



**Oldbury Wells School
Member of the Bridgnorth Area Schools' Trust**

**Equality Statement
and Accessibility Plan
For Pupils**

FREQUENCY OF REVIEW: Annually

APPROVED: Summer 2017

**DATE OF NEXT REVIEW: Summer 2018
unless there is a material change**

Single Equality Statement

1. Introduction

- The 2010 Equality Act prohibits schools from any form of discrimination, harassment or victimisation.
- The Act harmonises previous equality legislation.
- The Act protects pupils from discrimination and harassment based on ‘protected characteristics’.
- The protected characteristics for the schools’ provisions are:
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation

Age and being married or in a civil partnership are NOT protected characteristics for the schools’ provisions.

1.1 What is discrimination and victimisation?

Unlawful discrimination is defined in the Act as:

- Direct discrimination (including discrimination based on perception or association).
- Indirect discrimination.
- Discrimination arising from disability.
- Failure to make reasonable adjustments (for disabled people).

Victimisation is defined in the Act as:

Treating someone badly because they have done a ‘protected act’ (or because the school believes that a person has done or is going to do a protected act).

A ‘protected act’ is:

- Making a claim or complaint of discrimination (under the Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the school or someone else has breached the Act.
- Doing anything else in connection with the Act.

There is also protection for pupils who are victimised because their parent or sibling has carried out a protected act.

1.2 Positive action:

It is never unlawful to treat disabled pupils more favourably than non-disabled pupils. This means a school is permitted to positively discriminate in favour of disabled pupils.

1.3 Victimisation for actions of parents or siblings

Schools must not treat a pupil less favourably because of something their parent(s) or sibling has done in relation to the making of a complaint of discrimination.

1.4 Liability for employees and agents

As an employer, the school is legally responsible for acts of discrimination, harassment and victimisation carried out by employees in the course of employment or by people who take action for it (agents). It does not matter whether the school knew about or approved of those acts. However, if the school can show that it took all reasonable steps to prevent its employees or agents from acting unlawfully, it will not be held legally responsible.

1.5 Admissions

The school must not discriminate against a person in relation to their admission. Governors are the ‘responsible body’ of the school and they are responsible for ensuring there is no discrimination in relation to admissions.

1.6 Providing education and access to any benefit, service or facility

The school must not discriminate against, or victimise a pupil:

- in the way it provides education for the pupil
- in the way it affords the pupil access to a benefit, facility or service
- by not providing education for the pupil
- by not affording the pupil access to a benefit, facility or service
- by subjecting the pupil to any other detriment.

The school must not harass a pupil.

The duty of the school covers everything that is provided for pupils and goes beyond just the formal education provided. It covers all school activities such as extra-curricular and leisure activities, afterschool and homework clubs, sports activities and school trips, as well as school facilities such as libraries and IT facilities.

1.7 Exclusion from school

- The school must not discriminate against a pupil by excluding the pupil from the school.
- The school must not victimise a pupil by excluding the pupil from the school.

This does *not* mean that the school cannot exclude a pupil with a protected characteristic and there may, of course, be occasions when it is appropriate to exclude a pupil with a protected characteristic. However, it *does* mean that the school must not exclude a pupil because of their protected characteristic.

1.8 Dispute resolution and enforcement

Resolving disputes:

It is usually in everyone’s best interests to attempt to resolve disputes without the need for legal action. In many instances the pupil (or their parent acting on their behalf) who believes the school has discriminated unlawfully against them will approach the Headteacher/Chair of Governors before commencing legal proceedings. The school’s Complaints Procedure should be able to deal with complaints of discrimination, harassment and victimisation.

The school’s Complaints Procedure is accessible to everyone and is on the school website.

Defending a claim can be lengthy, expensive and draining, and it can have a damaging impact on the reputation of the school. It is likely to be in everyone’s interest to try to put things right before a claim is brought.

The school must make reasonable adjustments to any internal complaints procedures to prevent disabled people from being placed at a substantial disadvantage in comparison with people who are not disabled. Failure to do so will itself amount to unlawful discrimination.

