



## **The Crypt School Equal Opportunities Policy**

### **1. Policy Statement**

The Governing Body and staff are committed to equal opportunities in employment and education. All schools have a vital role to play in equal opportunity matters and The Crypt School will aim to influence individual behaviour as well as create a structure, culture and environment that combats discrimination in all its forms and promotes good relations between members of different racial, cultural and religious groups and communities. Such an approach will include:

- i) ensuring that the obligation imposed under Legislation and Codes of Practice are met and complied with;
- ii) ensuring that local policies, procedures and practices on employment matters (e.g. relating to recruitment, selection, promotion, training and transfer) are sensitive to equal opportunities);
- iii) ensuring that staff are aware of these policies and given appropriate guidance and training in their implementation;
- iv) Ensuring that the promotion of equal opportunities and good relations between communities is a part of the school values.

### **2. Outline of the Legal Position**

The key Act which provides the framework for equal opportunities is the Equality Act 2010, the primary purpose of which was to enshrine and codify in a single piece of legislation the various acts and regulations which formed the basis of anti-discrimination law in the United Kingdom. In addition the Department for Education has produced non statutory guidance on the Equality Act 2010. We recognise that our duties 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 of 1998.

The school will not discriminate on any of the grounds listed below (known as the Protected Characteristics) save where such discrimination is permitted by law.

## **ANNEX A: PROTECTED CHARACTERISTICS**

The protected characteristics for the school's provisions are:

- Disability
- Gender Identity
- Pregnancy and Maternity
- Race
- Religion or Belief
- Gender
- Sexual Orientation
- Age
- Marriage

### **Disability**

Someone who has the protected characteristic of disability have a physical and/or mental impairment which has what the law calls 'a substantial and long term adverse effect on their ability to carry out regular day to day activities'. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause. In relation to physical impairment:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses) diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below)
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.

Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia. The other tests to apply to decide if someone has the protected characteristic of disability are:

- The length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur or if the person no longer has the condition, they will be considered to be a disabled person.
- Whether the effect of the impairment is to make it more difficult and/or time consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.
- If the activities that are made more difficult are 'regular day to day activities' at work or at home.
- Whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids or assistance or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glass or contact lenses, which is taken into account.

## **Gender Reassignment**

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical gender they were assigned at birth. This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to dress in a different way as part of the personal process of change. A person will be protected because of gender identity where they:

- Make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor
- Once they have proposed to undergo gender assignment they are protected, even if they take no further steps or decide to stop later on
- They do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected
- Start or continue to dress, behave or live (full or part time) according to the gender they identify as a person
- Undergo treatment related to gender reassignment, such as surgery or hormone therapy; or
- Have received gender recognition under the Gender Recognition Act 2004

It does not matter which of these applies to a person for them to be protected, because of the characteristic of gender reassignment.

## **Pregnancy & Maternity**

The Act lists pregnancy and maternity as a protected characteristic.

## **Ethnicity**

Ethnicity means a person's:

- Race
- Nationality (including citizenship), and/or
- Ethnic or National Origin

And a racial group is composed of people who have or share a nationality or ethnic or national origins. A person has the protected characteristics of ethnicity if they belong to a particular racial group. Racial groups can comprise two or more racial groups such as 'British Asians'.

## **Religion or Belief**

The protected characteristic of religion or belief includes any religion and any religious or philosophical belief. It also includes a lack of any such religion or belief. A religion need not be mainstream or well known to gain protection as religion. It must, though, be identifiable and have a clear structure and belief system. Denominations or sects within religions may be considered a religion. Cults and new religious movements may also be considered religions or beliefs. Belief means any religious or philosophical belief and includes a lack of belief. 'Religious belief' goes beyond beliefs and adherence to a religion or its central articles of faith and may vary from person to person within the same religion. A belief which is not a religious belief may be a philosophical belief, such as humanism or atheism. A belief need not include faith or worship of a god or gods,

but must affect how a person lives their life or perceives the world. For a belief to be protected by the Equality Act:

- It must be genuinely held
- It must be a belief and not an opinion or viewpoint based on information available at the moment.
- It must be a belief as to a weighty and substantial aspect of human life and behaviour.
- It must attain a certain level of cogency, seriousness, cohesion and importance.
- It must be worthy of respect in a democratic society.
- It must be compatible with human dignity and not conflict with the fundamental rights of others.

## **Gender**

A person's gender refers to the fact that they are male, female, trans or gender neutral. In relation to a group of people, it refers to either men, boys, women, girls or those who identify as transgender.

## **Sexual Orientation**

Sexual orientation means the attraction a person feels towards males, females and trans people, which determines who they form intimate relationships with or are attracted to.

- Some people are attracted to those of the same sex (lesbian women and gay men)
- Some people are attracted to males and females (bisexual people)
- Some people are attracted to males, females and trans people (pansexual people)
- Some people are attracted to the opposite sex (heterosexual people)
- Some people have relationships but not sexual relationships (asexual people)

Everyone is protected from being treated poorly because of sexual orientation, whether they are bisexual, gay, lesbian, asexual, pansexual or heterosexual. Sexual orientation discrimination also covers discrimination connected with manifestation of that sexual orientation.

## **3. Recruitment and Selection**

The recruitment and selection process will ensure that the highest quality candidate is recruited, based on personnel specification and that no unlawful account will be taken of the protected characteristics in connection with an applicant.

## **4. Employment of People with Disabilities**

The Governors are committed to ensure that people with a disability should have full and fair consideration for job vacancies and accepts its obligations under the Equality Act 2010.

Every effort will be made to continue to maintain in employment, wherever practicable, an employee who becomes disabled during their employment with the School. The School will, wherever possible, assist with their rehabilitation and re-training and will comply with its duty to make 'reasonable adjustments'.

