

Equal Opportunities Statement of Commitment

St Faith's is committed to a policy of equality and aims to ensure that no employee, job applicant, pupil or other member of the School community is treated less favourably on grounds of sex, race, colour, ethnic or national origin, marital status, age, sexual orientation, disability or religious belief.

Any behaviour, comments or attitudes that undermine or threaten an individual's self-esteem on these grounds will not be tolerated. We aim to provide equal access to high quality educational opportunities and to ensure that everyone feels that they are a valued member of the School community. We seek to provide a safe and happy environment where all can flourish and where cultural diversity is celebrated.

We aim to empower our pupils to make informed choices so that they are better prepared for the opportunities, responsibilities and experiences of life within their community. Equality of opportunity cannot be realised without the involvement and commitment of all members of the School community and a common understanding of the pivotal role of equal opportunities in the context of the School's ethos and values, in particular, the recognition that the role of all staff is crucial in the delivery of the objectives of the policy.

All members of the School community are responsible for promoting the School's equal opportunities policy and are obliged to respect and act in accordance with the policy.

Aims and objectives

St Faith's, through its Equal Opportunities Policy, aims to:

- carry out its legal duty in complying with the relevant legislation (including the Equality Act 2010, which incorporates the various strands of: the Sex Discrimination Act, Race Relations Act, Disability Discrimination Act and Employment Equality Regulations). This duty is explained more fully in Annex A.
- reinforce the School's position as a provider of high quality education and as a good employer providing development opportunities;
- ensure that equality remains a part of the School's ethos;
- establish good people management practice and to set out a proactive agenda in which discrimination is recognised as an organisational issue which needs an organisational response;
- ensure all staff work together with a shared sense of purpose to meet the needs of every pupil;
- ensure that pupils and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals;
- ensure that complaints or evidence of failure to comply with the School's equal opportunities policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g. complaints relating to staff may be investigated either under the disciplinary or grievance procedure as appropriate). All forms of discrimination by any person within the School's responsibility will be treated seriously as such behaviour is unacceptable.

Policy and planning

Equal opportunities implications, including race equality, will be considered whenever School policies are developed or reviewed. All policies will be regularly reviewed to provide a comprehensive and consistent process of monitoring and evaluation.

Particular provision in this policy has been made for Pre Prep, and Early Years and Foundation Stage pupils. This may be found at Annex B.

Employment matters

Appointments: in all staff appointments the best candidate will be appointed based on strict professional criteria.

Family-friendly policies: St Faith's is a family-friendly employer and will do its best to respond to the changing needs of all staff by publicising existing schemes designed to support employees in combining work and other responsibilities (e.g. parental leave arrangements, job share opportunities, flexitime where appropriate, carers' leave provision).

HIV/AIDS: St Faith's recognises that people with HIV/AIDS suffer not only from the purely medical effects of the infection but may also experience prejudice and misunderstanding, leading to unfair discrimination and victimisation. The School therefore will ensure that people with HIV/AIDS do not experience unfair treatment in relation to employment, as pupils or as other members of the School community. The School and governing body will follow the detailed guidelines regarding staff recruitment and pupil admissions set out in Annex C.

Transsexual employees and gender reassignment: The Equality Act 2010 now expressly covers discrimination on grounds of gender reassignment.

Training and development

The success of the Equal Opportunities Policy is closely linked to the provision of relevant training. Staff and governors will be encouraged to take up all relevant opportunities provided by the School's training programmes.

The School will endeavour to:

- enhance and develop the skills, knowledge and abilities of existing employees to realise their full potential, irrespective of background or employment status;
- provide equal access to training and development opportunities for all staff, including part time, on the basis of their assessed training needs;
- promote greater awareness of equal opportunities and the contribution which staff, governors, parents/guardians and pupils can make;
- equip employees with the skills to provide personal and organisational solutions, discriminatory practices and behaviour and to promote anti-discriminatory behaviour generally.

