



The Kimberley School

INCLUSION AND EQUAL OPPORTUNITIES POLICY

Statement of Intent

The Kimberley School takes great care to treat each individual as a person in their own right, whether they are an adult or a child. The school is committed to providing equality of opportunity and anti-discriminatory practice for all staff, students and families according to their individual needs. Discrimination on the grounds of gender, age, race, religion/belief, colour, marital status, disability, sexual orientation, ethnic or national origin, or political belief has no place within this school.

Our equal opportunities policy is guided by the five principles below and is supported by the following policies:-

- Behaviour policy including Anti Bullying
- Racial Equality
- Disability Equality Scheme
- Sex Education Policy
- Harassment Procedure for school staff

A commitment to implementing our inclusion and equality policy will form part of each employee's job description. Should anyone believe that this policy is not being upheld, it is their duty to report the matter to the attention of the Senior Leadership Team at the earliest opportunity.

The legal framework for this policy is based on: Equality Act 2010

Section 1 – The Kimberley School Principles

School Context

The Kimberley School is a mixed comprehensive school in an area serving a mixed community. Whilst the level of deprivation is low, there are many students from out of area who, with their families, experience considerable difficulties. There are a low number of students in the school from ethnic minority backgrounds although in recent years we have admitted several students for whom English is an additional language. The school is fully inclusive and offers alternative provision and support for a large number of students with special educational needs. The school has been praised for its success in supporting looked after children and those vulnerable students in receipt of pupil premium. Attendance is outstanding.

This policy is based on the following principles:

Principle 1: All learners are of equal value.

We see all learners and potential learners, and their parents and carers, as of equal value:

- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status
- whatever their gender and gender identity
- whatever their religious or non-religious affiliation or faith background
- whatever their sexual identity

Principle 2: We recognise and respect difference.

Treating people equally (Principle 1 above) does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate but must nevertheless take account of differences of life-experience, outlook and background, and in the kinds of barrier and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
- gender, so that the different needs and experiences of girls and boys, and women and men, are recognised
- religion, belief or faith background
- sexual identity

Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging.

We intend that our policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between disabled and non-disabled people, and an absence of harassment of disabled people
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice-related bullying and incidents
- mutual respect and good relations between boys and girls, and women and men, and an absence of sexual and homophobic harassment

Principle 4: We observe good equalities practice in staff recruitment, retention and development

We ensure that policies and procedures should benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whether or not they are disabled
- whatever their ethnicity, culture, religious affiliation, national origin or national status
- whatever their gender and sexual identity, and with full respect for legal rights relating to pregnancy and maternity

Principle 5: We aim to reduce and remove inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts of our policies, we take opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- girls and boys, women and men

Section 2 – Students

The Kimberley school is proud of its reputation for providing a nurturing and inclusive curriculum for all students and our values are based on the following principles

- Providing a secure environment in which all our students can flourish and all contributions are valued
- Including and valuing the contribution of all families to our understanding of equality, inclusion and diversity
- Providing positive non-stereotypical information about different ethnic groups, lifestyle choices and people with learning difficulties and/or disabilities

- Regularly reviewing practice to ensure the policy is effective and practices are non-discriminatory
- Making inclusion a thread, which runs through the entirety of the school, for example, by encouraging positive role models through the use of learning styles and activities, promoting non-stereotypical images and language and challenging all discriminatory behaviour

Section 3 – Staff

Recruitment

All members of the selection group will be committed to the inclusive practice set out in this policy. Application forms will not include questions that potentially discriminate against the grounds specified in the statement of intent.

At interview, no questions will be posed which potentially discriminate against the grounds specified in the statement of intent. Members of the selection group will not introduce nor use any personal knowledge of candidates acquired outside the selection process. Candidates will be given the opportunity to receive feedback on the reasons why they were not successful.

It is the policy of The Kimberley School not to discriminate, whether directly or indirectly in the treatment of others. All staff are expected to co-operate with the implementation, monitoring and improvement of this and other policies. All staff are expected to challenge language, actions, behaviours and attitudes which are oppressive or discriminatory on the grounds as specified in this policy. All staff are expected to participate in equality and inclusion training.

