



**The Banda School**

# **EQUALITY, DIVERSITY AND INCLUSION POLICY**



## **Aims**

We aim, within The Banda, to provide equality of opportunity for all children and staff whatever their age, ability, gender, race or background. We want all our pupils to achieve their full potential during their time with us. As such, we work to ensure that our expectations, attitudes and practices do not prevent any child from reaching that potential.

**The Banda is committed, where possible to avoiding all forms of discrimination as set out under the Protected Characteristics of the Equality Act 2010 (UK). This applies to all pupils, parents, staff members and visitors, and includes inappropriate discrimination on grounds of gender, age, religion or belief, physical ability or disability, learning ability, other special education needs or academic or sporting ability, race (including colour, nationality, ethnicity, family, culture or linguistic background), marital status, pregnancy and maternity, and part time or fixed term employment.**

**However, whilst the Kenyan Constitution protects the rights and fundamental freedoms of all people without exception, protected characteristics such as gender reassignment, civil partnership and same sex unions are not recognised in Kenyan law. Article 45 (2) of the Constitution of Kenya (2010) in this regard stipulates that a marriage can only exist as between persons of the opposite sex. Currently, there are no restrictions on what can be taught in our schools as long as the content does not promote acts of conducts that are prohibited in Kenya.**

## **Implementation**

The School, with the assistance of the staff, will:

- Break down any barriers to equality of opportunity which may prevent staff members or pupils realising their full potential or accessing benefits.
- Advertise vacancies and ensure job selection criteria are appropriate for the job.
- Promptly and fully investigate all complaints of discrimination and harassment, taking appropriate action where necessary.
- Ensure that all members of staff are fully informed and trained on this policy.
- Monitor the composition of the school and the effects of its recruitment practices.
- Review existing procedures to ensure they are not discriminatory in their operation.

## **1. Pupils**

### **1.1 Admissions**

#### **'Education For All'**

The school maintains the ideal of 'Education for All' appreciating that, in our pluralistic society, members of all ethnic groups, whether minority or majority, should be recognised and valued. The school follows the Admissions Policy and is non-selective to those children that can access the curriculum.

Children are prepared for life in a multicultural society. They are helped towards an awareness that people come from a variety of cultural backgrounds and ethnic origins and, as such, may have their own distinct language, religion and culture; including such aspects as music, food, literature and customs.

We aim to help children to develop the necessary knowledge, understanding, skills and attitudes with which to play a full and active part in our multicultural society.

### **1.2 Curriculum**

An understanding and acceptance of other cultures is involved in many aspects of school life. It is encompassed within the teaching of many areas of the curriculum, for example, through English, Geography, History, RPE, Art, Music, Drama, PSHE, PE and Sport.

Through a variety of learning experiences, the children will be able to explore the contributions of different cultural, racial and religious groups in our society and, at the same time, broaden their knowledge and understanding of such groups. In this way, it is hoped that the children's awareness and respect for cultural and ethnic diversity in the classroom, the school and the community, will be developed.

As a school, we actively promote attitudes and values that enable the children to recognise the worth of every individual. The children are encouraged to respect themselves and others, be it in pupil-pupil relationships, pupil-staff relationships, as well as in relationships with others in both the school and the wider community. Tolerance and understanding of others is promoted amongst children and staff, who are encouraged to appreciate individual differences.

### **1.3 Facilities**

Through our general routines in school and in the classroom, we strive to ensure that our practices and procedures are not discriminatory in any way. The school aims to ensure equitable provision of facilities for all pupils. However, pupils with severe physical difficulties may find some of the school's site difficult to manage.

As a school, we acknowledge and respond to the differing needs of all individuals, whatever

their cultural or ethnic background and experiences. All individuals, therefore, receive equality of opportunity in our school.

#### **1.4. Religion**

Staff always try to eliminate any bias towards or against any particular group or individual. They are asked to respond positively in their approach to incidents relating to race, religion and disability, be it in the classroom, the playground or with parents.

#### **1.5 Pastoral Care**

The school's pastoral system has an essential role in promoting the school's Equality, Diversity and Inclusion Policy (see Behaviour Policy).

#### **1.6 Rewards and Sanctions**

Rewards and sanctions for pupils can be found in the Behaviour Policy. Rewards and sanctions are administered fairly and all children are treated equally. All pupils are expected to observe the school rules and conduct themselves appropriately.

