



Sidcot
Live Adventurously

Policy Name: Equal Opportunities Policy Students

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1 Introduction

1.1 The School: Sidcot School (the School) is an independent mainstream boarding and day school for girls and boys aged from 3 to 18 years; it has a strong international presence. The School is a registered charity with a Quaker ethos and welcomes staff, workers, volunteers, students, parents, applicants and governors from all different ethnic groups, backgrounds and creeds. The term School Community includes staff, governors, students, parents, visitors and volunteers.

1.2 The School recognises the benefits of having a diverse School Community, with individuals who value one another, and the different contributions everyone can make. Students are taught to value and respect others. The School's values are linked to its Quaker foundation, and reinforced through the Centre for Peace and Global Studies. The School is committed to being an equal opportunities education provider and is committed to equality of opportunity for all members of the School Community. In the provision of equal opportunities, the School recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:

- disability
- gender reassignment (see Sidcot Transgender Plan – appendix 1)
- pregnancy and maternity
- race
- religion or belief (including where an individual does not subscribe to a particular religion or belief)
- gender
- sexual orientation and (in the case of adult members of the School Community)
- marital or civil partnership status and age

These are called the **Protected Characteristics**. The School also opposes all bullying and unlawful discrimination on the basis that a person has a special educational need (**SEN**) or learning difficulty, or because English is an additional language (**EAL**).

1.3 The School aims to ensure that all policies and practices conform with the principle of equal opportunities. The School will tackle inappropriate attitudes and practices through staff leading by example, through the personal, social, health and economic education (**PSHE**) programme, through the supportive School culture and through the School's policies.

2 Scope and Distribution

2.1 **Scope:** This policy is for the benefit of prospective and existing students of the whole school including the Early Years Foundation Stage. The whole student community is expected to observe and implement its terms.

2.2 A separate Equal Opportunities Policy for Staff (9.1) applies.

2.3 This policy is available on the School's website, on the staff intranet, and in hard copy in alternative formats where possible.

3 Aims

3.1 Through the operation of this policy we aim to:

- communicate the commitment of the School to the promotion of equal opportunities;

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- promote equal treatment within the School for all members of the School Community;
 - create and maintain an open and supportive environment, which is free from discrimination;
 - foster mutual tolerance and positive attitudes so that everyone can feel valued within the School;
 - remove or help to overcome barriers for students where they already exist;
 - ensure that there is no unlawful discrimination against any person on any ground listed at paragraph 4.1;
 - make it clear that, and ensure that all discriminatory words, behaviour and images are treated as unacceptable and
 - take reasonable steps to avoid putting disabled people at a substantial disadvantage (the 'reasonable adjustments' duty).

4 Forms of Discrimination

4.1 **Types:** Pursuant to the Equality Act. Discrimination may be direct or indirect, or arising from disability and it may occur intentionally or unintentionally.

4.2 **Direct discrimination:** Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic as set out in paragraph 1.2 above. For example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race would be direct discrimination.

Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy or maternity). For example, if a student is harassed or victimised because a sibling is disabled, this would be direct discrimination against that student.

4.3 **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which affects one or more of the protected characteristics and puts them at a particular disadvantage because of, for example, their sex or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with gender, they would be indirectly discriminatory on the grounds of gender.

4.4 **Discrimination arising from disability:** Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a student with cerebral palsy who is a wheelchair user is told they will be unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

5 Harassment

5.1 There are three types of harassment that are unlawful under the Equality Act 2010.

5.1.1 Harassment related to a relevant protected characteristic: as defined in paragraph 1.2. Harassment occurs when a person engages in unwanted behaviour which is relevant to one of the relevant protected characteristics and which has the purpose or effect of:

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- (a) violating a student's dignity; or
 - (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the student.

5.1.2 Sexual harassment: This occurs when a person engages in unwanted behaviour which is of a sexual nature and which has the purpose or effect of:

- (a) violating a student's dignity; or
- (b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the student.

5.1.3 Less favourable treatment of a student because they submit to or reject sexual harassment or harassment related to sex.

6 Victimisation

6.1 Victimisation means treating someone badly because their behaviour amounts to a "**protected act**" (or because the School believes that a person is or will undertake a protected act). Treating a student less favourably because they have taken such an action will be unlawful victimisation.

