

Pembroke Primary School



Policy for

EQUAL OPPORTUNITIES & FAIR TREATMENT POLICY

PEMBROKE PRIMARY SCHOOL

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Summary Policy Statement

Pembroke Primary School is committed to working towards equal opportunities and fairly treating all people irrespective of their cultural or ethnic backgrounds, race, gender or any disabilities.

The School opposes unfair discrimination in employment and opposes victimisation or harassment of its employees and pupils. The Governing Body is determined to eliminate all forms of bullying and intimidation within the school's environment and commits itself to promoting a dignified and harmonious working and educational environment.

The Governing Body recognises its responsibilities under the Sex Discrimination Act 1975, the Race Relations Act 1976, the Disability Discrimination Act 2005, the Protection from Harassment Act 1997, Employment Equality (Religion or Belief) Regulations 2003 and Gender Recognition Act 2004. This Equal Opportunities Policy has been drafted in light of these legislative requirements and sets out how the School intends to address these matters.

For the purposes of this policy, equality of opportunities is defined as treating (actual or potential) members of staff, pupils, Governors and other school users with less favourable treatment on the grounds of gender, race, ethnic or national origin, marital status, age, disability, trade union activity, political or religious beliefs.

The Governing Body is responsible for defining and periodically reviewing the School's Equal Opportunities & Fair Treatment Policy, with the Headteacher being responsible for its interpretation and application. The Governing Body and Headteacher are committed to taking all practical steps necessary to provide fair treatment and a nurturing environment for all pupils, and a professional working environment for all staff.

The remainder of this document describes the main characteristics of the School's equal opportunities and fair treatment policy.

Glossary of Terms

A disabled person (child or adult) is someone who has a physical or mental impairment, which has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities. The definition includes people with

- Cancer
- Epilepsy
- Multiple sclerosis
- Mobility difficulty
- Difficulties/disabilities
- Diabetes
- HIV
- Hearing or sight impairment
- Mental health conditions or learning



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For the purposes of this Policy, discrimination may be categorised as:

Direct Discrimination

This results from treating a person less favourably on the grounds of the areas covered by this policy statement.

Indirect Discrimination

This arises where a condition or requirement, although applied equally has the effect of unfairly excluding, penalising or treating less favourably any person indicated in the policy statement.

Victimisation

This occurs if the person is given less favourable treatment than others because they have exercised their right under this policy.

Harassment

This can be described as unwarranted behaviour that a person finds intimidating, upsetting, embarrassing, humiliating or offensive. It is not the intention of the harasser that is key in deciding whether harassment has occurred but whether the behaviour is unacceptable by normal business or educational standards.

General Requirements

The Governing Body will determine appropriate School Policies to meet its objectives of promoting equal opportunities and fair treatment. The Headteacher will implement such policies, systems and procedures as necessary and display appropriate behaviours to ensure that all people are treated respectfully, fairly and consistently.

Every employee has general responsibility for their own behaviour under this policy and should be aware that breaches of this Policy may lead to charges of gross misconduct and where proven, disciplinary action up to and including dismissal may result.

Harassment, or discriminatory behaviours towards the School's employees by members of the public is also unacceptable. The Governing Body will take all action appropriate to protect employees from such behaviour as detailed in the corporate "Violence at Work" Arrangement Guidelines.



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Specific Responsibilities

This section indicates key responsibilities relevant to meeting Policy requirements.

Local Education Authority (LEA)

The LEA is responsible for:

- providing timely and proportionate expert advice and guidance on Equal Opportunities matters
- providing funding and other resources which enables the School to meet Equal Opportunities requirements, including additional education provision.

Governing Body

The Governing Body is responsible for:

- approving an appropriate Equal Opportunities Policy and overseeing its application and effectiveness
- nominating named Governor with specific responsibilities for equal opportunities and Additional Educational Needs
- periodically reviewing and updating the School's Equal Opportunities Policy and associated processes, and
- developing and reviewing the School's Disability Equality Scheme.

