

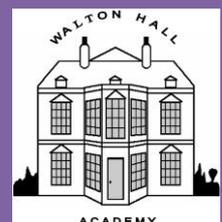
# WALTON HALL ACADEMY

## **EQUAL OPPORTUNITIES AND RACIAL EQUALITY POLICY**

*Developed:*

Revised: February  
2017

Review Date: February  
2018



# The Shaw Education Trust Walton Hall Academy

## **POLICY FOR EQUALITY OF OPPORTUNITY and RACIAL EQUALITY**

**This policy to be read in conjunction with the Equality Duty Policy 2012**

This document has a dual focus:-

The school as a place of learning

The school as a place of employment

### **SUMMARY**

#### **1.0 The Statement of Intent:**

- \* Ensure high quality education for all regardless of race; gender; age; sexual orientation or disability;
- \* Support the development of personal and cultural identities;
- \* Prepare students for full participation in society; and
- \* Comply with statutory requirements and the need to monitor and evaluate the policy.

#### **2.0. Statement of the Schools Ethos.**

Section 3 is The Strategies used to monitor and develop within an on-going process the ideal that the Statement of Intent describes. The Strategies are available to parent and students if required.

The Strategies cover:

- \* Staff recruitment and development: advertisements; shortlists; interviews; appointments; job sharing; training and promotion.
- \* School organisation: governing body; senior management; staff and student data; home liaison; language and student behaviour.
- \* School environment: communication; rooms; posters; sport and leisure areas; harassment and access.
- \* Community: cultural variety; parents/guardians; assemblies; community groups and local employers.
- \* Hidden curriculum: alphabetical registration; assemblies; concerts; public events; student seating; tasks and activities; teacher's public roles; letters to parents; positive images of people with disabilities.

- \* Formal curriculum: equal access; advice on courses; National Curriculum guidelines; School Development Plan; Departmental policies; learning support structure; options; work based learning; materials; assessment; rewards; sanctions; staff/student interaction and lesson content.
- \* Resources: positive images of varieties of people; monitoring for non-racist and non-sexist materials; awareness raising of stereotypes; access; library service and materials for EO inset.
- \* Assessment: testing; reports and Records of Achievement; range of methods; avoidance of stereotyping; no separate testing by gender; self-assessments; monitoring and analysis of sex differences and non discriminatory language/pictures.
- \* Special Educational Needs: stressing the positive; no biased assumptions underlying criteria for SEN; access to curriculum; PE; and role of SEN staff.
- \* Sex, race and disability harassment: disciplinary actions and formal procedures.
- \* Careers: raising aspirations beyond the stereotypes; links with employers and post 16 establishments; work experience and student/parent awareness of EO.
- \* Classroom interaction: teacher attention; student participation; co-operation rather than competition; group work; non-stereotyped tasks; mixed sex activities and seating.
- \* Language: non-sexist and non-racist language and illustrations and examples of non-sexist language.
- \* Pastoral care: cross curricular issue; discussions on stereotyping; parental awareness of EO policy; non-stereotyped role models; dress; behaviour; rewards and sanctions.

Section 4 is the Appendix and includes procedure for reporting all racial incidents.

## **Section 1**

### **STATEMENT OF INTENT**

- 1.01 This Statement of Intent is designed to ensure that The Shaw Education Trust (SET), BLACKFRIARS ACADEMY, COPPICE ACADEMY and WALTON HALL ACADEMY maximises the opportunities open to our members, provides high quality education for all, supports the development of personal and cultural identities and prepares our students for full participation in society.
- 1.02 Any number of factors may impinge upon an individual causing a lack of progress. Such factors include gender, ethnicity, culture, social class, disability, sexual orientation, ageism, special educational needs and any other unacceptable form of discrimination.
- 1.03 The Shaw Education Trust continually addresses these factors and positively breaks down any barrier to success they raise.
- 1.04 The Shaw Education Trust promotes and maintains the positive contribution made by individuals of all ages, backgrounds in all aspects of life, particularly those from backgrounds which are or have been dominated by one sex, ethnic group, culture, class or type of ability.
- 1.05 We encourage the success of sexes, and all ethnic groups, cultural backgrounds and abilities by the use of non-discriminatory teaching styles and materials as far as external examinations syllabuses permit.
- 1.06 We strive to provide and promote a curriculum free of overt or covert gender, ethnic, culture, class or ability bias.
- 1.07 In careers education we encourage enquiry into and take up of non stereotyped occupations.
- 1.08 The use of non-discriminatory language and behaviours are promoted at all levels within The Shaw Education Trust both formally and informally.
- 1.09 Equal opportunities are embedded in all job descriptions and referred to in the staff handbook and publicity materials.
- 1.10 In Academy and Shaw Education Trust meetings, practices and structures both sexes, all ethnic groups and abilities are encouraged to contribute and participate.
- 1.11 The implementation, monitoring and evaluation of the policy are included in the School Development Plans of academies across the Shaw Education Trust.
- 1.12 This policy applies to all members of The Shaw Education Trust and covers all areas of Academy life.
- 1.13 All other policy document decisions refer to the provision of Equal Opportunities.

1.14 This policy document has been produced in the light of current national guidance and legislation. This includes:

- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Education Reform Act 1988
- Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Human Rights Act 1998
- Data Protection Act 1998
- Evaluating Educational Inclusion – OFSTED 2000
- Gender Equality Duty April 2007,
- Codes of Practice from Equality Commissions - Commission for Race Equality, Disability Rights Commission, Equal Opportunities Commission

A summary of the Race Relations (Amendment) Act and its implications for schools is included as Appendix C

1.15 The Shaw Education Trust Equal Opportunities Policy is a whole Federation policy setting down in detail definitions of terms and the strategies by which this Statement of Intent can be realised as an on-going process.

