



## DURHAM CATHEDRAL SCHOOLS FOUNDATION

### Equality, Diversity and Inclusion Policy

#### 1. Policy

- 1.1 Through our MARK values, Durham Cathedral Schools Foundation (DCSF) aims to instil in all of its staff and pupils self-confidence, tolerance and respect for others. Diversity is a reality of our community, and we believe that the working environment for staff and the educational experience we offer to our pupils is enriched by exposure to a broad range of cultural, religious, linguistic and social backgrounds.
- 1.2 Every individual in our community has equal worth, and DCSF is a place where everyone's needs are recognised, aspirations are encouraged, and achievements are celebrated, regardless of age, body image, disability, gender reassignment and gender identity, learning difficulty, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, ethnicity or national origin), religion or belief, sex and sexual orientation (actual and perceived) or social background.
- 1.3 We are committed to advancing equality of opportunity and acceptance of diversity for people from different groups, and to nurturing positive relationships between and among them by: valuing diversity; promoting mutual respect and tolerance; challenging stereotypes; rejecting all forms of prejudice, discrimination and bigotry.
- 1.4 DCSF recognises that our duties under the Equality Act 2010 are essential to reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.
- 1.5 DCSF commits in this Policy to observing the principles of the Equality Act 2010 and does not discriminate on any grounds.

#### 2. Procedures

DCSF will:

- 2.1 Tackle discrimination where it exists and ensure that no individual or group is directly or indirectly discriminated against for any reason with regard to employment or accessing its educational services.

- 2.2 Ensure that existing members of staff, job applicants, and/or workers are treated fairly in an environment which is free from any form of discrimination.
- 2.3 Not tolerate processes, attitudes and behaviour that amount to direct discrimination, associative discrimination, discrimination by perception, indirect discrimination, harassment (including harassment by a third party), victimisation and/or bullying through prejudice, ignorance, thoughtlessness and/or stereotyping. [See Appendix I below for further explanation of these concepts.]
- 2.4 Monitor, review and report on its Equality, Diversity and Inclusion Policy and practice, and measure progress towards meeting our action plan.
- 2.5 Take seriously the importance of recording the numbers, types and seriousness of prejudice-related incidents at our schools, and how they are dealt with. We will also investigate potential patterns and trends of incidents.
- 2.6 Be committed to ensuring all staff and volunteers are trained in equality, diversity and inclusion, so that all representatives of the Foundation are able to implement this Policy in accordance with the requirements of the law and good practice.

### 3. Responsibilities

#### 3.1 **The governing body** is responsible for ensuring that:

- The Foundation complies with all equalities legislation relevant to the DCSF community, and that this Policy and its related procedures and action plan are implemented.
- A member of the governing body has a watching brief regarding the implementation of this Policy.
- All available data is used to consider equalities issues and to ensure adjustments to school policies and practices are made, including positive action where necessary.

#### 3.2 **The Principal/Headmistress and Senior Management** are responsible for:

- Overseeing the implementation of this Policy.
- Ensuring that all who enter the Schools' sites are aware of, and comply with, this Policy.
- Ensuring that staff and volunteers are aware of their responsibilities and are given relevant training and support.
- Taking appropriate action in any cases of discrimination, harassment, victimisation and/or bullying.
- Regularly reviewing data related to prejudice-related incidents and taking necessary steps to reduce occurrences of incidents within the Foundation.

### **3.3 All staff and volunteers** are responsible for:

- Embodying the Foundation's MARK values and hence refraining from engaging in behaviour that constitutes discrimination, harassment, victimisation and/or bullying.
- Understanding and complying with this Policy.
- Making reasonable adjustments to ensure disabled students do not experience discrimination or exclusion.
- Dealing with prejudice-related incidents in accordance with the Behaviour Policy.
- Attending training sessions as necessary to implement this Policy and keep up-to-date with equalities legislation.
- Challenging bias and stereotyping.
- Promoting an inclusive and collaborative ethos.

### **3.4 All parents/carers** are responsible for:

- Refraining from engaging in behaviour that constitutes discrimination, harassment, victimisation and/or bullying.
- Understanding the Foundation's MARK values and complying with this Policy.

### **3.5 All visitors** are responsible for:

- Refraining from engaging in behaviour that constitutes discrimination, harassment, victimisation or bullying in their engagement with the Foundation.
- Complying with this Policy.