Professional development involves a continuous process of learning involving self-development, encouragement and motivation. The School places great importance on the relationship between team leaders and their teams and will ensure that employees are encouraged and supported to take responsibility for their own learning and development in the context of the School's performance management system.

Pupils and the curriculum

The School follows pupil admission policies that do not permit sex, race, colour or disability to be used as criteria for admission. St Faith's aim is to provide for all pupils according to their needs, irrespective of gender, ability or ethnic origin. The Education Reform Act 1988 stated that 'the school curriculum should reflect the culturally diverse society to which pupils belong and of which they will become adult members.' Pupils should have access to a broad and balanced curriculum which avoids stereotypes and provides good role models for all pupils. Equality of opportunity will inform the whole of the curriculum and be reviewed regularly.

Equal opportunities issues will be taken account of in planning the curriculum.

Monitoring, review and evaluation

All members of staff and the governing body have the responsibility of implementing this policy. The policy review will be drafted by the Equal Opportunities Coordinator, who is Diana Johnson, and agreed by the Headmaster. The Pre Prep and EYFS annex will be drafted by the Pre Prep Equalities Coordinator, who is Caroline Hendry, and agreed by the Head of Pre Prep.

The Headmaster will ensure that the Equal Opportunities Policy is reviewed on a two-yearly basis.

N L HELLIWELL
Headmaster

Annex A: The Legal Framework

The Equality Act 2010 combines the various strands, which are explained here:

Sex discrimination

Under The Equality Act 2010, direct sex discrimination is where A treats B less favourably than A treats others, or would treat others, if the reason for the less-favourable treatment is B's sex or because B is breast-feeding. Women are, however, entitled to special treatment in connection with pregnancy, maternity or breast-feeding. Sex discrimination is generally unlawful in schools.

It covers recruitment policies, dismissals and redundancies, fringe benefits and other non- contractual matters and requires that women and men should be treated equally. The Sex Discrimination Act 1986 removes differential compulsory retirement ages for women and men.

Gender reassignment discrimination

The Equality 2010 Act reminds us that gender reassignment is a process and not an event. Discrimination in connection with the provision of education on grounds of past, present or proposed gender reassignment is generally unlawful.

Sexual orientation discrimination

Discrimination in connection with the provision of education on grounds of sexual orientation is generally unlawful under the provisions of The Equality Act 2010.

Race discrimination

Race as defined in The Equality Act 2010 includes colour, nationality and ethnic or national origins. Race is essentially a group characteristic, but one racial group can be part of a larger racial group. Discrimination in connection with provision of education on grounds of race is generally unlawful under the Act.

Note: Race Relations Act 1976

The Act makes it illegal to discriminate in recruitment, promotion, training and transfer, terms and conditions of employment or dismissal on grounds of colour, race, nationality or ethnic or national origins. Discrimination may be direct or indirect (see Appendix below). Where persons of a particular racial group are under-represented, either generally or in a section of the workforce, the Act enables employers to advertise vacancies in such a way as to encourage applications from persons of that racial group.

Race equality

The amendments to the Act gives the School a statutory general duty to promote race equality and eliminate unlawful racial discrimination. All schools are required to have a written race equality policy in place: this policy is the St Faith's response.

Religion or belief discrimination

Education is rife with discrimination on grounds of religion or belief and most of that discrimination is perfectly lawful. In the Equality Act 2010, religion means any religion and reference to religion includes a reference to a lack of religion. Similarly, belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

The trigger sections in the Equality Act 2010 for unlawful discrimination on grounds of religion or belief in schools are admissions, the victimisation of pupils and the conduct of parents.

The most important exceptions to The Equality Act 2010 are:

- if the School has a religious character or a registered religious ethos;
- acts of worship and religious observances at all Schools are exempted from the general prohibition of discrimination on grounds of religion or belief if the worship or observance

is organised by, or for, the School, whether or not part of the curriculum.

Note: there are many important exceptions from legislation prohibiting discrimination on the grounds of religion or belief in relation to the employment of School head teachers and teaching staff.