## Section 2

### A STATEMENT OF THE SHAW EDUCATIONS TRUST'S ETHOS

- 1.01 At The Shaw Education Trust we are committed to equality and celebrate diversity: of culture, race and talent.
- 1.02
- |  |
|--|
| <ul style="list-style-type: none"><li>• We strive to ensure that everyone is given opportunities to value their own contribution to the Shaw Education Trust and to have this recognised and valued by others</li><li>• We ensure that all pupils and staff are encouraged and able to achieve to their full potential;</li><li>• We respect and value differences between people.</li></ul> |
|--|
- We prepare pupils for life in a diverse society;
  - We acknowledge the existence of racism and take steps to prevent it;
  - We make the Shaw Education Trust a place where everyone, irrespective of their race, colour, ethnic or national origin, feels welcomed and valued;
  - We promote good relations between different racial groups within the Shaw Education Trust and within the wider community;
  - We ensure that an inclusive ethos is established and maintained;
  - We oppose all forms of racism, racial prejudice and racial harassment;
  - We are proactive in tackling and eliminating unlawful discrimination.
- 1.03 We recognise the unique nature of the academies within the Shaw Education Trust and strive to ensure that pupils have access to role models and experiences which widen their horizons so that they do not set limits on what they themselves, or others, are able to accomplish.
- 1.04 We aim to promote good relationships between all persons in the federated community and to build an atmosphere of mutual trust and confidence. Recognising that this enhances teaching and learning as well as making the academies happier places to work.

## Section 3

### STRATEGIES FOR EQUAL OPPORTUNITIES and RACIAL EQUALITY

#### **1.00 STAFF RECRUITMENT AND DEVELOPMENT**

- 1.01 Non-discriminatory advertisements are used and all staff are advised of vacancies at the same time. All advertisements are mindful of the Safer Recruitment Policy.
- 1.02 In selections for interview there is no ethnic, age or disability discrimination (conscious or unconscious) subject to the constraints of the building.
- 1.03 All applicants have the right to a reply if they wish to know the reason why they have not been shortlisted.
- 1.04 Where possible the option of job sharing is provided.
- 1.05 There are both women and men on interview panels.
- 1.06 When appointments are made consideration is given to
  - a) the provision of positive role models
  - b) the necessity to fulfill the policy for intimate care
- 1.07 There is no variation in the way candidates are interviewed and the same standards of judgment are applied to all regardless of gender, ethnicity, age and physical differences.
- 1.08 Whilst consideration is given to the balance of male/female teaching staff and a balance of women/men on incentive allowances, all staff appointments are made on merit irrespective of age, gender or ethnicity.
- 1.09 Equal Opportunities awareness/training will be seen as an ongoing part of all staff and governor development.
- 1.10 Support is offered to both sexes of all ages and all ethnic groups with regard to seeking promotion. Where possible, training is given to enable employees to have an opportunity of promotion and progression according to their ability and potential.

#### **2.00 THE SHAW EDUCATION TRUST AND ACADEMY ORGANISATION**

- 2.01 The governing body aims for a balanced gender, ethnic and class profile, whilst recognising the imbalance within the unique sector The Shaw Education Trust's schools serve. One named governor has responsibility for Equal Opportunities.
- 2.02 For EO monitoring staff files are updated to include information on their ethnic origin. Information is available on students' ethnic origins, home

language and religion.

- 2.03 Senior management reflects and actively supports Equal Opportunity work within The Shaw Education Trust.
- 2.04 The governing body develops appropriate procedures to enable it to meet its legal responsibilities relating to EO.
- 2.05 The Shaw Education Trust has regular contact with and makes use of local support services for EO.
- 2.06 The Shaw Education Trust is sensitive to the diversity of family patterns with respect to home liaison.
- 2.07 The use of non-discriminatory language and behaviour is promoted at all levels within the schools both formally and informally.
- 2.08 Student take up of courses; placement of students in particular groups; examination entries; assessment/examination results; trancies; exclusions; suspensions; and post 16 destinations are monitored for EO.

### 3.00 **THE ENVIRONMENT OF THE ACADEMIES WITHIN THE SHAW EDUCATION TRUST**

- 3.01 Signs and all communications around the academies reflect our commitment to EO, so as to encourage active participation by students from all social groups in all aspects of life. E.g. boys and girls are encouraged to join clubs normally associated with opposite sex.
- 3.02 All rooms provide a non-sex biased and non-racist environment with posters and other materials reflecting the role of both sexes, many ethnic groups and people with disabilities in each subject area.
- 3.03 Sports and leisure areas provide sufficient space for both sexes and disabled students to participate fully in all sporting leisure activities.
- 3.04 We aim for certain games not taking over and no groups of students intimidating others in any recreational or educational area.
- 3.05 All students are aware there are rules prohibiting harassment, abuse, graffiti and name-calling in all academy areas and on journeys to and from the academy.
- 3.06 Every effort will be made to ensure that students of all abilities and backgrounds can take part in visits, exchanges, field studies, plays and musicals, sporting activities. Differences in financial circumstances should not lead to inequality of access in such situations.

3.07 Access for disabled people to all educational facilities is provided. Staff will seek to ensure that pupils have equal access to teachers' attention, to equipment and to learning opportunities using technological and other aids as necessary to facilitate this.

#### 4.00 **COMMUNITY**

4.01 Account is taken of the variety of cultural, ethnic and class backgrounds of students in discussion of Equal Opportunities and in the development of The Shaw Education Trust policy. We aim to eliminate any social class bias.

4.02 There is a close partnership with parents/guardians on EO issues. The Shaw Education Trust's EO policy is available to all parents and if necessary, in languages other than English.

4.03 Gender, ethnic and disability implications of educational issues are discussed with parent/guardians as a matter of routine.

4.04 Assembly time and special events are used as a vehicle to raise awareness of other cultures and raise awareness of EO issues and help prepare pupils for life in multi-cultural, multi-faith society.

4.05 When community members are invited into the schools those with non-traditional jobs and interests are included to enable students to be given a range of non-stereotyped role models.

