

LLANISHEN HIGH SCHOOL

**EQUALITY IMPACT ASSESSMENT
OF
BEHAVIOUR MANAGEMENT POLICY**

Introduction

Organisations sometimes place arbitrary criteria on anyone wanting to be a 'member' that some groups will be less likely to be able to fulfil. When these arbitrary criteria make it more difficult for some groups to become members, or when complying with those criteria impacts negatively on some groups and neutrally or positively on others then institutional discrimination might occur.

Sometimes these criteria are written within formal policy, sometimes they are less formal and no official policy exists but written 'rules' are laid out in other ways. Sometimes there are no written or formal policies relating to a particular criteria, yet an organisation still adopts those rules as 'the way things are' or 'the way we do things'. All of these can be classed as 'policy' for the purposes of Equality Impact Assessment.

Most schools adopt a 'common sense' approach to most criteria within the school and offer a flexible approach to policy when required and appropriate. However the formal policy that exists does not always fully reflect this. Sometimes a policy simply needs to develop. Other times there are errors within a policy that do not reflect modern practice or developments within a particular aspect of society and this can be compounded if staff have also not updated their practice or views over time. Sometimes case law exists as situations are taken to court around the country and a school's policy has not been updated to reflect a new legal position on a policy. If this is the case this can sometimes result in a policy or procedure serving some groups of people less well than others. In some cases, the policy actually disadvantages some groups. In the worst case scenario the policy can be illegal and discriminatory.

At our school we are keen to ensure not only that all of our people are treated equally and fairly. For this reason we have chosen to Equality Impact Assess our Behaviour Policy.

Aim and Purpose of Policy

The main purpose of the policy is to set out expectations of behavior, indicate how good behaviour will be developed and encouraged, set out how inappropriate behaviour will be corrected and promote a consistent and shared approach for the whole school community.

Is Equality Explicit/Clearly Referenced?

The policy has a detailed approach to supporting Disabled and SEN pupils as well as our through the BESD framework. It outlines the different responses and strategies (ie the reasonable adjustments) the school makes for these pupils.

Where is there *Unlikely* to be a Negative Differential Impact?

There is unlikely to be a negative differential impact in terms of:

- Religion & Belief
- Age
- Pregnancy and Maternity
- Marriage/Civil partnership status
- Disability

Disability

The Equality Act 2010 requires schools to ensure disabled children are not treated unfavourably arising as a consequence of their disability and to make adjustments to ensure they can access all the benefits of their education. A blanket behaviour policy that does not take into account their specific needs does not underpin this requirement and can result in them being negatively impacted.

A survey by the National Autistic Society found that 66% of parents say a delay in accessing support had a negative impact on their child's behaviour and 34% say it had a negative impact on their child's mental health. Additionally, Disabled children with a statement of SEN (i.e. disabled children with the most significant needs) continue to be eight times more likely to be excluded from school as their non-disabled peers (www.parliament.uk).

Like all children, disabled children display disruptive or challenging behaviour for a range of different reasons: access to education, struggling to progress, difficulty communicating, additional mental health needs or challenges out of school. In some cases, a child's perceived disruptive or challenging behaviour arises directly as a consequence of their disability or as a consequence of a lack of reasonable adjustments made to accommodate their disability. If a child's disruptive behaviour arises as a consequence of their disability and reasonable adjustments having not been made, then this would be classed as discrimination (www.parliament.uk).

The Equality Act 2010 also states that as well as physical disabilities, pupils with Special Educational Needs (SEN) must be considered in the behaviour policy. In England, there are 158,000 pupils in mainstream state-funded primary, secondary and special schools with a primary SEN of behavioural, emotional and social difficulties (BESD) (DfE, 2011a). In recent years there has been a rise in BESD (from 1.7% of all pupils in 2004 to 2.1% in 2011) (DfES, 2004; DfE, 2011a). One of the reasons for this may be where schools' standard behaviour management and early intervention strategies are not robust enough to differentiate between routine misbehaviour and SEN. These pupils' needs around significant behaviour problems are likely to require additional strategies outside of the standard policy.

Our behaviour policy outlines how the BESD framework will respond to pupils on the SEN register who exhibit behavioural difficulties.

