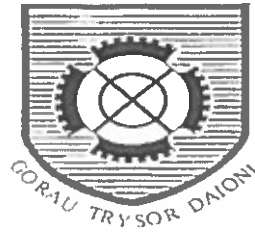


PEN Y DRE HIGH SCHOOL



[Translation : The greatest treasure is goodness]

**SCHOOLS
STRATEGIC
EQUALITY
POLICY**

*Reviewed and approved by Governors on
17th September 2013*

INTRODUCTION

All public bodies listed in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 are required to meet the duties under those regulations by:

- eliminating unlawful discrimination;
- promoting equality of opportunity; and
- promoting good relations.

From April 2012, all maintained schools must have a Strategic Equality Plan in place in order to comply with these regulations. The Equality and Human Rights Commission (EHRC) is responsible for enforcing the Act and EHRC (Wales) are also responsible for monitoring compliance with the Welsh Government's statutory duties in Wales, which applies to all public bodies, including Local Authorities, schools and governing bodies.

Merthyr Tydfil County Borough Council's commitment to meet its statutory duties under the Equality Act 2010 and the Welsh regulations is described in the authority's Strategic Equality Plan 2012 -2016 and a copy of this document and all other Equalities related information can be found online by visiting www.merthyr.gov.uk. This work is further supported through the authority's Children and Young People's Transitional Plan.

The Council demonstrates its commitment to Equalities and Diversity as Equalities is implicit in the Council's vision, "Merthyr Tydfil will be a safe healthy and exciting place to live and visit. Our ambition is to become a sustainable, confident County Borough which recognises and promotes equality of opportunity and where people want to achieve in all aspects of their life, through work, leisure and learning."

The aims are:

- *To promote equality of opportunity for everyone working and living in Merthyr Tydfil.*
- *To ensure that employees and local residents are not discriminated against but are treated fairly and with respect.*
- *To recognise and value people's differences and acknowledge that everyone has a unique contribution to make to Merthyr Tydfil.*
- *To tackle discrimination in the workplace and in service delivery.*
- *To raise awareness and understanding of equality issues among staff.*
- *To ensure that recruitment processes are fair, equal and non discriminatory.*
- *To improve access to advice and information in local communities and ensure our services are accessible to all.*
- *To address inequality and disadvantage in local communities by developing innovative projects to promote and sustain change.*

The advice within this document is based upon existing good practice and has been developed by Merthyr Tydfil County Borough Council in consultation with a range of partners.

LOCAL CONTEXT

Merthyr Tydfil County Borough Council is required to report on the number of bullying incidents and also how many of those incidents were due to discrimination of some kind. It is also required to record the number of incidents that resulted in further action.

Discriminatory actions and attitudes, especially in very young children, may occur without any malicious intention or understanding but this does not make the effect of these actions any less damaging or acceptable. Schools will need to deal sensitively with this but clearly have a duty to children to help them understand and take responsibility for the consequences of their actions. The officer responsible for monitoring and collating information relating to discriminatory bullying incidents in Merthyr Tydfil County Borough Council is The Head of Inclusion, Schools Service.

Governing Bodies are responsible for ensuring that schools comply with Equalities legislation and that the Schools Strategic Equality Plan is adopted and implemented. It should also have clear links to the school's Anti-bullying Policy. An example of a model Schools Equality Plan is attached for schools' use.

The authority's Strategic Equality Plan 2012 is available on the website www.merthyr.gov.uk and it outlines how the Local Authority can:

- work with internal and external partners to raise awareness of policy and procedures in relation to equalities;
- work in partnership with parents from all groups to ensure that they are actively involved in their children's learning and development;
- promote active involvement of local minority communities in school and community life;
- offer awareness raising training on all aspects of equalities to school based staff and governing bodies; and
- support schools to ensure that parents and carers have access to their strategic equality plan and anti-bullying policy.

LEARNER VOICE

Understanding the fundamental concept of equality is a crucial part of educating children to live in a modern society. The authority recognises the importance that all agencies involved in the education of children and young people undertake an integrated approach to consultation. For example, the involvement of young people in Anti-Bullying Week, Social and Emotional Aspects of Learning (SEAL), and Student Assistance Programme (SAP). The

views of children and young people will be sought and taken into consideration when decisions about their educational experience are made.

MONITORING, EVALUATING AND REVIEW

This Policy will be reviewed annually. The authority will monitor progress at school and other educational settings:

- by monitoring Schools Strategic Equality Plans;
- through analysis and use of relevant data;
- through annual review and development programmes;
- through advisory staff visits and reports; and
- through Estyn inspection findings and independent reviews.

