

# Date Valley School

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## Anti-Discrimination Policy

The Equality Act 2010 replaces all existing equality legislation as it consolidates the sources of discrimination. The Equality Act 2010 aims to end discrimination against people with disabilities and to improve access in all areas of life. Since 2002, it has been unlawful for schools to discriminate against children with disabilities in admissions and exclusions. From October 2004 it became unlawful to discriminate against people with disabilities by preventing them from having access to the premises. Schools are required to make reasonable adjustments to enable access. The accessibility plan detailed in this policy identifies changes made and resources required to allow access to children and staff with disabilities.

### What is a disability?

The Act defines disability as when a person has a 'physical or mental impairment which has a substantial and long term adverse effect on that person's ability to carry out normal day to day activities.' Some specified medical conditions, HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect.

Disability is not the same as special educational needs and not all children who are defined as having a disability have special educational needs and vice versa.

### Aims:

Date Valley School aims to be an inclusive school. It aims to ensure that individuals are treated equally and fairly. Date Valley School, Board of Trustees, and its staff will therefore not discriminate, directly or indirectly on the grounds of the following protected characteristics:

- Culture including race and skin colour
- Ethnic or national origin
- Nationality including citizenship
- Age
- Gender
- Disability
- Social class
- Marital status
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy or maternity

The school will endeavor to ensure that children / staff with protected characteristics have the same opportunities as others. The school will not treat a child or a staff member with a protected characteristic less favourably than others because of the nature of his / her characteristic. Date Valley has a strong commitment to equal opportunities and values diversity amongst members of staff and applicants for employment.

It is the responsibility of the school and the Board of Trustees and all members of staff to ensure the application of this policy. The success of the policy depends on the contribution made by everyone, in their own behaviour, in discouraging discrimination, bullying, harassment and victimization by colleagues and encouraging good practice.

Date Valley School will not tolerate acts which breach these principles and all instances of such behaviour or alleged behaviour will be taken seriously and promptly investigated. Action by any member of staff that is deemed to be unacceptable renders that person liable to disciplinary action, which may lead to dismissal.

### **Objectives:**

- To raise awareness of the different types of discrimination
- To raise the awareness of the role of children, parents/guardians and staff with regard to discrimination
- To promote respect and consideration for others
- To provide an appropriate and balanced curriculum which is sensitive to the diversities of the community it serves
- To outline the schools support mechanism for all those involved. (The Accessibility Plan)

**Direct Discrimination** – treating or favoring certain groups.

**Indirect discrimination** – applying conditions that affect certain groups.

**Harassment / Victimization** – unwanted conduct, related to relevant protected characteristics.

**Unlawful discrimination** – refusing promotion, training of certain groups.

### **The Public Sector Equality Duty:**

- The Equality Act 2010 introduces a single Public Sector Equality Duty (PSED) (sometimes also referred to as the ‘general duty’) that applies to schools and extends to certain protected characteristics - race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment
- This combined equality duty came into effect in April 2011. It has three main elements. In carrying out their functions, schools are required to have due regard to the need to:
  1. Eliminate discrimination and other conduct that is prohibited by the Act
  2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it
  3. Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it
- The duty to have “due regard” to equality considerations means that whenever significant decisions are being made or policies developed, thought must be given to the equality implications.
  1. Decision makers in schools must be aware of the duty to have “due regard” when making a decision or taking an action and must assess whether it may have particular implications for people with particular protected characteristics

2. Schools should consider equality implications before and at the time that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis
3. It is good practice for schools to keep a written record to show that they have actively considered their equality duties and asked themselves relevant questions

### **The 'Questions Procedure':**

- The Act extends to schools procedures for complainants to ask questions in respect of a contravention of the Act before a formal case is taken to the County Court
  - This means that if a child believes that he/she has been discriminated against or harassed by their school then, before deciding whether to bring a case, they can ask questions of the school about their treatment
  - It is hoped that this procedure will help to establish the facts in a way which may make it possible to address problems at local level and reduce the number of cases going to a court or an employment tribunal
  - Where cases do go further, it will be helpful to have a common understanding of the issues involved, and this can speed up the process
  - Questions asked by a child and the answer by the school can be used as part of evidence in any subsequent court or tribunal case
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### **The Accessibility Plan:**

