



**POLICY:** Equality and Diversity Policy

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**GOVERNOR COMMITTEE:** Personnel & Welfare /Full Governing Body

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## JMHS Equality and Diversity Policy

At JMHS we recognise our responsibilities under the Equality Act 2010 and believe that everyone in the school is of equal value and should have equal opportunities in school, our community and life.

We acknowledge that this Act brings together into one Act those areas known as 'protected characteristics' that qualify people for protection from unlawful discrimination such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We understand that people in society can be discriminated against due to these protected characteristics and acknowledge that incidents of this nature, when targeted, are considered hate incidents/crimes. Prejudice and discrimination are totally unacceptable in our school community, and we will respond appropriately in line with the Equality Act 2010 and our Positive Behaviour Policy. Equality and diversity also underpins our main curriculum, alongside teaching and learning policies. Our working definition of race is one that includes nationality and ethnic national origins and our definition of disability is a physical or mental impairment which has substantial or long-term adverse effects or the ability to carry on "normal" day to day activities

The police and Crown Prosecution Service have agreed a common definition of hate incidents. They say something is a hate incident if the victim or anyone else think it was motivated by hostility or prejudice based on a protected characteristic ([www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)).

Equality of Opportunity is not about treating everybody the same, it is about treating people equitably. It is about recognising that people are individuals and, therefore, different. Each member of our school community is expected to demonstrate respect for each other and to ensure that all members of our school community are valued equally: supporting an individual to meet their needs and celebrating strengths and talents. Each member of our school community is offered fair treatment and opportunity and we will seek to identify and eradicate any and all forms of prejudice and discrimination.

### 1.0 Aims

For all members of the school community to feel valued, safe and respected by seeking to eliminate discrimination and other conduct prohibited by the 2010 Equalities act. A broader aim is also to advance equality of opportunity and foster good relations between those who share a protected characteristic and people who do not.

Through strong collaboration between school and home, students are supported to:

- Understand the importance of their unique identity and the role this has within the school and community.
- Consider carefully key moral, religious and spiritual aspects of life.
- Develop a sense of responsibility and self-discipline.
- Create a culture of inclusion, tolerance and mutual understanding.
- Staff and students have the confidence and ability to call out and challenge prejudicial or discriminatory behaviour if they encounter or observe it.

## **1.1 JMHS provides**

- A safe, supportive learning environment which provides the opportunity for students to achieve their personal and academic best.
- A personalised approach to meet the needs of all students: academically, emotionally, culturally, socially and physically.
- An atmosphere where all members of the school community are able to flourish and succeed; are valued and encouraged to make positive contributions and leave the school as responsible and independent members of our community.
- A clear framework in the Positive Behaviour Policy to provide pathways that make clear potential actions and sanctions for breaches of equalities. This includes targeted restorative work for victims, perpetrators and those at risk of becoming a perpetrator. It also includes clear channels of communication where equality breaches can be flagged and communicated.
- A curriculum which reflects modern British society in and outside the local context but is also built around stages of mastery that allow all to meet their targets and objectives, as outlined in curriculum intent documents.

These aims promote equal opportunities for all. Equal opportunities enable "all individuals to develop their personal qualities and talents to the full, to learn to respond sensitively to ideas and beliefs that may not coincide with their own, and to respect views arrived at by reasoned thinking and argument. It requires that individuals accept the interdependence and common obligations of all human beings" (OFSTED).

## **2.0 Roles and Responsibilities**

JMHS condemns discrimination of any kind. Whilst we actively take every effort to ensure that equality of opportunity is reflected in all aspects of the school, all members of the school and the community are expected to immediately report incidents of prejudice and discrimination. We are all expected to share and contribute to the on-going development objectives found in this policy.

Dealing with discriminatory behaviour, abuse and intimidation is the responsibility of everyone – all students and staff can expect to be listened to and have their complaints investigated. If a student or a member of staff feels that his or her complaint has not been properly dealt with, the matter could be escalated through the JMHS Concerns and Complaints procedure.