Schools must monitor the impact of its policies on children and young people, parents and staff from the different groups covered, and in particular on children and young people's attainment levels.

A range of guidance documents have been issued by the EHRC. These can be downloaded from www.equalityhumanrights.com/advice-and-guidance/

WHAT IS A 'DISCRIMINATORY' INCIDENT?

The most obvious forms of such incidents in schools are of course physical or verbal bullying of other pupils or staff, but discriminatory behaviour may not always be accompanied by such overt expressions of prejudice or intolerance: such behaviour may also take the forms of deliberate and continued ignoring of someone, not allowing someone to join in with games at lunchtimes, not sharing and other more covert exclusionary practices. The MacPherson Report (1999), which dealt with racism specifically, noted that racism *"in its more subtle form is as damaging as in its overt form"*. The Stephen Lawrence Inquiry Report, again focusing on Race issues specifically, defined a 'Racist Incident' as: *"Any incident, which is perceived to be racist by the victim or any other person"*.

This definition when used for one issue such as racism, or in the wider context of discrimination, empowers both the victim and/or any other person who perceives an incident to be discriminatory to report it. This broad and non-prescriptive definition is designed to ensure that more incidents are reported as under-reporting of such incidents has been recognised as a serious problem in dealing with discrimination.

Recording incidents

The recording of these incidents in schools is of particular importance in order to tackle negative behaviour at an early stage. Schools have specific duties to:

- eliminate unlawful discrimination;
- promote equality of opportunity; and
- promote good relations between people of different groups.

Schools strategic equality plans should include guidelines for tackling discrimination and schools should have a procedure in place for recording and logging any such incidents. The attached pro forma (Appendix 2) should be used by schools to record each discriminatory incident. Schools must complete this pro forma on a termly basis ('nil' returns are also required) and return to: Head of Inclusion, Schools Service, Community Services Directorate, Ty Keir Hardie, Avenue de Clichy, Merthyr Tydfil, CF47 8XD. This form will provide a summary of all recorded incidents during the preceding term. Schools should make immediate contact for advice and/or support following any serious incident.

All returns will be treated as confidential, bearing in mind the need to involve partner organisations in certain cases where intervention may be required, eg the Police.

It is recommended that an annual report is made to the governing body in the Autumn Term containing information on any incidents during the previous academic year. Such a report would include details of any action(s) taken and would demonstrate the school's commitment to the creation of an inclusive and non-discriminatory learning environment. Naturally such a report would be anonymised. This annual report should also include a review of progress against the *Equality Objectives of the school* (see Page 10).

GUIDANCE FOR DEALING WITH DISCRIMINATORY INCIDENTS

These notes are intended to assist schools in dealing with discriminatory bullying, harassment or victimisation, which must be addressed because their existence can have damaging effects: on the quality of life of the victims and those who know them; and on the quality of the education offered in schools.

The effectiveness and openness with which a school deals with such complaints has been shown to be one factor in raising the achievement of children and young people from, or perceived to be from, any of the minority groups covered by legislation. It is therefore hoped that this document will contribute to the continuing development of the inclusive ethos and culture that secures a quality educational experience for all.

Dealing with these incidents should be part of a broader whole school response to any form of discrimination. Responding to these incidents appropriately is crucial, but not sufficient in itself to deal with discrimination. Schools have a responsibility to educate children to respect themselves and others, to challenge discrimination and stereotyping and to understand and value diversity. This is best achieved by developing anti-discrimination approaches in the taught curriculum and through the wider ethos of the school.

This guidance is a starting point from which schools are encouraged to develop their own strategic equality plans and to make the necessary links with their anti-bullying and other relevant policies.

GUIDANCE FOR SCHOOLS

In dealing with discrimination in any of its forms, schools need a clearly defined code of practice which is known to children, parents and carers, staff and governors. This should involve clear explanations of why certain behaviour is unacceptable and how such behaviour will be dealt with.

The code of practice should be set within a whole school approach to equality and diversity and should be developed by all schools.

It is particularly important to deal with all discriminatory incidents in schools as they can have a detrimental effect upon the quality of the education and to ensure that such behaviour and attitudes are not continued into young people's adult lives.

A whole school approach to equality of opportunity will encompass:

- the aims, attitudes and values of the school;
- the learning environment;
- resources and materials;
- language;
- bullying and harassment;
- staffing and staff development;
- partnerships with parents;
- the taught curriculum and organisation of learning;
- extra curricular provision; and
- provision for children and young people from a variety of backgrounds, eg travellers/refugees/asylum seekers, ethnic minorities, those with disabilities, those who are Looked After, those with same sex parents and those for whom English is not their first language.