4.06 Good links are promoted with all community groups, including people from different ethnic backgrounds, people with disabilities and people of different ages.

4.07 The Shaw Education Trust is involved in discussions with local employers about the importance of EO issues.

4.08 Students with disabilities and additional learning needs are offered every opportunity to fulfill their potential and take their rightful place in the community.

#### 5.00 **HIDDEN CURRICULUM**

5.01 Students are registered and grouped alphabetically unless this is inappropriate educationally.

5.02 A variety of female and male speakers is aimed for in assemblies.

5.03 Seating is arranged to enable personal choice within the constraints of physical management whilst encouragement is given for girls and boys to mix.

5.04 Equal time and attention is given in assemblies to girls` and boys` sports and

activities in proportion to their achievements.

- 5.05 The provision of clubs and outings covers a wide range of activities attractive to both sexes.
- 5.06 Teachers` public roles are not gender or ethnically stereotyped.
- 5.07 Both sexes, people of ethnic origin and people with disabilities are considered as speakers, guests and award winners when planning Federation events such as fetes and celebration of achievement.
- 5.08 During The Shaw Education Trust events students` tasks are allocated according to age or interest rather than gender and girls and boys are encouraged to experience tasks not traditional to their sex.
- 5.09 In site specific Academy music concerts and productions, both sexes are encouraged to participate equally in singing, dancing and playing instruments.
- 5.10 Letters to parents and guardians do not suggest particular tasks or roles are suitable for certain sexes.
- 5.11 Positive images are displayed of people with disabilities/additional learning needs and their achievements in society. Where negative images of these people exist they will be removed.

## 6.00 **FORMAL CURRICULUM**

- 6.01 All students have equal access to all aspects of the curriculum and are provided with opportunities to fulfill their potential.
- 6.02 Staff are made aware of their obligations to equal opportunities as directed by the National Curriculum and have access to Guidelines 3 and 8. (see appendix D).
- 6.03 Equal Opportunities are included in the Academy Development Plans.
- 6.04 All departments will review their policies and schemes of work in the light of the academy`s EO policy.
- 6.05 There is a learning support structure within each department of each Academy.
- 6.06 During transition between Key Stages 3 and 4 strategies are used to counter stereotyping in advice about courses and the acquisition of skills and qualifications.

- 6.07 Students are encouraged and equipped to opt, if they so wish, for subjects which are untypical of their gender, culture or background and to pursue each curriculum area.
- 6.08 All students are given access to appropriate and meaningful work-based learning.
- 6.09 Assessment techniques and teaching materials are examined for gender, ethnic or class bias and as far as funding allows, adjusted appropriately.
- 6.10 Material and teacher resources are appropriate to the needs of all levels of ability.
- 6.11 Staff are aware of the need to speak to, praise and reprimand students similarly, regardless of sex, ethnicity or ability.
- 6.12 Staff avoid stereotyped language towards students, such as “I need two strong lads....” and towards the use of language which does not exclude or discriminate against particular groups.
- 6.13 Staff have the same expectations of work habits (e.g. punctuality, presentation, self-motivation and general discipline) of all students regardless of gender, ethnicity or ability.
- 6.14 There are discussions across the curriculum on the issues of sexism, racism and equality for people with disabilities.
- 6.15 In planned learning experiences content, over time, the lives, achievements and concerns of girls, women, ethnic and disabled people are described as fully and forthrightly as those of boys, men, white and able-bodied people.

## 7.00 **RESOURCES**

- 7.01 We recognise that it is especially important within the Shaw Education Trust, which has a mostly white population, to provide other cultural images.
- 7.02 All Shaw Education Trust staff monitor, review and if necessary replace books and resources that are inappropriate.
- 7.03 When purchasing new books, teaching materials and videos for all areas of the curriculum, we take into account non-sexist and non-racist materials.
- 7.04 These materials are used to expose all students to positive images of both women and men they present the lives of people from different cultures and countries and people with disabilities in positive ways.
- 7.05 All students have access to these materials regardless of ability.
- 7.06 The Library Service is used, where possible, to monitor stock to ensure a

good representation of women and ethnic writers and subjects appealing to both sexes and all cultures.

7.07 Resources are analysed to identify examples of stereotyping and negative stereotypes are used to raise awareness.

7.08 There will be an ongoing programme to improve resources, access and availability of facilities for pupils with sensory or physical disabilities.

#### 8.00 **ASSESSMENT, TESTING, REPORTS AND RECORDS OF ACHIEVEMENT**

8.01 A range of assessment methods are used so that both sexes and all ethnic and social groups get an equal chance to do well.

8.02 In assessments we avoid uncritically praising girls for quietness or marking down boys for boisterous behaviour.

8.03 We take into account research which has shown that in self-assessment girls tend to downgrade ability whereas boys often upgrade theirs.

8.04 Annual Reviews are monitored for stereotypical comments which stress the appearance and manner of students rather than their skills and abilities.

8.05 We include examples in questions to relate to both sexes and where appropriate to a selection of cultural and racial groups.

8.06 Separate tests or different pass levels are never set for each sex and test results are not adjusted for sex in any way.

8.07 Differences between female and male examination/tests results are monitored and made available for LA and parents. However, to minimise negative effects on students, we avoid publicising these results separately.

8.08 The same criteria are used in reports/profiles to assess both sexes and students from all cultural and social backgrounds.

8.09 Language, pictures and examples in tests are non-sexist, non-racist and reflect a variety of cultural and ability backgrounds.

8.10 Where possible assessment results are analysed to compare female and male performance and action is taken to investigate and reduce imbalances if they occur.

#### 9.00 **SPECIAL EDUCATIONAL NEEDS**

9.01 Assessment and the recording of performance stress the positive rather than negative aspects with regard to students with special needs.

9.02 There are no sexist, social, cultural or ethnic assumptions underlying the

criteria for identifying young people with special needs.