## **3.0 Role of the Governing Body**

The governing body will:

- Ensure that the school complies with the appropriate equality legislation and regulations.
- Meet its obligations under the Public Sector Equality Duty to publish equality objectives.
- Ensure that the school's policies and procedures are developed and implemented with the appropriate equality impact assessments informing future plans including the School Development Plan. The school will review its equality objectives in line with school improvement planning annually and at least every 4 years.
- Ensure that the recording and reporting of equality and diversity data is sufficiently scrutinised.

- Ensure that the school's Admissions policy does not discriminate in any way.
- Ensure equal opportunities in staff recruitment and promotion practices, professional development programmes and in governing body membership.
- Ensure that the necessary disciplinary measures are in place to enforce this policy.
- Ensure that the information and objectives set out in this statement are published throughout the school community, updated annually with objectives reviewed every 4 years.
- Delegate responsibility for monitoring the achievement of the objectives to the headteacher and other designated staff.

#### **4.0 Role of the Headteacher and Senior Leadership Team**

The Headteacher and Senior Leadership Team will:

- Ensure that this policy is embedded into the school and the school development plan and therefore promoting a culture of inclusivity in all aspects of school life.
- Actively challenge and take appropriate action in any case of discriminatory practice.
- Address any reported incidents of harassment or bullying in line with DfE guidance.
- Monitor and analyse the performance of all students including those with protected characteristics within the school curriculum and extra-curriculum involvement and devise and implement strategies for improvement.
- Ensure that positive attitudes towards gender, cultural diversity and special needs of all kinds are cross-referenced in all curricular, student welfare and staff policy statements.
- Monitor the school's performance in equalising opportunities including the use of resources, examination entries and successes and school leaver destinations.
- Ensure that any student or staff member who has experienced racist, sexist, homophobic or other forms of personal verbal or physical abuse or intimidation are supported by the school and relevant outside agencies, and anyone who has committed such offences are appropriately dealt with including receiving education and restorative support.
- In line with national guidance and our Child Protection and Safeguarding Policy we recognise that children are capable of abusing their peers. This abuse could be considered a breach of equalities. Abuse will never be tolerated or passed off as "banter", "just having a laugh" or "part of growing up".
- Monitoring and keep under review recruitment, appointments, promotions, staff training and other staff policies to ensure there is no overt or covert discrimination. However, the right is reserved, for specific appointments, to recruit either a male or female member of staff to comply with existing legislation (e.g. the supervision of students changing for PE).
- Understand that making any decision could have implications for students and staff with protected characteristics.
- To ensure the review of equalities objectives takes place as part of general school improvement planning annually, but at least every 4 years in terms of establishing new targets.
- Ensure the school has due regard for equalities whenever significant decisions are made for example curriculum design, term dates, site developments and changes to the behaviour policy.

## **5.0 Role of the designated SLT member for co-ordinating the policy**

The designated SLT member will:

- Ensure that all staff members receive appropriate equality and diversity training. This will include updates on a range of issues within and outside of the local context: for example, FGM, Honour Crimes and Extremism. Also, to update personal knowledge in this area and training gaps across the staff.
- Ensure that all parents, visitors and contractors are aware of and in compliance with the provisions of this policy.
- Record, report and address all discriminatory and hate incidents between students. Incidents are recorded on a central system and categorised appropriately depending on the nature of the incident. This data is made available to the SLT and Link Governor.
- Seek advice from appropriate outside agencies such as the police, Herefordshire council and other schools in order to ensure that this policy is relevant and compliant.
- Lead on plans to review and monitor equalities in terms of safeguarding and inclusion to include the incorporation of student and parent voice
- Liaise and report back regularly to the headteacher and link Governor on the achievements and progress of this policy with data and evidence in terms of outcomes for those students with protected characteristics.
- Monitor and support curriculum leaders to promote tolerance and understanding of a range of cultures through different aspects of our curriculum and assembly programme.
- To support Year leaders in defining and responding to equalities breaches appropriately in terms of them being determined equalities breach, bullying, Hate Crime, Peer on Peer abuse or possible Prevent incident.

