

## Equality, Diversity and Inclusion Policy

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## 1. Policy Statement

Birkdale is committed to encouraging equality, diversity and inclusion among our pupils and staff, and eliminating unlawful discrimination. Our aim is for our whole school community to be understanding, accepting and value the different personal, physical and social characteristics of individuals.

Birkdale is a Christian school, under the Religious Character of Schools Regulations 2003, and is committed to the promotion of care for and respect of each individual within its community. We believe that every person is created equally in God's image.

Birkdale further promotes the pursuit of excellence for each member of its community according to their abilities and potential. All members of the community have equal access to the opportunities made available by the school free from the effects of discrimination and prejudice.

Birkdale fosters procedures, policies, and behaviours to ensure that pupils' and staffs' differences and needs are taken into account. The goal of inclusion is to create a respectful culture and environment where all pupils and staff feel comfortable, included, and accepted, and are happy to participate and share their opinions. We also aim to be truly representative of all sections of society and our community, and for each member of the school community to feel respected and able to give their best.

Birkdale School is totally committed to avoiding all forms of discrimination and harassment as set out in the UK Equality Act 2010, which provides the legal framework to address disadvantage and discrimination. This policy applies to pupils, staff, parents, applicants and the wider school community such as governors and volunteers. It includes discrimination on the grounds of the following protected characteristics:

- Age
- Disability (physical or mental)
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including colour, nationality, and ethnic or national origin),
- Religion or belief
- Sex
- Sexual orientation

## 2. Definitions of Protected Characteristics

**Age** - A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).

**Disability** - A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activity.

**Gender reassignment** - The process of transitioning from one gender to another.

**Marriage and civil partnership** - Marriage is a union between a man and a woman or between same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil

partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).

**Pregnancy and maternity** - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

**Race** - Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

**Religion and belief** - Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Sex** - A man or a woman.

**Sexual orientation** - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

### 3. Policy Purpose

The policy's purpose is to:

- Provide equality, fairness and respect for all in our school community
- Ensure we do not unlawfully discriminate according to the protected characteristics in the Equality Act 2010. This includes opposing and avoiding all forms of unlawful discrimination. For staff this includes, but is not limited to relating to pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, selection for employment, promotion, training or other developmental opportunities. For pupils this includes their admissions process, interaction with teachers, absence requests, access arrangements, SEND provision and peer on peer behaviour.

### 4. Definition of discrimination and harassment

**Direct discrimination** - This means treating one person worse than another person because of a protected characteristic.

**Indirect discrimination** - This can happen when an organisation puts a rule or a policy or a way of doing things in place which has a worse impact on someone with a protected characteristic than someone without one.

**Harassment** - This means people cannot treat you in a way that violates your dignity, or creates a hostile, degrading, humiliating or offensive environment.

**Victimisation** - This means people cannot treat you unfairly if you are taking action under the Equality Act (e.g. making a complaint of discrimination), or if you are supporting someone else who is doing so.

## 5. School Commitments

- Encourage equality, diversity and inclusion as they are good practice and benefit the school community.
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff and pupils are recognised and valued.
- This commitment includes training all staff and informing all pupils about their rights and responsibilities under this policy. Responsibilities include staff and pupils conducting themselves to help the school prevent bullying, harassment, victimisation and unlawful discrimination.
- All staff should understand that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, pupils, parents, suppliers and the public.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, pupils, parents, suppliers, visitors, the public and any others in the course of the organisation's work activities.
- Such acts will be dealt with as misconduct under the school's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal or permanent exclusion.
- Cases of sexual harassment may amount to both an employment rights matter and/or a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
- Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- The School will make reasonable adjustments in the areas of curriculum and pastoral support.
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.

We aim to move towards a position in the future where we can monitor the make-up of the whole school community, including the workforce, regarding information such as age, sex, ethnic background, religion or belief, and disability. This is to actively encourage equality, diversity and inclusion, and to meet the aims and commitments set out in this policy. As some individuals may consider these to be a private issue any monitoring will be done on a voluntary basis. Any future monitoring process will include details of the process for gathering, storing and using the information and procedures to ensure that the information is not used to discriminate against, harass or victimise. Birkdale believes the make-up of the workforce is relevant in the workplace, particularly with regard to discrimination and the application of equality and other policies. Monitoring will also include assessing how this policy, and any supporting action plans are working in practice, reviewing them annually, and taking action to address any issues.

## 6. Roles within the School

### Pupils:

- Pupils will know and understand, from an early age, what constitutes discrimination or harassment and why it is offensive. They will show respect and acceptance of difference and treat each other with dignity.
- Pupils will understand how to report a concern and what is involved in any subsequent investigation.
- The school uses a framework of *Care, Protect, and Teach & Learn* to communicate equality, diversity and inclusion to pupils.