- 9.03 The whole academy policy covers gender and ethnic equality with special needs.
- 9.04 It is recognised that students with disruptive behaviour may have different special needs to those with learning difficulties.
- 9.05 Our aim is to give attention to compensatory teaching across the whole curriculum but the development of Literacy and Numeracy is of paramount importance.
- 9.06 Students across the Shaw Education Trust receive the same access to the curriculum as their mainstream peers although in some cases the curriculum will be adapted.
- 9.07 As much effort as possible is made to provide varied active physical education without segregation for all students who have physical or sensory disabilities.

10.00 **SEXUAL, RACIAL AND DISABILITY HARASSMENT**

- 10.01 Every effort is made to promote this Equal Opportunities Policy so that people's differences are seen as an enrichment to the Shaw Education Trust community rather than as an impoverishment.
- 10.02 The Shaw Education Trust expects all its members to respect each other equally regardless of ethnicity, gender and ability.
- 10.03 The Shaw Education Trust actively seeks to prevent and address racism by challenging racism in all its forms.
- 10.04 The Shaw Education Trust takes the implication of sexual, racial or disability harassment very seriously and will take disciplinary action against it. It provides formal procedures for recording and dealing with any instances of harassment or any instances of language by staff and students which is racist, sexist or demeaning to people with disabilities.
- 10.05 All staff, including support staff, are familiar with these procedures and it is expected that they will challenge any heterosexual, homosexual, racial or disability harassment and other forms of bullying.

11.00 **CAREERS**

- 11.01 Careers education at Key Stages 3 and 4 and beyond aims to raise aspirations beyond existing traditional roles.
- 11.02 Non-stereotyped resources and projects/exhibitions cover people in non-traditional careers.

- 11.03 Links with employers and post 16 establishments are established to identify any problems with low aspirations or stereotyped subject choice in female, male ethnic and disabled students.
- 11.04 Employers are encouraged to accept students during Work Experience in non-traditional areas and to give them additional support as necessary.
- 11.05 Strategies are developed to ensure that all students have the opportunity to acquire the same skills and qualifications.
- 11.06 Local colleges and employers are asked to organise events in order to encourage all students to look at non-stereotypical career choices.
- 11.07 Students are made aware of the legislation which protects equal opportunities for all people in the world of work.
- 11.08 We work to raise parents` awareness of EO issues in Careers Choices.

12.00 **CLASSROOM INTERACTION**

- 12.01 Teachers try to divide their attention fairly between all students not giving special attention to one sex, ethnic group or ability level.
- 12.02 Both sexes are encouraged to contribute in class by teachers listening attentively and discouraging any negative feedback from the opposite sex.
- 12.03 A similar tone of voice is used to both sexes and all abilities and similar quality responses are expected whether from girls and boys. All topics are appropriate for discussion by both sexes.
- 12.04 Co-operation between girls and boys is encouraged and unnecessary competition between the sexes is discouraged.
- 12.05 We do not link praise or blame to the student`s sex by saying, for example, "don`t worry boys usually find it hard" or "try to act like a lady".
- 12.06 When appropriate, small groups are used, so all students equally contribute.
- 12.07 All tasks, such as tidying up or messy jobs are given to both sexes, and they are encouraged to do non-traditional tasks.
- 12.08 Students` informal behaviour and play patterns are observed and where appropriate stereotyped assumptions are challenged.
- 12.09 In games, competitions and non-contact sports, mixed sex and ability teams are encouraged.
- 12.10 In mixed groups both sexes take on a fair variety of roles.

12.11 Classroom seating is arranged so no groups of students is marginalised or has less space than other groups.

13.00 **LANGUAGE**

13.01 In any information to parents young people are not solely defined as “he” and descriptions of activities suggest they are suitable for both sexes.

13.02 Non-sexist and non-racist language and illustrations are used in all internal and external school publication. For example sexist terms with non-sexist alternatives:

Man, mankind.....people, humanity, men and women, human-beings, individuals, humankind

Men of Science.....scientists and discovers

Man and his world.....history of peoples

Man and his environment.....people and the environment

When men first discovered fire.....when fire was first discovered

If a man takes four hours to.....if it takes four hours to

The man in the street.....ordinary people

Manned by.....worked, staffed run by

Man-made.....artificial, synthetic, manufactured

Workmanlike.....competent

Businessman.....business executive

Fireman.....fire-fighter

Policeman.....police officer

The woman doctor.....doctor

Man and wife.....husband and wife

14.00 **PASTORAL CARE INCLUDING REWARDS AND SANCTIONS**

14.01 EO in pastoral care is not confined to the pastoral system and should be viewed as a cross-curricular issue.

14.02 Teachers actively encourage open discussion of traditionally viewed male, female, ethnic or disability stereotypes.

14.03 Students are given opportunities to see women and men in a variety of traditional work and home based roles.

14.04 Both sexes are treated the same in terms of behaviour, dress, jewellery, punishments and rewards.

14.05 Stereotyped assumptions are avoided about who needs pastoral attention, such as disruptive boys rather than girls who opt out quietly.

14.06 Sanctioning procedures respond to the misbehaviour and not to the students` sex, ethnicity or ability.

- 14.07 Rewards will be regularly renewed to ensure that all pupils have chances to gain prizes and other rewards for achievement and are not penalised because of their physical/learning difficulties.
- 14.08 The Shaw Education Trust will continue to have a Celebration of Achievement evening.
- 14.09 Prefects will be appointed, where appropriate, with every effort being made to ensure that the group reflects the social, racial and academic mix within the school.
- 14.10 Good behaviour will continue to be positively reinforced rather than giving a high profile to pupils misbehaving.
- 14.11 All members of the Shaw Education Trust community understand that name-calling, bullying or biased attitudes and behaviour are unacceptable.

15.00      **MONITORING AND EVALUATION**

15.01      The policy for EO will be reviewed on an annual basis by the governors.

**Section 4**  
**GRIEVANCE PROCEDURE**

1.00      **INTRODUCTION**

1.01      Any grievances arising from internal working relationships and for use by all staff within the Shaw Education Trust will be dealt with in accordance to The Grievance Procedure for Staff in Schools Staffordshire Local Authority 2006.

