

Equal Opportunities Policy

MARINE ACADEMY PRIMARY POLICIES

VERSION CONTROL SHEET

POLICY NAME: Equal Opportunities Policy**Policy Prepared by: Siobhan Easton**

Document date	Filename	Meeting submitted	Summary of changes required
01-09-14	Equal Opportunities Policy	04-03-15	New policy
01-09-15	Equal Opportunities Policy	18-11-15	Updated policy

Equal Opportunities Policy

The Governing Body will provide equal opportunities to any employee or job applicant and will not discriminate either directly or indirectly on the grounds of age, race, colour, ethnic origin, nationality, sex, religion, marital status, sexuality or disability. The Governing Body also affirms its commitment to treat part-time staff as equitably as full-time staff, having regard to national and local conditions of service and to statute.

To meet these objectives, the Governing Body and Headteacher will ensure that:

- ★ Selection criteria relate to job requirements and are not discriminatory by asking for inappropriate qualifications or experience.
- ★ Job descriptions and personnel specifications are not discriminatory.
- ★ Job advertisements are not without proper reason, confined to publications or worded in such a way as to exclude applicants either individually or of a particular group.
- ★ Every job is open equally to all applicants with the required qualifications except where conditions of privacy and decency or authenticity apply, or in cases where the job involves the provision of personal services.
- ★ Applicants will be dealt with in accordance with the Academy guidelines contained in the personnel manual
- ★ Where selection tests are used, they are validated to ensure they relate directly to the job requirements and/or career requirements and measure an individual's ability to do or train for the particular work or career. Such tests are reviewed regularly to check that they remain relevant and free from bias either in content or scoring.
- ★ Transfer, promotion and training is open equally to all eligible employees and selection criteria do not exclude applicants from any group.
- ★ Specific training on recruitment and selection will be undertaken by Governors and staff as appropriate, to ensure awareness of the wider implications of discrimination.

All employees have personal responsibility for the practical application of the policy and those with responsibility for staff are reminded that they may be held individually accountable for ensuring that no form of discrimination occurs in the recruitment, selection, promotion and training of employees.

Enquiries will be made into suspected cases of direct discriminations or acts of commission or omission, which lead to indirect discrimination. Any such practices will be stopped and disciplinary action may be taken against the individual/s concerned.

The Governing Body has overall responsibility to ensure this policy is consistently applied, and each head of department has responsibility for the implementation of the policy in his or her department.

The Academy's grievance procedure is available to any employee who considers that he or she may have been unfairly discriminated against. It is important to understand that employees who consider they have failed to secure adequate redress, within the procedure of the Governing Body, may choose to take their case to an industrial tribunal. External applicants who feel they have been unfairly discriminated against may also take their case to an industrial tribunal. In these circumstances, complaints can be brought against individual employees as well as the Governing Body and the employing authority.

The Governing Body will review implementation and the need for monitoring.

Disability Equality Duty (DED)

Definition of disability

The Disability Discrimination Act 2005 (DDA) defines a disabled person as someone who has 'a physical or mental impairment which has a substantial or long-term adverse effect on his or her ability to carry out normal day-to-day activities'.

DDA 2005 has also extended the definition of disability as follows:

- ★ People with HIV, multiple sclerosis and cancer (although not all cancers) are deemed disabled before they experience the long-term and substantial adverse effect on their activities.
- ★ Section 18 has been amended so that individuals with a mental illness no longer have to demonstrate that it is "clinically well-recognised", although the person must still demonstrate a long-term and substantial adverse effect on his/her ability to carry out normal day-to-day activities.

The Duty

The Disability Discrimination Act 2005 places a general duty on schools, who need to have due regard for the following when carrying out their functions:

- ★ Promoting equality of opportunity between disabled people and other people;
- ★ Eliminating discrimination that is unlawful under the DDA;
- ★ Eliminating harassment of disabled people that is related to their disability;
- ★ Promoting positive attitudes towards disabled people;
- ★ Encouraging participation in public life by disabled people;
- ★ Taking steps to meet disabled people's needs, even if this requires more favourable treatment.

This is also known as the Disability Equality Duty (DED) and applies to all disabled pupils, staff and those using services provided by schools.

Gender Discrimination

Legislative Context

The Equality Act (2006) amended the requirements of the Equal Pay Act (1970) and the Sex Discrimination Act (1975). It added to the duty to eliminate sexual discrimination and sexual harassment, the duty to promote gender equality.

Social Context

We understand that despite thirty years of individual legal rights to sex equality there is still widespread discrimination and persistent gender inequality. Both sexes suffer from the stereotyping of their roles and needs and such stereotyping has to be understood, challenged and overcome.

The General Duty

In accordance with our school's mission statement and values, we welcome the statutory Gender Equality Duty. In compliance with the General Duty, Marine Academy Primary has due regard for the need to, and works to:

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

By unlawful sexual discrimination we mean treating one person less favourably than another on grounds of sex or gender. We understand that this could be done directly but that it could also occur indirectly. Indirect discrimination means that a particular policy or practice may impact more negatively on one gender than on the other, or may favour one gender to the disadvantage of the other.

By sexual harassment we refer to behaviour or remarks based on a person's sex or gender, perceived to be unpleasant, threatening, offensive or demeaning to the dignity and self-esteem of the recipient or subject. We see such behaviour as also damaging to the perpetrator

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

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

We will take steps to counteract the effects of any past discrimination in staff recruitment. Where we are uncertain whether there is a genuine occupational requirement for preference to be given to the employment of someone of a particular gender we will seek specialist advice.

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

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

The Specific Duties

We welcome the responsibility to think and act more strategically about gender equality. To meet the specific duties, and guided by the Code of Practice prepared by the Equal Opportunities

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Commission, we have prepared, published and implemented, and will maintain, a Gender Equality Action Plan which contains our current objectives. This is attached to and forms an essential part of this policy.