3.2 Training

The school recognises the importance of training as a key factor in the continued growth and success of the school and where appropriate and relevant to meet the developments needs of individuals.

Section 4 - Curriculum

The curriculum offered in the school encourages students to develop positive attitudes to people who are different from them. It encourages students to empathise with others and to develop the skills of critical thinking.

We do this by:

- Making students feel valued and good about themselves
- Ensuring that all students have equal access to an appropriate curriculum
- Reflecting the widest possible range of communities in the choice of resources
- Avoiding stereotypical or derogatory images in the selection of materials
- Acknowledging and where possible celebrating a wide range of religions and festivals
- Creating an environment of mutual respect and empathy
- Helping students to understand that discriminatory behaviour and remarks are unacceptable
- Ensuring that the curriculum offered is inclusive of students with learning difficulties and/or disabilities and students from disadvantaged backgrounds
- Ensuring that students whose first language is not English have full access to the curriculum and are supported in their learning.

Section 5 - Working in Partnership

- We are committed to working with parents and other agencies, where appropriate, to meet the individual needs of each child.
- Meetings will be arranged to ensure that all families who wish to, may be involved in the school and information about meetings and activities will be communicated in a variety of ways according to individual needs (written, verbal and translated), to ensure that all parents have information about access

Section 6 - Roles and Responsibilities

The governing body is responsible for ensuring the school complies with the legislation, and that the policy, the school's practice and related procedures and any action plans are implemented and regularly reviewed and monitored termly at the Pupils and Personnel Committee.

The Head Teacher is responsible for the overall implementation of the policy on a day to day basis, but this may be delegated as appropriate to a senior member of staff. The Head Teacher is also responsible for taking appropriate action in any cases of unlawful discrimination; and for ensuring that all staff are aware of their responsibilities under the legislation and that they are given appropriate training and support to meet these responsibilities.

All staff have a responsibility to keep up-to-date with equalities legislation relevant to their work, and must support the ethos of the school through their actions. They should undertake all their work activities mindful of equalities issues, including planning, assessment, and individual support for pupils and groups of pupils. They should demonstrate an awareness of specific individual needs and promote respect for diversity. They should know how to respond to and deal with any prejudice-related incidents which occur

Section 7-- Breaches of the Policy

Breaches related to this policy are dealt with by the appropriate disciplinary measure.

Signed.....
Headteacher

Signed.....
Chair of Pupil and Personnel Committee (Nicole Clarke)

Dated.....

Date of next review:- Feb 2016

Approved by Pupil and Personnel Committee 12 February 2015 Min 52.2 (v)

Appendix 1 : Guidance for Responding to Racial Incidents



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According to “Recording and Reporting Racist incidents, DESF Guidance (2009)” it was emphasised that “one key step towards creating a safe learning environment is ensuring that all forms of racism are tackled firmly as and when they occur because no child can feel safe in an environment when racism is not challenged. If racist incidents are not dealt with in schools, this sends a strong message to students that racism is acceptable in school and society as a whole.”

Therefore staff should not allow racism to occur in isolation in schools thus all staff have an important role to play in challenging racism.

The Legal Position

There are legal, practical and ethical reasons why schools must tackle racist incidents. The Race Relations Act (1976) states that schools have a duty to ensure that staff and pupils do not face any form of racial discrimination, including attacks and harassment. In addition the Race Relations (Amendment) Act 2001 requires all schools to positively promote good race relations and equal opportunities in all that they do. That includes ensuring that all pupils can learn in a safe and welcoming environment.

Under the Act it is illegal to discriminate directly or indirectly against an individual on grounds of racial origin or to stir up racial hatred. “Racial grounds” are defined as race, colour, nationality – including citizenship – or ethnic or national origins.

Under the Criminal Justice and Public order Act (1994) intentional racial harassment is a criminal offence.

The Stephen Lawrence Inquiry Report (1999) which led to the Race Relations (Amendment) Act (2000), places a general duty on public authorities to:

- Eliminate unlawful racial discrimination
- Promote equality of opportunity
- Promote good race relations

The Definition of a Racist Incident

In response to recommendation 12 of the Stephen Lawrence Inquiry is that:

“A racist incident is any incident which is perceived to be racist by the victim or any other person” (Macpherson, 1999).

