



MISCELLANEOUS

EQUAL OPPORTUNITIES POLICY

Reviewed and updated by the Full Governing: October 2007

Next Review due: October 2008

Complaints about any kind of discrimination contained within this Policy would in the first instance be dealt with under the College's Complaints procedure.

GENDER

Pupils

The Governing Body must not discriminate against a child on grounds of sex or race when deciding whether to admit him or her to the school, or in the terms on which he /she is offered admission. However, the Sex Discrimination Act 1975 does permit single-sex schools to remain single-sex.

The Governing Body must not discriminate against a child on grounds of sex or race in:

- providing teaching or allocation him/her to particular types of classes (e.g. insisting that girls at a mixed school study a second modern language while boys take business studies);
- applying standards of behaviour, dress and appearance – although different but comparable rules for boys and girls as regards dress or appearance are not necessarily illegal;
- excluding pupils or subjecting them to other types of detriment (e.g. detention);
- giving pupils careers guidance and work experience;
- allocating resources;
- conferring access to other benefits, facilities or services.

The College governing body has a general duty to ensure that facilities for education provided by them, and any ancillary benefits or services, are provided without sex or race discrimination.

Staff

The governing body must not discriminate against an applicant for a post, or against an existing member of staff, on grounds of sex, age, race, marital status or disability. This applies to matters such as: recruitment procedures and selection standards; conditions of employment; opportunities for promotion, transfer, training or other benefits; discipline and grievance procedures; and dismissals.

However, discrimination against a man or woman is permitted in cases where a person's sex is a genuine occupational qualification for the job (see section 7 of the Sex Discrimination Act). This would apply in particular where a job had to be held by a man and not a woman (or vice-versa) in order to preserve decency or privacy e.g. where the job necessarily involved visiting changing rooms while they are in use.

Sport

Although the Sex Discrimination act forbids discrimination as regards access to benefits, facilities and services (e.g. school gyms in mixed sex schools) section 44 of the Act contains an

exception which permits single-sex sports. It applies to any sport or game or other activity of a competitive nature where physical strength, stamina or physique of the average woman (or girl) would put her at a disadvantage in competition with the average man (or boy). But while this exception might permit a mixed school to have a boys-only football team, the school would still have to allow girls equal opportunities to participate in comparable sporting activities.

Paignton Community & Sports College is committed in policy and in practice to Equality of Opportunity in the knowledge that schools have a powerful influence but can sometimes reflect and aid discrimination and stereotyping either openly or subtly. This statement offers ways of changing professional practice where needed.

We acknowledge the positive contribution already made in an attempt to eliminate unfairness but realise that all members of the College's community share a responsibility for recognising that unfairness still exists.

We recognise that all staff have a management responsibility for bringing about change and have a vital role to play in making Paignton Community & Sports College a fairer place to learn to work.

We know that while gender equality needs to be examined separately it cannot be seen in isolation from all other forms of unfairness.

Policy Implementation

If necessary we shall all examine aspects of our own behaviour and practices and make changes in order to eliminate unfairness.

How we ensure fairness to all.

Ethos

Our whole school aims of providing a caring supportive environment for learning will be reflected in action with reference to this policy in the following ways:

a. Curriculum

All areas of the curriculum will be easily accessed by both boys and girls. Boys who enter into a previously female dominated area will receive help and support and vice versa.

b. Documentation and Communication

All documentation and communication will stress equality and the similarities of experiences, abilities and problems for rather than differences between the sexes. Images of girls and boys will be equally represented.

c. Student Lists

All student lists shall be in alphabetical order without gender discrimination. Mixed activities shall be offered as the norm where appropriate.

d. Seating Arrangements

Seating arrangements in classrooms shall be such as to allow girls and boys and disabled youngsters equal access to equipment, teacher attention and written guidance or visual aids.

e. Tasks around School

Boys and girls shall participate equally in the various tasks around school, e.g. making refreshments at parents' evenings; escorting visitors around school, clearing up, moving furniture etc.

f. Visitors

Visitors to the College who work with students should include a balance of positive female and male role models. They should be informed of the school's policy and practices (particularly if they are to speak publicly to the pupils).

g. Assembly

Assembly content should celebrate the similarities of experiences as well as the different interests and experiences of the sexes.

