

## EQUALITIES POLICIES

Reviewed June 2022

Status: Statutory

### Introduction

This policy statement will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available official guidance and relevant codes of practice as listed below. Employers must follow all employment/equal opportunities legislation whether or not a formal equal opportunities policy is in place. The Equality Act 2010 is the most recent overarching legislation.

Employees can take action against an employer/school for reasons related to discrimination. In order for the school to be able to defend such a claim successfully it needs to have a clear equal opportunities policy in place, which could be integrated into the single equality statement. While it would certainly be deemed unfair to dismiss someone for a reason related to an aspect of discrimination, employees can also make discrimination claims while they are still employed at the school. All schools should have in place a 'single equality scheme' which includes their schemes for gender, disability and race. All of these schemes are about equality issues, including those affecting students, employees, visitors and governors. The scheme also should refer to the other potential areas for discrimination. All other policies and procedures should be assessed alongside the single equality scheme to ensure consistency and compliance.

Stress caused by perceived discriminatory treatment and failure of management to deal with perceived harassment and bullying can also give rise to breach of contract claims or personal injury claims. The Equality Act 2010 brought together all matters of equal opportunities and it is the main legal reference on equal opportunities.

- Potential gender discrimination applies to both males and females and makes it unlawful to discriminate against any person on the grounds of gender and also applies to transgender matters.
- It includes the definitions relating to potential racial discrimination as discrimination on the grounds of colour, race, and nationality or ethnic or national origins.
- Under the Disability Discrimination Act 1995, disabled people had a right not to be discriminated against in employment or access to goods and services; this right is covered by the Equality Act 2010. A person has a disability if he/she has a physical or mental impairment which has a substantial long-term effect on his/her ability to carry out normal day-to-day activities.
- It is illegal to discriminate on the grounds of sexual orientation, marital status, gender reassignment, pregnancy or maternity, religion or belief and trade union activity or affiliation.
- It is also unlawful to discriminate on the grounds of age. This applies to all age issues in employment whatever the age. It is now no longer legal to set a default retirement age or to dismiss on the grounds of age. Retirement for pension purposes is defined within the pension schemes and employees can exercise choice in accordance with their own pension scheme. It is possible to contribute to both schemes up to one month before an employee's 75th birthday.

The DFE published non-statutory advice for school leaders, school staff, governing bodies and local authorities (LAs) to assist them in understanding how the Equality Act 2010 affects them and how to fulfil their duties.

The DFE advice suggests that for schools that were already complying with previous equality legislation, they should not find major differences in the requirements. Further details can be found at the following address: [www.gov.uk/government/publications/equality-act-2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act-2010-advice-for-schools). The employer/school can be deemed responsible for perceived discriminatory behaviour of one or more employees against another and for third party or indirect perceived discriminatory acts against others. Therefore, breaches of the school's equal opportunities policy and/or its single equality scheme should be dealt with as disciplinary issues. Part time employees have legislation protecting them against discrimination or detriment solely on the basis of such employment.

**The governing body of Harlington School** is committed to promoting understanding of the principles and practices of equality and justice. Every member of staff is regarded as of equal worth and importance, irrespective of his/her religion, belief, culture, class, race, gender, sexuality, disability or age.

#### **Aims**

- To ensure that no job applicant or employee is discriminated against either directly or indirectly on the grounds of race, colour, religion or belief, nationality, ethnic or national origin, gender, sexual orientation, marital status, disability, age, part time working or trade union affiliation.
- To provide an environment in which all staff feel safe enough to express and question views.
- To ensure that all staff can feel valued, supported and have appropriate advice and encouragement for their professional development.
- To ensure the principles and practices of equal opportunities apply to all members of the school community.

#### **Discrimination**

The policies and procedures adopted by the school will reflect these equal opportunities policy statement and the single equality scheme. All forms of discrimination by any person within the school's responsibility will be treated seriously; as such behaviour is unacceptable and may lead to disciplinary action.

#### **Appointments**

Those involved in making appointments must ensure that in recruitment procedures any advertisements, short listing and interview procedures are without any direct or indirect discrimination, unless there is a specifically exempt area, for instance relating to sex and decency.

The recruitment and selection process are crucially important and governors will endeavour through appropriate training to ensure that those making selection and recruitment decisions do not discriminate in making these decisions. Interview questions will be related to the requirements of the job and will not be of a discriminatory nature. Selection decisions will not be influenced by perceived

prejudices. Promotion and advancement will be on merit and all decisions related to the same will be made within the overall framework and principles of this policy. Job descriptions will be in accordance with this policy statement and any job requirements will be reflected accurately in any person specifications. The approach to the advertising of vacancies will be non-discriminatory. All applicants applying for posts at the school will receive fair treatment and will be considered solely on their ability to do the job. All those involved in the recruitment process will review their selection criteria to ensure that they are related to the specific job requirements and do not unlawfully discriminate.

Short listing and interviewing will be carried out by more than one person, in accordance with the school's appointments procedure.

**Retirement**

The governing body recognises that there cannot be any default retirement age and therefore employees will be judged only on their performance.

**Awareness**

These guidelines and this policy statement will be circulated to any agencies involved in the school's recruitment process and copies will be made available for all employees and applicants for employment.

The policy statement will be communicated to all private contractors, reminding them of their responsibilities towards equality of opportunities.

**Monitoring and review**

The school will monitor the impact of this policy statement to determine its effectiveness, through the school's processes of internal review. The results of monitoring will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy statement. Consideration will be given if necessary to adjusting the policy statement to afford greater equality of opportunity to all applicants and employees.

