

# SPALDING HIGH SCHOOL



## EQUALITY AND DIVERSITY POLICY

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<b>HEADMISTRESS:</b>	<b>Mrs M K ANDERSON</b>
<b>LINK GOVERNOR:</b>	<b>Mr P BARKS</b>
<b>DATE AGREED:</b>	<b>November 2023</b>
<b>REVIEW FREQUENCY:</b>	<b>Biennial</b>

### **Executive Summary:**

This policy sets out Spalding High School's ethos and commitment to promoting equality & inclusion, valuing diversity, and eliminating unfair treatment and discrimination. Equality of opportunity and freedom from harassment and victimisation is a fundamental right and the School will exercise leadership and commitment in promoting this right. Diversity is a strength and will be valued in our School. This policy is written to support the Equality Act 2010 and Lincolnshire County Council Equality and Diversity Strategy. Due credit is given to both of these publications and The Equality Act 2010 and Schools (DFE 2014) publications in the construction of our school policy.

The SHS School Council have been part of developing this policy and state: "The School Council strives to achieve equality in every aspect within our School. Encouraging diversity and equality is one of our main priorities, and an issue that we have taken very seriously as a Council. By listening to the ideas of everyone, we actively try to improve the School environment. We involve everyone in our initiatives and in doing so all students who take part benefit. We hope to act upon this by using our platform to promote awareness through projects, assemblies and PSHCE sessions".

### **Related Policies:**

Behaviour for Learning  
Careers Policy  
Child Protection Aide Memoire  
Complaints Policy  
Curriculum Policy  
Dignity at Work  
Equality and Diversity  
Medical Needs Policy  
Prevent Duty  
Safeguarding  
SEND Policy

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**Chair of Governors**

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**Date**

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**Headmistress**

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**Date**

Revised: November 2023

## **Section 1: Introduction**

- 1.1 Spalding High School welcomes its duties under the Equality Act 2010 and Public Sector Equality (General) Duty to:
- Eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Act;
  - Advance equality of opportunity between people who share a protected characteristic and those who do not share it;
  - Foster understanding and good relations across all characteristics between those people who share a protected characteristic and those who do not.
- 1.2 We are committed to the promotion of equality, diversity and inclusion. In doing so, we realise the valuable contribution that all members of the community can make to our School. Our policies and practices are regularly reviewed to take into account the different needs and contributions of students, staff, parents and governors.
- 1.3 Diversity is a strength. We will value and celebrate diversity for the benefit of students, staff, parents and School. We will on every occasion, oppose all forms of prejudice and promote positive attitudes.
- 1.4 Central to this fundamental principle is working to ensure that all students and staff feel safe and can develop in an environment that is supportive of academic and emotional needs.
- 1.5 We expect this commitment and respect to be demonstrated by all visitors to Spalding High School. Discriminatory behaviour will be challenged and dealt with.
- 1.6 Our approach as a school is to 'mainstream' equality through our ethos, practices and policies ensuring a focus on these issues. Therefore, our policies are revised regularly and due consideration is given to equality, diversity and inclusion.
- 1.7 Spalding High School will implement legislation, national agreement and guidance on all equality issues and will, through our ethos, processes, practices and curriculum attempt to:
- Eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Act;
  - Advance equality of opportunity between people who share protected characteristics and those who do not share it;
  - Foster understanding and good relations across all characteristics between those people who share a protected characteristic and those who do not.
- 1.8 Stereotypes will be challenged at every opportunity.

## **Section 2: The Equality Act 2010**

- 2.1 We recognise that the following are protected characteristics within the Equality Act 2010:
- Age;
  - Gender;
  - Race;
  - Disability;
  - Religion or belief;
  - Sexual orientation;
  - Gender reassignment;
  - Pregnancy or maternity;
  - Marriage and civil partnership (for Post 16 students and employees).
- 2.2 It is unlawful to discriminate because of a characteristic that one thinks a person has, even if one is mistaken.

- 2.3 It is unlawful to discriminate because of the characteristic(s) of another person with whom the student is associated (for example a parent).
- 2.4 The Equality Act 2010 deals with the way a school treats their actual and prospective students and staff. Its scope does not extend to the relationship between one student and another. Such breaches will be dealt with as per our Behaviour for Learning Policy, although it may be necessary to refer to the expectations laid down within the Equality Act 2010 and Spalding High School Equality and Diversity Policy to support certain breaches in conduct and behaviour.
- 2.5 Employees of Spalding High School should not only adhere to the expectations set out in the SHS Equality and Diversity Policy but also the Lincolnshire County Council Equality and Diversity in Employment Policy.