### Staff:

- All staff in our school should take all forms of discrimination and harassment seriously and intervene to prevent incidents from taking place. We attempt to support all pupils in the school and through our actions, establish a climate of trust and respect for all. By praising, rewarding and celebrating the success of all pupils, we aim to prevent incidents of discrimination.
- We recognise that the behaviour of all staff in the school will be seen as model behaviour, therefore it is imperative that all staff demonstrate acceptance, understanding and care towards all pupils and high-quality professional relationships with all adults.
- Pupils' and staff members' names will be accurately recorded and correctly pronounced.
- We show equal regard for all our interactions with pupils and staff are free from intimidation.
- All staff should be aware of possible cultural assumptions and unconscious bias within their own attitudes towards pupils and staff.
- In all staff appointments the best candidate will be appointed based upon strict professional criteria. The school follows the Admissions Policy which does not permit a protected characteristic to be used as a criteria for pupil admission. All staff will be expected to adhere to this policy, and any staff member in breach of this policy may be subject to disciplinary procedures.

### Governors:

- The Governing Body supports the Head, Head of Prep and Deputy Heads. This policy statement makes it very clear that the Governing Body does not allow discrimination or harassment to take place in Birkdale School, and that any incidents that do occur are taken very seriously and dealt with appropriately.
- The Governing Body monitors any incidents of discrimination that occur and reviews the effectiveness of the school policy on an annual basis. The Governors require the Head, Head of Prep / Deputy Heads to keep accurate records of all incidents of discrimination harassment and to report to the Governors on request the effectiveness of school anti-discriminatory strategies.
- The Governing Body responds immediately to any request from a parent, pupil or staff member to investigate incidents of discrimination and harassment. In all cases, the Governing Body notifies the Head, Head of Prep / Deputy Heads and asks them to conduct an investigation into the case and to report back to a representative of the Governing Body.

### Heads of Section/ Deputy Heads (Pastoral):

- It is the responsibility of the Deputy Heads (Pastoral) and Heads of Section to implement the school equality, diversity and inclusion strategy and to ensure that all Birkdale staff (both teaching and Support Staff) are aware of this policy and know how to deal with incidents.

- The Head, Head of Prep / Deputy Heads report to the Governing Body about the effectiveness of this policy on request.
- The Deputy Heads, Heads of Section and teachers will ensure that all children know that discrimination and harassment is wrong, and that it is unacceptable behaviour in this school. This is achieved through assemblies, the PSHEE curriculum and when setting class rules. Pupils also discuss discrimination at School Council meetings and in the Equality and Diversity Committees.
- The Deputy Heads ensure that all staff receive sufficient training to be equipped to deal with all incidents of discrimination and harassment.
- The School benefits from a Chaplain. Part of their role is to support this policy.
- The Deputy Heads and Heads of Section will ensure that all staff members under their line management, follow policies and procedures that prevent discrimination and harassment.

**Parents:**

- Parents have a responsibility to support this policy and to actively encourage their child to be a positive member of the school.

## 7. Raising a concern

### Pupils

**Reporting:**

- All forms of discrimination and harassment by any person within the school are treated seriously. Birkdale School encourages an open-door policy and pupils are able to raise concerns any time either face to face or by email.
- All incidents will be investigated by the Head of Section and the Deputy Head or other senior staff member immediately and no later than within 3 working days of the concern being reported so far as possible.
- If the concern relates to the staff named above a pupil can raise a concern with any member of staff.
- The investigation will begin with a meeting between the pupil reporting the concern, the appropriate Head of Section and the Deputy Head (Pastoral).
- The Head, Head of Section or Deputy Head (Pastoral) may contact the parents of all involved pupils to inform them of the reported concern.
- Depending on the nature of the concern it may be appropriate to ask a pupil to work from home while the school decides on an appropriate action.
- Should any member of staff be aware of an incident of discrimination or harassment out of school, perhaps involving pupils, parents or carers this should also be referred to the Deputy Head who may report any such incident to an appropriate agency (e.g. police, Safeguarding Hub).

**Investigation:**

- The investigation meeting will focus on understanding the nature and details of the concern e.g. who is involved, the unacceptable acts committed, dates and times of acts, frequency, medium used e.g. face-to-face, social media etc. Following this initial meeting, the Head of Section and Deputy Head (Pastoral) will meet with all those involved with the concern.
- If the pupil has been accused of committing a discriminatory or harassing act, at this meeting parents will be made aware of this policy and other relevant policies e.g. exclusions, behaviour rewards and sanctions. They will be informed of the reported concern and invited into school to discuss the investigation.