This definition is designed to take into account the possibility of a racist dimension to a situation and to ensure uniformity of reporting. Also it does mean that if anyone believes an incident to have been racially motivated then it is considered to be a racist incident and recorded and investigated as such.

Examples of Racist Incidents

Racist incidents might include:

Verbal abuse of any kind, including name-calling such as “Paki”, “Gypo”, “Chocolate Face”, etc. These are designed to undermine the dignity of the individual concerned and must be seen as more serious than name calling in general.

Insults and racist jokes, (including jokes about other nations or particular groups)

Cyber bullying (e.g. through the use of mobile phone, social network, text messaging or email) etc, is designed to undermine the dignity of the individual concerned and must be seen as more serious than name calling in general.

Non-verbal abuse (e.g. mimicking an individual because of racial, language or cultural differences)

Physical assault - physical threat, intimidation or harassment (including attacks on possessions) or where the victim, witness, or anyone else thinks there is racist motivation.

Other racially based behaviour such as collusion with the racist behaviour of others, inciting others to behave in a racist way, racist graffiti, cartoons, drawings etc. displaying racist insignia (e.g. wearing racist badges), possessing or distributing racist materials.

Attempts to recruit other pupils and students into racist organisations.

Refusal to co-operate with other people because of their ethnic origin, racial or cultural differences.

Responding and Dealing with the Student Perpetrator(s) of a Racist Incidents

All incidents which are perceived to be racist, however trivial, should be investigated, recorded and dealt with accordingly.

When dealing with incidents, staff must attend to the needs and feelings of students who are attacked, their parents and carers, the student principally responsible for the bullying, any supporters they have and any bystanders and witnesses. Prompt, appropriate and consistent responses from staff will encourage students and parents to report incidents and share their concerns and uncertainties.

As far as the perpetrator is concerned; it is the behaviour the school disapproves of and not the student. School procedures on dealing, recording bullying and other incidents should be followed.

Effective actions could include:

Acknowledge the incident and express **disapproval**.

Support the victim(s) and apologise for what has happened to them.

Try to understand the background to the incident and what may have motivated the perpetrator(s) without excusing their behaviour.

Explain to those responsible and any witnesses what was unacceptable about the incident; find a quiet place for this conversation, away from others explaining clearly and calmly why the behaviour was wrong, hurtful or offensive.

Investigate the incident to ascertain the facts and record the incident.

Seeking an assurance that the pupil understands why the behaviour was wrong and that it will not be repeated also reminding the student of the school's policy on race equality.

Where an assurance is forthcoming, asking the pupil to apologise for his/her action.

Refer the incident and the perpetrator(s) **to a designated or a senior member** of staff for disciplinary action in accordance with the school behaviour policy.

Ensure follow-up action to prevent recurrences.

In appropriate cases, consider the use of positive strategies other than sanctions and punishment which might help and encourage the pupil to overcome his/her prejudices and to desist from engaging in similar behaviour in the future.

Providing Support for the Victim if they are Student

Students who allege that they have been victims of racially motivated behaviour may lack the confidence to approach a member of staff to report the incident. This may be the case particularly if the student feels isolated within the school because of their ethnic or cultural background their accent or they speak little or no English. Providing support to students who have been victims of racist incidents and to their parents, carers and those who had witnessed an incident will give witnesses and other students experiencing racist bullying more confidence about reporting such incidents.

Action taken to deal with a racist incident must include support for the victim. A caring, sensitive approach that includes reassurance will help demonstrate the school's commitment to combating racism.

Effective actions could include:

Speaking separately to the victim; giving him/her support and reassurance.

Offering the student an opportunity to talk about the incident and say how he/she feels.

Asking whether the student has been subject to racism on previous occasions.

Recognising that the student might prefer to talk about the incident at a later stage.

Explaining to the student the action that has and/or will be taken.

Reassuring the student the school's commitment to combating racism and encouraging him/her to report incidents in the future.

Recording the student as a victim on the school's forms at the front of each class register.
Informing the parents or carers of the incident; explaining what has happened and what action has been taken by the school; reassuring them that the school will take steps to try to prevent any repetition of the incident.