Female and male staff should be equally represented in conducting assemblies and supervising the arrival and dismissal of pupils.

h. Sanctions and Referrals

Staff shall ensure that they apply sanctions and referral policy equally to pupils of both sexes.

i. Counselling

Staff shall ensure that equal time and opportunity for counselling is given to both sexes.

j. Meetings

Composition of staff at meetings shall reflect a balance of the sexes.

Individual conduct at meetings shall reflect an awareness and sensitivity to the existence of the differences in power differentials particularly between male/female staff. All members of the meetings shall have equal access to time to express their opinions and receive equal value and recognition for their contributions.

k. Monitoring and Reporting

Time and opportunity shall be provided regularly for monitoring and reporting to the Governing Body and reviewing the effectiveness of the Gender Equality Policy.

l. Environment

A safe and supportive environment shall be created throughout school which positively encourages pupils/staff to disclose incidents of sexist behaviour / harassment.

m. Training

Assertiveness training shall be made available to both sexes (through pastoral system for pupils) to support and help pupils/staff deal with the effects of sexism.

RACE

Policy Aims

At Paignton Community & Sports College we aim to promote "equality of provision for all, the rejection of discrimination on any grounds and a positive attitude to a pluralist society". The recognition that racial prejudice threatens human development and that racism is an unmitigated evil of society underpins our policy

At Paignton Community & Sports College we are opposed to all forms of racial oppression and are committed to principles of human equality and dignity.

At Paignton Community & Sports College we are committed to promoting tolerance and empathy and to combating racial injustice and to working towards the eradication of all forms of racism and racial prejudice.

Our policy is based on a recognition of the particular educational needs and potential of children from ethnic minorities within a whole-curriculum approach which will widen the horizons of all

children and help them to understand the multi-racial world in which we live and the interdependence of individuals, groups and nations.

It is to be noted that changes have taken place in legislation regarding the reporting of racist incidents within the school. It is now necessary for Racist Incidents occurring on a school site or on the way to school or home from school to be reported to the local Council and to the Governing Body by the Principal.

Implementation

The curriculum should reflect:

- a. The nature of a pluralist society;
- b. The need to teach through world examples;
- c. The benefits of cultural diversity;
- d. The full recognition of linguistic diversity and positive support of bilingualism;
- e. The full recognition and acceptance of cultural and religious differences;
- f. The elimination of any form of disadvantage resulting from cultural or religious differences;
- g. The elimination of all forms of racial prejudice and discrimination.

Classroom Strategies

All teaching staff must be aware of the role they play in creating an atmosphere (physical and verbal) and grouping pupils to encourage those from different cultural backgrounds to work together.

Resources

Resources must be carefully monitored to reflect and represent the full range of cultures within society. Racist and sexist material should not be used (except as examples of racism and sexism).

Language

Staff should acquaint themselves with the linguistic repertoires of pupils and recognise e.g. the validity of dialect in an appropriate context. Where bilingual children are concerned, their right to explore meaning and express themselves in their heritage language must be recognised; equally the right to additional support in learning the English language as a tool for learning must be met.

Ethos

Displays from all curriculum areas, publications, exhibitions, extra-curricular activities and notices should actively promote the positive value of our multi-ethnic society.

Care Systems

Students must be valued as individuals and as members of particular ethnic or cultural groups e.g. children may be invited to share their experience of a recent festival.

Parent liaison is essential - the Learning Support Department should be involved early in the school life of the pupil.

Dealing with Racism

There must be automatic rejection of racist name-calling or taunting based on race or religion. The Handbook outlines our referral procedure - where incidents persist parents must always be involved. Sensitivity towards the ideas and practices of others built in to our school guidelines.

Monitoring and Review

The Principal

The Principal will be responsible to the Governing Body for promoting, monitoring and maintaining the implementation of this policy.

Deputy Principals

Deputy Principals will be responsible to the Governing Body through the Principal for promoting, monitoring and maintaining this policy within the curriculum/guidance support and care systems within the areas of their assigned responsibilities.

Staff with Curricular Responsibility will be directly responsible to the Principal through the Deputies for promoting, monitoring and maintaining the implementation of this policy.

Evaluation

There will be an annual school based evaluation of the effective implementation of this policy. This will take place in the first half of the Summer term. A report on progress in implementing all aspects of equal opportunities will be presented to the Governing Body as part of the Principal's Annual Report to Governors.