6.2 A "**protected act**" is:

- 6.2.1 making a claim or complaint of discrimination (under the Equality Act 2010 as set out above) or
- 6.2.2 helping someone else to make such a claim by giving evidence or information or
- 6.2.3 making an allegation that the School or someone else has breached the Equality Act 2010 or
- 6.2.4 doing anything else in connection with the Equality Act 2010.

7 Admission

7.1 **Applicants:** Subject to Section 11, below, and subject to age considerations; the School accepts applications from, and admits students irrespective of their Protected Characteristics and will not discriminate on these grounds in the terms on which a place is offered. The School will treat every application in a fair, open-minded way.

7.2 **Selection:** Every application will be considered on its merits within the School's criteria for selection on grounds of the student's ability and aptitude, but this will not be done as a way of excluding students with a disability or special educational needs, subject to section 10 below.

7.3 **Admissions Policy:** The School's Admissions Policy (3.3) reflects the School's approach towards equal opportunities and is consistent with this policy.

8 Education and Associated Services

8.1 **Equal access:** Subject to considerations of age, safety and welfare, paragraph 8.2 and section 11, below, the School will afford all students equal access to all benefits, services, facilities, classes and subjects including all sports, irrespective of their Protected Characteristics (although subject to their age).

8.2 **Positive action:** The School may afford students of a particular racial group, or students with a disability or special educational needs, access to additional

education or training to meet the special needs of the students in that group, for example, special language training for groups whose first language is not English.

8.3 Exclusions: Subject to section 11 of this policy, the School will not discriminate against any student by excluding him or her from the School, or by subjecting him or her to any other detriment, on the grounds of his or her gender, gender reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief, or special educational needs.

8.4 Teaching and School materials: Efforts are made to recognise and be aware of the possibility of bias (for example, gender or racial), so that this can be eliminated in both the School's teaching and learning materials and teaching styles. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias. The School's PSHE curriculum encourages respect for other people, with particular regard to the Protected Characteristics.

8.5 Student interaction: All students are encouraged to work and play freely with, and have respect for, all other students, irrespective of their Protected Characteristics, subject to considerations of safety and welfare. Positive attitudes are fostered towards all groups in society through the curriculum and ethos of the School, and students will be encouraged to question assumptions and stereotypes.

8.6 Bullying: The School will not tolerate bullying or cyberbullying **for any reason**.

Please refer to the School's Anti-Bullying Policy (5.4) In some circumstances, bullying may amount to a safeguarding or child protection concern, in which case the School's Child protection and Safeguarding policy will apply. Both policies are available on the School's website, staff intranet and in hard copy form upon request, and in accessible formats wherever possible.

8.7 Behaviour – The School recognises that where challenging behaviour is related to a student's special educational needs or disability, use of positive discipline and reward methods may enable the School to manage the student's behaviour more effectively and improve their educational outcomes.

8.8 When considering sanctions, the needs of students with special educational needs or any disability will be specifically considered.

9 School Uniform

9.1 The School Uniform requirements as outlined in The Blue Book apply equally to all students, irrespective of their gender, gender reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief or special educational needs, subject to considerations of safety and welfare. However, the School will consider reasonable requests to alter the School Uniform, for example, for genuine religious requirements, and reasonable adjustments for disabled children. The School offers gender-neutral uniform choices.

9.2 Symbols of faith: Certain items of jewellery, such as the Kara bangle, and certain items of headwear, such as the turban and headscarves may be worn by students when doing so is genuinely based on manifesting religious or racial beliefs or identity. This is subject to considerations of safety and welfare and the School's existing uniform requirements as outlined in The Blue Book. Where there is uncertainty as to whether an item may be worn under this section, the issue must be referred by the student or his or her parents to the Headmaster, whose decision will be final, subject to the Complaints procedure.

9.3 Disabled students: Reasonable adjustments may be required to the School Uniform for disabled students who require them. The student or his or her parents should refer the matter to the Headmaster to ensure all reasonable adjustments are made to accommodate the student.

10 Religious Belief

10.1 Religion: The School's ethos and weekly Meeting for Worship is centred around Quakerism, but the School respects the right and freedom of individuals to worship in accordance with other faiths, or no faith.