### **Section 3: Equality and Diversity at Spalding High School**

- 3.1 We are committed to the promotion of equality in all areas of school life. In so doing, our aim is to eliminate unlawful discrimination, promote equality of opportunity and good community relations.
- 3.2 Equality in the context of school life involves all people involved in the development of the School and covers areas such as:
- Progress, attainment and assessment;
  - Behaviour, discipline and exclusions;
  - Pupils' personal development and pastoral care;
  - Teaching and learning;
  - Admission and attendance;
  - The Curriculum;
  - Staff recruitment and professional development;
  - Partnerships with parents, carers, and communities.

This policy provides a framework for action to address the nine protected characteristics (2.1)

- 3.3 We are committed to:
- Actively tackling discrimination and promoting equal opportunities and good community relations;
  - Encouraging, supporting and helping all students and staff to reach their potential;
  - Working with parents and carers and with the wider community to tackle discrimination and to follow and promote good practice and making sure our Equality and Diversity Policy and its procedures are followed.
- 3.4 In positively taking forward our objectives on equality and diversity we:
- Outline the responsibilities of all those involved with the School;
  - Set out the processes we shall use to assess our policies and practices;
  - Identify how we will monitor the work that we do;
  - Publish results each year to show pupil progress.
- 3.5 The following forms of discrimination are prohibited under this policy and are unlawful:
- Direct Discrimination: treating someone less favourably because of a Protected Characteristic.
  - Indirect Discrimination: when a working practice, policy or rule is the same for everyone but has a worse effect on someone because of a 'protected characteristic'.
  - Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

- Victimisation: When someone is treated less favourably as a result of being involved with a discrimination or harassment complaint.

#### **Section 4: Roles and Responsibilities**

4.1 The Governors are responsible for:

- Making sure the School complies with all relevant legislation & local authority policies;
- Making sure the Equality and Diversity Policy and Accessibility Plan are followed;
- Ensuring that procedures for candidates to stand for election and for parents to vote for candidates are accessible;
- Ensuring that procedures for candidates for employment and appointed employees are accessible, lawful and free from discrimination;
- Engaging in school self-evaluation, school development and vision building to further the School's commitment to equality;
- Appointing and supporting an Equalities Link Governor.

4.2 The Headmistress is responsible for:

- Making sure the Equality and Diversity Policy and Accessibility Plan are readily available and that governors, staff, students and parents/carers know about them;
- Making sure the Equality and Diversity Policy and Accessibility Plan are followed;
- Producing regular information for staff and governors about the policy and plan;
- Making sure all staff know their responsibilities and receive training and support in carrying these out;
- Taking appropriate action in cases of harassment and/or discrimination and/or victimisation;
- Ensuring the Behaviour for Learning Policy reinforces the principles and lawful expectations of current legislation and County policy;
- Ensuring the School's appointment and personnel procedures reflect all aspects of good practice in terms of equal opportunities and safeguarding.

4.3 All staff are responsible for:

- Being able to recognise and tackle bias and stereotyping;
- Being aware of their own preconceptions and ensuring that they do not inadvertently discriminate;
- Dealing with discriminatory incidents;
- Promoting equal opportunities and good community relations and avoiding discrimination against anyone for reasons of age, gender, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity, marriage and civil partnership (for post 16 students and employees);
- Keeping up to date with the law on discrimination and taking up training opportunities;
- Recording and reporting prejudice and discriminatory related incidents.

4.4 Visitors (including parents/carers) and contractors are responsible for:

- Refraining from discriminatory conduct;
- Knowing and following our Equality and Diversity Policy.

4.5 All students whether they have protected characteristics or not are responsible for:

- Respecting each other;
- Treating each other with tolerance and without prejudice or discrimination;
- Knowing about and following our Equality and Diversity Policy.