Headteacher

The Headteacher:

- has overall responsibility for implementing appropriate procedures and courses of action to enable the School to adhere to these policy requirements
- is the 'named person' for 'Equal Opportunities' and for managing the 'racist incident' process
- ensures that all 'racist' incidents are formally recorded and reported to the LEA.
- will ensure staff are aware of the implications of this Policy and receive appropriate training
- will nominate 'named persons' to assist him in implementing and embedding the Policy
- will regularly review and evaluate the School's Equal Opportunities policies and practices and make suitable recommendations to the Governing Body.

PSE Coordinator

The PSE Coordinator will ensure that equality issues are addressed in the implementation of the PSE framework.

ALN Coordinator

The ALN Coordinator will ensure that:

- all pupils with additional educational needs arising from physical or mental disabilities are notified to the LEA
- teaching and other arrangements commensurate with the pupil's needs are provided, (subject to suitable LEA funding and the Headteacher/ Governing Body's confirmation that the School can reasonably accommodate these requirements)
- regularly monitor teaching provision



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Teaching Staff

All staff are responsible for:

- understanding and adhering to the School's Equal Opportunities and Fair Treatment Policy
- knowing how to deal with racist or other equality incidents both in the classroom and around the school
- encouraging positive working relationships between pupils and ensuring all pupils have appropriate access to the curriculum.

Communication

The School's Equal Opportunities Policy is:

- published in the staff handbook
- available on request to parents, visitors and members of the wider community
- summarised within: the Parents' handbook and job advertisements for School staff

Policy Statement Structure

This policy statement is structured to address the following specific issues:

- Equal Opportunities in relation to staff employment
- Equal Opportunities in relation to teaching and pupil behaviour
- Policy Breaches
- Disability Equality Scheme

Equal Opportunities (Staff)

Recruitment, Selection & Promotion

All job advertisements will include the following statement:

- The School welcomes applicants from all sections of the community, irrespective of race, colour, gender or disability.
- The School will work with the LEA to ensure that vacancies are advertised in a range of publications
- Applications for posts will be given clear and accurate information about the post in the form of an up to date job description and person specification.
- The LEA will review the progress of this Policy

Retention of Teachers with Disabilities

Where practicable, it is the School's intention to retain and re-train teachers who become disabled whilst in employment or those whose disability deteriorates. Where such situations arise, the Headteacher will contact the Placement Assessment Team to seek advice.



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Dismissal and Redundancies, Discipline, Grievance and Capability Procedure

This Equal Opportunities Policy will be taken into account when dealing with Dismissal and Redundancies, Discipline, Grievance and Capability matters.

Commitment to Ensuring Equality of Opportunity of all Staff

The Staff Development Policy applies to every member of staff so that each person is supported to meet their work related training and development needs. The School will ensure that everyone is treated equally and fairly as far as training and development opportunities are concerned.

All staff will take part in the School's self review and staff development review process so that their needs can be identified and appropriate support arranged.

Equal Opportunities (Teaching & Pupil Behaviour)

We recognise that within our school community there may be pupils:

- from differing ethnic or cultural backgrounds and/ or
- with mental or physical disabilities

– all of which are valued equally by the School. We take care to ensure that the additional educational needs of these pupils are considered. We encourage our pupils to understand and value each other so as to prepare them for life in a diverse society.

Pupil Attainment, Personal Development and Assessment

Our aim is that all pupils achieve their full potential. We monitor individual pupils' progress for signs of under/over achievement and use targeted support for pupils identified as under/over achieving.

In collaboration with GEMSS, we provide appropriate support where necessary for pupils whom English is an additional language.

All pupils with identified special educational needs receive appropriate support. We take care to ensure that all pupils are accurately assessed and no pupil is unfairly disadvantaged within this process.

Curriculum, Teaching & Resourcing

We promote mutual respect for all people irrespective of their backgrounds through the content of our curriculum. Our teaching challenges stereotypical or inappropriate prejudice and we foster pupils' critical awareness of bias, equality and justice.