#### **1.7 Sport and Co-curricular Activities**

Sporting opportunities are equally available to all pupils. However, some sports are limited to a single sex participation due to IAPS or competition rules (e.g. contact rugby). We offer opportunities to play mixed gender sports within school where possible.

#### **1.8 Links with the Community**

Through the partnership that exists between home, school and the community, we hope to enrich the curriculum by encouraging people from varying cultures, religions and ethnic backgrounds to visit the school and share their experiences and ideas with the children. At The Banda, we welcome members of our community to come and talk to pupils on a wide range of topics and from a diverse background. It is important that visiting speakers to the school complete the 'Prevent Disclaimer' form confirming that the content of the talk will not endorse intolerance of any faith, culture or race.

#### **1.9 Language**

Any pupil who has been admitted into The Banda will not be discriminated against based on their home language. Pupils whose first language is not English must feel their language is valued. They should be allowed to use their home language in school but never to use it to exclude others.

## **1.10 Food**

The Banda works hard to ensure the medical, cultural and dietary needs for pupils are met. We help pupils experience a range of food from different cultural backgrounds.

## **1.11 Uniform**

School uniform helps to create an equality between all pupils and eliminates visible markers of social status or economic disparities, reducing the potential for discrimination based on clothing. Trousers have become optional school uniform for girls.

Hair should be neat and tidy and hair colour should be natural. Pupils with hairstyles or head coverings worn due to cultural traditions will not be discriminated against.

## **1.12 Positions of Responsibility**

In selecting pupils for positions of responsibility (for example: Heads of School, House Captains, Prefects, Captains of Sport etc.), decisions will be based entirely on merit. The pupil(s) best suited to a particular role, in the opinion of the staff appointing the position, will be awarded the position of responsibility, regardless of any of the aforementioned Protected Characteristics.

## **2. Staff**

The school ethos is one that values all staff equally.

### **2.1 Recruitment and Staffing**

No employee or prospective employee will receive unfair or unlawful treatment on the grounds of previously mentioned Protected Characteristics because they are perceived to have a Protected Characteristic or because they are associated with someone who has a Protected Characteristic, in particular but not only in relation to:

- Recruitment and selection
- Promotion, transfer and training opportunities
- Grievance and disciplinary procedures
- Termination of employment, including redundancies
- Conduct at work

The principles of non-discrimination and equality of opportunity also apply to the way in which staff must treat visitors, pupils, parents and other individuals with whom they may come into contact during the school day.

In order to promote an environment within which the school can call upon the widest possible

range of knowledge, skill and experience, as well as ensuring compliance with the relevant legislation and codes of practice, we are committed to achieving and maintaining a workforce which represents the population within our recruitment area in terms of race or colour, nationality or national or ethnic origins, religion or belief, age and disability.

All teaching and non-teaching posts are not sex-specific. Both men and women are encouraged to teach all age groups. All staff have equal access to in-service training and posts of responsibility. Practices and approaches involving equal opportunity in terms of gender issues are regularly reviewed by all members of staff.

The Banda School shall regularly review the operation of our recruitment, promotion, training and development procedures to ensure that no applicant for employment or member of staff is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

The staffing process is governed by the school's principles of non-discrimination and is designed to achieve the best match between, on the one hand, the individual's knowledge and skills, experience and character and, on the other hand, the requirements of the vacant post, recognising the need for flexibility to respond to changing conditions. In summary:

- The capability of the individual to perform in the position will be the major selection criterion, but the ability both to work with others and to be trained, coupled with individual potential will be taken into account.
- All applicants will be dealt with courteously and as expeditiously as possible.
- Carefully selected and validated skills and tests may be used as part of the selection process.
- Appointments will be confirmed on receipt of satisfactory references and DBS checks (and in the absence of prohibition orders), a satisfactory medical report and satisfactory completion of a probationary period.

## **2.2 Disability**

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you appropriately.

A disability will not in itself justify the non-recruitment of an applicant for a position at the school. Such reasonable adjustments to the application procedures shall be made as are required to ensure that applicants are not disadvantaged because of their disability. For example, where written tests are used, alternative arrangements will be made for visually impaired applicants.

If you experience difficulties at work because of your disability, you may wish to contact your Head of Department to discuss any reasonable adjustments that would help you to overcome or minimise the difficulty. Your Head of Department may wish to consult with you and your medical adviser about possible adjustments and you may be required to give your consent to a report being produced about your state of health and ability to perform your duties. We will consider the matter carefully and try to accommodate your needs within reason. If we

consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible. Once an adjustment has been made, its operation may need to be reviewed at agreed intervals, in order to assess its continuing effectiveness.

