



Warwick Academy

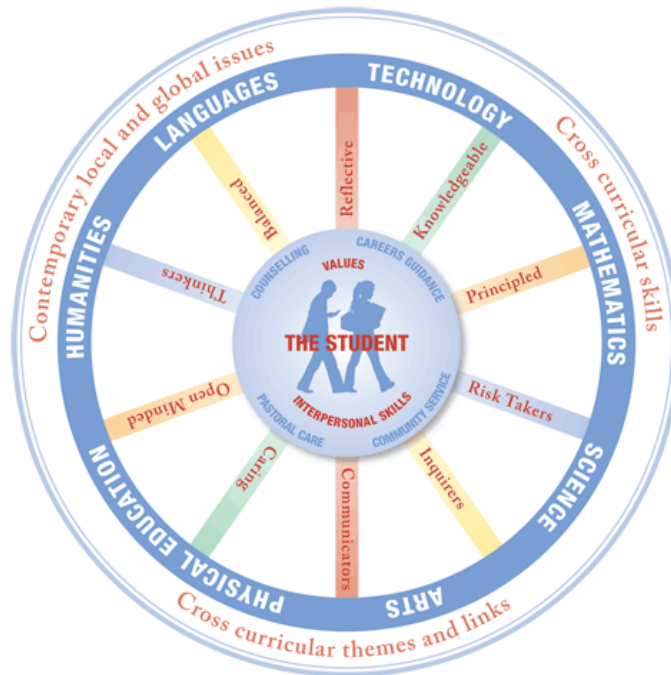
'So much more than a place to learn'

Anti-Discrimination & Equal Opportunity Policy

MISSION STATEMENT

Building on centuries of excellence, we provide an international educational environment designed for our diverse student body. Our innovative curriculum is delivered with a commitment to personalised pastoral care and enhanced by a dynamic co-curricular programme. We strive to create a culture of collaboration so that our students can become lifelong learners, global thinkers and successful leaders.

CURRICULUM MODEL



NOTES

Dated: May, 2022

To be reviewed: 2025

Staff involved: Strategic Team

Rationale:

The purpose of this policy is to articulate the school's commitment to the principles of equal opportunity and anti-discrimination. Warwick Academy has separate policies dealing with Harassment, Anti-Bullying and Positive Discipline. These policies should be seen as separate, yet complimentary to this Anti-Discrimination Policy & Equal Opportunity Policy

Scope:

This policy applies to current staff, students, parents and any person who conducts business with the school (contractors, volunteers and visitors). Warwick Academy is committed to adopt a proactive approach to fostering an environment which provides equality of opportunity and freedom from discrimination. We are committed to overcoming discriminatory attitudes with an approach which seeks to raise awareness and develop positive attitudes.

Aims and expectations:

- At Warwick Academy, we promote the principles of fairness and justice for all through the education which we provide and ensure that all students have equal access to the full range of educational opportunity provided by the school.
- We constantly strive to remove any forms of discrimination that may form barriers to learning.
- We proactively design our curriculum and pastoral care programmes to promote anti-discriminatory behavior and equal opportunities.
- We ensure that all recruitment, employment, promotion and training systems are fair to all and provide opportunities for everyone to achieve.
- We challenge stereotypes and prejudice whenever it occurs.
- We celebrate the cultural diversity of our community and show respect for all minority group.

References:

The relevant acts which are binding on the School are:

- The Bermuda Human Rights Act 1981
- The Race Discrimination Act 1975 (Commonwealth)
- The Sex and Age Discrimination Legislation Amendment Act 2010 (Commonwealth)
- The Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)
- Equal Opportunity for Women in the Workplace 1999 (Commonwealth)
- The Disability Discrimination Act 1995 (Commonwealth)

The School is committed to supporting and upholding the principles underlying the Universal Declaration of Human Rights 1948 and following U.N. Conventions:

- The Convention on the Rights of the Child (the "RC Convention")
- The Convention against Discrimination in Education (the "DE Convention").
- The European Convention on Human Rights of 1950

The Convention on the Rights of the Child (the “RC Convention”) is an “international instrument relating to human rights and freedom”. Article 3(1) provides that in “all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child will be a primary consideration”.

The Convention against Discrimination in Education (the “DE Convention”) has as its purpose the elimination of discrimination on the basis of race, colour, sex, language, religion, political opinion and other opinion, national or social origin and economic condition at birth, in the field of education.

Attributes in which Discrimination is prohibited:

Discrimination occurs if a person treats, or proposes to treat, someone with an attribute less favourably than the person treats or would treat someone without that attribute, in the same or similar circumstances. The following are the attributes on the basis of which discrimination is prohibited in Bermuda:

- race, place of origin, colour or ethnic or national origins
- sex and sexual orientation
- marital status
- disability
- family status
- religion or beliefs or political opinions

Direct and Indirect Discrimination:

Direct discrimination means treating someone unfairly or less favorably because of one of the personal characteristics listed above.

Indirect discrimination happens when a rule, practice or policy appears to be neutral, but in effect has a disproportionate impact on a particular group. It arises with practices which are fair in form and intention but discriminatory in impact and outcome.

Tackling discrimination and framework for dealing with incidents:

Current students, staff, parents, or any person who conducts business with the School (contractors, volunteers and visitors) shall be informed of the processes and procedures relating to the handling of complaints of discrimination and discriminatory harassment.

