

Equality Policy

Legal Framework

This policy is in accordance with **The Equality Act 2010**, which replaced all previous legislation in relation to discrimination, disability, and equal opportunities. In line with that legislation, it seeks to ensure that this school provides equal opportunity for all children and adults, giving due regard to groups with 'protected characteristics', in terms of gender, race, disability, sexual orientation, religion/belief, age, gender reassignment, pregnancy/maternity and marriage/civil partnership, in accordance with the Act.

Public Sector Duties

The school also has what are called Public Sector Duties responsibilities in which it must, in the exercise of its function, give due regard to the need to (in relation to protected characteristics above):

- Eliminate discrimination, harassment, victimisation, and any other prohibited conduct.
- Advance equality of opportunity (remove or minimise disadvantage; meet peoples' needs; take account of disabilities; encourage participation in public life).
- Foster good relations between people (tackle prejudice and promote understanding). In practice, 'due regard' means giving relevant and proportionate consideration to the duty, so decision makers in schools must have due regard when deciding, developing a policy or taking an action as to whether it may have implications for people because of their protected characteristics.

'Prohibited Conduct' (acts that are unlawful):

The school has a responsibility to prevent Prohibited Conduct which includes:

- Direct discrimination - Less favourable treatment because of a protected characteristic.
- Indirect discrimination - A provision, criteria or practice that puts a person at a Particular disadvantage and is not a proportionate means of achieving a legitimate aim.
- Harassment - Conduct which has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It includes harassment by a third party (e.g. customer or contractor) in the employment context.
- Victimisation - Subjecting a person to a detriment because of their involvement with proceedings (a complaint) brought in connection with this Act.
- Discrimination arising from disability - Treating someone unfavourably because of something connected with their disability (such as periods of absence from work or medical conditions) and failure to make reasonable adjustments.

- Gender re-assignment discrimination - Not allowing reasonable absence from work for the purpose of gender-reassignment in line with normal provision such as sick leave).
- Pregnancy/maternity related discrimination - Unfavourable treatment because of pregnancy or maternity. It includes unfavourable treatment of a woman or girl because she is breastfeeding.
- Discrimination by association or perception - For example, discriminating against someone because they “look gay”, or because they have a gay brother; discriminating against someone because they care for a disabled relative.

Schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

Intention

We believe that all pupils and members of staff should have the opportunity to fulfil their potential whatever their background, identity, and circumstances.

Courtlands is committed to creating a community that recognises and celebrates difference within a culture of respect and co-operation. We believe that a culture which promotes equality will create a positive environment and a shared sense of belonging for all who work, learn, and use the services of our school. We recognise that equality will only be achieved by the whole school community working together – our pupils, staff, governors and parents/carers.

Our Equality Policy has links to a range of other school policies identified at the end of this document, and we are also committed to responding to all future equality related legislation as and when it is legislated, to following “best practice”. We are committed to delivering high quality services to our pupils, and we are committed to being an ethical employer by ensuring that we do not discriminate against any current or potential employee.

Fundamental Principles and Values

We believe that equality of opportunity is fundamental to good practice in education, in which fairness of opportunity for all is a basic right. This policy is underpinned by a set of fundamental principles and values that all member of the school community will be expected to adhere to:

Develop an ethos which respects and values all people and diversity - Actively promote a sense of respect towards the needs and feelings others - Comply and actively promote current equal opportunities legislation by not discriminating against people by:

- Disability,
- Ethnicity,
- Culture,
- National origin or national status

- Gender and gender identity,
- Religious or non-religious affiliation, or faith background,
- Sexual orientation,
- Marital status,
- Pregnant or have recently given birth,
- Age.

Have zero tolerance of all forms of prejudice and unfair discrimination. Challenge attitudes that are based on stereotypes and to take positive action to provide encouragement and support to individuals and groups whose progress is limited by stereotyping and cultural expectations. Have a commitment to inclusive education in its broadest sense that will enable and support all pupils to achieve their full potential.