The school will make such adjustments to work arrangements or school premises as are reasonable to enable a disabled staff member to carry out his or her duties. This will include, but is not limited to, consideration of the provision of specialist equipment, job redesign and flexible hours.

Where, during the course of their employment, a disabled member of staff recognises their need for a reasonable adjustment to be made to work arrangements or school premises, he or she should discuss this requirement with the school. Further information can be found in the Accessibility Policy and Plan.

## **2.3 Professional Conduct**

All teaching staff are expected to follow the Staff Code of Conduct Policy.

## **2.4 Teaching & Curriculum Coverage**

Teachers are encouraged to consider the information they place before the children. Resources are carefully selected for use with the children to ensure that they do not display a cultural or racial bias, or show stereotyping or prejudice. Such resources, where possible, should reflect life in a multicultural society. Cultural similarities as well as differences should be highlighted.

Work to develop a cross-curricular dimension may be included in both class and whole school topics or themes. For example, a topic such as 'food' or 'light' may focus on various aspects of one (or more) of a community's culture and life. Both religious and secular festivals provide excellent opportunities in which to consider ethnic diversity and could be included in class and school assemblies. A topic in Geography, for instance, may also provide an opportunity to consider other cultures and ethnic backgrounds. The use of literature may provide a useful vehicle for encouraging children to recognise and understand people from other races, cultures and religions. The Banda's whole school focus on values promotes mutual respect and acceptance of individual differences, beliefs and culture.

## **2.5 Dignity at Work**

No member of staff should engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and, in serious instances, may lead to instant dismissal.

Harassment may take the form of unwanted conduct which is related to a relevant Protected Characteristic which is perceived as affecting an employee's dignity at work. It may also take

the form of unwanted conduct towards someone based on their appearance or other personal characteristics which is perceived as affecting their dignity at work. It is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidating behaviour, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal work place conversation. It may be directed towards one individual or a group. A single incident can amount to harassment if sufficiently grave.

### **3. Discrimination**

At The Banda, all children and adults are encouraged to respect each other's:

- Cultural heritage
- Beliefs and practices

and to understand that there are similarities and differences between all people.

#### **3.1 Identifying Racist Behaviour**

There are occasions when a child or adult might exhibit racist behaviour towards another person. These need to be swiftly identified and dealt with in accordance with the school's Behaviour Policy.

Racist behaviour can take a variety of forms. Some of these are more obviously offensive than others. However, some apparently harmless incidents can be damaging in the long term. Below are examples of the kinds of incidents that we may encounter.

- Derogatory name calling, insults, racist jokes and language
- Racist comments during discussion in lessons
- Ridicule of an individual for cultural differences; for example, food, music or dress
- Refusal to cooperate with others because of their ethnic origin
- Verbal abuse and threats
- Physical assault against a person or group because of colour and/or ethnicity
- Racist graffiti
- Incitement of others to behave in a racist way

#### **3.2 Identifying sexist behaviour**

We recognise that a child's self-perception can be influenced by his/her environment and so we aim to enhance our children's self-esteem and self-confidence by positively working to reduce any gender bias and promoting equality of opportunity.



As a school, we work to incorporate our guidelines for equal opportunity into our primary practice. Certain strategies are employed to ensure that the cross-curricular dimension of equal opportunity permeates all of the life and work of the school. At the same time, we are aware that as children mature and their relationships with peers of both sexes develop, their perception of roles alters. We also recognise that such perceptions are influenced by other factors including home, culture, peer group and the media.

Children of both sexes have equal opportunity within and equal access to all areas of the whole school curriculum. This includes all areas of study and co-curricular activities. All pupils are encouraged to participate equally in the full range of activities both inside and outside the classroom. Moreover:

- Efforts are made to recognise and be aware of the possibility of gender bias in both our teaching and learning materials, and our teaching styles.
- Materials are carefully selected for all areas of the curriculum so as to avoid sexual stereotypes and gender bias.
- Teacher time, attention and all resources are given equally to boys and girls.
- All children are encouraged to work and play freely with children of both sexes.
- Opportunities are given for children to work with teaching and non-teaching staff of both sexes.
- Teaching and other groupings, such as lunch tables, assembly seating, classroom seating and playground areas are organised on the basis of criteria other than gender; for example, age, ability, friendship.