11 Disability and Special Educational Needs

11.1 Our approach: We are a mainstream School which welcomes members of the School Community with disabilities and special educational needs subject to being able to reasonably accommodate their needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the School, and we will not treat a member of the School Community less favourably on these grounds without justification. We will do all that is reasonable to ensure that the School's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Special Educational Needs and Disability in Practice Policy (6.4) is consistent with this policy and is available on the School's website, on the staff intranet and in hard copy form upon request.

11.2 Definitions:

Children have **Special Educational Needs** if they have a learning difficulty which calls for special educational provision to be made for them. A learning difficulty or disability is a significantly greater difficulty in learning than the majority of others of the same age (SEND Code of Practice 2015).

A **disability** is a physical or mental impairment which has a "substantial and long term adverse effect" on a person's ability to carry out normal day-to-day activity (Equality Act 2010).

11.3 Reasonable adjustments:

11.3.1 The School has an on-going duty to make 'reasonable adjustments' for disabled students and students with special educational needs in respect of the education and associated services provided, to ensure that such students are not placed at a substantial disadvantage in comparison with other students.

This is a broad expression that covers all aspects of School life, for example:

- the curriculum
- classroom organisation and timetabling
- access to school facilities
- clubs and visits
- school sports and
- school policies.

11.3.2 Reasonable adjustments may typically include:

- making arrangements for a child in a wheelchair to attend an interview in an accessible ground floor room
- allowing extra time for a dyslexic child to complete an assessment
- providing examination papers in larger print for a child with a visual impairment

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- rearranging the timetable to allow a student to attend a class in an accessible part of the building
 - arranging a variety of accessible sports activities.

11.3.3 The School is not legally required to make adjustments which include physical alterations such as the provision of a stair-lift or new ground floor facilities, or a new library.

11.3.4 In making 'reasonable adjustments' the School is required to provide auxiliary aids and services for disabled students. The School will carefully consider any proposals made by parents and will not unreasonably refuse any requests for such aids and services. The cost to the School, however, is a factor that may be taken into account. Each case is treated on its own merits.

11.3.5 Many disabled children will have a special educational need (SEN) and may need auxiliary aids which are necessary as part of their SEN provision; in some circumstances as part of an Education Health and Care Plan (EHCP). There should be no assumption, however, that if an auxiliary aid is not provided under the SEN provision that it must be provided as a reasonable adjustment.

12 Informing the School

12.1 **Prospective Students:** Please refer to the admissions policy 3.1 regarding the duties of parents to inform the School when making an initial inquiry, of any special circumstances relating to their child which may affect their child's performance in the admissions process and ability to fully participate in the education provided by the School. Parents are also under an ongoing duty when their child has been enrolled, to keep the School apprised of any change of circumstance.

12.2 **Existing students:** Where the School becomes aware of an existing student's disability or special educational need, the School will do all that is reasonable to assist the student whilst at the School, which may include making reasonable adjustments. If in the professional judgement of the Headmaster, and after consultation with the parents and the student (where appropriate), the School cannot provide adequately for the student's physical and educational needs, after all reasonable adjustments have been made, parents will be asked to withdraw the student.

12.3 **Access:** The School will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to others who are not disabled. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises. The School has conducted an audit of our provision for students with disabilities. The results of the audit have informed our 3-year school accessibility plan which is a written action plan with targets and which is kept under review and revised as necessary by the Director of Operations. The Plan is available on request.

13 Students with EHC Plans (formerly known as statements of special educational need)

13.1 The School implements its Special Educational Needs and Disability in Practice Policy (6.4). The School's Special Educational Needs Co-ordinator (SENCO) is responsible for the co-ordination of the Special Educational Needs provision within the School.

14 Students with English as an Additional Language

14.1 Please refer to policy 6.13 – English as an Additional Language.

15 Provision for Students with Particular Religious, Dietary, Language or Cultural Needs

15.1 The School will make individual provision for such students where necessary and in accordance with this policy. As a Quaker school, we have a very tolerant and supportive ethos which welcomes students of all faiths and none. Provision will be made, as requested, for separate Acts of Worship both in school and in boarding houses.