Where is there potential for a Negative Differential Impact ?

There is potential for a negative differential impact on the grounds of

- Race
- Sexual Orientation
- Gender Reassignment
- Gender

Gender

There appear to be no gender differences in pupils' attitudes towards school but there are important gender differences in boys' and girls' behaviour. There is evidence that boys and girls who become disaffected tend to take different pathways; boys account for 80 percent of permanent exclusions and three quarters of fixed term exclusions (Department for Education & Skills). There is also evidence around differences concerning youth offending, with boys accounting for a higher percentage of reported offences than girls (33 percent compared to 21 percent – Department for Education & Skills).

The literature on the reasons behind the gender gap reveal multiple contributing factors, including: different styles of learning; girls showing greater levels of motivation and responding differently to the materials and tasks given to them; and trends that indicate how girls and boys relate differently to schooling and learning i.e. girls find it easier to succeed in school settings.

Our behaviour policy as it stands makes no reference to the any different challenges experienced between the two genders, nor to gender being a motivating or contributory factor to any behavioural issues.

Race

Black and mixed race pupils have been found to be more likely to have behavioural, emotional and social difficulties (BESD) as their primary SEN type of need (DfE, 2011a). Other contributing factors to behavioural challenges that may be more prevalent in this protected characteristic include: joining school at times other than the usual admission points (relevant to pupils belonging to the traveller community); pupils with poor language and social skills (Ofsted, 2005); those from disadvantaged families; and those from disadvantaged neighbourhoods (Sammons et al, 2008a; Sylva et al, 2012; Sabates and Dex, 2012).

Additionally, the correlation between bullying and behaviour should be noted; and therefore the impact of bullying in pupils from this protected characteristic. Although the Anti Bullying Survey 2015 shows that 8% of bullying is racially motivated, which is relatively low, most pupils from Black or Minority Ethnic communities are likely to experience a racist incident at some point in their school life (*DCSF, Bullying around Racism, Religion and Culture 2006*). As it stands, our behaviour policy does not make specific reference to the effect that racist bullying can have on the behaviour of pupils, nor how the school aims to prevent this impact on behaviour occurring.

Sexual Education / Gender Reassignment

Sexual Orientation and Gender Reassignment are not the same issue. However, many (in fact, most) anti bullying studies recognise that pupils who do not comply with 'traditionally' male or female gender norms are targets for homophobic bullying, regardless of actual sexual orientation or Trans status. The All Wales Survey of Bullying in Schools referenced above states that homophobic bullying is ten times more likely to occur than racist bullying and that 70% of all bullying in schools is homophobic in nature.

It is likely that children who are bullied disengage from their learning, experiencing little enjoyment and low consciousness for academic work. Hanish and Guerra (2002) examined the effects of peer victimization and bullying on levels of academic achievement and determined that "peer victimization was correlated with concurrent and subsequent aggressive behaviour, inattention in the classroom, delinquency, symptoms of anxiety and depression, rejection, and low popularity among classmates."

Our behaviour policy as it stands makes no reference to the any of the different challenges experienced by pupils of different sexual orientation or gender reassignment, nor does it explicitly link this to the effect that bullying can have on the behaviour of pupils from this protected characteristic.

Recommendations

- 1) The Policy needs to include explicit recognition that pupils from the protected characteristics are overwhelmingly likely to require specific considerations with regards to behaviour.
- 2) Consider having discreet sections of the document referencing the different types of behavioural issues outlined above, along with strategies to deal with those types of behaviour specifically.
- 3) There is no referenec to how the actual behaviour policy is made available and communicated to parents. Consider setting this out in the policy and ensure that groups which may experience a negative differential impact from this, including race (due to differing language requirements, literacy rates or online access) & those with certain disabilities (e.g. visually impaired) are taken into account. Implement and make specific reference in the policy to alternative ways of accessing the anti-bullying policy information (e.g. Braille, audio) for such groups.
- 4) The report's Felsch Reading Ease Score is 49.1, which makes it a difficult standard of English to read. In line with point 3) above, accessibility issues for those with varying literacy rates should be considered as well as any sections or supporting documents aimed specifically at the pupils.

Changes Made to Policy

For school to complete.