Equality between the sexes is recognised when giving/delegating responsibility and noting the achievements of both staff and children, such that:

- Discipline procedures - notably rewards and sanctions - are the same for all pupils.
- Children and all staff are encouraged to value each other and build up and maintain cooperative working relationships both within school and in the community; such relationships being based on mutual respect for each other.

Any differences involving gender which arise inside or outside the classroom are dealt with sensitively and are discussed with the children.

#### **4. Procedures for Managing Incidents of Discrimination**

It is important that teachers are sensitive to all signs of possible victimisation of individual pupils, or groups of pupils, and that this should also be reported, even where there is no identifiable incident. Similarly, all behaviour which can be seen as possibly reflecting racial tension within the school as a whole should be reported; for example, small groups of pupils forming isolated groups within the playground or in the classroom.

#### **4.1 Discrimination against or harassment of staff by staff**

An allegation of racist behaviour on the part of any member of the teaching or non-teaching staff is a serious disciplinary matter and will be the responsibility of the Head and The Board, and dealt with in accordance with the school's Disciplinary Procedures. In addition, there are specific procedures for dealing with racial harassment as part of staff grievance procedures (see Whistleblowing Policy).

If you consider that you have been the recipient of unwanted conduct amounting to harassment, it is open to you to try to resolve the problem informally with the other person, either face to face or in writing. If this is not appropriate or has not been successful, you may raise a grievance in accordance with the school's whistleblowing procedures. All such grievances will be dealt with sensitively and in confidence as far as reasonably practicable to progress the complaint/concern.

False or malicious allegations will be treated as a disciplinary offence. Retaliation against a member of staff who complains of harassment can be expected to lead to disciplinary action under the school's disciplinary procedures.

#### **4.2 Discrimination against or harassment of a pupil by a member of staff**

Where the victim of alleged racist or discriminatory behaviour is a pupil, the Head should, after careful investigation, seek to resolve the matter informally. If the matter cannot be resolved satisfactorily at this stage, then the person reporting the behaviour should submit the complaint in writing to the Head who will investigate the case further and take the appropriate action. This could involve the use of formal disciplinary procedures. It is important that the victim and, where appropriate, the parents, are given reassurance that the school does not tolerate such behaviour.

#### **4.3 Discrimination against or harassment of staff by a pupil**

Where a member of staff is the victim of racist or discriminatory behaviour by pupils, it is important that full support is given to the member of staff concerned and whistleblowing procedures are followed.

#### **4.4 Discrimination against or harassment of a pupil by another pupil**

Racist, sexist or cultural discrimination or harassment may differ from other types of bullying in that it is not simply a personal attack, but it is indiscriminately and offensively aimed at a whole group to which the victim happens to belong. The school will deal with discriminatory behaviour between pupils using the school's rewards and sanctions section of the Behaviour Policy. A record of the incident will be kept on the school's pastoral database (CPOMS).

## **4.5 Supporting the Victims**

It is important that the school creates a climate in which victims of incidents that undermine the aforementioned Protected Characteristics, feel able to report them. All staff and pupils should be encouraged to report incidents that they witness and all such reports should be followed up. Special attention within The Banda should be paid to considering the particular vulnerability of pupils with special educational needs who may also be prey to racism within the school, but find communication of their position and feelings difficult.

Staff dealing with such incidents should be sensitive to the issue of retaliation on the part of the victim, which may be a reaction to a long series of relatively minor incidents that have not been reported or dealt with appropriately.

Parents will be included when offering support to victims. The school recognises that the victims of incidents may require pastoral support over a long period in order to regain personal confidence. In addition, the school needs to demonstrate its willingness and ability to address the issue of harassment.

## **4.6 Wider Implications**

In dealing with an incident that undermines Protected Characteristics, it is important to recognise the wider implications for the school and the local community. School procedures should set out clear lines of internal communication to ensure that all appropriate members of staff are aware of any incident. Formal procedures for involving senior management and The Board need to be considered.

## **5. Monitoring and Reporting**

It is essential that records are kept of incidents to enable the school to identify any patterns of behaviour whereby individuals or groups can be shown to be regular victims or perpetrators of any form of racial or other harassment. These incidents will be recorded on the CPOMS database. The examination of these records on a regular basis will also provide the school with a picture of the frequency and nature of incidents, and give some indication as to how effectively the school is combating such behaviour.