Age discrimination

Age discrimination would be a difficult area for local authorities and for all kinds of Schools, which have long-arranged classes and phases by chronological age more than by ability or achievement. However, age discrimination in Schools and in local authority provision of Schools is not restricted by The Equality Act 2010.

Marriage and civil partnership discrimination

Discrimination relating to marriage or civil partnership is not restricted in the provision of education in schools by The Equality Act 2010. There are provisions in employment law that cover this field.

Disability discrimination

There is a general requirement in The Equality Act 2010 to make reasonable adjustments for those with disabilities and a more specific requirement to do so in the field of education.

Special educational needs are also relevant to this area of discrimination.

Accessibility for disabled pupils

The Equality Act 2010 requires St Faith's to monitor and improve the ways in which disabled pupils can access the School's pupil information and our School's curriculum. There is a written accessibility strategy and that strategy is designed to be implemented within a reasonable time.

Enforcement of The Equality Act 2010 relating to disability in Schools is possible through:

- The St Faith's parental complaints system
- application to the First-tier Tribunal of the courts.

Employment Equality Regulations

It is unlawful to discriminate on the grounds of sexual orientation as it relates to employment or vocational training of individuals. Sexual orientation is defined as sexual orientation towards persons of the same sex and/or towards persons of the opposite sex.

The Employment Equality (Religion or Belief) Regulations 2003 make it unlawful to discriminate on the grounds of religion or similar belief in employment and vocational training. Religion or belief is defined as meaning any religion; religious belief or similar philosophical belief.

The legislation gives protection against direct and indirect discrimination, harassment and victimisation and applies throughout the employment relationship, including recruitment and dismissal.

Direct and indirect discrimination

Direct discrimination is always unlawful (with the exception of genuine occupational requirements – see below). Direct discrimination occurs when a person is treated less favourably than others in the same circumstances because of their sex, sexual orientation, religion or belief, or on racial grounds.

Indirect discrimination can occur when a condition or requirement is applied equally but is such that the proportion of members of one sex, racial group etc. who can meet it is considerably smaller than the proportion of members of the other sex or other racial groups. Indirect discrimination is unlawful unless the person imposing the condition can show that it is justified, irrespective of the sex or race of the person to whom it is applied.

Genuine occupational requirement

Discrimination is permitted in cases where a person's sex, race, religion or sexual orientation is a genuine occupational requirement for the job. Examples from the sex discrimination legislation are where a job had to be held by a man and not a woman or vice versa to preserve decency or privacy, such as where the job involved visiting changing rooms while they are in use. Further exemptions relate to single sex sport. In race discrimination law, provision of childcare or similar service promoting a particular racial group's welfare may be more effectively provided by someone of that race. It may then be permissible to specify that race as a genuine occupational requirement.

Equal pay

The Equal Pay Act 1970 requires that women are paid the same as men if they are employed to do the same work or work that is of equal value. St Faith's ensures that this requirement is complied with when making decisions about pay. The Equal Opportunities Commission has issued a code of practice on equal pay in order to provide practical guidance on how to ensure pay is determined without sex discrimination.

Part-time workers

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 give the right to part-time workers not to be discriminated against in comparison with comparable full-time workers, unless the employer has objective justification. Where appropriate the principle of 'pro rata' treatment should apply. An example of less favourable treatment would be the automatic selection of part-timers first in a redundancy selection exercise. The School would almost certainly find it impossible to justify this.

These regulations apply both to women and men part-time workers. Additionally, as the large majority of part-time workers are women, detrimental treatment of part-timers is also likely to be indirect sex discrimination.

Complaints

In relation to complaints in the employment context, St Faith's and The Leys Foundation may be legally responsible for the discriminatory acts against employees or applicants for jobs – including acts carried out by the Headmaster or other members of staff. Such cases can be taken to an employment tribunal.

Discrimination complaints involving issues such as the admission of, or equal opportunities for, pupils can be considered by a county court.