1.8 Dispute resolution and enforcement continued

Although, as stated above, it is good practice to try to resolve disputes internally wherever possible, there are occasions where this will not be practical or appropriate, or a parent or pupil wants to pursue legal action rather than trying to resolve the dispute. There is no legal requirement to go through a complaints procedure first.

Parents can also make a complaint to Ofsted about a maintained school if the complaint affects the school as a whole rather than cases to do with individual pupils. Ofsted will not deal with complaints where there is an alternative legal remedy.

2. Development

At Oldbury Wells School, we value all our pupils, staff and the whole school community. All pupils are given opportunities to achieve, but we also expect and demand high standards. The Equality Statement reinforces this role for the school - it ensures that we recognise and promote the individuality of all pupils, staff and other members of the school community irrespective of background, identity and circumstance.

We agree that a school which recognises and celebrates differences can foster respect and cooperation and increase the idea of belonging to the community as a whole.

The Statement gives the school the framework so that we can tackle prejudice, discrimination, victimisation and harassment whenever it occurs. This must be a whole school issue and not seen as a specific person's role.

2.1 School Values

- The Oldbury Wells School motto "Aspire. Enjoy, Achieve" complements the ideals of equality as all pupils can set high aspirations; they can enjoy their time at Oldbury Wells School and they can achieve their goals with hard work and determination.
- The school is committed to the idea that every child matters and all children can achieve realistic targets. Targets are used to monitor academic progress of all pupils in school – these are set on an individual basis.
- Pupils are encouraged to take an active part in school life and at all levels.
- Oldbury Wells strives to promote inclusion and to provide equality of opportunity in everything it does.

2.2 School Ethos

- We do not **discriminate** against anyone - staff, student, parent *or visitor* on the grounds of ethnicity, religion, attainment, age, disability, gender or background.
- We **promote** the principle of fairness and justice for all through the education that we provide in our school. We recognise that doing this may entail treating some students differently.
- We seek to **ensure** that all students have equal access to the full range of educational opportunities provided by the school.
- We constantly **strive to** remove any forms of indirect discrimination that may form barriers to learning for some groups.
- We **ensure** that all recruitment, employment, promotion and training policies and procedures are fair to all, and provide opportunities for everyone.
- We **challenge** personal prejudice and stereotypical views whenever they occur.
- We **value** each student's worth, we **celebrate** the individuality and cultural diversity of the community centred on our school, and we **show respect** for all minority groups.
- We are **aware** that prejudice and stereotyping are caused by poor self-image and by ignorance. Through **positive** educational experiences, and **support** for each individual's legitimate point of view, we **aim to promote** positive social attitudes, and respect all.

2.2 School Ethos continued

- Moreover, all staff foster a positive atmosphere of mutual trust amongst all students. Clear procedures are in place to ensure that all forms of bullying, including religious, racist, sexist and homophobic, are dealt with promptly, firmly and consistently and are in line with local authority policies and guidance. All incidents of bullying are recorded and dealt with in line with relevant school policies. The school's anti-bullying policy is regularly reviewed by Governors.

3. Further National and legal context

All schools have duties to promote racial, religious, disability, age and gender equality.

3.1 The general duty to promote racial equality means that we must have due regard to the:

- elimination of unlawful racial discrimination, harassment and victimisation
- promotion and advancement of equality of opportunity
- fostering of good relations between people of different racial groups and differing views.

3.2 The general duty to promote disability equality means that we must have due regard to the:

- promotion and advancement of equality of opportunity between disabled people and other people
- elimination of unlawful discrimination
- elimination of disability-related harassment
- promotion of positive attitudes towards disabled people
- encouragement of participation by disabled people in public life
- taking of steps to take into account disabled peoples' disabilities, even where that involves treating disabled people more favourably than other people.

Definitions

Under the Act, a disability is defined as a mental or physical impairment having a **substantial** and **long-term** adverse effect on the ability to carry out **day-to-day** activities:

- Substantial: more than minor or trivial
- Long-term: a year or more
- Day-to-day: living and learning.

