. Disability discrimination

6.1. The school supports the ethos of the social model of disability which attempts to remove barriers that restrict life choices for disabled people. The school encourages all employees, pupils (or their parents/carers) or stakeholders to alert a relevant member of staff if they are disabled or become disabled in order that the school can support them as appropriate.

6.2. If employees, pupils or stakeholders experience difficulties at work or school because of their disability, they (or their parents/carers in the case of a pupil) should speak to their line manager or a senior member of staff to discuss any reasonable adjustments that would help overcome or minimise the difficulty. It may be necessary for the line manager or senior member of staff to consult with other senior staff, HR, the individual (and their parents/carers in the case of a pupil) and their medical adviser(s) about possible adjustments. In the case of an employee, the school may also seek advice and guidance from an occupational health advisor. The school will consider the matter carefully and try to accommodate the individual's needs. If the school consider a particular adjustment would not be reasonable, the reasons will be explained, and the school will try to find an alternative solution where possible.

6.3. The school will monitor the physical features of the organisation's premises and buildings to consider whether they place disabled workers, pupils or stakeholders at a substantial disadvantage compared to other staff, pupils or stakeholders. Where reasonable, the school will take steps to improve access for disabled individuals.

7. Responsibilities and accountabilities

7.1. It is important to remember that each individual is responsible for their acts, carried out both within and outside employment. Any person instructing, inducing or encouraging others by inaction or action to behave in a manner which is inconsistent with this policy will themselves be in breach of this policy and will be dealt with accordingly.

7.2. The Governing Body is responsible for:

- ensuring they fulfil the legal responsibilities of the organisation in relation to equality;
- ensuring school and local policies adopted are designed to support equality and diversity;
- ensuring the academies within the school adhere to the equality and diversity policy and other associated policies and procedures.

7.3. Head teacher is responsible for:

- providing consistent and high-profile leadership in relation to equality and diversity;
- advancing equality and diversity inside and outside the school and academies by promoting a culture in which diversity is celebrated and in which discrimination and inequality are understood by all members of the community to be unacceptable;
- ensuring policies and procedures are in place to comply with all equality legislation;
- ensuring that the academies within the school implement the relevant equality and diversity policies and practices and that suitable training is provided by the school to senior staff to aid them to do so.

7.4. Senior Leaders are responsible for:

- ensuring they promote and monitor compliance with the relevant equality and diversity policies and procedures. This is achieved by setting an appropriate standard of behaviour, led by example and ensuring that those they manage adhere to the policy and promote the school's aims and objectives with regard to equal opportunities;

- making sure that all staff know their responsibilities in relation to equality and diversity and receive the support and training necessary to carry them out;
- following the relevant procedures and taking action in cases of unfair discrimination, harassment, bullying or victimisation.

7.5. All Employees are responsible for:

- promoting equality and diversity through their own actions and their work within the school and avoiding unfair discrimination;
- ensuring pupils' knowledge and experience of diverse religious and cultural ceremonies, practices and traditions is shared in a positive way where possible;
- actively responding to or reporting to management, as appropriate any incidents of unfair discrimination which relate to protected characteristics perpetrated by pupils, other employees or stakeholders;
- keeping up-to-date with equality requirements and participating in equal opportunities and diversity training.

7.6. Pupils responsible for:

- behaving in a way that is consistent with the expectations of the school's Equality and Diversity Policy and other associated policies such as the Behaviour Management Policy;
- respecting others in their language and actions.

7.7. Stakeholders (including parents, regular visitors and volunteers) are responsible for:

- behaving in a way that is consistent with the expectations of the school's Equality and Diversity Policy and other associated policies;
- respecting others in their language and actions and avoiding any discriminatory behaviour.

8. Employees

Conditions of Service

8.1. The school will ensure that employee terms and conditions of service are determined and applied in a fair and consistent manner following staff and trade union consultation where applicable.

8.2. The school will also ensure that any facilities, benefits and practical support offered to employees, such as the employee wellbeing package, are developed, promoted and delivered in a manner which secures accessibility for all staff in a fair and consistent manner. Furthermore, the school will seek to identify and remove any access barriers where possible.

Training, Promotion and Pay Progression

8.3. The school will ensure provision for spiritual, moral, social, cultural and professional development takes account of the diverse staffing group employed by the School and is managed in a way which secures equal opportunities for all employees.

8.4. Employee training needs will be identified throughout the academic year and during the staff appraisal process. All employees will be given equal, fair and appropriate access to training and

developmental opportunities to enable them to progress within the organisation and all promotion decisions will be made on the basis of merit.