Disability discrimination

Under The Disability Discrimination Act 1995 (DDA), St Faith's and The Leys Foundation must not discriminate against disabled people applying for jobs, or against existing disabled staff. For these purposes, a person has a disability if they have a physical or mental impairment which had a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition is wide. It is unlawful discrimination for an employer to treat a person less favourably than others for a reason relating to disability unless the treatment can be justified by the employer.

The 1995 Act imposes a duty on employers to make reasonable adjustments if the premises or employment arrangements substantially disadvantage a disabled person compared with a non-disabled person. Examples might be installation of a ramp for an employee who uses a wheelchair, having staff notices in large print etc. Whether or not a particular adjustment is reasonable depends on a number of factors such as cost, practicability and effectiveness. Failure to discharge this duty will constitute discrimination unless the employer can justify their action.

Complaints about disability discrimination can be heard by an employment tribunal (if related to an employment matter) or a county court (if they concern supply of goods, facilities or services).

The Rehabilitation of Offenders Act 1974

This Act provides that if a convicted person completes a specified period without being convicted of further offences then the conviction can be held to be 'spent'. Accordingly these sentences do not have to be revealed and should not be used as a means of excluding people from employment or promotion. The

important feature of this legislation is that certain occupations are not within the scope of this Act, for example, a job which involved substantial access to children under 18 years of age. In the cases of these 'exempt employments', all convictions whether spent or not can be taken into account. The Criminal Records Bureau handles disclosures of this data prior to appointment being made.

Discrimination, victimisation and harassment

See Appendix 1 below for further information and definitions of discrimination, victimisation and harassment. Complaints relating to these matters must be dealt with promptly and investigated using the appropriate procedure, e.g. disciplinary procedure, anti-harassment policy and procedure.

Who is the employer and who is responsible?

The St Faith's and The Leys Foundation is the employer of all staff. They have powers over the appointment, suspension, discipline and dismissal of staff.

Accordingly, where complaints are made about sex, race or disability discrimination concerning the exercise of these powers, it will normally be the Foundation governing body who is treated as the employer.

Appendix 1 to Annex A: Discrimination, victimisation and harassment

Discrimination on grounds of race, sex, disability, religion or belief, or sexual orientation is illegal. However, for the School community, discrimination is also unacceptable on any of the other grounds referred to in this policy statement. Failure to comply with the policy will be fully and promptly investigated using the appropriate procedures.

There are four ways in which discrimination may occur:

1. **Direct discrimination:** This means treating someone less favourably than others would be treated in the same or similar circumstances on the grounds of race, sex etc.
2. **Indirect discrimination:** This means applying a requirement or condition which cannot be justified to all groups but which has a disproportionately adverse effect on one group because the proportion of that group which can comply is smaller than the proportion of the group(s) which can comply with it.
3. **Victimisation:** This occurs when a person is treated less favourably than other persons would be treated because that person has done a 'protected act' under the Equal Pay Act, Sex Discrimination Act, Race Relations Act or Employment Equality Regulations, for example, by bringing forward proceedings or giving evidence or information.
4. **Harassment:** Harassment can take many forms, from the most obvious abusive remarks to extremely subtle use of power. As with unfair or unlawful discrimination, harassment can be intentional or unintentional. However, the key issue is not simply the intention of the offender but the impact of the behaviour on the person receiving it.

Harassment may involve any of the following:

- physical contact or violence;
- offensive humiliating and intimidating remarks or actions;
- exclusion from participation in job-related or classroom-related discussions, training or social or other events;
- unfair work allocation;
- unjust or excessive or humiliating criticism of performance;
- offensive signs or notices;
- graffiti;

- repeated demands or requests for sexual favours.

These are merely examples and not an exhaustive list. Whatever the form, the School will provide support for any member of the School community, pupil or staff member who feels threatened or isolated because of such actions.

Aims and Objectives

Equality of opportunity throughout the Pre Prep at St Faith's is about providing equality and excellence for all in order to promote the highest standards of achievement. Equality of opportunity applies to all members of the school community – pupils, staff and parents.