Adopted (AJ and FB) Summer 2010

Reviewed by AJ; FB; PAC Autumn 2011, 2012

Reviewed as the SET Autumn 2014

Update reviewed as the SET January 2016

## **Appendix**

- A. A Definition of Terms relating to Equal Opportunities. Many of which are used in the policy.
- B. Legal Obligations.
- C. THE RACE RELATIONS (AMENDMENT) ACT 2000 A DUTY TO PROMOTE RACE EQUALITY.
- D. Legislation.
- E. National Curriculum
- F. Examples of practices which could be considered to be illegal.
- G. Examples of conscious and unconscious discrimination.
- H. The impact of sexism on the curriculum.
- I. Pastoral care.
- J. County documents supporting Equal Opportunities.

### **A. DEFINITION OF TERMS**

- 1.01 Equality is a term used in this policy to reflect the view that all people are of equal value and positive action is taken to ensure that unjustifiable obstacles to equal opportunity and access are identified and removed. "Equal treatment" does not necessarily mean "the same treatment".
- 1.02 Discrimination is the treatment of one person or groups of persons less favourable than another. Direct discrimination is when someone is treated less favourably because they are, or are perceived to be, a member of a particular group. Indirect discrimination occurs when a condition is applied to everyone but is such that a smaller proportion of a particular group can comply with it than others.
- 1.03 Gender is the socially or culturally defined differences ascribed to females and males. People are born with sex differences but learn gender differences.
- 1.04 Disability usually applies to people who are physically or mentally

disadvantaged e.g. hearing impaired, visually impaired, wheelchair users, people with speech impediments and certain medical conditions.

- 1.05 Special Educational Needs - Any pupil may have a special educational need for part or all of their school career. Their need may require learning support, language development or additional social/emotional education. It may include especially gifted children.
- 1.06 Ethnicity is legally defined as belonging to an “ethnic group” which regards itself and must be regarded by others, as a distinct community by virtue of two essential characteristics: a long shared history and cultural tradition of its own. Travellers and Afro-Caribbean’s are examples of such groups.
- 1.07 Race is a word commonly used to describe groups of distinctive cultural groups on the basis of physical appearance. The term has now been discredited by modern science which has shown that a biological category of race is meaningless when applied to the human species. Human beings share a common gene pool and there is much more genetic variation within each so-called racial group than between them.
- 1.08 Culture refers to the system of beliefs, assumptions, sentiments and perspectives which members of a group have in common. Every individual may participate in a variety of different cultures so most cultural groups are in a state of change.
- 1.09 Mixed race is the accepted term to describe the ethnicity of a person born with a mixed heritage. The term “half caste” is not acceptable.
- 1.10 Black is the term favoured in this country by most Afro-Caribbean and African peoples to describe their ethnicity. “Coloured” is not acceptable (though in the USA “people of colour” is the accepted term for all non-white people).
- 1.11 Sexism is discrimination on the basis of gender. It refers to the ways in which underlying attitudes, practices and structures lead to inequality between the sexes. These are not always expressed in conscious or overt ways.
- 1.12 Sex-stereotyping is a fixed and over simplified idea of the usual behaviour, the abilities or the aspirations of persons based on sex.
- 1.13 Sexual harassment is unwanted verbal or physical approaches, sexually derogatory statements or sexually discriminatory remarks made by someone in the workplace which are offensive to the recipient or which cause the recipient to feel threat, discomfort or humiliation.  
The National Union of Teachers definition of five aspects of sexual harassment is helpful:
1. Physical assault
  2. Demands for sexual favours
  3. Compromising invitations

4. Unnecessary touching and unwanted physical contact
5. Suggestive remarks or other verbal or written abuse

- 1.14 Anti-sexist approaches actively challenge sexist discrimination and seek to provide positive alternatives. Staffordshire LEA recognises that sexism is incompatible with good educational practice and seeks to redress current inequalities. An anti-sexist approach does not intend to make girls and women just like boys and men or vice versa.
- 1.15 Non-sexist approaches do not reinforce inequality.
- 1.16 Formal curriculum is the planned learning experiences which take place in schools.
- 1.17 Hidden curriculum is the unplanned learning experiences which take place in schools.

## **B. LEGAL OBLIGATIONS**

The LA, Headteachers, Principals and Governing Bodies bear a legal obligation to ensure that no pupil or student is discriminated against on the grounds of her or his gender, race, ethnicity or cultural background.

Schools have a legal responsibility to ensure the elimination of discrimination (Gender Equality Duty – GED April 2007, Race Relations Act 1976, Race Relations (Amendment) 2000, Sex Discrimination Act 1975), and voluntarily seeks guidance from the Code of Practice for Age Diversity 1999.

Schools have a statutory duty to ensure that all pupils receive their entitlement to the National Curriculum (Education Reform Act 1988).

Schools have a legal duty to make provision for pupils with special educational needs (Education Act 1981).

## **C.THE RACE RELATIONS (AMENDMENT) ACT 2000**

### **A DUTY TO PROMOTE RACE EQUALITY - What does this mean for schools?**

#### **1. What is the general duty?**

The Race Relations (Amendment) Act 2000 came into force on 2 April 2001 and places a general duty on schools to promote race equality. This general duty means that schools must aim to:

- eliminate unlawful racial discrimination;
- promote equality of opportunity; and
- promote good race relations between people of different racial groups.

The general duty is obligatory, which means that it must be met. Schools cannot claim that they do not have the resources to meet their responsibilities. These responsibilities should be built into the work that schools already do.

The weight given to race equality should be in proportion to its relevance. However it is important to note that "proportionality" and "relevance" is not dependent on the size of the minority ethnic population in a school. Race equality is important, even if there is no one from a minority ethnic group in the school or local community. Education plays a vital role in influencing young people and developing positive attitudes to diversity.