8.5. The school will ensure that pay progression processes and decisions are fair and equitable and avoid discrimination of those who have, or are thought to have, protected characteristics.

Discipline, Capability and Termination of Employment

8.6. The school will ensure that expectations in relation to employee conduct and capability are determined and measured in a consistent manner. Any disciplinary and capability procedures and associated sanctions will be applied on the facts of the case and without discrimination.

8.7. The school will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

Fixed-term Employees, Casual and Agency Workers

8.8. The conditions of service in relation to fixed-term employees, casual and agency workers, will be monitored to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities.

Part-time Employees

8.9. The conditions of service in relation to part-time employees will be monitored to ensure that they are being offered appropriate access to benefits, training, pay progression and promotion opportunities. The school will ensure requests to alter working hours are dealt with appropriately in accordance with the school's relevant policies and procedures.

Training and Guidance in relation to the Equality and Diversity Policy

8.10. Questions in relation to the content or application of this policy should be directed to the head teacher or the Governing Body to request training or further information.

8.11. Employees will be given appropriate training in relation to equality and diversity awareness and equal opportunities recruitment and selection best practice, as appropriate to role.

Breaches of this Policy

8.12. If an employee believes that they may have been treated in a way that is inconsistent with this policy, they are encouraged to raise the matter informally with the individual concerned or their line manager where possible. If this is not possible, or does not resolve the situation, they should raise the matter through the school's Grievance Procedure or other relevant policy where applicable.

8.13. If an employee believes the treatment of a colleague, student or stakeholder by another member of staff constitutes a breach of this policy, they should raise this directly with the individual whose conduct is of concern, or with their line manager or through the school's Whistleblowing Policy.

8.14. Allegations regarding potential breaches of this policy will be taken seriously and will be investigated in accordance with the relevant policy and procedure. Employees who make such allegations in good faith will not be victimised or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under the school's Disciplinary Policy.

8.15. Any member of staff who is found to have committed an act of discrimination or bullying or harassment will be subject to disciplinary action in accordance with the Disciplinary Policy. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal.

9. Pupils

Access to education and curriculum

9.1. The school is committed to operating admissions arrangements which reflect a fair and equitable process, ensuring admissions applications are assessed in accordance with each academy's Admissions Arrangements Policy.

9.2. The school is also committed to delivering high quality academic, vocational and enriched education and curriculum for all its pupils. This is with the aim of enabling each pupil to fulfil their potential academically, socially, morally, spiritually and physically.

9.3. All pupils in the care of the school, regardless of any protected characteristics, ability or circumstance, are expected to become individual, independent learners and fulfil their potential through appropriate levels of attainment and achievement.

Access to other opportunities

9.4. The school will ensure that access to wider opportunities will be made available to all pupils in a fair and equitable manner and one which is consistent with the principles of this policy.

Recognition of positive behaviour and behaviour sanctions

9.5. The school will ensure that any recognition of positive behaviour is based on merit and determined and applied in a consistent manner in order that all pupils have opportunity to be rewarded, recognised and motivated as appropriate.

9.6. The school will ensure that expectations in relation to student behaviour are determined and measured in a consistent manner. Any behaviour sanctions will be applied in accordance with the appropriate Behaviour Policy and on the facts of the situation and without discrimination.

Training and Guidance

9.7. Pupils are offered a wide range of opportunities to deepen their knowledge about all aspects of their local, national and wider community. This is achieved in part through high quality assemblies and other relevant sessions. The school ensures that the personal, social, health and economic education (PHSE), Sex and Relationships and spiritual, moral, social and cultural development (SMSC) curriculums are underpinned by the celebration of equality and diversity.

Breaches of this Policy

9.8. Pupils and/or their parents or carers are encouraged to speak to a member of staff that they school if they feel that they or anyone else is being treated in a way that is inconsistent with this policy. Regular assemblies and other activities in school promote the roles of the adults within school and aim to create an environment in which pupils feel able to be open about their concerns.

9.9. If a student's behaviour is not consistent with the school's expectations in relation to equality and diversity, then action will be taken in line with the relevant academy's Behaviour Management Policy. Ensuring a fair investigation, and an educative approach should be the focus for dealing with any student who breaches the expectations.

10. Review of this Policy

10.1. This policy will be reviewed by the Governing Body to ensure legal compliance and effectiveness every two years, save for circumstances in which an earlier review is necessary.