15.2 The Housekeeping department work closely with students with dietary needs and our catering provision is diverse and monitored through the Food Committee on which several students sit. The School cherishes diversity and organises several multi-cultural events through the year such as ‘International Day’, Chinese New Year and European Day of Languages.

16 Responsibilities

16.1 All members of the School Community are expected to comply with this policy and therefore to treat others with dignity at all times.

16.2 **Overall responsibility:** The Governing Body has overall responsibility for the effective operation of the School's Equal Opportunities Policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Board of Governors has delegated day-to-day responsibility for operating the policy and ensuring its accessibility, availability, maintenance and review to the Senior Leadership Team.

17 Reporting, Recording and Monitoring Breaches of this Policy

17.1 The School has an “open door” policy and encourages open and positive communication as this often results in positive outcomes.

17.2 The School also has a complaints procedure (policy 2.6), which is available on the School's website, on the intranet and in hard copy in other formats wherever possible, upon request. The School will treat any potential breaches of this policy in confidence.

17.3 **Reports:** Any person wishing to report a breach of this policy that does not constitute a complaint under paragraph 17.2 above, should contact the Deputy Head or other member of the School's Senior Leadership Team (contact details available in the Blue Book and upon request).

17.4 **Enforcement:** We will treat seriously and urgently investigate every complaint and report. Disciplinary action may be taken against any member of the School Community who is found to have acted in contravention of this policy.

17.5 **Record and Monitor:** All reported breaches of this policy will be recorded and this record will be reviewed annually by the Deputy Head and reported to the responsible governor. In appropriate circumstances, the Board of Governors as a whole will be made aware of relevant breaches or concerns.

17.6 This policy is the responsibility of the Deputy Head Pastoral, and the Assistant Head Pastoral and will be reviewed annually by them.

18 Related Policies

- 2.6 Complaints Procedure
- 3.1 Admissions Policy
- 4.2 Supporting students with medical conditions and disabilities
- 5.1 Behaviour and discipline
- 5.4 Anti-Bullying Policy
- 6.4 Special Educational Needs in Practice
- 6.13 EAL Policy
- 7.1 PSHE Policy
- 7.3 Sex and Relationships Education Policy
- 9.1 Equal Opportunities (Staff)
- 9.9 Whistleblowing Policy

19 Document Change History – document any changes since policy redrafted in January 2016.

Date of change	Detail significant changes and any new legislation / guidance taken into account
20 January 2016	Board Adopts Redraft of Policy
27 April 2018	Reviewed and adopted by Board Paragraph 9 – reference to gender-neutral uniform choices Paragraph 11 – “mainstream” substituted for “inclusive” to be consistent with admissions policy.

Appendix 1: Sidcot School Transgender Plan:

What to do when a student discloses they are transgender/have gender dysphoria and wish to have a different identity.

- 1) Arrange meeting with student and family at the earliest date
- 2) Short email to staff (if the information is known beyond key staff) requesting discretion while we work through the situation. E.g.:

Dear All,

As some of you may already be aware X has requested for her name to be changed to Y. We are having a meeting with parents tonight to discuss the matter. In the meantime, could staff please deal with the student as sensitively as possible.

- 3) Read key guidance:

Cornwall Schools Transgender Guidance:

http://www.transfigurations.co.uk/filestore/cornwall_schools_transgender_guidance.pdf

The GIRES transphobic bullying document also has relevant sections:
<http://www.gires.org.uk/transbullying.php>

- 4) At the first meeting explain that the School has a duty to support a student with gender identity issues (2010 equality act paras 3.3-3.6), and that a plan must be put into place to ensure their safety and well-being during their transition. It is a brave decision and you want to be sure you are taking the right steps to safeguard the student – there are lots of practical issues to plan for too, and the response/plan will be very much be a response to the individual student.

Some questions to (possibly) ask:

- How is the young person feeling about this brave decision?
- What support do they feel is needed?
- Any questions they have?
- How have the family/friends reacted – is there further support that they might need? Share a list of local and national support groups both for student and family – the up to date ones are in the key documents listed above
- Is the transition to another gender happening outside of school too?
- What support has there been from doctors and other services – both medically and emotionally?
- How have they planned for questions/reactions/social media?
- Has there been a formal diagnosis of Gender Dysphoria?
- If needed, could the family ask for the doctors to share records with us?

