

The Lotus Academy Trust



Supporting children to find opportunities in every difficulty

The Damara School



Specialist SEMH Independent School

# Equality of Opportunities and Anti-discrimination Policy

Approved by: Trust Board

Initial Ratification: 31 August 2019

Review: October 2020, September 2023

Next review due by: September 2026

## Aims

At The Damara school we are a respectful, positive learning community where everyone is enabled to achieve the most they can, progress as far as they can and learn the most that they can.

Our equal opportunity and anti-discriminatory aims are to:

- promote and value diversity
- promote and value human rights
- challenge stereotypes

Our Equality of Opportunities and Anti-discrimination Policy is essential in ensuring that this can happen.

### **Definitions**

For us “equality” is about opportunity, access, participation and contribution on a fair and equal footing and providing a framework for this to happen.

The term “diversity” acknowledges there are differences between people and the school values and respects the variety of backgrounds, perspectives, values and beliefs of its community.

Our specific aims include:

- To enable all members of our school community regardless of race, gender, disability, social background, religion or beliefs, sexual orientation, gender reassignment, marital or civil partnership status, pregnancy or maternity or age to have the opportunities to develop in every area of our school life to the highest level
- To provide a broad and balanced curriculum promoting the spiritual, moral, social, cultural, mental and physical development of our pupils
- To encourage respect and tolerance for others, their faith, race, culture and way of life
- To provide a clear statement about the schools commitment to promoting equality and diversity within employment

The purpose of this policy is to ensure that The Damara School’s ethos, policies and practices, respect and protect the rights of all individuals and promote positive action to ensure that all pupils, staff, parents, carers and volunteers within the The Damara community are enabled to make the most of their abilities and qualities.

It is written within the guidelines and to ensure we fulfil our duties under the Equality Act 2010 and takes account of the updated guidance from the DfE published in May 2014.

This policy ensures, we will:

- eliminate discrimination and other conduct that is prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic
- and people who do not share it; and
- foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it

In reviewing this policy, the school will consult with staff, governors and pupils and representatives of parents.

## **Equality within our learning community**

At The Damara School all pupils can be described as having a disability 'as the act 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 and everyday activities.'

The school has particular regard for equality issues relating to disability, race, gender and social disadvantage. As a special school we believe we have a key responsibility in the area of disability equality.

Our mission includes the following principle:

- To promote equality of opportunities by constructively challenging barriers to inclusion in educational and social settings

This reflects the overriding principles of equality legislation in relation to disability. The act enshrines equal treatment for all but makes clear that disability discrimination is different and that those with disabilities should be treated 'more favourably than a person who is not disabled.' (The Equality Act 2010 and schools, 4.2 pg. 24)

In order to ensure equal opportunities for all, we ensure there is no discrimination, harassment or victimisation to pupils, potential pupils, staff, parents and volunteers.

We do this by reviewing our work in the following areas (which are covered in our Equality Plan):

- Policy, Leadership and Management
- Provision of education (Curriculum, Learning and Teaching and Assessment)
- Admissions, Attendance, Positive Behaviour Management and Exclusion
- Pupils Personal Development, Attainment and Progress
- Attitudes, Environment and access to any benefit, facility or service
- Parents, Governors and Community Partnership, including Extended Services
- Staffing – Recruitment, Training and Professional Development
- Pupil Voice and Participation

At The Damara we take positive steps to ensure the continued development of equal opportunities throughout the school:

## **School Environment**

- The site is designed to ensure access for all and physical resources are made available to allow full access to the curriculum as required and to meet the needs of all our pupils
- There will always be sufficient staff on duty to ensure children are in a safe environment

- In the playground pupils will be encouraged to play together. Our staff lead and model play activities to promote positive play and appropriate behaviour

### **Classroom-based activities**

- Staff and volunteers ensure that the classroom is an inclusive environment in which pupils feel all their contributions are valued
- All pupils have access to support that attempts to best meet individual needs
- Support is responsive to pupil's different learning styles and takes into account their cultural backgrounds and linguistic needs
- Staff and volunteers take positive steps to include all groups or individuals
- Staff and volunteers recognise the importance of displays and resources as a way of communicating with all pupils and ensure they represent, promote, inform, support and celebrate all sections of the school without bias, discrimination or stereotyping