This whole school approach should be set out in a policy statement which applies to the whole school community (see suggested policy Appendix 1).

Action or behaviour that may constitute a discriminatory incident

All discriminatory incidents need to be recognised and dealt with in schools; any occurrence of such an incident must not be ignored. A firm but supportive initial response to an incident may prevent escalation.

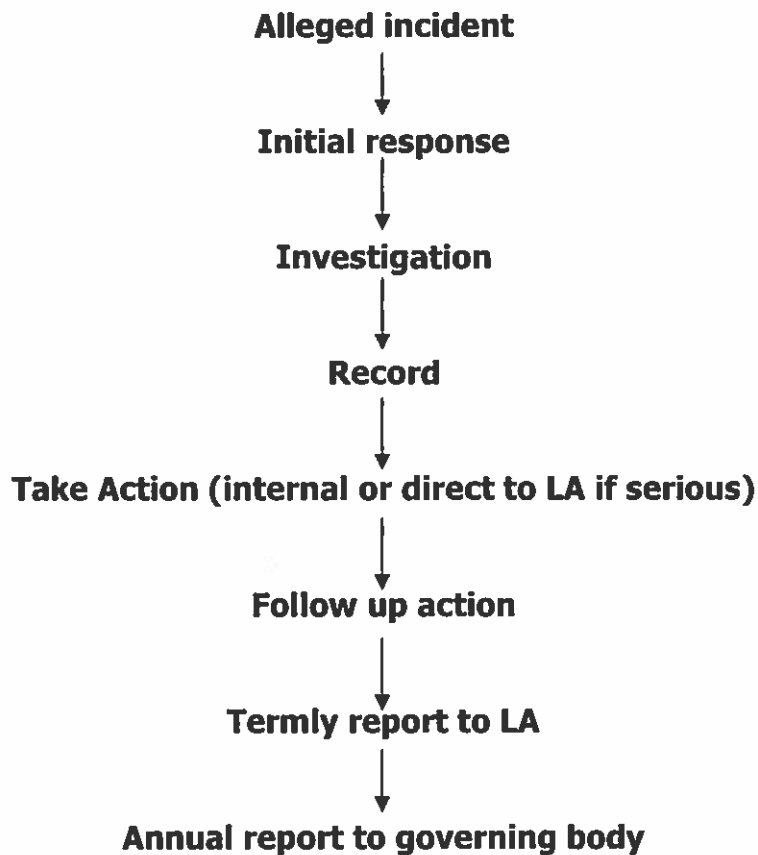
- incitement of others to behave in a discriminatory way;
- physical assault against a person or group;
- derogatory name-calling, insults, jokes and language;
- graffiti;
- provocative behaviour such as wearing offensive badges or insignia;
- bringing discriminatory materials such as leaflet, comics, magazines or computer software into school;
- using any electronic systems to threaten, harass and discriminate;
- verbal abuse and threats;
- discriminatory comments in the course of discussions in lessons;
- attempts to recruit other pupils and students to discriminatory organisations and groups;
- ridicule of an individual for perceived differences;
- refusal to co-operate with other pupils because of their perceived difference;
- discrimination by association;
- sexual harassment;
- discrimination in connection with recruitment, employment and performance review of staff; and
- discrimination in connection with the recruitment of governors.

Responding to incidents

How an incident is dealt with will depend on the seriousness of the situation, the age and understanding of the children involved, and the context. All incidents need to be acknowledged, investigated and talked through, whatever the age of the children.

Very young children may not understand the terms they use but may recognise their power to provoke or upset. It is important to explain to young children why the language is hurtful and why it should not be used. Parents of young children should be dealt with sensitively and encouraged to assist with the procedure. Staff should not downplay the feelings of victims by stating that the perpetrator 'did not mean it', the perpetrator must take responsibility for the outcomes of their behaviour.

When an incident is reported or discovered schools should follow their internal procedures. The processes should incorporate the following steps:



Initial response

Responding to these incidents is the responsibility of all members of staff. Possible responses to an incident include:

- acknowledgement of the incident;
- treat incident seriously;
- respond immediately;
- reinforce the school's policy;
- support for the victim and express understanding and concern for what happened to them;
- explain both to the child/children responsible and to any onlookers what is unacceptable about the incident;
- report incident to Headteacher and/or nominated person.

With the perpetrator(s)

Contact the parents of those involved to explain what happened, what you are doing about it and how it relates to your school policy.

- Consider what the most appropriate action should be. In the case of first offences or of very young children, encouraging the perpetrator to acknowledge and apologise for what has happened is often the most effective way to mend relationships and prevent reoccurrence. Repeat offences or more serious actions will require further sanctions in line with the school's bullying policy.
- Correct any misconceptions that may be revealed.