## **6.0 Role of Staff**

All staff will:

- Act as a positive role model in order to promote equality and British Values throughout the school community.
- Abide by and support this policy; challenging issues of harassment and bullying and reporting to Year Leaders and/or SLT.
- Be alert to signs of discrimination or a hate incident of any kind plus know how and be confident to report it through the My Concern safeguarding portal.
- Identify and challenge bias and stereotyping within the curriculum and the school's culture.
- Follow strategies identified to support students with protected characteristics, those involved in peer on peer abuse or those who are identified as vulnerable.
- Support students to develop self-esteem and to feel valued as individuals.
- Challenge inappropriate language and/or behaviour, following the protocol in this policy.
- Encourage students to share their experiences of different cultures and different religions and beliefs. Where possible using materials that reflect on British and other cultures. Understand the equalities "curriculum aim and intent" related to equalities in all subject areas.
- Encourage students to be open-minded and to challenge prejudice.
- Make explicit to students their responsibility to report incidents of harassment or bullying and make it clear the appropriate channels for doing this.
- Use learning and classroom based approaches appropriate for the whole school population and identifying where curriculum materials may be difficult or sensitive for some students.

- To take any steps they can to meet the needs of people who have a particular characteristic for example in terms of prayer, clothing and customs, diet and physical access.
- Promote inclusive behaviour and have an awareness of language and behaviour which may be discriminatory.

### 7.0 Role of parents/ carers

All parents should:

- Expect their children to be welcomed into a school in which there is no place for prejudice or non-acceptance.
- Comply with this policy.
- Inform the school of any behaviour, concerns or incidents that affect the school's behaviour expectations.

### 8.0 Role of Students

All students will:

- Have the opportunity to contribute to the development of school policies.
- Not discriminate against or harass any other student or staff member.
- Actively encourage equality and diversity in the school by exploring issues of discrimination in safe conversation spaces and welcoming students from diverse cultures and backgrounds.
- Make full use of opportunities to discuss and understand racism, sexism, homophobia as well as other forms of prejudice. Plus understand and accept that their views and experiences will be different to those of others
- Report any incidence of bullying, inappropriate language or harassment, whether to themselves or to others to an appropriate member of staff.
- Abide by the school policies and expectations.

### 9.0 Current 4 Year Objectives 2021-2025 (in line with the Equality Act 2010 specific duties regulations 2011)

<b>Objective 1</b>	To fully establish a high quality PSHE/SRE model that prepares students to form a full range of healthy and positive relationships in a modern diverse society- this includes the ongoing "pledge" for equalities plus the cross curricular contributions to be outlined in the curriculum intent for all subjects.
<b>Objective 2</b>	To have vehicles to consistently take on the views and experiences of staff, students and their families in our efforts to implement this policy and subsequent action plans. These vehicles should remain in tune with our on safeguarding context and have a focus on common prejudices in our area such as those against the GRT and Eastern European population a well as challenging the threat of white extremism.
<b>Objective 3</b>	To develop sustainable models of monitoring and reporting on data in attainment attendance exclusion and progression/transition data so difficult and challenging questions can be asked.

## **10.0 Initial response to a concern**

Appendix 1 details the steps to be taken when investigating a potential breach of equalities. This is not an exhaustive list but serves as a useful checklist for staff to ensure that the matter is considered carefully and effectively. If ever a member of staff has any concerns or questions it is essential that they contact a member of the SLT for support.

## **11.0 Responding to a confirmed breach of the Equality and Diversity Policy.**

Appendix 2 details how school will respond to allegations, including those of discrimination.

If, following investigation, it has been determined that a student has breached the Equality and Diversity Policy then appropriate action will be taken in line with the JMHS Positive Behaviour Policy.

A perpetrator who has shown intent in their actions and has caused harm will likely be excluded for a fixed term or in the most serious cases permanent exclusion will be considered. In decision making, intent and impact will be the key factors in determining the level of sanction for any confirmed breach of this policy.

## **12.0 Follow up to a confirmed breach**

It is important that the victim receives monitoring and support. This will typically be provided by the tutor or a member of the pastoral team.

Whilst any confirmed breach will result in an appropriate level sanction it is important that additional follow up work is completed with the perpetrator after the sanction to check their understanding of their actions and to help ensure that there is no further breach. Typically this work is carried out in the Behaviour Recovery Room and may involve support from the police and other agencies. It is also important to recognise the impact of the incident on other staff and students who may have witnessed the incident and there may invariably be the need to include these people in the response.

