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**Name of Policy:****Equalities Policy****(Formerly known as Equal Opportunities Policy)****AIMS:**

This policy is drawn up in consideration of the Equality Act 2010 which protects individuals from discrimination and harassment based upon 'protected characteristics' the protected characteristics in respect of the pupils are:

- Disability
- Gender reassignment or identification
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Equality of opportunity at Kent Health Needs Education Service (KHNES) means providing equality and excellence for all in order to promote the highest possible standards. Equality of opportunity applies to all members of the service community; pupils, staff, management committee, parents and carers and community members.

The core values and ethos of the Equality Policy are:

1. To prepare pupils for life in a diverse society and world.
2. To meet the diverse needs of the pupils.
3. To ensure that an inclusive ethos is established and maintained.
4. To make KHNES a place where everyone, irrespective of their race, colour, ethnic or national origin or citizenship, feels welcomed and valued.
5. To respect and value linguistic, cultural and religious diversity in the community.
6. To develop each pupil's sense of personal and cultural identity and to encourage pupils to be confident, open to change, receptive and respectful towards other identities.
7. To acknowledge the existence of prejudice, and be proactive in tackling and eliminating discrimination.
8. To ensure that issues related to equality and prejudice are recognised across all areas of service activity.
9. To ensure that equality is an integral part of all planning and decision making within the service.

**LEADERSHIP AND MANAGEMENT:**

1. All service policies reflect a commitment to equal opportunities.
2. The Management Committee and service leaders set a clear ethos, which reflects the commitment to equality for all members of the service's community.
3. KHNES promotes positive and proactive approaches to valuing and respecting diversity.
4. The Leadership Team work in partnership with others to promote equality of opportunity, oppose all forms of oppressive behaviour, prejudice and discrimination.
5. Teaching and curriculum development are monitored to ensure high expectations of pupils and appropriate breadth of content in relation to the service and the wider community.

6. The Management committee will:

- Ensure the aims of KHNES indicate a commitment to providing equality of opportunity.
- Strive to ensure that its own membership reflects the communities, which the service serves, in terms of ethnicity, gender and class.
- Ensure they receive up to date training and instruction in fair employment practices and procedures.
- Ensure fairness when issuing funds.
- Liaise with the Executive Head Teacher and Senior Leadership Team regarding the way in which the service addresses equality issues and make recommendations and decisions as appropriate.

**Staffing: Safer Recruitment and Professional Development:**

The Management Committee:

- Is committed to equality for all in the appointment, development, training and promotion of staff, and in all dealings with pupils and parents and carers of the service.
- Recognises the value of a diverse and inclusive workforce.
- Together with the service leaders will operate at all times within the requirements of anti-discrimination legislation and will promote equality positively in its staffing decisions.
  
- All decisions, including advertising of vacancies, shortlisting, selection, induction, appraisal, training, development, promotion, terms and conditions of employment, dismissal and pay will be based on an objective and fair assessment of service requirements.
  
- The only personal characteristics, which will be taken into account, will be those, which are necessary for the requirements and proper performance of the work involved. There will be no generalised concepts or assumptions about the characteristics of groups. All staff have the right, through the agreed procedures, to challenge any decision or action taken which they believe to be in breach of these principles. Any member of staff who deliberately and knowingly contravenes this policy will be liable to formal disciplinary action.

**Statutory Requirements:**

The Management Committee is bound by law not to discriminate in certain groups. The Equality Act 2010 has brought together all the current discrimination laws into one and sets out the 'protected characteristics' that qualify for protection from discrimination as:

- Age
- Disability
- Gender reassignment or identification
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex and
- Sexual orientation

There are some exemptions from this legislation in situations where the essential nature of a job calls for a man, woman or person from a religion or racial group. The Management Committee would not normally seek to use exemptions from the above acts.

**The Management Committee will:**

- Give sympathetic consideration for requests for time off or for religious observance from staff 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 service.
- 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 who have a disability.
- Acknowledges these areas of regulation and confirms its commitment to enforce these statutory requirements in the service.

**Advertising of vacancies:**

Vacancies will be advertised openly and will normally be available for members of staff in the service to apply.

**Selection for appointment or promotion:**

All decisions relating to appointments or promotions 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 service.

**Specific Issues:**

1. Age:

The Management Committee is opposed to any direct or indirect discrimination based on age.