### **Learning**

- We organise and deliver a curriculum which ensures equal participation by pupils of both sexes in all the elements of learning, knowledge, concepts, skills and attitudes
- We encourage positive attitudes towards everyone
- We celebrate and value racial and cultural diversity
- We plan the curriculum and its delivery to take into account the age, ability, gender, ethnicity, background and needs of pupils
- We plan the schemes of work of all learning areas to contribute to spiritual, moral, social and cultural development of all pupils
- We ensure our children are prepared to be included in society, regardless of their needs or disabilities
- We expect all staff to ensure that classes are an inclusive environment and that all contributions are valued
- Teachers ensure the tasks set meet the needs of all pupils with whom they are working
- Teachers communicate using a wide variety of methods and the school constantly reflects on and improves its practice in this area
- Challenging, individually appropriate targets are set for all children to encourage them to learn as much as they can, progress as far as they can and achieve the most that they can at a given time
- We aim to minimise the effect on pupils' learning of social and economic deprivation
- We encourage pupils to explore bias and to challenge prejudice and stereotypes
- All extracurricular activities and special events cater for the interests and capabilities of all pupils and take account of concerns related to religion and culture
- The school has an inclusive approach to educational visits and risk assessments are carried out beforehand to ensure full access for all pupils and staff
- We pay full attention to the physical needs of the children through our healthy schools' initiatives and medical policies

### **Pupil Organisation**

At the beginning of each school year, class staff support children in reviewing the Pupil Code of Conduct as set within the Behaviour Policy, outlining the behaviours we are looking for in all pupils. This is then displayed prominently throughout the school and used to promote good behaviour alongside class reward systems.

We prevent discrimination, harassment or bullying on the basis of the following 'protected characteristics':

- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

All incidents of harassment are taken seriously and dealt with immediately by staff. Serious incidents are logged, outcomes agreed and reported to parents.

## **Resources**

We deploy resources effectively and efficiently to ensure that all children receive appropriate support. Playground and sporting equipment is supervised to ensure fair and equal access. Equipment across the school and in classrooms is selected to accommodate the needs of all pupils.

## **Behaviour, Positive Support and Exclusions:**

1. The school expects high standards of behaviour from all pupils
2. The school actively avoids excluding pupils unless an exceptional circumstance arises
3. The school's procedures for supporting pupils and managing behaviour are fair and applied equally to all
4. It is recognised that cultural background may affect behaviour. The school takes this into account when dealing with incidents of non-complaint or unacceptable behaviour
5. All staff and volunteers operate consistent systems of rewards, including the positive use of praise
6. Pupils, (those who are able) staff and volunteers, parents and carers are aware of the procedures for dealing with harassment. They know that any language which is potentially damaging to any minority group is always unacceptable
7. Behaviour which does not reflect equal opportunities is unacceptable at all times and will be dealt with accordingly

## **Personal Development and Pastoral Care**

1. Pastoral support take account of religious and ethnic differences and the experiences and needs of refugee and asylum seeker pupils
2. The school provides appropriate support pupils learning English as an additional language and encourages them to use their home and community languages
3. The school takes account of and meets the needs of traveller pupils
4. All pupils are provided with appropriate careers advice and guidance which encourages them to consider the full range of options

5. Appropriate support is given to victims of harassment and intolerant behaviour, using the support of external agencies where appropriate
6. The support systems promote and reinforce equal opportunities

#### Admissions and Attendance

1. The admissions process is administered fairly and consistently to all pupils
2. Information about pupil's ethnicity, first language, religion, physical needs, medical needs etc. is included on all the admissions forms.
3. The school and parents / carers are aware of their rights and responsibilities in relation to pupil attendance and absence is always followed up by appropriate staff and volunteers
4. Responsible provision is made for leave of absence for religious observance which includes staff and volunteers as well as pupils
5. Provision is made for pupils on extended leave so as they are able to continue with their learning