Our policy is based on the following core values as expressed in the school's mission statement.

- Children at St Faith's are encouraged to become their best selves.
- We provide for the talents, strengths, interests and needs of a wide variety of children
- We provide a broad and inspiring education across all subjects, in a cherishing and supportive environment.

These statements are designed to ensure that the school meets the needs of all, taking account of gender, ethnicity, culture, religion, language, ability, and disability.

We aim to:

- Promote and encourage positive attitudes and relationships between all our children, families and the wider community.
- Promote equality of opportunity
- Promote racial equality and good race relations
- Oppose all forms of prejudice and discrimination.

To achieve these aims, we will make all members of the school community aware of our philosophy. In our school we believe that all our children matter. We give our children every opportunity to achieve their best and value each child's accomplishments. We do this by taking account of our children's range of life experiences when planning for their learning.

We set each child realistic and challenging expectations to enable most children to achieve the Early Learning Goals by the end of the Foundation Stage. Some children will progress beyond this point. We do this in order to meet the needs of boys and girls, children with special educational needs, children who are more able, children with disabilities, children from all social and cultural backgrounds, children of different ethnic groups and those from diverse linguistic backgrounds.

Admissions, Inclusion and Transitions

We have a whole school policy for admissions and special educational needs. The special needs co-ordinator is Claire Thurlby.

Role of Staff

The Foundation Stage Coordinator is the ENCO.

All who work in the Pre Prep have a responsibility for promoting equality and inclusion. We share the same ethos which reflects our commitment to equality for all members of the school community. Teaching and curriculum development ensure high expectations of all children and appropriate breadth of content in relation to the school and the wider community. Curriculum planning is monitored to ensure that teaching includes understanding and celebration of a range of faiths, cultures and diversity. Children experience activities which help them to enjoy and understand many festivals that are celebrated around the world such as Diwali, Hanukah and Chinese New Year to name a few. Throughout the Pre Prep, we

follow the Cambridgeshire PSHCE programme of work. We believe that for children to be both happy and successful in their learning at school they need to:

- Know what they are good at
- Take responsibility for their actions
- Know how to manage their feelings so they can learn better
- Know how to motivate themselves and bounce back if they fail at something
- Understand another person's point of view
- Know how to be supportive of others
- Be able to get on with others and work co-operatively

Resources

The provision of good quality resources and materials within the Pre Prep at St Faith's is a high priority. Where appropriate, resources and displays reflect the experiences and backgrounds of the range of people living in the UK. We endeavour to celebrate diversity and challenge stereotypes.

Record Keeping

All staff are aware of our incident form on which racial or other significant incidents, and the action taken, can be recorded.

Working with Parents and other agencies

We aim to work closely with all parents and with outside agencies where appropriate. We provide opportunities for all parents and other agencies to feel welcomed in school, work in partnership with teachers and be well informed by clear communication.

L SMITH

Head of Pre Prep

Annex C: HIV/AIDS guidelines

The governors and School will:

- ensure that job applicants who are deemed to be medically fit to perform the job for which they have applied, are not denied an offer of work solely because they are HIV positive. In arriving at the decision, the School's normal recruitment criteria will be observed including the normal medical procedures;
- ensure, where possible, that resources are available to support [employees](#) or [pupils](#) with AIDS or other major health problems associated with HIV infection. The School's normal rules and procedures regarding ill health will apply in such cases. Equally the School will make appropriate arrangements for the provision of counselling (i.e. by referral to external agencies);
- give positive consideration to applications for unpaid leave for those with responsibility for caring for people with AIDS-related conditions in accordance with carers' leave arrangements;
- treat any breaches of confidentiality as a serious matter to be dealt with in accordance with the normal disciplinary (or other appropriate) procedure;
- provide appropriate training in relation to AIDS in order to combat fears and prejudice and to enable the School community as a whole to function without risk to health.