## **Section 5: The Curriculum**

- 5.1 Spalding High School offers an appropriate broad and balanced curriculum that is designed to meet the needs of our academically able students in the 21<sup>st</sup> century.
- 5.2 Emphasis is placed on rigorous academic progress and students and staff are required to be sensitive to the racial, religious, cultural, social, personal, ethnic and linguistic beliefs and background of others.
- 5.3 Our curriculum and our staff will encourage students to question assumptions, stereotypes and prejudices regarding not just the protected characteristics identified in the 2010 Equality Act but in many other aspects of the world in which we live.
- 5.4 Our curriculum will, through its range of experiences and breadth of study, promote respect and understanding of diverse and different groups, societies, cultures and religions.
- 5.5 Diversity is a strength and will be celebrated in our School using a variety of methods such as work, displays, assemblies and lessons.
- 5.6 Spalding High School prides itself on its pastoral systems and support. All students are treated as individuals with their own strengths and particular needs. Support and guidance are given accordingly.
- 5.7 All students in Y7 – Y13 receive careers advice and support. Please see our Careers Policy for further information.
- 5.8 The School works with a range of external agencies and other education providers that act as a useful check and measure of our own provision as well as providing additional support for individuals and/or groups.
- 5.9 Spalding High School has high expectations and operates a very clear and consistent Behaviour for Learning procedure and policy. This clear system of rewards and sanctions applies to all students on an equitable basis. All students who deserve reward or punishment will receive it regardless of whether they have a protected characteristic or not.

## **Section 6: Protected Characteristics**

- 6.1 Spalding High School will adhere to the regulations and procedures established within legislation (The Equality Act 2010) and Lincolnshire County Council Policy (Equality and Diversity in Employment and the Schools' Equality and Diversity Strategy).
- 6.2 Spalding High School upholds the practices and procedures laid down within Lincolnshire County Council Equality and Diversity in Employment for all staff employed at the School.
- 6.3 The School appoints staff irrespective of age, gender, race, religion, sexual orientation, gender reassignment, pregnancy or maternity, marriage and civil partnership. The School will make reasonable adjustment where a member of staff with a disability is appointed to a post.
- 6.4 Discrimination, harassment and victimisation on the grounds of age, gender, race, religion, disability, sexual orientation, gender reassignment, pregnancy/maternity and marital status is unacceptable and will not be tolerated.
- 6.5 Age
  - Spalding High School is an 11-19 Secondary School. As a Maintained Community School, we will work in partnership with Lincolnshire County Council's Admissions Team, should parents/carers seek to have their child admitted below the age of 11 or above the age of 19.

- Governors and staff involved in the recruitment of potential employees will not use age as a criterion for shortlisting or appointment.
- Everyone at the School, regardless of their age, is entitled to equal respect and their interests shall be considered equally, save in those situations covered by the Children's Act 1989 where the interest of the child are deemed to be paramount.

## 6.6 Gender and race

- Spalding High School promotes equality of opportunity between everyone and will eliminate unlawful discrimination and promote equality of opportunity.
- Our ethos and policy states clearly our commitment to eliminating unlawful discrimination and promoting diversity as a strength. This applies equally to issues of gender, colour, ethnicity, nationality and national origin.
- No student will be singled out for different and less favourable treatment from that given to other students based on the characteristics of gender and/or race.
- Spalding High School regularly monitors and checks procedures and practices to ensure that unfair treatment does not occur and adheres to the expectations of the school within our General Duty.
- Spalding High School will:
  - (a) Identify action needed to tackle discrimination and promote equality and good gender/race relations in school activities;
  - (b) Assess and monitor the impact of this policy on students, in particular the attainment levels of students from different gender/ethnic groups and make reasonable adjustments to address any identified under-performance;
  - (c) Track data of identifiable groups at least three times per year internally and at external data points such as terminal examinations. Outcomes will be analysed, shared and discussed between staff, leadership and governors at those data points. Global data will be published nationally following terminal examinations for Year 11 and Year 13;
  - (d) Record sexist/racist incidents as significant contraventions to our Behaviour for Learning Policy and deal with them appropriately. Tracking records will be kept, monitored, discussed regularly and published annually to governors.

## 6.7 Disability

- Spalding High School will promote equal opportunity and make reasonable adjustments for disabled students and staff. Reasonable adjustment will be made for disabled parents/carers and other visitors to the School. Visitors with particular needs relating to disability are asked to contact the School in advance of their visit so that access and reasonable adjustments can be discussed;
- Spalding High School will publish and maintain an Accessibility Plan to show how we will:
  - (a) Increase the extent to which disabled students can participate in the curriculum;
  - (b) Improve the physical environment to enable students to take better advantage of education, benefits, facilities and services provided;
  - (c) Improve the availability of accessible information to disabled students.
- The School will make reasonable adjustments to meet a disabled student's needs. Reasonable adjustments are not defined in law however, schools are expected to provide services or auxiliary aids for a disabled student which it would be 'reasonable' to do so and if such an aid or service would alleviate any substantial disadvantage that the student faces in comparison to non-disabled students.