The general duty will be particularly relevant to the functions of schools such as admissions, assessments; raising pupils' attainment, curriculum development and delivery, behaviour and discipline (including exclusions), staff selection and recruitment.

What this means in practice is that schools need to:

- have a pro-active approach;
- "mainstream" race equality by building it into existing policies and procedures;
- meet all three parts of the general duty.

#### **2. What are the specific duties?**

The specific duties are meant to help schools and academies to meet the general duty. The specific duties for schools/academies are to:

##### **a) Prepare and maintain a race equality policy**

This policy should:

- deal with race equality explicitly and transparently
- address tackling racial discrimination and promoting equality of opportunity and good race relations
- take account of the school's character and circumstances
- lead to action resulting in positive outcomes

- link to strategic planning and decision making
- link to other policies
- explain how it will be monitored and evaluated
- explain roles and responsibilities

The race equality policy can be combined or be part of another policy such as an equal opportunities policy or inclusion policy. However to meet the duty, the race equality policy should be easily identifiable.

### **b) Assessing the impact of policies**

Under the duty, The Shaw Education Trust must assess the impact of policies, including its race equality policy, on pupils, staff and parents from different racial groups. In particular, The Shaw Education Trust should assess whether the policies have, or could have, an adverse impact on the attainment levels of pupils from different racial groups.

To support the assessment of policies The Shaw Education Trust:

- builds key assessment questions into policy development and review processes
- carry out assessments drawing on monitoring data, surveys, consultation, etc
- ensure that the information gathered is used to inform and influence planning and decision making by the leadership team and governing body.

### **c) Monitoring the impact of policies**

Under the duty, The Shaw Education Trust monitors the impact of all policies on pupils, staff and parents from different racial groups. In particular we monitor the impact of policies on pupils' attainment levels.

Monitoring will involve:

- collecting and analysing data to measure our performance and effectiveness
- monitoring attainment and progress by racial group, analysing it and using it to examine trends
- monitoring other areas that could have an adverse impact on pupils' attainment such as exclusions, rewards and sanctions, attendance, racial harassment and bullying, parental involvement, membership of the governing body.

In particular, monitoring data helps The Shaw Education Trust to:

- highlight any differences between pupils of different racial groups
- ask why these difference exist and test the explanations given
- decide what further action needs to be taken to improve the performance of pupils from different ethnic groups
- review and set targets in relevant strategic plans

## **3. How are the duties enforced?**

Under the Act, the CRE has the power to enforce the specific duties. If it is felt that The Shaw Education Trust is not meeting these duties, the CRE can issue a "compliance" notice.

This is a legal document that orders a school to meet the specific duties within a certain time scale. If the Shaw Education Trust does not obey any part of the notice, the CRE can apply to the High Court for a court order to make a school do so.

The general duty can also be enforced through a judicial review. This means that the High Court will consider whether the Shaw Education Trust took appropriate action to meet the duty. If the court finds that the Shaw Education Trust did not take appropriate action, it will not have met the general duty and can be ordered to do so. Anyone who has an interest, including the CRE can apply for a judicial review.

Although the Shaw Education Trust does not have to follow the Code of Practice, we do have to show that we are meeting the duties. The Code of Practice can be used as evidence in any legal action under the Act.

#### **4. Specific Duties: Employment**

Staffordshire local authority must annually monitor and report on ethnic data therefore The Shaw Education Trust and all of its academies must supply ethnic data on:

- staff in post
- applicants for employment, training and promotion
- if staffing ever reaches 150+ full time staff, grievances, training, discipline, reasons for leaving

#### **6. What help can schools get?**

The LEA has produced "*Guidance on Writing an Equal Opportunities Policy*". This guidance is designed to support schools in developing and writing an equal opportunities policy, which includes the requirement on schools to have a race equality policy.

Other key documents produced by the LEA include:

- Education for a Multicultural Society: A Statement of Intent

"*Learning for All: Standards for Racial Equality in Schools*" is a handbook produced by the CRE and provides a framework of race equality standards which schools can use to assess the effectiveness in promoting race equality. This valuable handbook has been distributed to all schools and may provide a useful starting point in helping schools to address the new duties of the Race Relations (Amendment) Act. The handbook can also be downloaded from the CRE's website at [www.cre.gov.uk](http://www.cre.gov.uk)

### **C. OTHER LEGISLATION**

School inspection: A Guide to the Law Ofsted 1997)

1. Four main Acts cover equality of opportunity in education. These are the Race Relations Act (RRA) 1976 alongside the Race Relations (Amendment) Act 2000 and the Sex Discrimination Acts (SDA) 1975 and 1986 and the Disability Discrimination Act (DDA) 1995

and the Gender Equality Duty (GED) April 2007. Schools have a responsibility to both pupils and staff under these Acts. The RRA, the SDA and the DDA are based on the principle of equal treatment and the GED upon promoting dignity for transsexual men and women and those undertaking gender reassignment. It is unlawful to: discriminate against a person on grounds of sex, marriage, disability, colour, race, nationality or national or ethnic origin; positively discriminate in favour of a person or group of persons on racial or sexual grounds; have a quota system for particular racial or gender groups; and to discriminate against a woman because she is pregnant. It is also unlawful under the RRA and SDA to give instructions to discriminate, or to pressurise someone to discriminate. Sexual and racial harassment are generally both unlawful in the employment context. It is an employer's responsibility to provide a working environment for all employees which is both safe and harassment free. Under the DDA, RRA and SDA, it is unlawful to discriminate against a person because they have taken action under the Acts, or who may be involved as a witness in a case of alleged discrimination. The RRA and the SDA allow employers, institutions of education and other training organisations to take positive action to help counteract the effects of past discrimination and causes of disadvantage and thereby achieve genuine equality of opportunity. However, when the time comes to select people for jobs, there must be no discrimination: applicants must be considered and appointed regardless of race or sex. Public authorities will also need to look at how their employment policies affect transsexual men and women. Positive discrimination will, however be lawful under the DDA.