Process:

This process provides for the resolutions of complaints deemed substantiated.

Lodging a Complaint:

The following principles will apply to the lodging of a complaint:

- People are entitled to lodge a complaint
- Complaints should be lodged in good faith and without malicious or vexatious intent.

A complaint can arise from any of the following:

- A behaviour, act or perceived intention by a member of the school community which has or is likely to have a significant and serious negative impact on another member of the school community to undertake his or her duties, work or studies at Warwick Academy.
- Conflict of interest.
- Serious discriminatory or unprofessional behaviour or conduct by school staff or students.
- The use of a slur/epithet by a student or staff member directed at another person.
- Breach of school policy.

Furthermore:

- The complaint will be heard promptly and will be taken seriously.
- The right to complain will be affirmed and the complainant will not be pressured in any way.
- The school will make every reasonable effort to ensure a person lodging a complaint will not be treated unfairly or victimized because of the grievance.

Complaints and Inquiries:

Current staff, parents and other persons conducting business with the school:

What should current staff, parents, or other persons conducting business with the school, do if they believe that they have been a subject of discrimination?

They should immediately **inform the Head of Diversity, Equity and Inclusion (DEI)** who will record the alleged incident while it is still a fresh memory.

Once the incident is recorded, the **Head of DEI** will communicate the information to **Principal and the Primary or Secondary Head** who will collaboratively investigate as to whether or not the complaint is substantiated or not.

If substantiated, they will determine whether the Restorative Justice approachⁱ should be adopted, or any other appropriate measures implemented.

What should current parents do if they believe their child has been a subject of discrimination?

They should immediately **inform the Class Teacher/Homeroom Tutor/Head or Assistant Head of Key Stage who in turn inform the Primary/Secondary Pastoral Deputy Head (if they are not the subject of the incident)** who will record the alleged incident while it is still a fresh memory.

Once the incident is recorded, the relevant Deputy Head will communicate the information to the relevant Primary/Secondary Head, Head of Key Stage, Child Protection Liaison Officer, and the Principal. **The relevant Primary/School Head, Pastoral Deputy Head, Head of Key Stage and Child Protection Liaison Officer** will investigate as to whether or not the complaint is substantiated.

If substantiated, they must report the result of their inquiries to the **Head of DEI and Principal** who shall determine whether the Restorative Justice approach should be adopted, or any other appropriate measures implemented.

Students:

What should current students do if they believe they have been a subject of discrimination?

They should immediately **inform their Class Teacher/Homeroom Tutor, or their Head or Assistant Head of Key Stage, or the Primary or Secondary Pastoral Deputy Head (if they are not the subject of the incident), or any trusted adult** who will record the alleged incident while it is still a fresh memory and conduct low level enquiries.

Once the incident is fully investigated by the relevant Deputy of Pastoral Care and one other member of staff, the Deputy Head will communicate the information to the relevant Primary/Secondary Head, Head of Key Stage, Child Protection Liaison Officer. **The relevant Primary/Secondary School Head, Pastoral Deputy Head, Head of Key Stage and Child Protection Liaison Officer** shall investigate as to whether or not the complaint is substantiated.

If substantiated, they must report the result of their inquiries to the **Head of DEI and the Principal** who will determine whether the Restorative Justice approach should be adopted, or other appropriate measures implemented.

Anonymous Complaints:

Anonymous complaints will be recorded by the Head of DEI but shall not be the object of formal inquiry because to do so may be unfair to those who are being accused of discriminatory practices.

Withdrawing a Complaint:

A complaint can be withdrawn at any stage. If a complaint is withdrawn, the matter will be deemed to be closed.

Internal Resolution:

- If a complaint of discrimination appears unsubstantiated, the parties will be informed of such by the appropriate Deputy Head of Pastoral Care and this process will close.
- If a complaint appears substantiated, parties will be informed by the Head of DEI and the restorative justice approach, led by trained practitioners, will be implemented to resolve the issue.
- The school supports wherever possible an informal, amicable and equitable resolution of a complaint through restorative justice methodologies.
- If restorative justice practices are not possible (e.g. stakeholders refuse to participate in restorative circles or conferences, or they are not deemed suitable for the complaint), resolutions will be determined through traditional disciplinary policy procedures conducted by the respective Primary/Secondary pastoral care Deputy Head, Primary/Secondary Head, and the Principal (please refer to the Positive Discipline, Anti-Bullying, Harassment Policies, Staff Code of Conduct, and Employee Handbook). This includes an appeal to the Board of Governors if the resolution is not satisfactory to either party.

Privacy:

Appropriate efforts will be made to protect the privacy of all parties during and after the investigation.

Process:

The Principal is permitted to amend the investigative procedures as needed in circumstances such as:

- when certain staff are not available,
- when the school is out of session.

Documentation:

While the detail and formality of record keeping may vary according to each issue, appropriate documentation, ensuring privacy, should be maintained throughout the investigation and resolution process.

ⁱ Inspired by indigenous values, Restorative Justice is a philosophy that emphasizes bringing together everyone affected by wrongdoing to address needs and responsibilities and restore damaged relationships as much as possible. It is applied in multiple contexts including schools. (Oakland United School District Restorative Justice Implementation Guide)