

THE HARVEY GRAMMAR SCHOOL



Equal Opportunities Policy

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Statement of Intent

At The Harvey Grammar School we recognise our responsibility to ensure positive attitudes to diversity and difference – not only so that every child is included and not disadvantaged, but also so that they learn from the earliest age to value diversity in others and grow up making a positive contribution to society. We understand the importance of providing a challenging and enjoyable programme of learning and development and we undertake to make reasonable adjustments to enable all to participate in our programme of learning, where all are valued and supported.

The Harvey Grammar School is totally committed to avoiding all forms of discrimination as set out in the UK Equality Act (2010). This applies to all pupils, parents and staff members and includes inappropriate discrimination on the grounds of: gender; age; religion or belief; physical ability or disability (including HIV status); learning ability, other special educational needs or academic or sporting ability; race (including colour, nationality, ethnicity, family, cultural or linguistic background); marital status and civil partnership; sex; sexual orientation; trade union membership; part-time and fixed-term working; gender reassignment and pregnancy. These factors are taken into account in the care of our community members so that care is sensitive to different needs.

We seek to ensure that the individual needs of all our pupils, including those who are disabled or have special education needs are met and pupils are included, valued and supported, and that reasonable adjustments are made for them. We undertake to work with the school community, with parents and with other relevant agencies to ensure that any form of discriminatory behaviour is treated seriously and action is taken to prevent any repetition.

The Special Educational Needs Coordinator ensures that arrangements are in place for reviewing, monitoring and evaluating the effectiveness of inclusive practices that promote and value diversity and difference; how inappropriate attitudes and practices will be challenged; and how the provision will encourage children to value and respect others.

We aim to create a working environment in which staff are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit.

We have developed this policy to provide a clear framework for how we will achieve our school's aims.

To achieve our aims, we will adopt the following methods:

- Embedding equality within teaching and resources
- Using key data indicators to understand the needs and characteristics of our school
- Promoting community cohesion
- Promoting parental engagement
- Working with outside agencies, such as educational psychologists, occupational therapists
- Investing in regular staff training
- Using key data to monitor the progress of pupils with protected characteristics
- Regularly reviewing our equality policy and school documents to ensure they reflect current trends and issues

Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Human Rights Act 1998
- The Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)

- Data Protection Act 2018
- Protection from Harassment Act 1997

This policy operates in conjunction with the following school policies:

- Looked-after Children Policy
- SEN Policy
- Anti-Bullying Policy
- Child Protection Policy for Managing Allegations against Staff
- Safeguarding Policy
- Behaviour Policy
- Data Protection Policy
- Confidentiality Policy
- Complaints Policy
- Grievance Policy
- Staff Disciplinary Policy

Data Protection

The school will adopt secure controls on sensitive personal data, ensuring all data is accurate, secure and processed fairly and lawfully.

The school will respect all rights to privacy and will not disclose a pupil/staff member's trans^{1*} status or sexual orientation to any other pupils, staff members or third parties.

The school holds a Data Protection Policy containing further information addressing data protection.

Protected Characteristics

We will not discriminate against, harass or victimise a current pupil/staff member, or prospective pupil/staff member, because of their:

- Sex.
- Race.
- Disability, which includes mental health, encompassing prejudiced assumptions, attitudes or behaviours related to mental health.
- Religion or belief.
- Sexual orientation.
- Gender reassignment.
- Pregnancy or maternity.
- Age.
- Marriage and civil partnership.

We will not discriminate against a pupil/staff member, or prospective pupil/staff member, because of a characteristic related to a person, with whom they are associated.

We will not discriminate against a pupil/staff member, or prospective pupil/staff member, because of a characteristic which they are believed to have, even if the belief is mistaken.

We will regularly review our school practices to ensure that they are fair with regard to all the protected characteristics.

¹ Trans* is an umbrella term that refers to all of the identities within the gender identity spectrum.

Sex

Pupils

For the purpose of this policy, sex refers to their biological assignment at birth depending on their reproductive organs. We understand some pupils may wish to identify with another gender, and we will support pupils through their transitioning phases.