- Prepare pupils for life in a diverse society.
- Eliminate all forms of unfair discrimination, bullying, harassment or other oppressive behaviour.
- Sustain a commitment to the positive development of all staff and governors.
- Ensure that all members of the school community and others engaged in school business will be accountable for complying with this policy.
- Deliver equal opportunities throughout our various policies, procedures, and practices.
- Do our utmost, within available resources, to remove barriers which could limit or discourage access to the school's range of activities.
- Monitor the impact of our efforts to promote equal opportunities and implement any improvement strategies where it is ineffective.

Implementation

Promoting positive attitudes and relationships by:

- Promoting mutual respect and positive relationships across all groups.
- Bringing a sense of belonging and cohesion.

Hearing points of view by:

- Consulting parents and pupils through various quality assurance surveys,
- Whenever parents / carers / people from other agencies we work with visit to school or write to us.
- Listening to pupil's views in Tutor time or in the School Forum
- Listening to feedback / evaluations in PSHE lessons.
- Through parent and staff representation on the Board of Governors
- Learning from Complaints whenever they are made.
- Recommendations following inspection.
- Working with others who are working to improve the school.
- Considering comments/views made in meeting or reviews.

Ensure strong equality practices in relation to staff by:

- Ensuring that they recruited fairly, and once employed that they are protected, benefit, developed, and supported throughout their employment at the school.

Respecting difference by:

- Ensuring that we accept individual difference and the need to treat people differently rather than expecting to treat everybody the same.
- Recognising barriers and disadvantage where they exist
- Recognising and promote diversity.

Promoting consistency and unity in the school by:

- Having a clear range of policies and guidance that can implemented by all staff.
- Having a clear set of expectations and rules about how we interact with each other.
- Monitoring data and other information to identify inequality and close gaps.
- Carry out regular reviews of policy and procedure to see that it is fit for purpose.
- Identifying and challenging inequality, prejudice, or discrimination where it exists.

Ensuring Equality of Education

To ensure that education is available at the highest level to all our pupils, and to prevent inadvertent discrimination we will:

- Use assessments, anecdotal information, and hard data to ensure that all pupils have full access to all parts of our provision to meet their needs.
- Regularly review pupil data and performance according to ethnicity, gender, disability to identify gaps and create intervention and support plans. We will also act similarly wherever we feel pupils are at risk in terms of Mental Health or by being in Care.
- Set targets that are challenging, aspirational, and in-line with the abilities of the pupil.
- Encourage pupils to work effectively in a diverse, multi-cultural society.
- Set out curriculum/lesson plans, intervention strategies that are non-discriminatory and accessible to all.
- Only use teaching resources that have been vetted to ensure that they are non-discriminatory.
- Ensure that there are range of teaching resources accessible to pupils at all levels of ability, and which reflect the range of ability and diversity in the school.
- Support pupils to discover their own culture or that of others.
- Promote attitudes and behaviour that are non-discriminatory or prejudicial.
- Seek to involve all parents in supporting their child's education.
- Support an open-minded culture where people are free to discuss their concerns or feelings without fear.

- Ensure that pupils are taught in a manner that reflects their learning style and is differentiated/individualised to suit their needs.

Identifying groups of vulnerable children

We actively seek to remove the barriers to learning and participation that can hinder or exclude individual students or groups of students. This means that equality of opportunity must be a reality for all our students. We make this a reality through the attention we pay to the different individuals and groups of students within our school including:

- Girls and boys
- Disadvantaged (based on DfE definition)
- Minority ethnic and faith groups
- Pupils who have English as an additional language
- Pupils who have SEND
- More able children / high prior attaining children
- Pupils who are at risk of exclusion
- Travellers
- Asylum seekers or refugees
- Poor attenders
- Young carers
- Pupils with emotional, health, behavioural or social difficulties
- Teenage mothers or fathers
- students in particular danger of abusing drugs, alcohol, and other substances
- Looked After Children and those post-adoption.
- Pupils with gender identity issue

Gender Identity

Courtlands acknowledges the importance of identity for all young people and that secondary school years are an important time of development and exploration of identity.

