

Single Equality Policy

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Overview

Our school's overall values are underpinned by our statutory duties under the Equality Act 2010. We are dedicated to ensuring that every pupil receives an education that offers them the best chance at fulfilling their potential, and to promoting mental wellbeing amongst our pupils. We are committed to supporting and celebrating all pupils' individual identities. We have zero tolerance for any type of discrimination. We are also committed to promoting equality of opportunity for all staff and job applicants. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination or harassment, and in which all decisions are based on merit. We are committed to supporting our staff and applicants to be their authentic selves in the workplace without judgement and ensuring that diverse communities are celebrated. We are creating a workplace culture in which diversity and inclusion is valued, and everyone is treated with dignity and respect. We have developed this policy to provide a clear framework for how we will achieve our school's aims.

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 Special Educational Needs and Disability Regulations 2014
- Education and Inspections Act 2006
- Equality Act 2010
- UK General Data Protection Regulation (GDPR) Data Protection Act 2018
- The Worker Protection (Amendment of Equality Act 2010) Act 2023

This policy has due regard to statutory and good practice guidleines, including, but not limited to, the following:

- DfE (2014) 'The Equality Act 2010 and schools'
- DfE (2018) 'Promoting the education of looked after children and previously looked after children'
- DfE (2018) 'Gender separation in mixed schools'
- DfE (2018) 'Equality Act 2010: advice for schools'
- DfE (2018) 'Mental health and wellbeing provision in schools'
- DfE 'School admissions code'

This policy operates in conjunction with the following school policies:

- Sandwell Admissions Procedure
- Complaints Procedures Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Supporting Pupils with Medical Conditions Policy
- Attendance and Absence Policy
- Data Protection Policy
- Teacher Appraisal Policy
- Support Staff Performance Management Policy
- Staff Bullying and Harassment Policy

The PSED (Public Sector Equality Duty) requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations between people who share a protected characteristic and people who do not.

Roles and responsibilities

The Governing Body will:

- Be responsible for ensuring the school complies with the appropriate equality legislation and regulations.
- Ensure that the equality information and objective as set out in this statement are published and communicated throughout the school, including to staff, pupils and parents.
- Take all reasonable steps to ensure pupils and potential pupils will not be discriminated against, harassed or victimised in relation to:
    - Admissions.
    - The way the school provides and education for pupils.
    - How pupils are provided with access to benefits, facilities and services.
    - The exclusion of a pupil or subjecting them to any other detriment.
- Ensure compliance with discrimination law.

- Monitor the composition of the workforce regarding age, sex, ethnic background, sexual orientation, religion or belief, and disability.
- Monitor how the composition of the workforce encourages equality, equity, diversity and inclusion, and meets the aims and commitments set out in this policy.
- Ensure all policies are developed and implemented with appropriate equality impact assessments informing future plans in collaboration with the headteacher.

The Headteacher will:

- Implement and champion this policy, ensuring that all staff and pupils apply its guidelines fairly in all situations.
- Conduct regular training sessions to ensure all members of staff are aware of their responsibilities under all relevant legislation, as well as to develop their skills and knowledge.
- Review and amend this policy, taking into account new legislation and government guidance, and previously reported incidents, in order to improve procedures.
- Taking appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities, in line with the school's Flexible Working Policy.
- Making opportunities for training, development and progress available to all staff.
- Making staff progression decisions based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act 2010).
- Reviewing employment practices and procedures where necessary to ensure fairness.
- Monitor success in achieving equality aims and objectives and report back to governors.

Staff will:

- Be alert to the possible harassment of pupils, both inside and outside of the school, and to deal with incidents of harassment and/or discrimination as the highest priority.
- Carry out their statutory duties relating to equal opportunities and inclusivity, and pertaining to their specific roles.
- Have due regard to the sensitivities of all pupils, and not provide material that may cause offence.
- Act as a role model for equality, diversity and inclusion across the whole school community.
- Conducting themselves to help the school provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
- Understanding that they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against their colleagues, customers, suppliers, visitors and the public.
- Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by their colleagues, customers, suppliers, visitors, the public and any others in the course of the school's work activities.