DISABILITY

The Governing Body, will not discriminate against disabled people applying for jobs, or against existing disabled staff or discriminate against disabled pupils applying for a place in the College. For these purposes, a person has a disability if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities (people who have had disabilities are also protected). The definition is wide and can cover people with hidden impairments or even conditions where the effects are significantly reduced by medication or other treatments, e.g. diabetes. It is unlawful discrimination for the College to treat a person less favourably than others for a reason to do with disability unless the treatment can be justified by the College.

The 1995 Act also imposes a duty on the College to make reasonable adjustments if the premises or employment arrangements substantially disadvantage a disabled person compared with a non-disabled person. Examples of adjustments might be the installation of a ramp for an employee or pupil who uses a wheelchair; teaching held in a ground floor room rather than on the first floor; or staff or pupil notices in large print, Braille or on audiotape for someone with a visual impairment. 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 also constitute discrimination, unless the College can justify their action. Justification for less favourable treatment or failure to make a reasonable adjustment can only be for a substantial (i.e. one likely to be more than trivial or minor), and material, reason.

In general, the 1995 Act also makes it illegal for anyone providing goods, facilities or services unjustifiably to discriminate against a disabled person. However, this does not apply in relation to the provision of education at a school: the position of pupils with special educational needs is covered by Part IV of the Education Act 1996. It is illegal for governing bodies and LEAs to discriminate against disabled people in the provision of non-educational services on school premises. For the purposes of the DDA, non-educational activities might include leisure time

activities for children or adults without any element of educational development, school fund-raising events or community use of school facilities. Since October 1999, governing bodies and LEAs have to take reasonable steps, such as changing practices and providing auxiliary aids, to enable disabled people to use a service (other than one of an educational nature) provided at a school. From 2004, they will have to remove physical obstacles to disabled people, where such changes would be reasonable.

SEXUAL ORIENTATION AND RELIGION OR BELIEF

In line with new legislation on the prohibition of discrimination on the grounds of sexual orientation and religion or belief which came into force in December 2003 (*The Employment Equality (Sexual Orientation) Regulations 2003* and *The Employment Equality (Religion or Belief) Regulations 2003*) the Governing Body of Paignton Community and Sports College will take full account of these new legal requirements, alongside our established arrangements for promoting diversity and avoid discrimination on grounds of sex, race or disability.

Definitions

Religion or belief – this covers ‘religion, religious belief or similar philosophical belief’ (for example: Christianity, Buddhism, Jainism, Druidism).

Sexual Orientation – this covers homosexuals, bisexuals and heterosexuals.

Main Provisions

The regulations prohibit:

Direct discrimination – treating a person less favourably on the grounds of sexuality or religion or belief.

Indirect discrimination – applying a provision, criterion or practice which is applied to everyone but puts people of a particular religion or belief or sexuality at a disadvantage and is not a proportionate means of achieving a legitimate aim.

Harassment – where a person engages in unwanted conduct which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Victimisation – a particular type of discrimination which arises because someone has done one of a number of acts which are specified under the Regulations.

Genuine Occupational Requirements (GORS)

Some forms of discrimination are allowed where being of a particular sexual orientation or religion or belief is a genuine and determining requirement for a post. There are also additional GORS that apply in very limited circumstances where:

- An organisation has an ethos based on religion or belief and because of the nature of the job or its context it is a genuine requirement to be of a particular religion or belief.
- Where employment is for the purposes of an organised religion a requirement related to sexual orientation can be applied in order to comply with the doctrines of the religion or to avoid conflicting with the religious convictions of a significant number of religion’s followers.

Positive Action

Some limited positive action which is defined by the Regulations is allowed where it 'reasonably appears' that it prevents or compensates for disadvantages linked to sexuality or religion or belief in certain circumstances (for example special training to encourage people of a particular sexuality or religion or belief to take advantage of opportunities for doing particular work).

AGE

The Governing Body will not discriminate against staff or prospective staff on the basis of age. The definition of age being a younger worker or an older worker. The College will look at the employment of and promotion of staff based on skills and competences.

The criteria of number of years experience will not be used other than in exceptional circumstances, for example completion of a NQT year.

Application forms will no longer ask for a date of birth.

The College will review its Professional Development on a regular basis to ensure that training is made available to staff of all ages.