## **13.0 Monitoring**

The success of this policy will be monitored and evaluated on an annual basis by the Headteacher and the governing body in the following ways:

- Analysis of attainment and progress.
- Analysis of examination results data and progress check qualities.
- Monitoring of attendance.
- Recruitment data.
- Ofsted inspection judgements
- Incident records related to harassment, discrimination and bullying.
- Learning walks.
- Analysis of exclusions.
- Analysis of the School Development Plan.
- Student voice.
- Parental feedback.
- Staff feedback.



#### 14.0 Links to other policies

- Anti-Bullying Policy
- Concerns and complaints policy
- Behaviour policy
- Safeguarding and child protection policy (plus Peer on Peer section)
- Health and Safety policy
- Admissions and recruitment policies

## Appendix 1

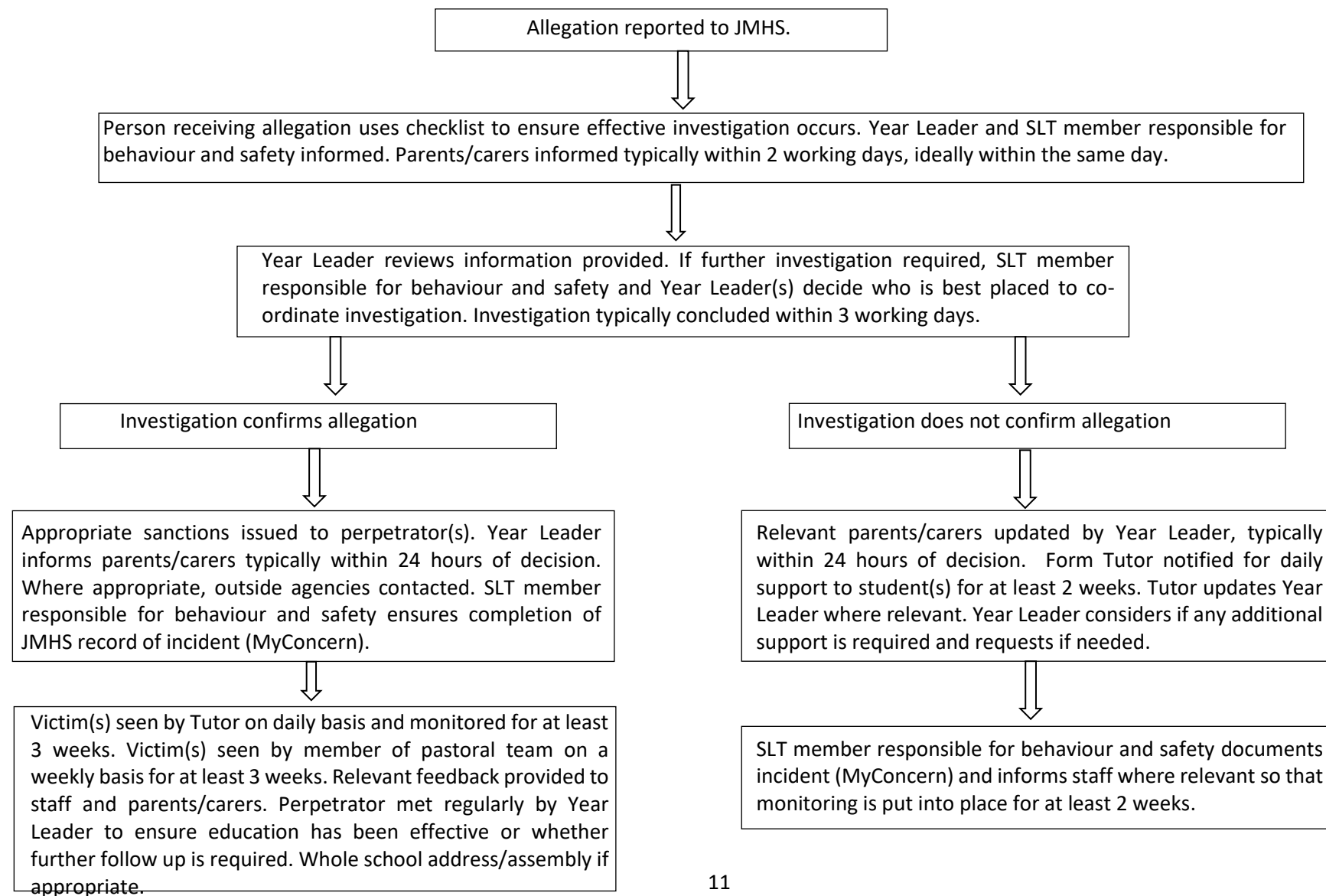
### STEPS TAKEN TO ENSURE THAT CONCERNS OR ALLEGATIONS ARE EFFECTIVELY INVESTIGATED