- When the school has decided the appropriate sanction, the pupil and parents will be invited back into school to discuss this. This may include writing a letter of apology, restorative justice, correctional education or temporary or permanent exclusion.
- Following this all involved pupils, parents and members of staff will be informed of the outcome of the investigation.

#### **Following an investigation:**

- If a parent or member of staff disagrees with the outcome of the investigation, they may make a written application within three days of the outcome to the Head for a review.
- Following an investigation, the Deputy Head will meet with the reporting pupil to review the concern. It may be appropriate for future meetings to be scheduled to ensure the pupil receives appropriate support. All meetings will be recorded, and meeting notes retained by the Deputy Head. Alternatively, pupils may meet with the school counsellor or Head of Section for further support.
- Completed reports and investigations are retained by the Deputy Head and/or the Head of Section.
- Governors will be regularly informed about the occurrence of incidents involving discrimination.

### **Staff**

#### **Reporting:**

- All forms of discrimination and harassment by any person within the school are treated seriously.
- All incidents involving staff members should be reported to the Head of Section and the Deputy Head or, in their absence, another senior member of staff.
- Birkdale School encourages an open-door policy and staff are able to raise concerns any time either face to face, by email or the anonymous reporting procedure.
- If the concern relates to the Head of Section or Deputy Head, the Head should be informed. If the concern relates to the Head then the Chair of Governors should be informed.
- In the event of a staff member raising a concern, where appropriate the disciplinary procedure will be followed, which is outlined on the school staff portal.

#### **Investigation:**

- Incidents involving staff members will follow the disciplinary procedure where appropriate. The process will be overseen by the HR and Compliance manager.
- In the event that the incident involves a pupil-staff element, both of the above staff and pupil procedures will be followed.
- Should any member of staff be aware of an incident of discrimination or harassment taking place out of school, perhaps involving pupils, parents or carers this should also be referred to the Deputy Head who may report any such incident to an appropriate agency (e.g. police, Safeguarding Hub, or approach through the School's internal disciplinary and grievance procedures.
- Use of the School's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

### **Parents**

- If a parent is concerned that their child is the target of discrimination or harassment they should speak to their child's Head of Section or the Deputy Head.
- Birkdale School encourages an open-door policy and parents are able to raise concerns any time either face to face, by email, or by the anonymous reporting procedure.
- For concerns unresolved by the above routes parents should refer to the Complaints Policy.

## **8. School Commitments to Inclusion**

The following are examples of, but not limited to:

- The creation of a pupil-led Equality and Diversity Committee in each section of the School e.g. Lower School, Middle School and Sixth Form.
- Provide opportunities for pupils to learn about cultural diversity e.g. units of work in history, geography, RE, art, music and other subjects.
- Where possible involve people from diverse and varied backgrounds in school.
- Deliver the message of equal opportunities, including what constitutes discrimination and harassment, within Personal, Social, Health and Economic Education (PSHEE), the wider curriculum and through the extra-curricular programme.
- Use PSHEE lessons and assemblies to discuss and develop strategies for dealing with conflict, for encouraging co-operation and collaborative learning and for listening to each other's point of view and opinion.
- Continue to deliver strong SEND provision for pupils through reasonable adjustments to curriculum enrichment and pastoral support. The school also commits to completing regular training and engagement with student voice. We aim to identify any barriers, and encompass new approaches to maximising learning and inclusion.
- Value each pupil's cultural and linguistic background and have high expectations of all children.
- Use of School Council meetings to raise and discuss any concerns.
- Our curriculum and pastoral systems (including assemblies) will address issues of equal opportunities as appropriate to the age of the pupils concerned and with the specific aim of promoting mutual understanding and acceptance.
- Staff training and guidance will address the means by which such curriculum/pastoral objectives may be delivered and met in practice.
- Invite outside speakers from varied cultural backgrounds to talk to staff and pupils.
- Celebrate staff and pupil difference by publishing a diversity and inclusion calendar to focus on a range of backgrounds and traditions throughout the school year.
- Staff vigilance
- Regular training on equality, diversity and inclusion.
- Identify a channel for regular engagement with staff on equality, diversity and inclusion.
- Aim to embed diversity, equality and inclusion in all the School's policies and procedures.

## **9. Review and Development**

### **9.1 Procedure**

This document, together with the effectiveness of the inclusive practices at Birkdale School, is reviewed annually by the Senior Management Team and as events or legislation change require.



## **9.2 Links with other Policies**

This policy should be read in conjunction with the following documents:

- Admissions Policy
- Recruitment Selection and Disclosure Policy
- Anti-Bullying Policy
- Behaviour, Rewards & Sanctions Policy
- PSHEE Schemes of Work
- SEND Policy and Information Report
- Whistleblowing Policy