Responding and Dealing with an Adult Perpetrator(s) of a Racist Incident
Incidents involving staff, governors and school visitors should be treated with the same level of seriousness and importance as those involving students. **Staff must attend to needs and feelings of the adult who are attacked.**

All member staffs, regardless of their background, have the right to right to work in a safe environment free from harassment and bullying.

Effective actions could include:

Acknowledge the incident and express **disapproval**.

Support the victim(s) and apologise for what has happened to them.

Try to understand the background to the incident and what may have motivated the perpetrator(s) without excusing their behaviour.

Explain to those responsible and any witnesses what was unacceptable about the incident; find a quiet place for this conversation, away from others explaining clearly and calmly why the behaviour was wrong hurtful or offensive.

Investigate the incident to ascertain the facts and record the incident.

Seeking an assurance that the adult understands why the behaviour was wrong and that it will not be repeated also reminding the adult of the school's policy on race equality.

Where an assurance is forthcoming, asking the adult to apologise for his/her action.

Refer the incident and the perpetrator(s) to a designated member of staff disciplinary action in accordance with the school **grievance policy**.

Ensure follow-up action to prevent recurrences.

Providing Support for the Victim if they are an Adult

Action taken to deal with a racist incident must include support for the victim. A caring, sensitive approach that includes reassurance will help demonstrate the school's commitment to combating racism.

Effective actions could include:

Speaking separately to the victim; giving him/her support and reassurance.

Offering the adult an opportunity to talk about the incident and say how he/she feels.

Asking whether he/she has been subject to racism on previous occasions.

Recognising that he/she might prefer to talk about the incident at a later stage.

Explaining to the adult the action that has and/or will be taken.

Reassuring the adult the school's commitment to combating racism and encouraging him/her to report incidents in the future.

Reassuring the adult that the school will take steps to try to prevent any repetition of the incident.

Reporting Incidents

Code of practice on reporting and recording Racist incidents (2000), assert that school's should record all racist incidents, including the date, the names of perpetrators and victims, the nature of the incident and action taken to deal with them. Parents and governors should be notified. **Governing bodies should inform (LAs) annually of the pattern and commonness of any incidents.** It is paramount that those who witness incidents must report the incident by the usual method or alternatively anonymously.

It is essential that the person to whom an allegation is reported by a student listens to the student making the allegation. The guidance states that they must not interrupt a student when recalling significant events nor make assumptions or interpretations, and should avoid asking questions, particularly leading questions. **All the information should be recorded using the student own words.**

After Investigation

Following an investigation the allegation may be found to be false. On some occasion it may be due to a misunderstanding (for example, a teacher may genuinely mishear what one pupil says to another) but there may be cases of malicious intent, e.g. with a pupil accusing another of using racist abuse in order to hurt that pupil or to excuse their own misbehaviour.

These situations need to be handled with the same sensitivity as in the case of a 'genuine' racist incident. Find out what has caused the situation, and appropriate support should be offered to the person falsely accused, and address the behaviour of the person making the allegation.

Note that this only applies to situations where someone is alleging something occurred when it did not in fact take place. It does not apply to the situation where someone may try to justify their actions with comments like "I didn't mean any harm" or "I was only joking". If the victim or anyone else involved considers the incident to be racially motivated, then it should be recorded as such.

The school discipline and misconduct procedures should be followed where a member of staff is involved in a racist incident as the (alleged) perpetrator.

Additional note

Racist incidents can involve people from any racial or ethnic background and in schools can involve students, teachers, school staff, governors, parents and visitors. Some incidents, e.g. racist graffiti may not involve an identified victim.

Racist incidents can occur between people of the same ethnic group, while incidents involving people from different ethnic groups are not automatically racist in nature.

Racist incidents however are considered by the criminal justice system to be more harmful than incidents that do not contain a racist component. Racist incidents harm not only the victim, but the rest of society too.

These incidents could have severe impact over a long time period particularly for those who are repeatedly the victim. Any form of bullying can have a damaging effect on a child but racially motivated abuse or other harassment is particularly serious.

FOR ADDITIONAL ADVICE AND SUPPORT PLEASE CONTACT THE DESIGNATED MEMBER OF STAFF.

This guidance approved by Pupil and Personnel Committee, 8 October 2015 (Minute 21.2 refers).

Chair.....

Headteacher.....