Courtlands uses the following definition of ‘trans’ from the gov.uk website:

Trans is a general term for people whose gender is different from the gender assigned to them at birth. For example, a trans man is someone that transitioned from woman to man. Trans people do not feel comfortable living as the gender that they were born with. They take serious, life-changing steps to change their gender permanently.

In addition to this definition, Courtlands acknowledges that some people may identify as non-binary. This is defined “someone who identifies as in some way outside of the man-woman gender binary” (gov.uk).

Being trans and non-binary are protected characteristics. Courtlands does not tolerate any prejudice or discrimination towards people who are transgender or gender-diverse.

Courtlands acknowledges the seriousness of gender-identity and the level of mental and emotional distress that gender dysphoria and associated difficulties can cause for a young person or staff member.

Celebrating Diversity

Courtlands celebrates and shares the stories of people from the entire gender diverse spectrum. This is included in our tutor and assembly plans.

Visiting speakers from the gender diverse community are invited in to speak and run workshops during the year with specific groups of students.

The school will support open and sensitive, capacity building discussions around identity through the SMSC, tutor, emotion coaching and PSHE curriculums.

Safeguarding students: when parents are aware

If a transgender or non-binary student is admitted to Courtlands, Courtlands will use their preferred name and pronouns on any unofficial documentation. It will be explained to the student and their parents that all official documentation will be in their legal name. Where possible Courtlands will include “also known as” on official documentation (e.g. annual reviews).

Depending on the situation of the individual child, Courtlands will work with the child and parent to develop a support plan around sensitive areas (e.g. toilets, changing, RSE).

Safeguarding students: when parents are not aware

Gender dysphoria is: a condition where a person experiences discomfort or distress because there's a mismatch between their biological sex and gender identity. It's sometimes known as gender identity disorder (GID), gender incongruence or transgenderism.

Students may be experiencing gender dysphoria or may be experimenting with identity and gender.

If a student at Courtlands comes out as gender diverse or transgender to a member of staff, Courtlands will make an assessment of the situation with the DSL:

- Consider the Gilleck-competence of the child involved (see below).
- Clarify whether the child has spoken with their parents
- Clarify whether this is a ‘wondering’ or a long held feeling or belief

- Consider the mental health and wellbeing of the child and make an assessment as to whether the child poses a safeguarding risk to themselves.
- Seek support from social care where appropriate

The school will support the young person to communicate with their parents and carers. If the child feels this may result in harm, this is a serious safeguarding concern and will be escalated with the DSL.

In most cases, school staff will continue to use the legal pronouns and name of a child until the child discloses to a parent. School staff will be sensitive and make adaptations to not draw attention to gender where possible. The school will then work in partnership with the child and family to identify the best way forward, including supporting the child and parents to access professional support.

Every case will be taken on an individual basis and the safety and wellbeing of the child will be at the heart of every decision.

Gilleck Competencies

If someone under 16 discloses information that raises concerns about their safety, the following needs to be considered:

- If they are Gillick competent and disclosure is thought to be essential to protect them from danger, the healthcare professional should escalate concerns through safeguarding measures
- If they aren't Gillick competent, the healthcare professional is obliged to escalate concerns through safeguarding measures
- If it is both cases, the young person must be informed – unless doing would cause significant risk to their safety

Ensuring equality: Students

- The uniform policy aims to be gender neutral. All students are expected to wear black school trousers or black school shorts. PE shorts should be football style.
- Students who do not feel comfortable using a male or female bathroom have access to a single toilet in reception.
- Students are reminded to speak to a trusted adult or the LGBT+ champion if they feel they need support.
- Students are informed about confidential helplines that they can contact if they feel they need help or support from a specialist.

Ensuring equality: Staff

- All staff members are free to identify using any pronouns or titles. This may include Miss, Mrs, Mr or Mx.
- Staff members are asked to share their pronouns when joining. Pronouns are displayed with staff photos in relevant parts of the school.