### **3.6 All pupils** are responsible for (depending on their age and level of development):

- Embodying the Foundation's MARK values and hence refraining from engaging in behaviour that constitutes discrimination, harassment, victimisation or bullying.
- Reporting prejudice-related incidents.
- Understanding, valuing and celebrating diversity and inclusion.
- Challenging stereotypes and prejudices.

## **4. Cross reference to other policies and documents**

This policy is linked to the following policies and documents:

- Staff and Volunteer Code of Conduct
- Staff Disciplinary Policy
- Whistle Blowing Policy
- Safeguarding Policy
- Behaviour Policy
- Special Educational Needs and Disability Policy

## **5. Oversight**

This policy is overseen by the Education Committee of the Governing Body and will be reviewed at least every other year.

**Policy written: 08/06/2016**

**Reviewed:**

**08/06/17**

**Mr A Pearson, Deputy Head (Academic) 05/06/18**

**Mr A Pearson, Deputy Head (Academic) 08/07/20**

**Ms H Thompson, Pastoral Lead 15/06/22**

## Appendix 1

Discrimination may take seven main forms and is defined in law along with the protective characteristics associated with each provision as listed below:

- **Direct Discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic. Relevant protected characteristics include age, disability, gender identity and gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. For example, a manager does not select a pregnant woman for promotion even though she meets all of the competencies because she is pregnant. This is probably direct discrimination and cannot be justified.
- **Associative discrimination** occurs when someone discriminates against someone because they associate with another person who possesses a protected characteristic. Relevant protected characteristics include age, disability, gender identity and gender reassignment, race, religion or belief, sex, and sexual orientation. An example of this is when a manager does not give a job-applicant the role, even though they have met all of the competencies for the role, just because the applicant tells the employer they have a disabled partner. This is probably associative discrimination because of disability by association.
- **Discrimination by perception** occurs when someone discriminates against an individual because they think s/he possesses a particular protected characteristic. It applies even if the person does not actually possess that characteristic. Relevant protected characteristics include age, disability, gender identity and gender reassignment, race, religion or belief, sex, sexual orientation. An example of this is when a manager selects a person for redundancy because they incorrectly think they have a progressive condition (i.e., that they are a disabled person). This is probably discrimination by perception because they believe the individual is disabled.
- **Indirect discrimination** occurs when a seemingly neutral provision, criterion or practice that applies to everyone places a group who share a protected characteristic, e.g., type of disability, at a particular disadvantage. Indirect discrimination may be justified if it can be shown that the provision, criterion or practice is a proportionate means of achieving a legitimate aim. An example of this is when an employer decides to apply a "no hats or headgear" rule to staff. If this rule is applied in exactly the same way to every member of staff, then staff who may cover their heads as part of their religion or cultural background (such as Sikhs, Jews, Muslims and Rastafarians) will not be able to meet this requirement of the dress code and may face disciplinary action as a result. Unless the employer can objectively justify using the rule, this will be indirect discrimination. Relevant protected characteristics include age, marriage and civil partnership, race, religion or belief, sex and sexual orientation. In addition, the Equality Act 2010 extends protection against unjustified indirect discrimination to gender reassignment and disability.
- **Detriment arising from a disability** occurs when you treat a disabled person unfavourably because of something connected with their disability. This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only lawful if the action can be justified and the employer can show that is a proportionate means of achieving a legitimate aim. An example of this is when an employer imposes a "no beards" rule as a part of a dress code and tells staff they will be disciplined if they do not comply. The employee is a disabled person who has a skin condition which makes shaving very painful. They have been treated unfavourably (threat of disciplinary action) because of something arising

from their disability (their inability to shave). Unless the employer can objectively justify the requirement, this may be a detriment arising from a disability. It may also be a failure to make a reasonable adjustment.

- **Victimisation** occurs when an employee is treated unfavourably, disadvantaged or subjected to a detriment because they have made or supported a complaint of discrimination or raised a grievance under the Equality Act, this Policy or the Whistle Blowing Policy, or because they are suspected of doing so. (However, an employee is not protected from victimisation if they have maliciously made or supported an untrue complaint). An example of this is when an employee requests to work flexibly and their manager refuses their request because they supported a colleague in a complaint of discrimination.
- **Third party harassment** occurs when an employee is harassed by someone who does not work for the employing organisation such as a customer, contractor or visitor. The employer will become legally responsible if they know an employee has been harassed on two or more occasions by someone (this may be different individuals each time) and fails to take reasonable steps to protect the employee from further harassment.