- The Equality Act 2010 defines disability as when a person has ‘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’. Long term is defined as lasting, or likely to last for at least 12 months. It is important to recognise that having a disability is not the same as being registered disabled.
- Based upon the Equality Act 2010 definition there are going to be, at any single point, a number of students meeting this threshold definition. Such students are identified (known), supported, monitored and tracked through our pastoral procedures, Cause For Concern (CFC) process, SEND protocols and Medical Needs Policy. Some students may need a Personal Learning Plan or Medical Needs Pen Profile and this will be dealt with on an individual basis.

## 6.8 Religion or Belief, Sexual Orientation, Marriage or Civil Partnership

- Religion, belief, sexual orientation, marriage and civil partnership are all personal matters. Discrimination, harassment or victimisation are unacceptable and will not be tolerated.
- No student or staff member will be singled out for different or less favourable treatment based on these characteristics.
- Incidents contravening this expectation should be reported. Students should report infringements to pastoral staff and it will be dealt with within our Behaviour for Learning Policy. Homophobic, religious and belief-based incidents will be recorded and treated as significant contraventions and dealt with appropriately. Tracking records will be kept, monitored, discussed regularly and published annually to governors.
- Students and staff should note that extreme views and beliefs might be subject to the ‘Prevent Duty’ and as such reportable to the authorities as per the expectation of that duty.
- Staff should report any incidents of this nature to the Headmistress. Matters may be dealt with within the Lincolnshire County Council Dignity at Work Policy, Equality and Diversity in Employment Policy or appropriate discipline at work procedures.

## 6.9 Gender reassignment

- Protection from discrimination because of gender reassignment in schools is new for students in the Equality Act 2010 although school staff are already protected through employment legislation.
- Students will not be treated less favourably because of their gender reassignment.
- School will work proactively with the student and identify need and support on an individual basis.
- Incidents contravening this expectation should be reported. Students should report infringements to pastoral staff and it will be dealt with within our Behaviour for Learning Policy. Such incidents will be recorded and treated as significant contraventions and dealt with appropriately. Tracking records will be kept, monitored, discussed regularly and published annually to governors.

## 6.10 Pregnancy and Maternity

- Students and staff will not be treated less favourably because of pregnancy, breastfeeding, maternity or paternity.
- For staff these issues are supported by County policy and national legislation pertaining to terms and conditions of employment. If staff feel they have been the victim of discrimination, harassment or victimisation in these issues, they should in the first instance, speak with the Headmistress.

- Local Authorities have a duty under section 19 of the Education Act 1996 to arrange suitable full time education for any student of compulsory school age who would not otherwise receive such an education. This duty could include students (compulsory age) who become pregnant or are parents.
- Students who become pregnant (or expectant fathers) should speak to a member of the pastoral team as soon as possible in order to access the support, guidance and provision that they might need. Spalding High School will work positively and productively with expectant parents; the same applies to students who are parents joining us from other schools. Each case will be dealt with on an individual basis and reasonable adjustments made to support access to education.

## **Section 7: Reporting**

- 7.1 We are a caring school. More often than not, issues of concern are noticed quickly. Students and staff are, in the main, happy to tell us when things are not right. We encourage students, parents and staff to report incidents to us so that they can be investigated, dealt with and resolved quickly and carefully.
- 7.2 The route through which an issue might be dealt with may vary according to the person reporting the issue. For example, student related issues would typically be dealt with through the Behaviour for Learning Policy whilst staff concerns may be dealt with through the Staff Code of Conduct, Dignity at Work or Equality and Diversity in Employment Policy.
- 7.3 The School also has a comprehensive Complaints Policy procedure that may be called upon.
- 7.4 Generally speaking students are encouraged to speak to a member of the Pastoral Team and staff to either their Line Manager, Senior Leader or Headmistress. If the concern is about the Headmistress, parents or staff should report the matter to the Chair of Governors (contactable via the School address and telephone number) and if about the Chair of Governors, then Governor Support at the Local Authority as well as this, the Headmistress should be informed.
- 7.5 This reporting ladder does not apply to concerns relating to safeguarding and child protection. The referral ladder for these issues can be found in Appendix 1 of the School Safeguarding and Child Protection Policy.
- 7.6 Significant student incidents and complaints are reported to and monitored by the Governing Body.