### **Equal Opportunities for Pupils**

2. Schools must observe certain standards in the treatment of pupils and staff and they have a general duty placed on them by law to ensure that facilities for education are provided without racial or sex discrimination. In education equal opportunities means treating pupils lawfully and fairly, providing facilities for their education without sexual or racial discrimination and with full regard to their age, gender, ethnic background, aptitude and any special educational needs. All schools are encouraged to keep a written statement of their equal opportunities policy.

### **The Responsibilities of School Governors**

3. It is against the law for governing bodies to discriminate against children applying to be admitted, pupils, job applicants or staff because of their sex, married status, race, colour, nationality or national or ethnic origins. Governing bodies are responsible under the law for any discriminatory acts of the head or staff and could be taken to Court or Industrial Tribunals. The Secretary of State has powers to direct the governing body if he or she believes they have not kept to the SDA or RRA. A complaint may also be taken to the County Courts.

4. As the governing body is responsible for admissions, there must not be different admission rules for pupils with different races for boys or girls; and admission rules must not include criteria which can be met by a considerably smaller proportion of pupils of one racial group than others, or of one sex than the other, unless those criteria can be justified. For example, if admissions were determined by catchment areas that disproportionately excluded pupils from particular racial groups, this would be unlawful, unless it could be justified, for example on nearness to the school. However, a single-sex school can remain single-sex under the Sex Discrimination Act 1975.

5. The governing body must not discriminate against any pupil on the grounds of sex or race in providing teaching or allocating pupils to teaching groups. For example, schools should not try to balance the numbers of boys and girls in any particular class or stream, if this is likely to be detrimental to one sex. However, single-sex classes within mixed schools are lawful provided that the facilities provided to each sex are regarded as equivalent. Standards of behaviour, restrictions on dress and appearance, school rules and disciplinary methods including exclusion must be applied consistently to pupils regardless of their sex or race. Careers guidance and work experience must be provided on a non-discriminatory basis; however, positive action is allowed to encourage young men and women into non-traditional types of employment. The allocation of resources and access to extra-curricular activities and other opportunities, facilities and services of the school must be equally available regardless of sex or race. While extra-curricular sports may be offered by associations which are exempted from the SDA because of their voluntary status, where activities are offered by the school equality of access is required. Within the employment provisions of SDA sexual harassment is seen as a form of sex discrimination and it is possible that a pupil complaining of sexual harassment by a teacher or another pupil could pursue a civil law claim against the school under the education provisions of the Act. The same applies to racial harassment within the terms of the employment and education provisions of the RRA.

6. Governing Bodies must also now comply with the Disability Discrimination Act (DDA) 1995. The Act brings in new laws and measures aimed at ending the discrimination which many disabled people face. The Act gives disabled people new rights in the areas of employment; access to goods and services; buying or renting land or property and access to public transport. The Act also requires schools to provide information for disabled people. The Act defines a disability as “a physical or mental impairment which has a substantial and long term effect on a person’s ability to carry out normal day-to-day activities”. The Act covers disabled people and people who have had a disability in the past.

7. The main parts of the Act which affect governing bodies are the employment and education provisions. Under the employment provisions which took effect on 2 December 1996, governing bodies who employ 20 or more staff must not discriminate against current or prospective staff with disabilities, without good reason, because of their disability. This applies to all employment matters (including recruitment, training, promotion and dismissal). Employers will also have a duty to provide any necessary reasonable adjustments to their employment arrangements or to the physical features of their premises for disabled employees and applicants.

8. The education provisions of the DDA which came into force on 1 January 1997 build upon the Education Act 1993 (consolidated in the Education Act 1996) which aims to provide all pupils with special educational needs, including disabled pupils, with an education and school place appropriate to their needs. (As a special school there arrangements are not pertinent to Blackfriars School as all aspects are met within our specialist provision).

9. In response to the DDA the school has developed an Access Policy (Spring 2003) which addresses the physical access and broader issue of accessibility of the Curriculum. The school is proud of its achievement in gaining the Inclusion Quality Mark (Summer 2003) and Every Person Matters (2007).

10. Schools must continue to publish their special educational policy. They must ensure that this readily available to parents and our school's prospectus must include a summary of the policy.

11. The DDA also makes it unlawful for anyone who provides goods, facilities or services to the public to discriminate against disabled people. Service providers must treat disabled people the same way they would treat other people, when offering or providing a service or facility whether paid or free. Education which is funded, or secured, by a relevant body (such as an LEA, the FAS, or voluntary organisations) or provided at an establishment which is funded by such a body or a Minister of the Crown or at a school, is excluded from the goods and services provisions of the Act. The exclusion also covers services which are very closely related to education such as the youth service (whether provided by a local Education Authority or the voluntary sector), some examination and assessment services and facilities for research students. The DFEE takes the view that the other services which are provided on school premises (for example, where a Parent Staff Association organises fund-raising events such as jumble sales, boot sales, dances, or where school sports facilities or other school accommodation is provided to members of the public) are subject to the duties placed on service providers under the goods and service provisions of the Act.

12. The Code of Practice for Age Diversity 1999 although not making age discrimination lawful gives guidance for appropriate criteria when making appointments and redundancies. The Governors will ensure that when posts are advertised no upper age limit will be set and appointments will be made upon levels of experience and suitability.