Having an impairment does not imply a young person is disabled. A disability reflects the pupil's ability to carry out day-to-day activities. Examples include:

- Mobility difficulties
- Degenerative conditions (tumours)
- Epilepsy
- Asthma
- ME
- Physical dexterity and coordination difficulties
- Speech/language or communication difficulties
- Diabetes
- Cystic Fibrosis
- Tourette's

"Hidden" impairments include:

- Mental Health issues
- ASD/Asperger's
- Pupils with SEN
- Dyslexia
- ADHD
- Looked After Children

Pupils with Behavioural, Emotional or Social Difficulties (BESD) caused by social or domestic reasons are not included.

3.2 The general duty to promote disability equality continued

The disability equality general duty reinforces the reasonable adjustment duties of the Disability Discrimination Act (DDA Regulations 2010). In particular, it complements and, in some cases, overlaps with, the anticipatory duty to make adjustments.

3.3 The general duty to promote gender equality means that we must have due regard to

- eliminate discrimination and harassment and promote equality of opportunity between men and women
- oppose 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
- oppose to any discrimination against employees whatever their partnership status
- oppose any discrimination against a woman because of her pregnancy and subsequent request for maternity leave
- oppose any direct or indirect discrimination based on perceived or actual sexual orientation.

3.4 Additional Issues

- **Age** -The Governing Body is opposed to any direct or indirect discrimination based on age.
- **Religion or Belief** - The Governing Body is opposed to any direct or indirect discrimination based on religion or belief.

4. Specific Equality Areas

This section of our Statement highlights what we have already achieved for specific aspects of equality, and further action that we intend to take

4.1 Race Equality

What we have already achieved:

- imbedding into curricular planning the whole issue of race
- significant positive action to promote race equality within our community cohesion activities
- termly review of all racial incidents by Governors as part of the Headteacher's Report

5. Assessment of our policies and practices:

5.1 The Senior Leadership Group will:

- carry out equality assessments on our policies and practices. This will cover all aspects of equality: race, disability, gender (including gender identity), age, sexual orientation, religion and belief
- look for ways to improve practice as well as ways to eliminate discrimination and harassment
- build the assessment process into all new policy development and decision making activities

6. Publishing the Statement, raising awareness

We recognise that our Statement is a public document that should be available to any interested stakeholder. We will promote and publish our Statement by:

- placing it on our website
- making a full copy available on request
- providing a summary in appropriate school documents, including our vision and key priorities

6. Publishing the Statement, raising awareness continued

- highlighting the existence of the Statement, key priorities and who to contact for further information in a pupil newsletter.
- reminding staff of the Statement to raise awareness of their legal duties and subsequent implications.
- ensuring that all staff induction procedures include an introduction to equality legislation and information about this Statement together with appropriate on-going CPD.

7. Actions:

7.1 The Governing Body will:

- ensure that all Governors are aware of their legal responsibilities under equality legislation
- monitor achievement of equality targets
- review and monitor the implementation of the Statement and any follow-up action
- check the implementation of the Statement and ensure all actions achieve improved outcomes.

7.2 The Headteacher will:

- provide proactive leadership to create a community that recognises and celebrates difference within a culture of respect and cooperation
- ensure staff, pupils, parents /carers and any other interested stakeholders are aware of this Statement and their roles and responsibilities in implementing this Statement
- monitor to ensure effective implementation of the Statement and follow-up actions
- allocate appropriate responsibilities and provide suitable training and development for staff to implement this Statement

7.3 The Senior Leadership Group will:

- drive forward implementation of the Statement and follow-up actions
- support staff to carry out their role in implementing this Statement
- provide effective leadership on equality, inclusion and community cohesion
- ensure the Statement is successfully promoted
- respond in a timely and appropriate manner when dealing with any incidents or issues of discrimination, harassment or victimisation

7.4 All staff will:

- recognise that they have a role and responsibility in their day-to-day work to promote equality, inclusion and good community relations
- challenge inappropriate language and behaviour
- tackle bias and stereotyping
- highlight to the Senior Leadership Group any staff training or development that they require to carry out the above role and responsibilities
- ensure that students are encouraged to recognise that they have a role and responsibility to themselves and others so that they understand and are able to promote equality, inclusion and good community relations
- work to promote anti-bullying strategies
- respond appropriately to incidents of discrimination and harassment and understand the action needed to report these.