Record and report

All reported incidents should be recorded using the example recording form (Appendix 2)

- A note of what happened, the outcome of the investigation and what actions were taken should all be kept on record. This record enables the school to monitor incidents and is vital should an incident need to be followed up at a later date.
- The summary report form must be completed and sent to the LA at the end of each term.
- Contact the LA immediately if you need further advice or support. In the case of serious incidents advice and support can be co-ordinated quickly in order to prevent reoccurrence.
- Depending on the severity of the issue in an assault situation, consideration should be given to contacting the Police to conduct a joint investigation with the LA.
- Report annually to governing body in the autumn term. Advise of incidents in previous academic year; include details of actions taken; and report progress against school's *Equality Objective Targets* (see example Page 10).

Further Action

To ensure that the response to individual incidents is embedded in a whole school approach:

- Reinforce school approach through assemblies, circle time, tutor periods and the curriculum (e.g. SEAL, PSE)
- Monitor incidents to identify trends and issues of concern.
- Present evaluations to staff and to governors to ensure regular discussion and development of good practice.
- Use the school council to involve children and encourage the reporting of incidents.

An allegation of discriminatory behaviour on the part of any member of staff is a serious disciplinary matter and will be a matter for consideration by the Governing Body.

Incidents outside School

There may well be occasions when incidents outside school or involving outside perpetrators are brought to the attention of the Headteacher. Schools have the right to discipline pupils for their behaviour outside the school gates where the pupils are in the charge of staff or it is reasonable for the school to regulate the pupils' conduct.

This rule of law has been clarified and put on a statutory basis by section 90(2)(a) of the Education and Inspection Act 2006.

Tension within the School

It is important that teachers are sensitive to signs of possible victimisation of individuals or groups of children, even where there is no identifiable incident.

Similarly, all behaviour which can be seen as possibly reflecting tension within the school as a whole should be monitored eg where small groups of children form isolated groups within the playground or classroom; any serious concerns should be reported to relevant partner organisations.

EXAMPLE EQUALITY OBJECTIVE FOR SCHOOLS

[NAME OF SCHOOL] SCHOOL STRATEGIC EQUALITY PLAN
EQUALITY OBJECTIVE

Objective	To reduce the number of discriminatory bullying incidents in the school by x% over the 4 years of this plan.
Outcome	Pupils and staff able to go about their daily lives in school, whether in the classroom, free from discriminatory language, abuse and bullying.
Protected Characteristics/Other Equalities Issues covered	Ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, language, nationality, responsibility for any dependants.
Links to other strategies and plans	Anti-bullying policy
Evidence Base	Current bullying data to be used as baseline
Success Measure/Performance Indicators	Reduction in levels of reported bullying in schools
Timetable	Termly report to LA Annual report to governing body.
Stakeholders	Pupils, school staff, governing body

[NAME OF SCHOOL] STRATEGIC EQUALITY PLAN 2012 – 2016

General Statement of Policy

The school is opposed to all forms of prejudice and discrimination and recognises that pupils have different needs, requirements and goals.

We will promote good relations and mutual respect within and between our pupils, staff, governors and the parent, carers and guardians of our pupils, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, language, nationality, responsibility for and dependents or any other reason which cannot be shown to be justified.

The school recognises that Wales and the United Kingdom have diverse societies made up of people from many different backgrounds. It is important that all children and young people are adequately prepared to live in such a diverse society.

In our school we aim to tackle discrimination and promote equality of opportunity and good relations across all aspects of school life. We do this by:

- creating an ethos in which children and young people and staff feel valued and secure;
- building self-esteem and confidence in our children and young people, so that they can use these qualities to influence their own relationship with others;
- having consistent expectations of children and young people and in their learning;
- removing or minimising barriers to learning, so that all children and young people can achieve;
- ensuring that our teaching takes into account the learning needs of all children and young people through our schemes of work and lesson planning;
- identifying clear procedures for dealing quickly with incidents of discriminatory behaviour;
- making children and young people and staff confident to challenge prejudiced and aggressive behaviour; and
- challenging stereotypes and promoting positive images.

Responsibilities

The role of governors

- The governing body has set out its commitment to equalities by approving and adopting this plan and it will continue to do all it can to ensure that the school is fully inclusive to pupils, and responsive to their individual needs and circumstances.
- The governing body seeks to ensure that people are not discriminated against when applying for jobs at our school on any grounds.
- The governors take all reasonable steps to ensure that the school environment gives access to people with disabilities, and also strive to make school communications as inclusive as possible for parents, carers and pupils.
- The governors welcome all applications to join the school, whatever a child's individual or family background.
- The governing body will ensure that no child is discriminated against whilst in the school.