2. Disability:

The Management Committee is opposed to any discrimination against people with disabilities based on assumptions of their ability or otherwise carry out the duties of a post in the service. Where a candidate who has a disability is appointed to the post in the service, reasonable provision will be made for adjustments to the working conditions or environment where this is practicable.

3. Gender reassignment or identification:

The Management Committee is opposed to any discrimination as a result of a person proposing to undergo, undergoing or having undergone a process (or part of a process) for the purpose of reassigning the person's sex. This equally applies to discrimination as a result of any form of identification of gender.

4. Marital status or civil partnership:

The Management Committee is opposed to any discrimination against employees who are married or in a civil partnership.

5. Pregnancy and maternity:

The Management Committee is opposed to any discrimination against a woman because of her pregnancy and / or maternity leave.

6. Race:

The Management Committee is opposed to any direct or indirect discrimination based on race, colour, ethnic or national origin. There may be situations in the service which require special consideration and when an occupational requirement may apply to justify the employment of someone of one particular race or ethnic origin. However, these situations will be unusual and exceptional, and will be discussed with staff in advance.

7. Religion or Belief:

The Management Committee is opposed to any direct or indirect discrimination based upon religion or belief.

8. Sex

The Management Committee is opposed to any direct or indirect discrimination based on gender. There may be situations in the service, which require special consideration and where a genuine and determining occupational requirement may apply to justify the employment of someone of a particular sex. However, these situations will be unusual and exceptional, and will be discussed with the staff in advance.

9. Sexual orientation:

The Management Committee is opposed to any direct or indirect discrimination based on perceived or actual sexual orientation.

10. Harassment or bullying:

The Management Committee is opposed to any unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. The Management Committee is further opposed to any act of victimisation, harassment or bullying against any member of staff either by an employee or third party based on assumptions about their status in the above categories or any other grounds. Such action will be investigated in accordance with the service's procedure and may lead to formal disciplinary action.

11. Non-statutory aspects:

Although there is no statutory requirement not to discriminate against any other groups, or characteristics of staff, the Management Committee wishes to state that it will not in any way discriminate against members of staff or applicants for posts on the grounds of their political affiliation.

**Positive Action:**

The Management Committee recognises that the avoidance of discrimination is not sufficient to ensure that equality exists in the service. The Management Committee will 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 Management Committee 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 underrepresented in the service
- 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 underrepresented groups
- Assistance with applications for candidates with language problems
- Commitments to interviewing disabled people who meet the basic criteria for the post
- Encouraging staff 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 find offensive even if not directed towards them or harassment because of perception or association.

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

The Management Committee 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 service. Any such act by a member of staff against any adult or child will be treated as a disciplinary offence, and action taken accordingly.

KHNES has procedures to resolve grievances and for the handling of complaints of harassment and bullying at work. The Management Committee is 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 Mark Goode, Executive Head Teacher or in the case of a grievance against The Executive Head Teacher, Mr R Gaygan, Chair of Management committee. In addition, staff have the right to approach their profession association or trade union representative for support.

### **Monitoring:**

The service will keep records of existing staff and new applicants which can be analysed to provide data to assess whether equality is being demonstrated.

The Management Committee 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 service to accommodate people with disabilities will also be monitored as part of this process.
- Staff and management committee 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 report to the Management Committee.
- The Management Committee will ensure that the information is stored in an appropriate and confidential format in accordance with the Data Protection Act 1998.

### **Training:**

The principles outline 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 service's operational priorities, based on the service's overall development plan and budget allocations.

Similarly, the training of service managers and Management committee in issues of equality and discrimination is an essential part of our Equalities Policy.

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

### **Curriculum:**

1. The curriculum builds on pupils starting points and is differentiated appropriately to ensure the inclusion of:
  - Boys and girls, as well as young people identifying in varying ways
  - Pupils learning English as an additional language
  - Pupils from ethnic minority groups
  - Pupils who are looked after by the Local Authority
  - Pupils who are at risk of disaffection and exclusion
2. Wherever possible, the curriculum is planned to incorporate the principles of equality and to promote positive attitudes to diversity. All subjects contribute to the spiritual, moral, social and cultural development of all pupils.
3. The content of the curriculum reflects and values diversity. It encourages pupils to explore bias and to challenge prejudice and stereotypes.
4. Extracurricular activities and special events cater for the interests and capabilities of all students and take account of parental concerns related to religion and culture.