School plans need to consider/discuss with student/family:

- Who is the main point of contact for the student in school?
- Informing people of the change – we have elected for a short statement, co-written by the student, to be read out by form tutors to the student's year group only – briefly explaining the change, showing the school's support, and providing an opportunity for students to come and ask questions. We used a version of the following:

Student X in our year group has identified their self/him/herself as transgender and will now be known as Student Y. As a school, we are fully supportive of her/his decision. If you have any questions at all please come along to room Z or speak to members of the pastoral team.

- Student, staff, governor and parent questions/understanding – training, PSHE curriculum (short and long term changes might be needed), confidentiality
- Boarding - good communication and a managed process will be key. We are not obliged to provide separate bed spaces or allow transgender students to sleep in boarding houses appropriate to their gender identity; we are however expected to consider what adjustments can be made to ensure the student is not excluded or suffers any other detriment.
- Risk assessment needed to take into account the wishes of the individual student, any requests from the student as to confidentiality, any health and safety considerations and the potential implications of any proposed adjustments on other students and the wider school community (safeguarding should not be an issue specific to transgender student aside from what the School should already have in place to keep children safe). If a separate room cannot be provided, this should be explained to the parents and student together with what adjustments can be made to accommodate them. The School will need to consider bathroom arrangements (whether a single room is en-suite) as well as changing facilities.
- Toilets and changing (disabled 'accessible' toilets can be made available – perhaps change name) –conduct a risk assessment/audit of facilities with this in mind
- PE – to match new gender or not (a personal decision) – can change for PE in nearest available accessible toilet room.
- Uniform – should wear the uniform of their new/true gender including PE (if swimming, baggy shorts and a rash vest could be appropriate)
- Bullying – monitoring and support
- Support during transition – student and friends
- Changing names – p19 of Cornwall advice – quite complex. We will need to change on SIMS. Exam boards can use preferred names – will have to agree a strategy for this and it might not be possible for courses where exams have already been taken/work submitted. UPN needs a birth certificate change – only possible with a Gender Recognition Certificate. DfE will probably analyse data based on original gender.
- If the press contact school – clear about our response that we do not comment
- Work experience – should consider as part of risk assessment and discuss any placements with student and family
- E-safety
- Vaccinations – consider letting these happen via GPs rather than in whole school sessions
- School trips – plan for their needs. Some countries will have laws against transgender people and this needs checking – including border procedures. Passport agency has advice and a confidential service (p21 Cornwall document)

5) After initial support meeting arrange a follow up meeting where the practical details of the plan can be considered and gone through following reflection by student/family.

6) Start support plan. Continue to discuss the plan with the student and amend where needed.

Useful Links:

Barnardo's Positive Identities Service – Us! Working to raise awareness around sexual and gender identities, we run training with professionals, support LGBTQ young people and work to tackle discrimination within society. Please feel free to give us a call whenever if you need any help or advice.

www.barnardos.org.uk/lgbtq

The Beaumont Society - The Beaumont Society is a national self-help body run by and for the transgender community. We welcome all transgender people and their partners, regardless of gender, sexual orientation, race, creed or colour and all varieties from the nervous newcomers to those who are experienced and confident in their preferred gender.

<http://www.beaumontsociety.org.uk>

Gendered Intelligence –deliver trans youth programmes, support for parents and carers, professional development and trans awareness training for all sectors and educational workshops for schools, colleges, Universities and other educational settings. They also publish excellent resources, many of which are free to access.

<http://genderedintelligence.co.uk>

The Gender Trust - The Gender Trust is a listening ear, a caring support and an information centre for anyone with any question or problem concerning their gender identity, or whose loved one is struggling with gender identity issues.

<http://gendertrust.org.uk>

Gires – Gender Identity Research and Education Society - hears, helps, empowers and gives a voice to trans and gender non-conforming individuals, including those who are non-binary and non-gender, as well as their families.

<http://www.gires.org.uk>

Mermaids - Family and individual support for teenagers and children with gender identity issues

<http://mermaidsuk.org.uk>

National Trans Youth Network – The National Trans Youth Network is a network of trans youth groups across the UK.

<http://www.lgbtconsortium.org.uk/directory/national-trans-youth-network>