The role of the Headteacher (or senior leader responsible for Equalities)

- It is the Headteacher's role to implement the School's Strategic Equality Plan and s/he is supported by the governing body in doing so.
- It is the Headteacher's role to ensure that all staff are aware of the School's Strategic Equality Plan, and that teachers apply these guidelines fairly in all situations.
- The Headteacher ensures that all appointment panels give due regard to this plan, so that no-one is discriminated against when it comes to employment or training opportunities.
- The Headteacher promotes the principle of equalities when developing the curriculum, and promotes respect for other people and equal opportunities to participate in all aspects of school life.
- The Headteacher will treat all incidents of unfair treatment and any incidents of bullying due to discrimination, with due seriousness.

The role of all staff (teaching and non-teaching)

- All staff will ensure that all pupils are treated fairly, equally and with respect, and will maintain awareness of the School's Strategic Equality Plan.
- All staff will strive to provide material that gives positive images and challenges stereotypical images.
- All staff will challenge any incidents of prejudice, whether that is racism, homophobia, disability-related or other, and record any incidents, drawing them to the attention of the Headteacher.

- Teachers support the work of ancillary/support staff and encourage them to intervene in a positive way against any discriminatory incidents.

Visitors and contractors working on site

Every effort will be made to ensure that all visitors or contractors working on site are made aware of the school's stance on equality and incidents of a discriminatory nature.

Communication

The full Equalities Policy is:

- available to all staff;
- published in the staff handbook;
- published on the school's website;
- brought to the attention of all non-LA contractors or service providers, who are made aware of their need to comply with the policy and are asked for their own Equalities; and
- brought to the attention of parents and available on request for parents, visitors and members of the wider community.

The Equalities Summary is:

- sent to all job applicants;
- published in the school prospectus;
- displayed around the school premises; and
- available on request for visitors and members of the wider community.

The School's Strategic Equality Plan is available in Welsh, and is available in other languages and formats on request.

This policy will be reviewed every four years or following any changes in legislation.

Signed: _____ **Chair of Governors**

Signed: _____ **Headteacher**

Date: _____

[NAME OF SCHOOL]
 DISCRIMINATORY INCIDENTS RECORDING FORM
 AUTUMN/SPRING/SUMMER TERM 20XX

Name of Pupil	Warning		Parent informed	Class teacher & parent discussion	Warning	Head teacher letter/loss of privileges	Warning	Head teacher, class teacher & parent meeting / discussion of sanctions
	1	2						
Joe Bloggs	10/01/08 V	25/02/08 P	16/02/08	20/02/08	19/03/08 P	21/02/08 Restrictions at lunchtime	24/03/08 R	30/03/08 Discussion with parent possible f/t exclusion

Please return at the end of term (by post or email) to Head of Inclusion, Merthyr Tydfil County Borough Council.

[NAME OF SCHOOL]
DISCRIMINATORY INCIDENTS RECORDING FORM
 AUTUMN/SPRING/SUMMER TERM 20XX

Name of Pupil	Gender M <input type="checkbox"/> F <input type="checkbox"/>	Year Grp	Date of Incident	Investigated & by whom	Outcome & Actions	Bullying type & Motivation																														
Joe Bloggs	<input checked="" type="checkbox"/> <input type="checkbox"/>	7	16/02/08	20/02/08 Mrs Thomas class teacher	Bullying Confirmed Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Agreed action	<table border="1"> <tr> <td colspan="6">Type</td> </tr> <tr> <td>Verbal <input type="checkbox"/></td> <td>Physical <input type="checkbox"/></td> <td>Cyber <input type="checkbox"/></td> <td>Indirect <input type="checkbox"/></td> <td colspan="2"></td> </tr> <tr> <td colspan="6">Motivation</td> </tr> <tr> <td>Racial <input type="checkbox"/></td> <td>Sexual Orientation <input type="checkbox"/></td> <td>Gender <input type="checkbox"/></td> <td>Disability <input type="checkbox"/></td> <td colspan="2"></td> </tr> <tr> <td colspan="6">Other: <input type="checkbox"/></td> </tr> </table>	Type						Verbal <input type="checkbox"/>	Physical <input type="checkbox"/>	Cyber <input type="checkbox"/>	Indirect <input type="checkbox"/>			Motivation						Racial <input type="checkbox"/>	Sexual Orientation <input type="checkbox"/>	Gender <input type="checkbox"/>	Disability <input type="checkbox"/>			Other: <input type="checkbox"/>					
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