Protected Characteristics

Staff will not discriminate against, harass or victimise a pupil, or prospective pupil, 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.

Forms of discrimination

Discrimination is generally prohibited unless there is a specific legal exemption. Discrimination may be direct or indirect, and it may occur intentionally or unintentionally.

Direct discrimination occurs where someone is treated less favourably because of one or more of the protected characteristics for example, refusing to admit a pupil because of their race or rejecting an applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

Indirect discrimination occurs where a school has a policy or practice in place that applies to all pupils but puts people with the same protected characteristic at a particular disadvantage. For example, a school rule that bans certain hairstyles, that would disproportionately affect pupils from a particular ethnic origin. Such a requirement will need to be objectively justified.

Harassment related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating a pupil's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Victimisation is also prohibited. This is less favourable treatment of a pupil who has complained or given information about discrimination or harassment or supported someone else's complaint.

Disability discrimination includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Sex

For the purpose of this policy, sex refers to a person's biological assignment at birth depending on their reproductive organs. The school understands that some pupils identify as a gender different to the sex they were assigned at birth, and we will support pupils through their transitioning phases.

Staff will ensure that pupils of one sex are not singled out for different or less favourable treatment from that given to other pupils.

The school will only separate pupils by sex where there is reasonable justification for doing so, or if one of the following applies:

- Pupils will suffer a disadvantage connected to their sex
- One sex has needs that are different from the needs of the other sex
- Participation in an activity by pupils of one sex is disproportionately low

The school will consider non-statutory exceptions on a case-by-case basis, and regularly review the impact of any separation to ascertain whether it remains lawful.

Pupils will be offered equal opportunities to undertake any activity in the school, e.g. in relation to technology lessons, all pupils will be allowed to choose which skills they learn.

There may be occasions where we deem it necessary to teach some subjects in single-sex classes, but the school will ensure that such classes do not give pupils a disadvantage when compared to pupils of the other sex in other classes. Occasions where pupils are separated to be taught in single-sex classes will be documented and the separation justified to ensure parents, Ofsted and, where necessary, the wider community can understand the reasons behind separation.

Where a subject is taught in a single-sex class, trans pupils will be allowed to attend the single-sex class that corresponds with the gender they identify with.
Pupils' age and stage of development will be taken into consideration before segregating sports teams. Both sexes will have equal opportunities to participate in comparable sporting activities; where separation is deemed necessary, the single-sex sports teams will receive the same quality and amount of resources.

Race and Ethnicity

Staff will ensure that pupils of all races and ethnicities are not singled out for different and less favourable treatment from that given to other pupils and the school will regularly review its practices to ensure that they are fair.
Staff will ensure pupils with English as an Additional Language (EAL) are treated equally and fairly, while ensuring they are supported at all times. The school will not separate pupils on the basis of their race or ethnicity. The school may, however, take positive action to alleviate any disadvantage experienced by those with protected characteristics, and 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.

Disability

Staff will ensure that pupils with disabilities are not singled out or treated less favourably than other pupils simply because they have a disability, which includes any mental health issue, regularly reviewing our school practices to ensure they are fair.
The school will avoid implementing rules that could have an adverse effect on pupils with disabilities (e.g. by making physical fitness a basis for admission,), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.
Staff will ensure that they do not discriminate against pupils with disabilities because of something arising in consequence of their disability (for example, by not allowing a pupil on crutches outside at break time because it would take too long for them to get in and out), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.
The school will endeavour to make reasonable adjustments for pupils who are disadvantaged due to their disability.
The school will try to ensure the full inclusion of pupils with disabilities, especially where the pupil also has SEND but does not have an EHC plan.
The school will meet its duty to undertake accessibility planning for pupils with disabilities and ensure that an Accessibility Plan is implemented – in accordance with the LA accessibility strategy – and reviewed where necessary.
The school will adhere to its Special Educational Needs and Disabilities (SEND) Policy containing further information addressing equal opportunities for pupils with SEND.

Religion and Belief

Staff will ensure that pupils are not singled out or treated less favourably because of their religion or belief.
The school 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 and Absence Policy. The school will liaise with local religious leaders of all faiths to inform the amount of leave pupils will be granted in relation to religious observance.