## **5. Training and Career Progression**

Appropriate training will be made available within normal financial constraints provided to enable staff to perform their jobs effectively and to pursue career development opportunities. In addition the School will strive to ensure that employee's circumstances will not disadvantage an employee who is offered training.

The responsibility for ensuring equality of opportunity in training and development lies with Governors and those with specific delegated responsibilities. The Governing Body is committed to the implementation of individual performance appraisal and personal development planning for all staff and they will ensure career counselling is offered to all staff particularly for staff at critical points in their career, e.g. prior to maternity leave.

Since April 2000 the Investors in People Framework has also helped to ensure that the school's policies and procedures take proper notice of Equal Opportunities issues.

## **6. The Public Sector Equality Duty**

In carrying out its functions the governing body is required to have due regard to the need to:

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

The governing body is required to draw up equality objectives every four years and annually publish information demonstrating how they are meeting the aims of the general public sector equality duty

The Governors and staff are committed to eliminating unlawful discrimination, and to promote equal opportunities and good relations in all areas of school life. These include:

- a) progress, attainment and assessment;
- b) behaviour, discipline, and exclusion;
- c) pupils' personal development and pastoral care;
- d) teaching and learning;
- e) admission and attendance;
- f) the curriculum;
- g) staff recruitment and professional development; and
- h) Partnerships with parents and guardians and communities.

### **Commitments:**

We are committed to:

- Actively promoting equal opportunities;
- Encouraging, supporting and helping all pupils and staff to reach their potential;

- Working with parents and guardians, and with the wider community, to tackle discrimination, and to follow and promote good practice;
- Making reasonable adjustments when needed for disabilities in line with the School Accessibility Plan

## **Responsibilities:**

### **A. Governing Body**

The Governors are responsible for:

- Making sure the school complies with the Equality Act 2010 (the Act); and;
- Complying with the Public Sector Equality Duty.

### **B. Head Teacher**

The Head Teacher is responsible for:

- ensuring the equality policy is readily available and that the governors, staff, pupils, and their parents and guardians know about it;
- ensuring the equality procedures are followed;
- Informing staff and governors about the policy and how it is working, and providing training for them on the policy, if necessary;
- ensuring all staff know their responsibilities including their responsibility to report and record prejudice related incidents and receive training and support in carrying these out; and
- Taking appropriate action in cases of unlawful harassment and discrimination.

### **C. All Staff**

All staff are responsible for:

- Dealing with discriminatory incidents, and being able to recognise and tackle equality bias and stereotyping;
- Promoting equal opportunities and good relations, and avoiding unlawful discrimination against anyone. They have a responsibility to report and record any prejudice based incidents and
- Keeping up to date with the law on discrimination, and taking up training and learning opportunities.

### **D. Staff with specific responsibilities**

- A senior member of staff (presently Richard Salt – Assistant Head) is responsible overall for coordinating work on equality and dealing with reports of discriminatory incidents.
- A governor has a key monitoring and liaison role in support of the staff.

## **E. Visitors**

- Visitors are expected to conduct themselves in accordance with this policy and undertake not to act in an unlawfully discriminatory manner towards staff, pupils and other visitors.

## **7. Duties of Assessment and Monitoring**

The senior staff member will ensure that the policy is reviewed annually by Staff, SLT and Governors. The attainment database as well as ethnic data from progresso will be used to monitor attainment and progress as well as the pattern of sanctions and rewards. A summary of the policy and data review will be presented to staff and Governors annually.

## **8. Monitoring**

The School will ensure that it keeps and maintains all appropriate records to ensure that progress of this policy is monitored.

The Governing Body is obliged to draw up equality objectives every four years and publish information annually demonstrating how it is meeting the aims of the general public sector equality duty.

The effectiveness of the policy will be monitored in pupil attainment and progress as set out in Analyse Performance Data which is reviewed annually in September by SLT and Governors.

Gender Equality in appointments is monitored via the standard application forms.

## **9. Cultural and Religious Needs**

Where employees and pupils have particular cultural and religious needs which may conflict with existing work requirements the School will consider whether it is reasonably practicable to vary or adopt these requirements to ensure such needs can be met.

## **10. Dignity at Work**

The Governors fully support the right of all staff and pupils to be treated with dignity and respect at work. They are committed to promoting an environment free from unlawful discrimination, for staff and pupils alike.

## **11. Removing Barriers to Equal Opportunities**

The Governors recognise the need to remove barriers to equal opportunities and will work towards the introduction and implementation of specific procedures and undertake special initiatives to encourage access to employment and to promotion and career development opportunities for all, i.e. Career Break Management, Flexible Working and Job Share and Special Leave for domestic purposes.

## **12. Access to the Curriculum**

All pupils, including those on the SEN register, will be given access to the full range of subjects.

## **13. Access to Extra-Curricular Opportunities**

The Governors recognise the need for extracurricular opportunities as ways of broadening pupils' educational experience. Where these activities form an integral part of a pupil's course of study the activity will be subsidised if the parents of the pupil are unable to fund the trip. For non-essential trips/visits the school will make every effort to support those in financial need, subject to availability of financial support.

## **14. What to do if you have a complaint**

Where staff or pupils feel that they have been mistreated they should let the Headmaster know in the first instance. If he / she is unable to reassure the complainant then the appropriate (formal) complaints procedures should be followed. These are:

- For complaints about the curriculum : to follow the School's Curriculum complaints procedure;
- For complaints about pay: to write to the Chair of the Governors' Pay Committee;
- For complaints about unequal treatment which is perceived to result from the categories in (3) above: to write to the Chairman of Governors.

Reviewed: June 2018

Approved by Full Governors: July 2018

Next Review: June 2019