Staff

Unless the job is covered by a statutory exception we will not discriminate directly or indirectly on the grounds of sex, gender assignment, sexual orientation, pregnancy, marital status or civil partnership.

- In the arrangements made for deciding who should be offered a job
- In any terms of employment, including pay
- By refusing or omitting to offer a person employment
- In the way we afford access to opportunities for promotion, transfer or training
- In the manner in which employment is offered or in affording access to any benefits, facilities or services
- By victimising an individual for a complaint made in good faith about sex, gender assignment, sexual orientation or pregnancy discrimination or for giving evidence about such a complaint
- In connection with redundancy or termination of employment however caused or by treating a staff member unfavourably in any other way

Race and Ethnicity

We will ensure that pupils, staff or prospective staff members of all races and ethnicities (including those who have EAL) are not singled out for different and less favourable treatment from that given to other, regularly reviewing our school practices to ensure that they are fair.

Pupils

We will not segregate pupils on the basis of their race or ethnicity, understanding that claims of 'separate but equal' will not be tolerated, and that such actions will always be viewed as direct discrimination.

We may, however, take positive action, e.g. organising open days for pupils and families of a specific race that is under-represented, to address the particular challenges affecting pupils of one racial or ethnic group, where this can be shown to be a proportionate way of dealing with such issues.

Staff

No staff member or prospective staff members are placed at a disadvantage by requirements or conditions which have a disproportionately adverse effect on his/her racial group and which cannot be shown to be justifiable on other than racial grounds.

Where appropriate and where permissible under the Race Relations Act staff of an under-represented racial group are given training and encouragement to achieve equal opportunity within the organisation.

We will not:

- Discriminate in recruitment, promotion, transfer or training, nor in the arrangements made for recruitment and in the ways of affording access to opportunities for promotion, transfer or training
- Discriminate on racial grounds in connection with dismissal, redundancy or any other termination of employment or other detriment to a staff member
- Discriminate on racial grounds in appraisals of staff performance or in the operation of grievance disputes and disciplinary procedures
- Discriminate on racial grounds in affording terms of employment and providing benefits, facilities and services for staff
- Victimise individuals who have made allegations or complaints of racial discrimination or provided information about such discrimination

Disability

We will ensure that pupils and staff members with disabilities are not singled out or treated less favourably than others simply because they have a disability, which includes any mental health issue, regularly reviewing our school practices to ensure they are fair.

Pupils

We will ensure that we do not discriminate against pupils with a disability by implementing a rule for all pupils that could have an adverse effect on pupils with disabilities only (for example, making physical fitness a basis for admission, or asking all pupils to deliver a presentation, as this could be unfair towards pupils with anxiety), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.

We will ensure that we do not discriminate against pupils with disabilities because of something which is a consequence of their disability (for example, by not allowing a pupil on crutches outside at break time because it would take too long for him/her to get in and out), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.

We will make any reasonable adjustments, and provide any auxiliary aids, necessary to ensure the full inclusion of pupils with disabilities, especially where the pupil also has SEND but does not have a SEND statement or EHC plan.

We will meet our duty to undertake accessibility planning for pupils with disabilities and ensure that an Accessibility Plan is implemented and reviewed where necessary.

The school adheres to our SEND Policy containing further information addressing equal opportunities for pupils with SEND.

Staff

We will:

- Make any reasonable adjustments of our employment arrangements or premises which place disabled people at a substantial disadvantage compared with non-disabled people
- Not treat a disabled staff member or disabled prospective staff member less favourably for a reason relating to the disability than others to whom that reason does not apply unless the reason is material to the particular circumstances and substantial
- Not knowingly help another to unlawfully discriminate against a disabled staff member
- Not discriminate against a disabled person in the arrangements made for determining who should be offered employment or by refusing to offer, or deliberately not offering, employment
- Not discriminate against a disabled person whom we employ in terms of the employment we offer him/her; in the opportunities, which we afford him/her for promotion, a transfer, training or receiving any other benefit; by refusing to afford him/her or deliberately not affording him/her any such opportunity; by dismissing him/her or subjecting him/her to any other detriment
- Not discriminate against a staff member who becomes disabled or has a disability that worsens

Religion or Belief

We will ensure that pupils and staff are not singled out or treated less favourably because of their religion or belief, regularly reviewing our school practices to ensure that they are fair.