It is essential that these steps act as a guide for any staff who are made aware, directly or indirectly, of a concern or allegation. Typically, investigations will be carried out by a member of the pastoral team or member of the Extended School Leadership Team.

1. What are the views and feelings of the victim?
2. Who is involved in the situation? Perpetrators, witnesses and other possible victims.
3. Does the person sharing the concern have any special considerations or is vulnerable, and if so consider how these will be managed?
4. Do any of the other named students have any special considerations and if so consider how these will be managed?
5. Do other members of staff need to be called to assist? If so who is required?
6. What are the views and feelings of those involved in the situation? Establish the victim(s) views first.
7. Does the situation require immediate isolation of others involved?
8. Do any amendments to the curriculum need considering such as lesson seating or class separation, for example if responding to peer on peer allegations?
9. Are there any previous incidents relevant to this that need to be considered for any party involved?
10. Has there been a precedent set?
11. Does the incident require immediate escalation to SLT?
12. Does a bag search or confiscation of any item need to be arranged?
13. Do parents/carers need to be immediately contacted?
14. Does the concern require intervention from any outside agency such as the police or MASH team?
15. Should the police be notified? If police intervention is required, is 101 or 999 the correct pathway for the incident?
16. What, if any, other health and safety considerations need to be considered and how will these be managed?
17. What school policy does this relate to? Please ensure compliance check with policy is completed.
18. Where has this concern been documented? Has MyConcern been updated?
19. Following initial interviews are there any re-interviews that need to be considered?
20. Can an immediate decision be made or does there need to be more time to reflect and consult before a decision?
21. Do other students who have witnessed the breach need further support or feedback.

## Appendix 2

### JMHS PROCEDURE FOR RESPONDING TO AND MANAGEMENT OF SIGNIFICANT INCIDENTS



## Appendix 3

### Immediate response to an Equalities breach.

Staff may encounter and need to respond to a range of equalities breaches which may include

1. The use of discriminatory language as adjectives for something negative in the classroom e.g. This pencil case is so “gay.”
2. The inappropriate use of stereotypes by students in their dialogue and explanations e.g. “black teenagers all carry knives.”
3. The direct targeting and bullying of a student focusing on a protected characteristic that student has e.g. “you are a spaz.”
4. Refusal to work with or engage with another student because of a perceived or actual protected characteristic that student may have “I’m not sharing the same changing room as them.”
5. Students making inappropriate, radicalised or insensitive viewpoints known to others who may be offended for example “I think refugees should all be arrested.”

Any immediate response to an equalities breach witnessed by a staff member will vary on a series of factors in terms of the timing and location of the breach, the severity and the level of certainty the staff member has that the breach definitely occurred and by whom. The following therefore is a guide line

1. Isolate the student who has breached the policy either through their speech or actions using the on call system if need be. Students should not remain in a lesson or social space if there is even just a suspicion that the breach has been made. From September 2022 Equalities breaches will form a distinct part of the behaviour for learning policy
2. The student should be escorted to the Student services office or the On-call senior staff member of staff who will conduct initial investigations and communications
3. Wherever possible students who remain in the area or who have witnessed the incident should be counselled on the inappropriateness of the incidents and have stressed to them the seriousness the school takes such matters. If possible students should have the reasoning and nature of the breach fully unpacked – using JMHS equalities scripts (see appendix 4)
4. Student should not return to normal lessons and break times until a resolution and sanction is decided upon which should be at S3 as a minimum level
5. Sanction will depend on a series of factors
  - Age and understanding of the student
  - If the incident is repeated or part of a broader set of behavioural concerns
  - If the breach was a planned action or involuntary/emotional response
  - The level of abuse and injury perceived by any victims
  - The “audience” and “setting” of the breach
  - The level of initial remorse and understanding shown
  - The relationship between the offender and victim of the breach