13. In response to the Gender Equality Duty (GED) April 2007. Public authorities will also need to look at how their employment policies affect transsexual men and women. Governors must ensure that:

- ❖ Our practices and procedures support the dignity and privacy of trans people.  
For instance, when requesting identification from employees, we do not restrict it to items such as birth certificates. If so, a transgender person may have to inadvertently reveal their original sex against their wishes as they may not have been able to obtain a corrected birth certificate.
- ❖ As a place of employment our school has a policy on supporting employees who are undergoing gender reassignment or 'transition'.  
Staff for whom this aspect is an issue may seek support from the Headteacher and Chair of Governors in confidence. The school accepts that a period of 'transition' might give rise to difficulties within the setting but every effort would be made to meet the needs of individuals and to maintain their dignity during such times. No form of sexual harassment would be tolerated and every effort made to mediate in any circumstances where difficulties with staff or students arose.
- ❖ As a place of employment there are no policies or procedures knowingly putting obstacles in the path of prospective employees who are transsexual.
- ❖ Students within the Further Education Department who feel that gender reassignment is an issue for themselves would be given support to seek the appropriate medical and

emotional guidance. No form of teasing, harassment or bullying by other students would be tolerated and any incidents would be documented and dealt with in accordance with procedures set out in this policy.

#### **D. NATIONAL CURRICULUM**

The National Curriculum is the entitlement of ALL students and is at the heart of equal opportunities. The National Council's Curriculum Guidance 3 on "The Whole Curriculum" advises that:

"a commitment to providing equal opportunities for all pupils..... should permeate every aspect of the curriculum".

The Education Reform Act places a legal responsibility on schools to provide a

"balanced and broadly based curriculum", which

- a) "promotes the spiritual, moral, cultural, mental and physical development of the pupils at the school and of society; and
- b) prepares such pupils for the opportunities, responsibilities and experiences of adult life".

(Section 1, Education Reform Act, 1988)

The major principles of differentiation and relevance for every learner must be reflected in the curriculum. Further it is not enough for such a curriculum to be offered by the school; it must be fully taken up by each individual student.

Curriculum Guidance 8 recommends that pupils and students be educated in an awareness of their equal rights and responsibilities:

"Learning about duties, responsibilities and rights is central to this (Being a Citizen) component. Rights include civil, political, social and human rights and how these may be violated by various forms of injustice, inequality and discrimination, including racism and sexism".

The National Curriculum Council recommends that all schools should develop policies to promote positive attitudes towards cultural diversity, gender equality and people with special needs or gifts.

#### **E. EXAMPLES OF PRACTICES WHICH COULD BE CONSIDERED TO BE ILLEGAL**

Girls and boys assigned to different "craft" subjects, such as girls doing home economics and boys doing craft, design and technology.

Assigning girls and boys to different career visits, such as boys to an engineering factory and girls to a hospital or office.

Using separate tests for boys and girls.

Using different sex norms in the calculation of test scores.

Operating a quota system based on pupils` sex.

Excluding pupils from courses of study solely on the ground of sex.

Sex discrimination in careers advice.

Excluding pupils from visits, community/social service projects and out of school activities solely on grounds of sex.

Excluding pupils from other benefits; facilities or services provided by a school , solely on the grounds of sex.

Sex discrimination in the appointment and promotion of staff.

#### **F. EXAMPLES OF CONSCIOUS AND UNCONSCIOUS DISCRIMINATION**

Teachers giving more attention to boys than girls.

Primary schools perpetuating early conditioning by providing different activities to boys and girls.

Gender related expectations of behaviour, attitude and levels of achievement resulting in different reactions from teachers and students. E.g. girls being praised for quietness and boys untidiness tolerated.

The language and illustrations of books, teaching materials and school resources portraying stereotyped gender roles.

Different use of language to describe and encourage each sex thus restricting aspirations.

Varying standards of dress and uniform between the sexes especially with regard to hair, earrings, trousers and ties.

Segregation of the sexes in seating, groups and registers, e.g. separate games and sports activities for each sex.

Adult role models reinforcing stereotyped aspirations, such as women teaching younger children, men in senior management, male caretakers and female canteen staff.

Sexist language such as the use of "he", "him" or "man" used thereby excluding girls and women.

Job titles giving the impression that only one sex can do it e.g. dinner ladies rather than canteen staff.

Boys receiving more punishment and praise than girls.

Boys blaming failure to bad luck and bad teaching and girls attributing success to good luck rather than competence.

Girls and boys competing with each other rather than co-operating.

Different tasks for each sex, such as boys having messy jobs and girls taking messages.

Boys' activities taking up more space outside than girls.

Examples used in tests appealing more to boys than girls concerns.

Higher standards of judgement applied to women than men when making appointments.

## **G. THE IMPACT OF SEXISM ON THE CURRICULUM**

Research has shown that:

Children have already developed fixed gender stereotypes by the time they start school.

Early learning experiences can significantly affect a child's subsequent scholastic achievements.

Schools tend to reinforce the learned differences between girls and boys rather than challenging stereotypes.

This is rarely done officially but it mostly occurs unconsciously through the hidden curriculum and students' every day experiences at school.

Within the National Curriculum both sexes make stereotyped choices and girls are the most disadvantaged by this.

In assessment boys are disadvantaged in open ended tasks, and girls are disadvantaged in closed methods.

Examination results show that there are gender differences in the level of achievements in many curriculum areas.

Although female students tend to do better than males in examinations, their post school destinations are more limited, of lower status and are lower paid than their male counterparts.

Factors affecting stereotyped career choices and training operate from an early age.

More boys than girls are identified as having SEN.

In areas where there are a substantial number of pupils/students from ethnic minorities a disproportionate number of black working class boys are identified as SEN.

There is a lack of female role models in posts of responsibility and senior management.

There is a lack of male and female role models in specific curriculum areas.

## **H. PASTORAL CARE**

Include discussions on men's and woman's roles at home and work, feminism, sex-stereotyping in books and the media.

## **I. COUNTY DOCUMENTS SUPPORTING EQUAL OPPORTUNITIES**

- ❖ Ensuring Equality in Staffordshire Schools
- ❖ Education for a Multicultural Society (1987)
- ❖ Guidelines for Schools on Racial Harassment (1992)
- ❖ Equal Opportunities (Gender): an Educational Policy Statement (1992)
- ❖ Guidelines for Schools on Racial Harassment (1994)
- ❖ Guidelines for Action towards Equal Opportunities (Gender) (1995)