Pupils

We will ensure that pupils are provided with the appropriate space in which they can practice their faith, e.g. to perform their daily prayers.

Absences in relation to religious observances will be handled in accordance with the school's Attendance Policy.

Staff

Unless the job is covered by a statutory exception we will not discriminate directly or indirectly on religious grounds.

- In the arrangements made for deciding who should be offered a job
- In any terms of employment, including pay
- By refusing or omitting to offer a person employment
- In the way we afford access to opportunities for promotion, transfer or training
- In the manner in which employment is offered or in affording access to any benefits, facilities or services
- By victimising an individual for a complaint made in good faith about discrimination on religious grounds or for giving evidence about such a complaint
- In connection with redundancy or termination of employment however caused or by treating a staff member unfavourably in any other way

Sexual Orientation

Pupils

We will ensure that all gay, lesbian and bi-sexual pupils, or the children of gay, lesbian or bi-sexual parents, are not singled out for different or less favourable treatment from that given to other pupils, regularly reviewing our school practices to ensure that they are fair.

We will ensure that pupils are taught about the nature of marriage, including same-sex marriage by presenting the facts of English and Welsh law – teachers will not offer personal opinions when discussing marriage in RSE.

We will ensure that any religious beliefs with regards to sexual orientation are taught to pupils in an educational context, in a manner that is not prejudicial or discriminatory.

RSE lessons will be taught in accordance with our Relationships and Sex Education Policy.

We will ensure that there is a designated safe space within our school where pupils can discuss issues of sexual orientation without fear of discrimination.

Staff

We will ensure that all gay, lesbian and bi-sexual staff are not singled out for different or less favourable treatment from that given to other staff members, regularly reviewing our school practices to ensure that they are fair.

Gender Reassignment

We will ensure that pupils and staff are not singled out or treated less favourably because they have undergone, or are proposing to undergo, gender reassignment, or pupils who have trans* parents, regularly checking our school practices to ensure that they are fair.

Pupils and staff have the right to dress in accordance with their true gender identity within the constraints of our dress code.

We will ensure that there are suitable toilet and changing facilities to use, including:

- Unisex toilets and changing facilities
- Private changing facilities

The facilities will be made available to all pupils/staff and pupils/staff can use the facility they feel most comfortable in e.g. a trans* pupil using a private changing room.

Pupils

We will make reasonable adjustments to accommodate absence requests for treatment and support of trans* pupils by external sources, e.g. charities such as Stonewall. Any such absences will be recorded accurately and sensitively by the SENCO to ensure the privacy of the pupil.

We will ensure that there is a designated safe space within our school where trans* pupils can discuss issues of gender without fear of discrimination.

Pregnancy or Maternity

We will ensure that visiting pupils or staff are not singled out or treated less favourably because they become pregnant, or have recently given birth, or because they are breastfeeding.

We will make reasonable adjustments to accommodate absence requests in relation to pregnancy.

We will ensure all school-age parents and pregnant pupils are properly supported and the school can fulfil its duty of care.

Age

In connection with any dealing in relation to age as described in the Employment Equality (Age) Regulations which came into effect on the 1st October 2006, we will not discriminate:

- In the arrangements made for deciding who should be offered a job
- In any terms of employment, including pay
- By refusing or omitting to offer a person employment
- In the way we afford access to opportunities for promotion, transfer or training
- By victimising an individual for a complaint made in good faith about discrimination on the grounds of age or for giving evidence about such a complaint
- In connection with redundancy or termination of employment however caused.
- By operating a common contractual retirement age for all staff of 65

Marriage and Civil Partnership

We will ensure that staff are not discriminated against in employment because they are married or in a civil partnership, regularly reviewing our school practices to ensure that they are fair.

Looked after Children (LAC)

LAC, and previously LAC (PLAC), will be given the highest priority for admissions, as per the requirements of our Admissions Policy.

We will ensure that pupils are not singled out or treated less favourably because they are looked after, or have previously been looked after, by the state.

A personal education plan will be created, and implemented, for all LAC and PLAC, to ensure that their education and development needs are fully covered, including appropriate transition and catch-up support to ensure that they do not fall behind.