Sexual Orientation

Staff 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.

The school will ensure that pupils are taught about the nature of marriage, including same-sex marriage, by presenting the facts of English and Welsh law. Marriage will be taught in a way that is appropriate to the age and level of understanding and awareness of the pupils – teachers will not offer personal opinions when discussing marriage in RSHE. The school will educate pupils on positive relationships, families and gender identities within the LGBTQ+ community where the school considers this to be appropriate. RSHE lessons will be taught in accordance with the school's policy, school curriculum, and anti-discrimination duties towards staff and pupils.

Gender Reassignment

The Equality Act 2010 defines gender reassignment as applying to anyone who is undergoing, has undergone or is proposing to undergo a process (or part of a process) of reassigning their sex by changing physiological or other attributes. Staff will ensure that pupils are not singled out or treated less favourably in relation to gender reassignment, i.e. because they are trans or have trans parents, siblings or other family members. The school recognises that gender reassignment does not necessarily involve physical change, and can be solely social and emotional.

Pupils will have the right to dress in accordance with their true gender identity in line with the requirements of the School Uniform Policy and in accordance with current equality legislation.

The school will ensure that there are suitable toilet facilities available for pupils to use, including a more private space if desired. The school will support trans pupils to feel comfortable and ensure they can celebrate their identity.

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

Looked-after children (LAC)

LAC and previously LAC (PLAC) will be given the highest priority for admissions, as per the requirements of Sandwell admissions procedures. Staff 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 (PEP) will be created and implemented for all LAC 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.

Staff will ensure that any SEND that LAC or PLAC have are duly taken into account and addressed, whether this is with or without an EHC plan.

The Curriculum

Pupils will be exposed to thoughts and ideas of all kinds, and the school will not make any unjustified changes to curriculum content on the grounds of any protected characteristics that a pupil may have. The school 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.

To ensure equality, diversity and acceptance are taught and promoted throughout each subject area, the school will deliver a PSHE, RE and assembly curriculum where stereotypes, cultures and difference are discussed.

The observation of inclusive teaching strategies will remain a key aspect of the SLT's annual programme of monitoring.

The school will respect the right of parents to withdraw their child from sex education.

Promoting Inclusion

The school will promote inclusion and equality at our school through:

- Ensuring that pupils are called by their preferred names, which may be different from their legal 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 extracurricular activities and the curriculum.
- Taking care in the use of language and the choice of resources, so that teaching and non-teaching staff avoid reinforcing stereotypical views of society.
- Valuing the cultural experiences and contributions of all pupils, regardless of any protected characteristic that they may have.
- Communicating our policy to parents to gain their understanding, agreement and support for its provisions.
- Discussing equality issues as an agenda item for the school council.
- Promoting equality of opportunity within the wider society.
- Ensuring admission arrangements will not unfairly disadvantage a pupil from a particular social or racial group, or with SEND.

Pupils that have left school

The school's responsibility to not discriminate, harass or victimise will not end when a pupil has left school. It will continue to apply with regard to subsequent actions related to our previous relationship with the pupil, such as the provision of references.

The Public Sector Equality Duty

The school will meet its 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 who have any of the protected characteristics outlined in the Protected characteristics section of this policy.
- Equality objectives (at least every four years) outlining how the school may further equality.
- There are some protected characteristics where statistical data is less likely to be readily available, and pupils will not be pressured into providing information related to any characteristic which they may identify with.

Bullying and discrimination

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

Any bullying 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 Policy. The headteacher will decide whether it is appropriate to notify social services, the police or any other agencies of incidents that happen.

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

Recruitment and selection

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. When recruiting or promoting, we will aim to take steps to improve the diversity of our workforce and provide equality of opportunity.

The school will aim to ensure that no job applicant suffers discrimination because of any of the protected characteristics. The school's recruitment procedures will be reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities. Job selection criteria will be regularly reviewed to ensure that it is

relevant to the job and not disproportionate. The shortlisting of applicants will be done by more than one person wherever possible.

Job advertisements will avoid stereotyping or using wording that may discourage groups with a particular protected characteristic from applying. The school will take steps to ensure that vacancies are advertised to a diverse labour market.