#### **Physical environment:**

1. A ramp to be installed for access to the main entrance of the school. (Currently pending)
2. Access to a disabled toilet.
3. Should the school have an employee who has a disability preventing him or her using the stairs, the school will aim to rearrange the classrooms so the employee is able to work on the ground floor.
4. Should the school have a child who has a disability preventing him or her using the stairs, the school will aim to rearrange the classroom so the child's classroom is on the ground floor.
5. Large signs for those with impaired sight.
6. Minicom devices for those hard of hearing. Teacher facing the child who is hard of hearing when addressing the class.
7. Spacing of furniture to allow for movement in the classrooms.

#### **The curriculum:**

1. If a disability is identified in a child, the school will do its up most to meet the needs of the child, through discussions with the parents and the child to identify what resources the school can provide to meet the child's needs. A plan of action to be recorded in the child's SEN support plan and reviewed by staff and parents on a termly basis. External agencies will be contacted for support as required.
2. The school will also ensure all staff are aware of plans of action in place and are trained appropriately, for example use of sign language.

3. Reading books and other resources to contain positive images of people with disabilities.

**Information:**

1. Information normally provided in a written format will be made available in alternative formats that are clear and user friendly for those who have impaired sight, or understand in a language other than English.

**Staffing and recruitment:**

1. When advertising positions and interviewing applicants the Board of Trustees and staff will not discriminate against people with protected characteristics.
  2. Should a staff member become disabled the Board of Trustees will make reasonable adjustments to that person's employment arrangements or to the premises in order to enable them to continue in post.
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**The role of the child:**

In line with the school's Behaviour and Discipline policy and Anti Bullying Policy the children will be expected to:

1. Treat others with respect.
2. Recognize their own responsibility in dealing with and preventing discrimination.
3. Report incidents of discrimination and support each other.

**The school staff will:**

1. Make it clear to the children that discrimination is unacceptable.
2. Be observant of all forms of discrimination.
3. Take seriously any child who approaches them with a concern of discrimination.
4. Be aware of the school policies on Anti Bullying and Behaviour and Discipline.
5. Be aware of school procedures to deal with discrimination.

**The role of the Parent / Guardian:**

If you suspect that your child is being discriminated against, you can:

1. Reassure your child that he / she will be helped.
2. Ensure that the school is contacted.
3. Keep a note of the incidents.
4. NOT encourage your child to hit back or retaliate, as this may make situation worse.
5. When contacted by the school, work with your child and the school on an agreed plan of action.
6. If the discrimination recurs, contact the school immediately.

**Guidance for the child:**

1. If you suspect someone is being discriminated - tell a teacher about it.
2. If you feel you are being discriminated against or treated unfairly, tell your teacher, any member of staff, your friend, anyone at home who will tell the school.
3. Any concerns will be dealt with promptly, and fairly, and due consideration will be given to your rights maintaining confidentiality, privacy and dignity.

**REMEMBER**

You are NOT TO BLAME for discrimination – DO NOT SUFFER in silence.

By telling someone a support plan will be put in place to help solve the problem.

**Guidance for staff:**

1. Allegation of discrimination – report to School Management and complete an incident form.
2. If a member of staff has suspicion of discrimination – observe/talk to the child, record the incident and refer to School Management.

**Links to other policies:**

This policy should be used in conjunction with the relevant school policies:

Anti Bullying Policy, Special Education Needs Policy, and Behaviour and Discipline Policy.

**Strategies for dealing with discrimination towards a child:**

1. Stay calm, and listen.
2. Ascertain exactly what has happened.
3. Impress upon your child that they will not have to face this alone.
4. Encourage your child to talk to someone in school.

Parents should feel that they can contact the school whenever they have any concerns regarding instances of discrimination and try to:

1. Work with the school in trying to combat discrimination.
2. Trust that the school will be diligent in responding to referrals.
3. Recognize the major role they play in shaping young people's attitudes and behaviour.

**Name of designated Anti-Discrimination Coordinator: Tahira Khan**

This policy has been read and approved for Date Valley School, by the School Principal and the Date Valley Trust Policy Committee.      Date: June 2015