We will ensure that any special educational needs and disabilities (SEND) that a LAC or PLAC has, are duly taken into account and addressed, whether this is with or without a SEND statement or EHC plan.

The school adheres to our LAC Policy containing further information addressing equal opportunities for LAC.

The Curriculum

We believe that pupils should be exposed to thoughts and ideas of all kinds, however challenging or controversial, and will not make any unjustified changes to our curriculum content on the grounds of any protected characteristics that a pupil may have.

We will ensure, however, that the curriculum is as balanced as possible, and delivered in such a way that prevents discrimination, and the promotion of prejudicial stereotypes.

The observation of inclusive teaching strategies is a key aspect of the Leadership Team's annual programme of monitoring.

We will respect the right of parents to withdraw their child from Relationship and Sex Education (RSE).

Promoting Inclusion

We will promote inclusion and equality at our school through:

- Ensuring that pupils and staff are called by their preferred names, taking into account the correct spelling, structure and pronunciation.
- Ensuring, as far as possible, that our Governing Body and staff reflect the full diversity of our local community.
- Providing an environment where prejudiced assumptions, attitudes and behaviours are continually challenged.
- Instilling in pupils an awareness of prejudice, giving them confidence that it can, and must, be eradicated.
- Providing a variety of educational and residential visits that expose pupils to a wide range of cultural experiences.
- Ensuring equal access to opportunities, such as extra-curricular activities and the curriculum.
- Taking care in the use of language and the choice of resources, so that staff avoid reinforcing stereotypical views of society.
- Valuing the cultural experiences and contributions of all pupils and staff, regardless of any protected characteristic that they may have.
- Communicating our policy to parents to gain their understanding, agreement and support for its provisions.

Supporting Medical Conditions

We will ensure that any medical conditions related to a pupil with a protected characteristic is fully supported.

Pupils and Staff that have left the School

Our responsibility not to discriminate, harass or victimise does not end when a pupil or staff member has left the school. It will continue to apply with regards to subsequent actions related to our previous relationship with the pupil or staff member, such as the provision of references.

The Public Sector Equality Duty

We will meet our duty to publish:

- Annual information to demonstrate how the school is complying with the Public Sector Equality Duty, taking into account the specific circumstances surrounding pupils and staff who have any of the protected characteristics.
- Equality objectives (at least every four years) outlining how we may further equality in our school.

There are some protected characteristics where statistical data is less likely to be readily available, and pupils/staff members will not be pressured into providing information related to any characteristic which they may identify with.

Bullying and discrimination

Pupils

Our Anti-bullying Policy will be used in conjunction with this policy in order to prevent, and effectively deal with, any discriminatory incidents.

Any incidents of a child protection or safeguarding nature will be reported, recorded and dealt with in line with the process in our Child Protection and Safeguarding Policies.

It is the responsibility of the Headteacher to decide whether it is appropriate to notify social services, and/or the police, of any incident.

Concerns with regards to the handling of bullying and discrimination incidents will be dealt with via the procedures outlined in our Complaints Policy.

Staff

If a member of staff believes that they have been discriminated against, they are encouraged to raise the matter through the school's Grievance Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Staff who make such allegations in good faith will not be victimized or treated less favourably as a result. False allegations which are found to have been made in bad faith will, however, be dealt with under our disciplinary policy.

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action.

Staff Training

Staff will receive the appropriate equalities training that will:

- Focus on staff specialisms in relation to equality, for example, a focus on homophobic bullying to address a planned approach towards inclusion.
- Ensure all staff are aware of, and comply with, current equalities legislation and government recommendations.
- Ensure all staff are aware of their responsibilities and how they can support pupils with protected characteristics.
- Provide support for teachers to effectively manage any discrimination towards pupils with protected characteristics.
- Provide up-to-date information on the terms, concepts and current understandings relating to each of the protected characteristics.
- Develop appropriate strategies for communication between parents, educators and pupils about any issues related to a protected characteristic.
- Ensure that the school is aware of, and participates in, relevant awareness days, such as Black History Month, World Disability Day, Transgender Day of Remembrance, PRIDE, and International Women's Day.