#### **Partnerships with pupils, Parents and Carers and the Community:**

1. Progress reviews to pupils, parents and carers are accessible and appropriate in order to ensure that all pupils have the opportunity to participate in the dialogue. Pupils, parents and carers are encouraged to telephone the school for an appointment at any time if they have concerns
2. All pupils, parents and carers are encouraged to participate at all levels in the full life of the school
3. The school works in partnership with pupils, parents, carers, families and the community to develop positive attitudes to diversity and to address any specific incidents
4. The school takes steps to encourage the involvement and participation of under-represented groups of pupils
5. Information material for pupils, staff, parents and carers are easily accessible in user friendly language
6. The premises and facilities are equally available and accessible as far as is reasonably possible for use by other groups within the community

#### **Staffing and Administration**

We seek to ensure that our working environment is one that respects and includes everyone regardless of their gender or gender reassignment; marital status (including civil partnership); sexual orientation; race, language, ethnic or national origins and nationality (including citizenship); religious belief; disability and / or medical conditions; age; whether they have dependants; trade union membership status and activity or political views/affiliations.

This policy provides employees with a clear statement about the school's commitment to promoting equality and diversity within employment.

- We are committed to providing equality of opportunity for all by eliminating discrimination. We will do this by ensuring that our practices reflect relevant employment legislation and good practice. Our employment decisions are based upon job related, objective criteria.
- We are committed to having a workforce that reflects the diversity within our community where everyone is treated with dignity and respect.

The Staff Code of conduct sets out how we expect employees to behave toward one another and outlines the framework for addressing issues that are raised. It also sets out the expected standards of behaviour and conduct for all employees.

- We ensure that the school's arrangements for discipline, extracurricular activities and employment of staff do not discriminate on all equality grounds
- We provide training in equal opportunities and anti-discrimination issues; we ensure that staff understand what constitutes direct and indirect discrimination
- We review recruitment and selection processes for potential discriminatory practice
- We ensure that official guidance (such as from the LA) on employment issues, including staff disciplinary and dismissal procedures, is followed
- All teaching and support staff posts are non-gender specific. Both men and women are encouraged to work with all age groups and each Key Stage. All staff have equal access to in service training and posts of responsibility
- All members of staff regularly review practices and approaches involving equal opportunity in terms of gender, race, and disability issues.

### **Employee responsibilities**

All employees, irrespective of their role, have a personal responsibility to comply with this policy, associated policies and to abide by the Equality Act 2010, in dealing with each other, managing staff and in their relationships with children, parents, carers, governors and other stakeholders.

In particular, employees, must not:

- discriminate against colleagues, other workers, job applicants, children, parents, carers, governors or other stakeholders
- bully or harass colleagues, other workers, job applicants, children, parents, carers,
- governors or other stakeholders
- encourage or try to encourage another person to treat others unfairly or to practice unlawful discrimination
- victimise people who have made allegations or complaints of discrimination or who have provided information about such discrimination

We will not tolerate any of the above behaviours. Where employees commit an act of unjustified or unlawful discrimination, or allow discrimination to occur without taking appropriate action, then they could be liable to a claim being brought against them as an individual, for example at an Employment Tribunal. The employee could also be liable to disciplinary action for a breach of the school's Standards of Conduct, which could result in dismissal.

### **Employer Commitment**

We will carry out the following activities in order to demonstrate our commitment to equality and diversity, and also to fulfil our legal responsibilities:

### **Employment Policies**

- We will ensure that our employment policies, practices and associated guidance are fair to all by undertaking an equality analysis when we carry out employee related projects, policy developments and reviews.

- We will monitor the implementation of the policies to ensure that they remain fair in practice and that any barriers to and within employment are removed

### **Vacancies and selection for appointment**

All vacancies will be advertised openly. All decisions relating to appointments will be conducted in accordance with the following principles:

- A detailed job profile will be drawn up which accurately describes the duties of the post
- An objective and sufficiently detailed person specification will be defined from the job profile
- Job profiles, person specification and the selection criteria will be available to all candidates
- Shortlisting will be carried out against the selection criteria and a written record retained of the assessment of each candidate
- Selection decisions will be made against the agreed criteria and no other criteria will be used
- A written record of the selection decision relating to the agreed criteria will be retained
- Reasonable adjustments will be made to the recruitment and selection process where necessary to ensure that people with disabilities are enabled to compete for appointments in the organisation

In addition, the school will:

- Give sympathetic consideration for requests for time off or for religious observance from staff and volunteers who are active members of religions or beliefs, although such time off will be unpaid and will be considered only subject to the operational requirements of the organisation.
- Wherever possible make reasonable adjustments to recruitment processes, working conditions or the working environment, including terms and conditions of employment, to help overcome practical difficulties created by applicants and members of staff and volunteers who have a disability.
- Acknowledges areas of regulation and confirms its commitment to enforce the statutory requirements in the organisation.