## Appendix 4

### Why is it wrong????

**“I punched him because he was gay and I don’t like gay people.”**

Not only is this a criminal offence in terms of physical abuse because the primary motive for punching the student was his sexuality a characteristic protected under the 2010 equalities law this will be treated as a “Hate Crime” under the 1998 Crime and disorder act and the 2020 sentencing act and can therefore lead to prosecution. It is ok not to like someone but it is totally unacceptable to base your dislike on a protected characteristic.

**“His DT project looked so flimsy- so I laughed at it saying it was so gay!”**

It may well be that the person who the comment was made to is not homosexual however the use of a sexuality term to describe something as negative is offensive because it infers that being gay is something wrong, broken or weak – none would ever say that the DT project was “straight” so there is no link between an object and sexuality making this comment offensive to gay people and the people in the room who have friends and relatives in the LBGT community.

**“She came out of the boy’s toilet block with another girl so I shouted lesbian.”**

Even though the girl in question may be a friend or someone you know is not a lesbian this statement is both offensive and discriminatory. Drawing attention to anyone with the aim of getting people to consider them “sexually” is embarrassing and possibly intimidating ( therefore bullying) The comment infers that lesbians frequently engage in sexual activity in private areas such as toilets. This is offensive to the whole LGBT community and those who have friends and relatives within it.

**He wouldn't ask the girl out on a date- I said what's your problem are you gay?**

Again, this comment suggests that being gay is a problem. It is also an intrusive comment that expects the young person to discuss their sexuality without their consent to have that conversation. The person may even have intended to encourage their friend and they may even know that their friend is not gay- however they have used a protected characteristic in a way that can be seen as intimidating and therefore it is being used negatively.

**My mate always blows kisses at me and says come on gay girl- it makes us laugh.**

Lots of friends have a series of rituals, nick names and gestures that they share as part of their friendship and this is normal. However, the comments here are insensitive for any gay students or people who witness it. They may feel that using sexual terms in such a joke way makes light of gay relationships or even makes them look ridiculous especially if the students are involved are not actually gay.

**There's a kid in the class and he has a posh accent so we all call him gay.**

Students who have a different accent or don't use slang and colloquialism less or are even just more reserved and more shy than other teenagers are often labelled as "gay" as many young people find "difference" uncomfortable. On the media unfortunately many gay people are presented with stereotyped exaggerated, eccentric or "camp" gestures and voices, this has not helped the situation. It is offensive for anyone to have their background or personality simply put down to a sexual preference but it is equally offensive for the LGBT community to have their identity used as a tool to criticise others as it makes it appear that it is something to be ashamed of.

**My mate is gay and he always lets us call him gay boy.**

It would seem that this comment is not an issue as there does not seem to be a victim. However, the term is being used to suggest that the sexuality of the boy is the main feature/ characteristic of the boy and that it is the only notable thing about him. He may be ok with the situation now but this does not mean he will continue to be or even is hiding his disapproval. Other people may find it offensive that anyone can be identified simply on one characteristic and not respected for all their qualities.

**I refused to go into the changing room with her because she is gay.**

This is both an ignorant and offensive comment and stance to take. If you were genuinely concerned that there was any issue in terms of unwanted sexual attention from anyone then you would discuss this privately with a member of staff. To assume that because someone is gay they will definitely be sexually aroused or interested in you is both a large and arrogant assumption to make. Straight people share beaches, swimming pools without this being in the main an issue.

**I sometimes do a really gay walk and voice as it makes my mates laugh.**

Many cultures and communities find “cultural appropriation” offensive as someone takes on or pretends to represent their community. This can be particularly offensive if the “appropriation” is for comic effect or to draw attention to themselves. The presentation can be superficial and ridiculous and is therefore offensive.