Job applicants will not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants will not be asked whether they are pregnant or planning to have children. Applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which will only be used with the head of HR's approval, such as:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the decision-making process).

The school is required by law to ensure that all staff are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, will be expected to produce original documents, e.g. a passport, before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the UK Visas and Immigration.

To ensure that this policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in our organisation, the school will monitor applicants' ethnicity, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information will be voluntary and will not adversely affect an applicant's chances of recruitment, or any other decision related to their employment. The information will be removed from applications before the shortlisting process and will be kept in an anonymised format solely for the purposes stated in this policy and in accordance with data protection legislation. Analysing this data helps the school take appropriate steps to avoid discrimination and improve equality and diversity.

Staff training

Staff will receive the appropriate equalities training that will:

- 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.
- 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.
- Managers will be given appropriate training on recognising and avoiding discrimination, harassment, victimisation, unconscious bias and promoting equality of opportunity and diversity in the areas of recruitment, development and promotion.

Staff training needs and associated development opportunities will be identified through regular staff appraisals, in line with the school's Teacher Appraisal Policy and Support Staff Performance Management Policy. All staff will be given appropriate access to training to enable them to progress within the organisation and all promotion decisions will be made based on merit. The school will adopt good practice in terms of data collection and use this data to monitor and measure the attraction, recruitment, retention and progression of staff.

Workforce composition and promotions will be regularly monitored to ensure equality of opportunity at all levels of the organisation. Where appropriate, steps will be taken to identify and remove unjustified barriers and to meet the needs of disadvantaged or underrepresented groups.

The school's conditions of service, benefits and facilities are reviewed regularly to ensure that they equal opportunities for all and that there are no unlawful obstacles to accessing them.

Disability Discrimination

The school will encourage staff who are disabled or become disabled to inform the headteacher or their line manager about their condition so that the school can support them as appropriate.

Staff experiencing difficulties at work because of their disability (physical or otherwise) may wish to contact their line manager or the head of HR to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Their line manager or the head of HR may wish to consult with the staff member and a medical adviser about possible adjustments. We will considerer the matter carefully and try to accommodate the staff members needs within reason. If the school consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

The Governing Body will monitor the physical environment of the school premises to consider whether certain features place physically disabled staff, job applicants, service users, or other stakeholders at a substantial disadvantage compared to others. Where reasonable, the school will take steps to improve access for disabled staff and service users.

Termination of employment

The school will ensure that all decisions regarding the termination of employment are undertaken in a fair and objective way and are not directly or indirectly discriminatory. In all cases the school will act in accordance with this policy and all related policies, examples being the school's Disciplinary Policy and Procedure and the school's specific Capability Policies.

Part time and zero hours, fixed term and agency workers

The school will monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. The school will ensure requests to alter working hours are dealt with appropriately under the Flexible Working Policy.

The school will monitor its use of zero hours and fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities where appropriate. The school will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

Breaches of this policy

If a member of staff believes that they may have been discriminated against, they will be encouraged to raise the matter through the school's Grievance Policy. If they believe that they may have been subject to harassment, they will be encouraged to raise the matter with their line manager and/or the head of HR. 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 victimised 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 and Procedure.

Any member of staff who is found to have committed an act of discrimination or harassment will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The school takes a strict approach to serious breaches of this policy.

Monitoring and review

This policy will be reviewed by the headteacher and Governing Body annually and updated where appropriate – any amendments will be duly communicated to staff.

Equality objectives

The school is committed to promoting the welfare and equality of all its staff, pupils and other members of the school community. To achieve this, the school has established the following objectives:

- Monitor changes to the curriculum to ensure they result in good outcomes for pupils in all vulnerable groups, and to review the curriculum considering new performance measures
- Improve the quality of support for pupils in all vulnerable groups in the classroom
- Continue to develop the nurture support offered to improve the well-being of pupils in all vulnerable groups.
- To tackle prejudice and promote understanding in relation to people with disabilities
- The school will regularly review the steps being taken and the progress made towards the achievement of these objectives and, in line with the specific duties of the PSED, publish this information on the school website every year.
- The school will update and publish its equality objectives at least every three years.