### **Positive Action:**

The employer recognises that the avoidance of discrimination is not sufficient to ensure that equality and diversity exists in the organisation. They therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. This action is designed to encourage or facilitate the employment or training of minority or disadvantaged groups.

The employer will not discriminate in favour of individuals from specific groups (positive discrimination) but it will take positive action which enables members of those groups to compete on an equal basis. Positive action measures may include:

- Encouraging applicants from specific groups which are under-represented in the organisation
- Encouraging people with disabilities to apply for posts

- Advertisements which encourage applicants from individuals of a particular sexual orientation, religion or belief, but make it clear that selection will be on merit
- Flexible working - promoting the use of job shares and flexible working where operational factors make it possible
- Language / literacy training
- Supportive training measures for under-represented groups
- Assistance with applications for candidates with language problems
- Commitments to interviewing disabled people who meet the basic criteria for the post
- Encouraging staff and volunteers to become representatives of trade unions / associations.

### **Harassment and Grievance Procedures**

Harassment has the effect of destroying dignity and undermining the confidence of employees. It can take many forms, including physical contact, bullying, threatening or ignoring someone. It can be a series of offensive remarks or a single incident. It can be behaviour that staff and volunteers find offensive even if not directed towards them or harassment because of perception or association.

The School is committed to the principles of dignity at work for its entire staff and volunteers in the organisation. This includes the right to be treated with respect by all managers and colleagues.

The governors will consider any acts of harassment including those on the grounds of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, as totally unacceptable and outside the ethos and culture of the organisation. Any such act by a member of staff and volunteers against any beneficiary will be treated as a disciplinary offence, and action taken accordingly.

The school has procedures to resolve grievances and for the handling of complaints of harassment and bullying at work. The governors are committed to investigate any such complaint. These procedures will be followed carefully and promptly in response to any such complaint.

The first point of contact for any such complaint should be Sandra Govender, CEO or in the case of a grievance against the CEO, Mrs Karen Hobley, Chair of the Board of Trustees.

### **Monitoring:**

The school keeps records of existing staff and volunteers and new applicants which can be analysed to provide data to assess whether equality and diversity is being demonstrated.

The governors will regularly monitor the effectiveness of its policy by the following methods:

- All applicants for posts will be invited to indicate whether they have any special requirements or require reasonable adjustments to enable them to submit an application, attend an interview or carry out duties of that post. Responses to this question and appropriate actions taken by the organisation

to accommodate people with disabilities will also be monitored as part of this process.

- Staff, volunteers and directors will be invited to give feedback from time to time, and to make suggestions for improvements.
- The incidence of complaints under the above procedures and any other aspects of this policy will be monitored and reported to the Trust Board
- The school will ensure that the information is stored in an appropriate and confidential format in accordance with the Data Protection Act 1998

### **Training**

The principles outlined above in relation to fair and equal treatment will also apply to selection for training. Requests for training will be considered in accordance with the organisation's operational priorities, based on the organisation's overall development plan and budget allocations.

Similarly, the training of organisation staff, volunteers and directors in issues of equality, diversity and discrimination is an essential part of this Policy.

Where training is scheduled to take place on site, the school will, where possible, adapt the methods of training delivery if current arrangements disadvantage particular individuals or groups of staff and volunteers.

### **School Community**

We provide information to parents and carers in a form which is accessible to them if they have language or literacy difficulties

We encourage volunteers to support in school and provide work experience placements

### **Monitoring and Evaluation**

The Governing Body will monitor and evaluate this policy every 2 years alongside all other related policies with a view to considering the impact of our main activities on people with protected characteristics.

We will take into consideration all available monitoring data to inform our evaluation of our success in this area