- Courtlands acknowledges that misgendering can be upsetting to staff members, but also understands that people may make mistakes without meaning to cause offence. Courtlands staff members will always try to affirm one another's gender identity and where mistakes are made they will be acknowledged and apologised for.
- If a member of staff feels that they are being deliberately misgendered by a colleague, this will be taken seriously and investigated by the Headteacher.
- Staff members of all genders acknowledge that we are working with young people who have disabilities. Students may make mistakes without meaning to cause harm or offence. Courtlands staff members understand this and will gently correct.
- Staff understand that we may be working with young people with trauma who may have behavioural and emotional disorders. These students may deliberately try to 'push buttons' and may deliberately misgender a member of staff. If this occurs, it is the responsibility of all staff to regard this as a behavioural concern and to work with the child, the DSL and the key adult to resolve the issue. Staff must bear in mind that this may be an incident of true transphobia, it may be an incident where a child is trying to lash out at an adult or it may be a purely behavioural issue that requires a clear sanction.
- Support from mental health professionals will be made available to staff to support them if required.

Working with Parents and Carers

The school aims to work in partnership with parents and carers using a range of approaches including by developing partnerships.

We also do this by:

- Working effectively with all other agencies supporting pupils and their parents
- Giving parents and carers opportunities to play an active and valued role in their child's education. For example, feedback from surveys or target groups will provide foci for improvement or review.
- Making parents and carers feel welcome.
- Encouraging parents and carers to inform the school of any difficulties they perceive their child may be having or other needs the child may have which need addressing.
- Instilling confidence that the school will listen and act appropriately.
- Focusing on the pupil's strengths as well as areas of additional need
- Allowing parents and carers opportunities to discuss ways in which they and the school can help their child.
- Agreeing targets for all pupils those not making expected progress and involving parents in the drawing-up and monitoring progress against these targets.
- Keeping parents and carers informed and giving support during assessment and any related decision-making process.

- Making parents and carers aware of the Parent Partnership services available as part of the Local Offer
- Providing all information in an accessible way, including, where necessary, translated information for parents with English as an Additional Language

What is a discriminatory incident?

Harassment or victimisation on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic status, can take many forms including verbal or physical abuse, name calling, exclusion from groups and games, unwanted looks or comments, jokes and graffiti. A racist incident is defined by the Stephen Lawrence Inquiry Report (1999) as 'any incident which is perceived to be racist by the victim or any other person'.

Types of discriminatory incident

Types of discriminatory incidents that can occur are:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender;
- Use of derogatory names, insults and jokes.
- Racist, sexist, homophobic or discriminatory graffiti.
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia;
- Bringing discriminatory material into school.
- Verbal abuse and threats; or Incitement of others to discriminate or bully due to victim's race, disability, gender or sexual orientation;
- Discriminatory comments in the course of discussion.
- Attempts to recruit others to discriminatory organisations and groups.
- Ridicule of an individual for difference e.g., food, music, religion, dress etc;
- Refusal to co-operate with other people on grounds of race, gender, disability or sexual orientation.

Responding to and reporting incidents

It should be clear to pupils and staff how they report incidents. All staff should view dealing with incidents as vital to the well-being of the whole school. A suggested procedure for responding and reporting is outlined below:

Procedure for handling incidents of discrimination or victimisation incident

- Member of staff to investigate further (if incident reported) or challenge behaviour immediately.
- Response to victim
- Response to perpetrator
- Action taken to address issue.
- Incident form to be completed and filed.
- Parents et al to be informed.

Reasonable Adjustments and Accessibility Plans

As identified within the Equality Act 2010 - schedule 10, paragraph 3 Accessibility plans ensure that:

- Disabled pupils have full access to all areas of learning.
- School routines and the curriculum are reviewed to ensure that disabled pupils are not placed at a disadvantage.
- Schools will use specialist furniture and equipment for pupils with specific physical needs.
- Disabled pupils can take advantage of all that the school has to offer.
- Teachers modify their learning and teaching expectations as appropriate for pupils with disabilities.
- In their planning, teachers ensure that they give pupils with disabilities the opportunity to develop skills in practical aspects of the curriculum.
- Teachers and support staff ensure that the work undertaken by disabled pupils.
- Takes account of their pace of learning and the equipment they use.
- Takes account of the effort and concentration needed in oral work or when, for example, using vision aids.
- Is adapted or offers alternative activities in those subjects where pupils are unable to manipulate tools or equipment or use certain types of materials.
- Allows opportunities for them to take part in educational visits and other activities linked to their studies.
- Take reasonable steps to provide auxiliary aids/services.
- Take reasonable steps to remove or avoiding a physical feature, for example steps and lifts.
- Provide information in an accessible format.
- Develop and implement (by allocating appropriate resources) Accessibility Plans which will:

Increase disabled pupil's access to the school curriculum.