## **Section 8: Involvement**

- 8.1 We recognise that successful implementation of our aims depends upon the engagement of all involved. This requires us to communicate our aspirations, policies and practices to students, parents, staff and Governors and to maintain this communication by reporting our progress.
- 8.2 In order to be successful, we need to reflect the views and desires of those involved in the School, and so we will consult with students, parents, staff and Governors as appropriate in order to identify areas for priority improvement and to receive feedback on our actions.
- 8.3 Successful consultation will depend on our reaching all people involved in the process, and ensuring that we receive the views of people from different groups.
- 8.4 We will consult on the development of our Equality and Diversity Policy, and in addition to also to develop specific actions in our Accessibility Plan.



## **Section 9: Assessing functions, policies and the General Duty**

- 9.1 As legislation prescribes, our 'functions' are our full range of duties and powers. Our 'policies' are the full range of formal and informal decisions that we take in carrying out our duties. In common with public authorities, we have some explicit 'policies' and other practices which are embedded in our day-to-day activities. We will assess those functions and policies relevant to equality on a regular basis.
- 9.2 Spalding High School is aware of and supportive in the Public Sector Equality Duty (PSED) or 'General Duty'. Our Accessibility Plan monitors, evaluates and reviews progress towards the three elements of the General Duty as well as our objectives and how we comply with the PSED.
- 9.3 The Accessibility Plan is a 'working document'. It is constantly referred to, updated and discussed. It is a standing item at the Governors' Pupil Support Committee, which the Equalities Link Governor attends. It is ratified annually by the Pupil Support Committee and published on the School website thereafter.
- 9.6 Formal policy reviews are generally undertaken bi-annually or as legislation changes. Students, staff parents and Governors are invited to take part in the consultation leading to policy ratification.
- 9.7 Decision makers in our School are aware of the duty to have 'due regard' to the three elements of the Public Sector Equality Duty when making a decision or taking action and assess whether it may have particular implications for people with particular protected characteristics.
- 9.8 The School considers equality implications before and at the point we develop policy and take decisions. This is not done as an afterthought.
- 9.9 The PSED is integrated into the School's functions and has been carried out seriously, rigorously and with an open mind. Spalding High School does not delegate this responsibility.
- 9.10 Whilst there is no legal requirement to keep written records to show active consideration and discussion, we try, wherever possible to record such accountability in documents such as meeting minutes for example.
- 9.11 Schools must publish information relating to persons who share relevant protected characteristics who are affected by our policies and practices. As an employer, we have fewer than 150 employees so do not need to publish this information. However, Spalding High School annually complete the School Workforce Census. We also evaluate our recruitment appointment performance appraisal and pay procedures to ensure that staff are treated fairly and equitably.
- 9.12 Generally speaking the number of students with (known) protected characteristics may be as low as three or fewer in each category. Schools must ensure that individuals are not identified through the publication of data. Details of larger groups of students with protected characteristics may be published on the School website annually or through the Department for Education as 'identifiable groups' or through validated performance data.
- 9.13 Spalding High School (and Lincolnshire County Council) do not record, hold or retain certain information relating to protected characteristics. An example of this would be sexual orientation. Any published student data therefore, may be incomplete and will not identify groups with three or fewer students with the protected characteristics.

9.14 Arrangements for gathering information about equal opportunities, protected characteristics and performance are broad and include:

- An 'it can happen here' attitude to issues;
- Individual students monitoring (three formal data points per year);
- Identifiable groups monitoring at teacher, middle leader, senior leader and governor level (three formal data points per annum);
- Individual monitoring of issues/concerns by pastoral and academic staff;
- Standards Committee standing item (three times per year);
- Full Board meetings (global data at least twice per year);
- Executive summaries to Governors and staff;
- Individual student target setting;
- SEND Procedures and Policy;
- Personal Learning Plans;
- Medical Needs Risk Assessments;
- Medical Needs Plans;
- Pastoral Support Plans;
- Parental questionnaires;
- Significant and comprehensive pastoral coverage;
- Cause for Concern (CFC) lists;
- Comprehensive Safeguarding procedures and protocols – all of which are given a high profile in school;
- Behaviour for Learning Policy;
- Significant Incident reporting form;
- Complaints Policy and Procedure;
- Admissions monitoring at Year 7 and Year 12;
- In-Year Fair Access procedures;
- Attendance monitoring and tracking, including annual Executive Summary published to staff and Governors.

9.15 **WHISTLEBLOWING**

- If a member of staff witnesses discrimination or becomes aware of an allegation of discrimination made against a colleague, it must be reported immediately to the Headmistress.
- If the allegation is against the Headmistress, it must be reported to the Chair of Governors.
- Allegations against the Chair of Governors must be reported to the Headmistress in the first instance and then to LCC Whistleblowing line 0800 0853716.