

## **Egerton Rothesay School Equality and Diversity Policy**

### **Policy Statement**

This document meets the requirements under the following legislation

- (a) The Equality Act 2010 which introduced the public sector equality duty and protects people from discrimination
- (b) The Equality Act (Specific Duties) Regulations 2010 which requires schools to publish information to demonstrate how they are complying with the public sector equality duty and to publish equality objectives.
- (c) The Department of Education (DfE) guidance: The Equality Act 2010 and Schools.

ERS is committed to creating a supportive environment in which all pupils and staff are given an equal opportunity to achieve their full potential and to benefit from the diversity of our school community. All members of the school community should feel valued and be treated with respect and dignity.

ERS recognises and accepts its responsibilities under the law and is committed to providing equality of opportunity and freedom from unlawful discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

ERS aims to ensure that all policies and practices conform with the principles of equal opportunities.

This policy should be read in conjunction with the following documents:

- Accessibility plan;
- Anti-bullying policy;
- Behaviour policy;
- ERS Safeguarding policy;
- Educational visits policy;
- Complaints policy and procedure;
- Online and E-safety policy;
- SEND policy;

All members of the school community are responsible for promoting the school's equality and diversity policy and are obliged to respect and act in accordance with the policy

### **Equality Act 2010**

The act defines nine 'protected characteristics', which are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy or maternity
- race

- religion or belief
- sex
- sexual orientation.

The characteristic “race” includes colour, nationality and ethnic or national origin. The characteristic “religion” also includes religious or philosophical belief or lack of religion or belief.

The act rules against **direct discrimination** whereby a person is treated less favourably in relation to one of the protected characteristics than they would otherwise be treated.

If the protected characteristic is race for example, less favourable treatment includes segregation from others.

The act also identifies **indirect discrimination**, whereby a provision, criterion or practice is applied which discriminates in relation to a relevant protected characteristic, and in so doing, puts someone at a disadvantage and is not a proportionate means of achieving a legitimate aim.

The act also defines **harassment** as engaging in unwanted conduct which violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person, due to one of the protected characteristics.

ERS will not discriminate, either directly or indirectly, nor victimise or permit harassment in the following ways;

- Through our admissions arrangements, or by non-admittance.
- In the way education is provided.
- In the way the school permits the pupils access to a benefit, facility or service, or by not permitting access.
- By not providing education.
- By excluding from school.
- By subjecting the pupil to any other detriment.

The governing body and leadership of the school has a duty to make reasonable adjustments to ensure discrimination does not take place.

Schools have a general duty to have due regard to equality of opportunities, but also a specific duty to ensure that outcomes reflect the promotion of anti-discriminatory practice. Therefore, ERS not only has a responsibility to eliminate discrimination, harassment and victimisation, but also to be proactive in the following ways:

- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it.
- Foster good relations between those who share a protected characteristic and those who do not.
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic

- Take steps to meet the needs of pupils who share a protected characteristic if their needs are different to those who do not share that characteristic.
- Encourage persons who share a protected characteristic to participate in any activity, by tackling prejudice and promoting understanding where necessary

### **Promoting Equality**

ERS is committed to promoting equality within the school community, with the Governing Body, Head Teacher and Leadership Group:

- Ensuring curriculum planning reflects a commitment to equality
- Preparing pupils for life in a diverse society by reflecting the background and experience of all members of the school community within the curriculum
- Using teaching materials which positively reflect a range of cultures, identities and lifestyles
- Providing a comprehensive PSHE programme which aims to develop pupils' confidence, sense of responsibility and supports them to make the most of their abilities; developing healthy, safe lifestyles, good relationships and respectfulness of the differences between people
- Promoting attitudes and values that celebrate and respect diversity and that challenge discriminatory language and behaviour through positive adult role models and the implementation of robust behaviour and anti-bullying policies
- Countering and challenging any type of discriminatory behaviour and making this clear to staff, pupils, parents and visitors
- Ensuring the school carries out its statutory duties
- Providing leadership and drive for the development of regular review of the school's Equality Policy and Objectives and other related documents.
- Ensuring a consistent response to incidents e.g. bullying and racist incidents
- Ensuring all staff act as role models for all staff, pupils and parents.
- Promoting knowledge and understanding of the equality objectives amongst the staff and pupils
- Ensuring staff are trained as necessary to carry out the policies
- Ensuring materials distributed by the school present appropriate and positive messages about diversity
- Monitoring success in achieving the objectives and reporting to the Governing Body

### **Underlying principles**

ERS will not discriminate against, harass or victimise a student, or prospective student, because of their:

- Sex
- Race
- Disability
- Religion or belief
- Sexual orientation
- Gender reassignment
- Pregnancy or maternity

We will not discriminate against a student, or prospective student, because of a characteristic related to a person, such as a parent/carer, with whom the student or prospective is associated.

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

**Sex:** We will ensure that students of one sex are not singled out for different or less favourable treatment from that given to students of other sexes, regularly reviewing our school practices to ensure that they are fair.

There may be occasions where we deem it necessary to teach some subjects in single-sex classes, such as Physical Education (PE) but we will ensure that such classes do not give students an unfair disadvantage when compared with students of the other sex in other classes.

Both sexes will have equal opportunities to participate in comparable sporting activities.

**Race and Ethnicity:** We will ensure that students of all races and ethnicities (including those who have English as an additional language) are not singled out for different and less favourable treatment from that given to other students, regularly reviewing our school practices to ensure that they are fair.

We will not segregate students on the basis of their race or ethnicity.

We may, however, take positive action to address the particular challenges affecting students of one racial or ethnic group, where this can be shown to be a proportionate way of dealing with such issues.

**Disability:** We will ensure that students with disabilities are not singled out or treated less favourably than other students simply because they have a disability, regularly reviewing our school practices to ensure they are fair.

We will ensure that we do not discriminate against students with a disability by implementing a rule for all students that could have an adverse effect on students with disabilities only (for example, making physical fitness a basis for admission), 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 students with disabilities because of something which is a consequence of their disability (for example, by not allowing a student 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 students with disabilities, especially where the child also has a special educational need (SEN), but does not have an Education, Health and Care Plan (EHCP).

We will meet our duty to undertake accessibility planning for students with disabilities, and ensure that any accessibility plan is duly implemented, and reviewed where necessary.

The school holds a SEN Policy containing further information addressing equal opportunities for students with special educational needs and disabilities.

**Religion or Belief:** We will ensure that students 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.

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

**Sexual Orientation:** We will ensure that all lesbian, gay, bi-sexual, transgender, queer or questioning students, or the children of lesbian, gay, bi-sexual, transgender, queer or questioning parents/carers, are not singled out for different or less favourable treatment from that given to other students, regularly reviewing our school practices to ensure that they are fair.

**Gender Reassignment:** We will ensure that students are not singled out or treated less favourably because they have undergone, or are proposing to undergo, gender reassignment, or have trans\* parents, regularly checking our school practices to ensure that they are fair.

Students have the right to dress in accordance with their true gender identity within the constraints of our dress code, outlined in the School's Uniform Policy.

Students who face discomfort using a shared changing space will be provided with a safe and non-stigmatising alternative, such as a separate changing area.

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

### **Admissions**

ERS does not discriminate on the grounds of any protected characteristic when offering places at the school. The criteria used in making decisions about placement are laid out in the school's admissions policy.

### **Bullying**

Egerton Rothesay School has a robust anti-bullying policy. Any incidents of prejudice related bullying will be dealt with promptly following the procedures laid out in this policy.

Policy approved by: Alison Walker (on behalf of Governing Body) Date: June 2021
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Next Review (latest): September 2023
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