Where practicable, we aim to ensure that all pupils have access to mainstream curriculum by differentiating work appropriately and taking into account pupils' additional educational needs.



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Admissions & Attendance

Our admission criteria are fair and do not detrimentally affect specific groupings.

Behaviour, Discipline & Exclusion

All inappropriate behaviours, including racially based or other discriminatory acts will be dealt with in accordance with the School's disciplinary policy and LEA guidance.

All pupils are treated fairly, firmly and consistently when being disciplined for disruptive behaviour with exclusion only considered in exceptional circumstances.

Partnership with Parents & the Community

We endeavour to draw on the experience, skills and knowledge of people of a range of backgrounds and abilities from the local and wider communities, to develop positive attitudes to diversity. All parents are encouraged to participate in the life of the School.

Contractors & Service Providers

Diversity and equality standards are incorporated into all contracts with service providers who are therefore aware of the standards of behaviour expected.

Policy Breaches

Any incidents of discrimination or harassment are taken seriously and should be immediately notified to the Headteacher or Chairman of Governors. Incidents involving School staff fall within the remit of the Child Protection/School's Discipline & Grievance procedures; the process described at Appendix 1 outlines the key steps.

Incidents involving pupils are addressed via the School's Discipline Policy. Any serious incident, as determined by the Headteacher, occurring on School premises will be immediately reported to the Police.



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Disability Equality Scheme (DES)

Introduction

From 1 April 2007, the School is required to produce a Disability Equality Scheme document which sets out how we:

- promote Equality of Opportunity
- eliminate unlawful discrimination
- eliminate disability harassment
- promote positive attitudes towards disabled people
- encourage disabled people's participation in public life
- take steps to take into account people's disabilities, even where that involves more favourable treatment

General

Our current Equal Opportunities Policy clearly describes how we comply with extant legislation through promoting equality of opportunity and eliminating discrimination and harassment within our employment and teaching environments. Incidents of discrimination or harassment are not tolerated, and are addressed in the manner indicated within the 'Policy Breach' section.

In accordance with the School's Equal Opportunities & Fair Treatment Policy we will continue to ensure that all pupils, staff, parents and others involved in the running of our school, irrespective of any disability, will be treated equitably and with appropriate levels of dignity and respect. The objective being to ensure that all individuals are given equality of opportunity in participating fully in the School's affairs.

Pupils

Our Equal Opportunities Policy reinforces the School's ethos and teaching practice of encouraging positive attitudes towards pupils with disabilities as well as those of differing ethnic and cultural backgrounds. Our Equal Opportunities Policy describes our approach to addressing the needs of disabled individuals, with our School Improvement Plan specifically indicating how access is to be reviewed and, as appropriate improved.

In principle, the School will consider accommodating all pupils, irrespective of their disabilities and is committed to positively discriminating in favour of disabled pupils through making 'reasonable adjustments' to the School's affairs to accommodate the specific needs of individuals.

However, the Governing Body has determined that the nature and extent of reasonable adjustments will:

- be determined on a case by case basis in consultation with the LEA
- be dependent on the level of funding and support offered by LEA, and
- be assessed in light of any consequential impacts on the welfare and security of employees, and the welfare and quality of teaching provision for existing pupils.



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The Headteacher will determine which 'reasonable adjustments' can be accommodated and may seek the advice of the Chairman of Governors and LEA representatives as appropriate.

In meeting its duty of care to all pupils, the Governing Body (on the Headteacher's advice) may, in exceptional circumstances, determine that:

- a child's educational and welfare needs may be best served by another establishment, or
- the security, welfare or educational needs of other pupils, or safety of staff is unduly compromised.

On this basis, the child would not be offered a place at the School or steps to permanent exclusion considered.

Staff

Our Equal Opportunities Policy (Staff) indicates how we support staff with disabilities.

School Governors, Parents and Others

We encourage people from the wider community to participate in the running of our School. Members of our Governing Body and Parents & Teachers Association as well as 'parent helpers' and others involved in school life are drawn from a wide cross section of our community. The School has well established and wide ranging community links and we draw heavily on the talents of people from across the community.