7.4.1 Pupil Audit

The school will conduct an annual audit of pupils (including SEND pupils) to check accessibility and pupil needs.

7.5 All pupils are expected to:

- recognise that they have a role and responsibility to themselves and others so that they understand and are able to promote equality, inclusion and good community relations
- use appropriate language and behaviour
- tackle bias and stereotyping
- work to promote anti-bullying strategies
- respond appropriately to incidents of discrimination and harassment and understand the action needed to report these

8. Monitoring and evaluating the Single Equality Statement and Follow-up Actions

We want this Statement to be a ‘whole organisational’ document that drives forward equality and achieves improved outcomes for our students, staff and users. We will regularly monitor and evaluate the implementation of our Single Equality Statement along with the annual Accessibility Audit. A summary of the Statement and follow-up actions will be provided for parents and made available as requested.

9. Appendices:

A: Accessibility Plan.

The Equality Statement and Accessibility Plan for Pupils has been adopted by the Local Governing Body of Oldbury Wells School

Signed _____
Chair of Governors’ Local Governing Body

Dated _____

Signed _____
Headteacher

Dated _____

ACCESSIBILITY PLAN FOR PUPILS

Introduction

The Disability Discrimination Act of 2006 amends the 1995 law and places a duty on all public establishments, including schools, to promote equality of opportunity for people with disabilities.

This plan takes note of the three duties outlined in the Act and the “Local Authority Accessibility Strategy” i.e.

- Not to treat disabled pupils less favourably for a reason relating to their disability.
- To make reasonable adjustments for disabled pupils, so that they are not at a substantial disadvantage.
- To implement an accessibility strategy to increase access to school education for disabled pupils.

The Oldbury Wells School plan covers the three areas set out in the Act. It aims to identify and remove barriers to all disabled pupils allowing them to fully participate in all aspects of school life, including:

- increasing the extent to which disabled pupils can participate in the curriculum
- improving the physical environment of the school in order to increase the extent to which disabled pupils can take advantage of education and associated services
- improving the delivery to disabled pupils of information which is provided to pupils who are not disabled.

Improving the school facilities and awareness will also improve access for any disabled parents or other disabled people using the school.

Review of Previous Priorities

- Access for the physically disabled remains a concern, particularly on the east side.
- The new arrangements for pupils taken ill has worked reasonably well although busy times do occur as well as some problems with parents/carers being unable to collect pupils.
- The care plans for pupils with more severe health issues were updated. These include all notified asthma sufferers as well as diabetics and pupils who carry Epipens.
- Medicines are kept in the East and West Offices and are only given to pupils where parental permission has been received.
- For students with severe medical needs, see ‘Supporting Children with Medical Needs’. See also SEN and ECHP information.

Curricular Access

- Vocational courses continuing as they provide an important route for some of our pupils.
- Course reviews at KS4 and KS5 are ongoing. Changes made by the Department of Education impact on the less able pupils as GCSEs become more challenging.
- Access to Educational Psychologists, Learning Support Advisory Teachers and Behaviour Support Teams are ‘bought in’ by service level agreements.

Current Priorities

- Review the curriculum on offer so that the needs of individuals are maintained and check these choices do not negatively impact upon the school (RAISEonline data analysis etc).
- Continue to promote an inclusive approach. Maintain the pastoral support systems which are in place within school.
- To develop use of facilities, such as the Sports Hall, so that it is available for both school and community users
- Improve awareness of diversity and promote social harmony amongst pupils by raising awareness via PSHE, PR and assemblies.
- Continue to research incidents of bullying within the school community.
- An increase in pupils with medical needs from September 2017 has led to further training and a relocation of the Medical Room.