We are working to develop our understanding of the major gender equality issues in our school's functions and services. In order to do this we:

- ★ Collect and analyse school data and other gender equality relevant information, including data about our local area
- ★ Consult all staff, pupils, parents and relevant local communities
- ★ Review all our school policies and practices to assess the ways in which they might impact on gender equality
- ★ Ensure governors, staff, pupils, parents and others in our school are accountable and understand their responsibilities with regard to preventing discrimination and harassment and promoting gender equality
- ★ Assess and address the causes of any gender pay gap
- ★ Publish and implement the Action Plan with our proposed objectives and actions

We will:

- ★ Set out the results of reviews, consultations and impact assessments
- ★ Report on progress annually and set further objectives where necessary
- ★ Review and revise the Policy and Action Plan at least every three years

Responsibilities

All governors, staff, volunteers, pupils and their families need to develop an appropriate understanding of, and act in accordance with, the school's Gender Equality Policy and Action Plan. In addition:

The school governors are responsible for ensuring that the School prepares, publishes, implements, reports on and reviews a Gender Equality Policy and Action Plan (including budget requirements), and in particular the employment implications of meeting the Duty.

The Headteacher works with the SLT to ensure that –

- ★ the Policy and Action Plan are implemented
- ★ staff recruitment, training opportunities and conditions promote gender equality
- ★ all staff, pupils and their parents are consulted regarding, and are aware of the school's responsibilities to meet, the Gender Equality Duty
- ★ existing and planned policies are assessed for the ways in which they impact on gender equality
- ★ curriculum planning, learning and teaching methods, classroom organisation and assessment procedures, behaviour management, school journeys and extended school activities take account of the need to promote gender equality
- ★ incidents of sexual/gender bullying or harassment are dealt with according to our Behaviour/Anti-Bullying policy

- ★ visitors to the school, or those who use the premises, are aware of the Gender Equality policy and action plan

All staff have a responsibility to deal with incidents of sexual harassment or bullying; help eliminate unlawful discrimination; prepare and/or help deliver a curriculum, learning and teaching methods, classroom organisation and assessment procedures, behaviour management, school journeys and extended school activities (including work with parents) that take account of the need to eliminate unlawful discrimination and harassment and promote gender equality.

Pupils and parents have a proportionate responsibility to understand and act in accordance with the policy, as do **visitors** to the school.

These and other responsibilities are outlined in detail in our Gender Equality Action Plan which is attached to and forms part of this policy.

We believe that, even having the Equal pay Act of 1970 and the Sex Discrimination Act of 1975, there is still widespread discrimination and gender inequality in society. We believe that having this gender equality policy and action plan will:

- ★ support us in our decision-making and policy development
- ★ give us a clearer understanding of the needs of staff, pupils and their families
- ★ enable us to provide better quality services which meet varied needs
- ★ help us target our resources more effectively
- ★ help promote increased confidence in our school
- ★ make more effective use of our workforce

We recognise that both sexes can suffer from sexual stereotyping and that sometimes the same policies and practices can impact differently on men and women and boys and girls. We will make appropriate adjustments if this is found to be the case with any of our policies and practices.

We also recognise that girls and boys, and women and men, can experience different forms of discrimination depending on, among other things, their ethnicity, belief, sexual orientation, age or disability and we will take this complexity into consideration.

In these ways we will strive to improve the situation for, and the relationships between, men and women and boys and girls within our school and wider community.

Single Sex Provision (where relevant)

Where we provide for one sex only, this is to help meet the different needs of boys and girls (men and women), needs often arising out of historical and current stereotyping and unjust gender discrimination, or where there is an issue of physical intimacy or embarrassment to be considered. We do not provide activities, classes, facilities, benefits or services for one sex only if this would

amount to less favourable treatment of the other sex, or where it would promote gender stereotyping and gender inequality..

We do not deny one sex the same opportunities as the other and where we provide for one sex only we ensure there are equivalent and proportionate facilities, benefits or services for the other sex. We do not offer different curriculum choices to boys and girls, and where there are curriculum options we ensure that these are not offered in such a way that boys and girls are steered into making choices based on gender stereotypes.

If requests for additional single sex activities, facilities or provision which appear to maintain or promote gender inequalities come from pupils, families or the community, these will be considered and legal advice sought.

Breaches of the Gender Equality Policy

We understand that eliminating gender discrimination and harassment and promoting gender equality is in part an education function and a matter of cultural change. Where possible, breaches of the policy will be dealt with in a manner appropriate to the level of the breach, and with the intention of bringing about the relevant changes. More serious breaches of this policy will be dealt with in accordance with our school's anti-bullying and harassment procedures, and the disciplinary procedures for staff.

Where safeguarding issues based on sex and gender come to the attention of the school these will be dealt with according to our child protection procedures.

Consultation; publishing; staff, pupils and parent development

This policy has been drawn up in consultation with governors, staff, pupils, parents and members of our local community. These consultations have contributed to developing the awareness among governors, staff, pupils and parents of the ongoing need to eliminate unlawful sexual discrimination and harassment and to promote gender equality. We have also drawn upon earlier consultations, (e.g. in preparation for the SEF, Index for Inclusion, Race Equality consultations)

Copies of this policy are available in the office/public entrance areas of the school, on our website, in staff/department policy folders.

A brief summary of the main points of the policy is made available in age-appropriate ways to our pupils. A summary is printed occasionally in our newsletter, and is available in the home languages of our major ethnic groups.

We will continue, as outlined in our action plan, to develop awareness of what constitutes unlawful gender discrimination and harassment, and of the need to eliminate this and to promote gender equality.