### **Teaching and Learning:**

1. Teachers ensure that the classroom is an inclusive environment in which pupils feel all their contributions are valued.
2. All pupils have access to a curriculum that attempts to best meet individual needs subject to normal timetabling and resource restrictions.
3. Teaching is responsive to pupils' different learning styles and takes into account of pupils' cultural backgrounds and linguistic needs.
4. Teachers take positive steps to include all groups or individuals.
5. Pupil grouping in the classroom is planned and varied. Allocations to teaching groups are kept under regular review.
6. Teachers recognise the importance of displays and resources as a way of communicating with all service users and ensure they represent, promote, inform, support and celebrate all sections of the academy and wider community without bias, discrimination or stereotyping.



### **Assessment, Pupil Achievement and Progress:**

1. All pupils have the opportunity to achieve to their highest standards. KHNES ensures that assessment is free of gender, cultural and social bias, and that assessment methods are valid.
2. The monitoring and analysing of pupil performance by gender, ethnicity and background enables the identification of groups of pupils where there are patterns of underachievement. KHNES ensures that action is taken to counter this.
3. Staff have very high expectations of all pupils and they continually challenge them to extend their learning and achieve higher standards. KHNES recognises all forms of achievement however small.
4. All pupils have full opportunities to demonstrate what they know, understand and can do and therefore, to benefit from assessment which summarises what they have learnt. Information from assessment is used to inform future planning.
5. Staff use a range of methods and strategies to assess pupils progress.

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

1. KHNES expects high standards of behaviour from all pupils.
2. There are strategies to reintegrate long-term absentees should this arise.
3. KHNES, actively avoids excluding pupils unless an exceptional circumstance arises.
4. The service's procedures for supporting pupils and managing behaviour are fair and applied equally to all.
5. It is recognised that cultural background may affect behaviour. KHNES takes this into account when dealing with incidents of non-complaint or unacceptable behaviour.
6. All staff operate consistent systems of rewards, include the positive use of praise.
7. Pupils, (those who are able) staff, 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.
8. 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 takes account of religious and ethnic differences and the experiences and needs of refugee and asylum seeker children.

2. KHNES provides appropriate support for pupils learning English as an additional language and encourages them to use their home and community languages.
3. KHNES takes account of and meets the needs of traveller pupils.
4. All pupils are provided with appropriate post 16 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 curriculum and pastoral systems promote and reinforce equal opportunities.

### **Admissions and Attendance:**

1. The referral process is centralised through the KHNES processes and is monitored to ensure that it is administered fairly and consistently to all pupils. Please refer to the Referral Criteria.
2. Information about pupils' ethnicity, first language, religion, physical needs, medical needs etc. is included on all the admission forms.
3. KHNES and parents / carers are aware of their rights and responsibilities in relation to pupil's attendance and absence is always followed up by appropriate staff.
4. Responsible provision is made for leave of absence for religious observance which includes staff 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 Parents and Carers and The Community:**

1. Progress reviews to parents and carers are accessible and appropriate in order to ensure that all parents and carers have the opportunity to participate in the dialogue. Parents and carers are encouraged to telephone the service for an appointment at any time if they have concerns.
2. All parents and carers are encouraged to participate at all levels in the full life of the service for example, through assemblies, parents' evenings etc.
3. KHNES works in partnership with parents, carers and the community to develop positive attitudes to diversity and to address any specific incidents.
4. KHNES takes steps to encourage the involvement and participation of underrepresented groups of parents / carers and sections of the community.

5. Information material for parents / carers and users of the community facilities as easily accessible in user friendly language.
6. The premises and facilities are equally available and accessible as far as is reasonably possible for us by groups within the community.

**Responsibilities:**

1. The Management Committee and Executive Head Teacher will ensure that KHNES complies with all relevant equalities legislation.
2. The Management Committee and Executive Head Teacher will ensure that the policy and relevant procedures and strategies are implemented.
3. The Executive Head Teacher will ensure that all staff are aware of their responsibilities under the policy.

**Monitor and Review:**

This policy will be regularly monitored and reviewed to ensure that it does not disadvantage particular sections of the community. This policy will be given to all staff through normal management meeting mechanisms and The Leadership Team will ensure that it is known and understood by staff. This policy will also be made available to potential applicants for vacant positions in the service.

This policy is to be read in conjunction with the following documents:

- Positive Behaviour Policy
- Anti-Bullying Policy
- Whole Service Vision, Values and Ethos
- KHNES referral criteria