Improve the physical environment.

Improve provision of information.

Admissions

No pupil will ever be refused admission on grounds of disability, gender, sexual orientation, race, religious, culture or ethnicity. The school will ensure that no pupil misses out on an educational opportunity due to financial constraints.

Exclusions

The criteria for exclusion are set out in our Exclusion Policy. Exclusions will be closely monitored to ensure that there is no discrimination or prejudice against those identified within the Equality Acts protected characteristics or otherwise.

Employer duties

As an employer we need to ensure that we eliminate discrimination and harassment in our work place, in our employment practice, and that we actively promote equality across all groups within our workforce.

Equality aspects such as gender, race, disability, sexual orientation, gender reassignment and faith or religion are considered when appointing staff and particularly when allocating Teaching and Learning Responsibilities (TLR) or re-evaluating staff structures, to ensure decisions are free of discrimination.

Actions to ensure this commitment is met include:

- Monitoring recruitment and retention including bullying and harassment of staff.
- Continued professional development opportunities for all staff.
- Senior Leadership Team support to ensure equality of opportunity for all.

When drawing up policies, it is best practice to conduct an Equality Impact Assessment (EIA) to ensure a policy does not, even inadvertently, disadvantage groups of pupils with protected characteristics.

As a minimum, the Governing Body must consider to what extent a new/revised policy, practice or plan meets the Public Sector Equality Duties (eliminates discrimination, advances equality and fosters good relations for all the protected characteristics) and recommend changes/mitigations should it feel the policy, practice or plan could be improved to fulfil the duties.

Roles and Responsibilities

The Governing Body is responsible for making sure:

- The school follows all its equality and diversity policies and codes and meets its legal responsibilities with respect to equality.
- They ensure there is no discrimination, harassment or victimization for a pupil or potential pupil in relation to.
- Admissions
- The way it provides education for pupils.
- The way it provides pupils access to any benefit, facility, or service.
- By excluding a pupil or subjecting them to any other detriment
- The liability for actions taken by all employees unless it can show it has taken all reasonable steps to stop the individual from doing the discriminatory action or from doing anything of that kind.

The Headteacher is responsible for:

- Giving a consistent and high-profile lead on equality and diversity.
- Promoting equal opportunities inside and outside the school.
- Ensuring policies and procedures are in place to comply with all equality legislation.

- Ensuring that the school implements its equality and diversity policies and codes of practice.

Staff members are responsible for:

- Promoting equality and diversity and avoiding unfair discrimination.
- Making sure they know what their responsibilities are and participating in support and training as necessary to carry them out.
- Challenging any incidents of unfair discrimination, or racial, sexual, or other stereotyping, perpetrated by pupils or other staff.
- Following the relevant procedures and acting in cases of unfair discrimination, harassment or bullying.

Pupils' responsibilities

- Refrain from engaging in discriminatory behaviour or any other behaviour that contravenes this policy.

Visitors (e.g., parent helpers, contractors) responsibilities

- To be aware of, and comply with the school Equality Policy.
- To refrain from engaging in discriminatory behaviour (for example, racist language) on school premises.

This policy relates to the following school policies:

- The Statement of the school's Core Values
- Anti-Bullying Policy
- Exclusions Policy
- Admissions Policy
- Disability Access Plan
- Curriculum Policy
- SEND Policy
- The School Safeguarding Policy
- Assessment Recording & Reporting Policy
- Attendance and Absence Policy

For more information download guidance from the DfE:

DFE Website: <http://www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010> And Equality

Human Rights website: <http://www.equalityhumanrights.com> which includes the guidance for education providers (schools)