Policy Consultation

In developing this Policy, including the DES, we have sought the views of the School Council, the Parents Teachers Association, staff and Governing Body. Each of these stakeholders have been invited to propose revisions.

Any such changes are subject to expert advice and guidance received from the Additional Education Needs (AEN) Co-ordinator and Governors with specific responsibility for AEN and Equal Opportunities.

As part of the School's Improvement Planning cycle, we intend to consider the adequacy and effectiveness of our Equal Opportunity Policy, including the DES. We will take account of the views of pupils, staff, parents and members of the local community and propose establishing and reporting against key performance indicators.

Our Equal Opportunities Policy describes our approach to addressing the needs of disabled individuals, with our School Improvement Plan specifically indicating how access is to be reviewed and, as appropriate improved.

Our School Council and Governing Body regularly consider the adequacy and effectiveness of our Equal Opportunity Policy and are invited to propose revisions. Any such changes are subject to expert advice and guidance received from the Additional Education Needs Coordinator and Governor with specific responsibility for AEN.



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MONMOUTHSHIRE COUNTY COUNCIL

DIRECTORATE OF LIFELONG LEARNING & LEISURE

DIGNITY AT WORK

FOR SCHOOL BASED STAFF (APPOINTED BY THE GOVERNING BODY)

INTRODUCTION

The Governing Body is committed to its legal obligations to Equality in Employment and believes that all its employees have the right to a working environment, which encourages harmonious, considerate and dignified working relations.

The Policy applies to all school based staff appointed by the Governing Body. While the Personnel Officer will advise on the implementation of the Policy, it will be the responsibility of each Headteacher to implement, promote and undertake monitoring of the Policy.



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Appendix 1

MONMOUTHSHIRE COUNTY COUNCIL

DIRECTORATE OF LIFELONG LEARNING AND LEISURE

PROCEDURE FOR DEALING WITH HARASSMENT FOR SCHOOL BASED STAFF (Appointed by The Governing Body)

1. INTRODUCTION

1.1 When dealing with harassment (whether under formal or informal procedures) action should be taken as quickly as is commensurate with thoroughness at all stages. Due regard must also be paid to the time limits set for issuing complaints under the relevant legislation. Normally within three months of the incident occurring.

1.2 Great care must be taken during an investigation of alleged harassment to protect both the complainant and the employee complained against, while ascertaining the true nature of the problem so that both parties are treated fairly and sensitively.

1.3 Both the complainant and the employee complained against will have the right to be represented by their Trade Union or work colleague, throughout the proceedings. All complainants are advised to seek representation in making a formal complaint.

1.4 It is important that the employees concerned are advised of progress during an investigation and that careful consideration is given to the manner in which this and any subsequent decisions are given.

1.5 A person who has made a complaint under this policy should have access to sympathetic informed advice and support. Particular attention should be paid to the aftermath of any investigation. Providing support will help the return to normal working relations.

1.6 Support may also be valuable for individuals whose behaviour has been found to be unacceptable. They may be unaware or insensitive to the impact of their actions and support can help them understand the problem and change their behaviour. This will help prevent the occurrence of further incidents.

1.7 Support is available on a confidential basis by contacting the schools Personnel Officer. Trades Unions will also provide support to individuals.

1.8 It is for the Headteacher in consultation with their Personnel Officer, to appoint an Investigating Officer when a case arises under the formal procedure.

1.9 If the allegation is made against the Headteacher, the complainant should discuss the matter with the Chairman of Governors, who should then liaise with the Corporate Director Lifelong Learning and Leisure.



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2. INFORMAL PROCEDURES

- 2.1 The Headteacher has the discretion to address the issue as appropriate

3. FORMAL PROCEDURE

- 3.1 Recourse to the Formal Procedure will be necessary where the informal route proves ineffective or complaints are more serious (such as where the behaviour would be defined as 'serious misconduct' if proven) and where an individual prefers to use the formal procedure.
- 3.2 The formal procedure will be as per standard employee complaints/ disciplinary & grievance process.