## RACIAL EQUALITY POLICY

This policy should be read in conjunction with the following policies: Anti-bullying, Behaviour and Exclusions, Pupil attendance and absence, School dress code for learners, Staff dress and appearance.

The DFE published non-statutory advice for school leaders, school staff, governing bodies and local authorities (LAs) to assist them in understanding how the Equality Act 2010 affects them and how to fulfil their duties. The DFE advice suggests that for schools that were already complying with previous equality legislation, they should not find major differences in the requirements. Further details can be found at the following address: [www.gov.uk/government/publications/equality-act-2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act-2010-advice-for-schools).

### Background

The Equality Act 2010 and the Equality Act 2010 (Specific Duties) Regulations 2011 replaced all previous equality legislation including the Race Relations Act 2000. It provides a single consolidated source of law, covering all types of unlawful discrimination. Under the Equality Act, it is unlawful to discriminate against a person or persons on the grounds of any of the following attributes:

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

All state funded schools are subject to the Public Sector Equality Duty (PSED). Governing bodies, local authorities and proprietors are required to draw up equality objectives every four years and annually publish information demonstrating how they are meeting the aims of the general public sector equality duty. There is no requirement in law for schools to produce an overarching equality policy or indeed separate policies for any of the attributes listed above. That is not to say that, if a school wishes to have a portfolio of policies including a racial equality policy, they may not do so. This is a matter for the individual school to consider. If the decision is taken to have a specific racial equality policy in place, that policy should identify action that a school will take to tackle issues related to racial discrimination, achieving racial equality and good relations between different racial groups. It would then be the responsibility of governors, with the senior staff, to assess the impact of this policy on ethnic minority pupils, staff and parents, with the emphasis on the attainment of ethnic minority pupils. In performing their functions, schools should have due regard to the need to promote race equality. As policy makers and service providers, they will need, for example, to:

- Ensure that they consult ethnic minority representatives.
- Take account of the potential impact of policies on ethnic minorities.
- Monitor the actual impact of policies and provision under them.
- Take remedial action, when necessary, to address any unexpected or unwarranted disparities.

**Aims**

Harlington School is a multi-cultural, multi-racial community of nearly 1200 people of both adults and pupils. We believe that everyone in our school is of equal value and should have equal opportunities in school and the community and in life. All members of our school will be treated equally regardless of sex (including gender reassignment) disability, age, sexual orientation, religion or belief and race. People are individuals and therefore different. They have different needs and different contributions to make to the life of our school and of the community. The staff and governors for their part strive to give unconditional trust and ask of pupils that they endeavour to be honest, respect other people and their property. There may be times when the relationship between staff and a pupil breaks down. In such cases, our school will give all the support it can to the pupil concerned and his or her parents even though redress to exclusion may be necessary.

Racial equality is not about treating everybody the same. It is about meeting people's individual needs and appreciating their individual strengths and gifts. We are all different and should all be equally valued.

- Our main aim is to offer an education appropriate to each individual pupil's needs regardless of their race, colour, ethnic or national origins, or religious beliefs.
- With regard to the provisions of the Equality Act 2010 and the Public Sector Equality Duty, we aim to tackle racial discrimination and to promote equality of opportunity and good race relations across all areas of school activity.
- We aim to ensure that everyone at our school (staff, pupils, parents, contractors and visitors) is afforded the basic rights of freedom and access to opportunity, including freedom from all forms of harassment or bullying.
- We aim to ensure that active encouragement is given to all in order to enable them to fully develop talents and personal skills for co-operative interaction and academic excellence. No one person has the right to deny another person of his or her educational opportunity.
- Where contractors are working on site, measures will be taken to ensure their employees operate according to our school's equal opportunities and racial equality policies and code of practice.

**Objectives**

- To regard all our pupils as being of equal value and to ensure that the needs of all pupils are identified and met, and that they are able to achieve their full potential, helping to raise standards across our school.
- To focus on results or outcomes, by setting targets:
- To narrow any gaps in levels of attainment between different ethnic groups.
- To reduce any differences in the rates of exclusion between different ethnic groups.
- To evaluate how race equality is addressed within the curriculum.

These will be reflected in school improvement strategies, with particular emphasis on action plans promoting social inclusion and raising the levels of attainment of all pupils.

To challenge, in a positive way, any form of racial prejudice, whether overt or covert, which contradicts our equal opportunities philosophy. This means adopting a consistent and unambiguous stand, from which we strive to overcome prejudice and ensure equality of opportunity for all, thus protecting the rights and liberties of every individual.

To foster self-esteem and respect for each person as an individual and to create a positive and inclusive atmosphere where there is a shared commitment to respect diversity and difference, to challenge and prevent racism and discrimination, and to encourage good relations between people of different racial groups.

To prepare pupils to be good citizens, living and working in a multi-ethnic society and to take up the responsibility of participation, and to treat all others as we would wish to be treated. The citizenship education programme and the agendas of year and school councils will play key roles in achieving this objective.

To create and retain a workforce that is valued for their diverse contributions and represents different perspectives, ethnic backgrounds, experience and skills. To achieve this, our school will maintain strong community/parental links and governors will give support to our school and all its stakeholders, to ensure an effective educational delivery.

From this the following key guidelines emerge:

All pupils should be encouraged to value their own cultural heritage and the culture and lifestyles of others, and to show respect for self and others while at the same time finding common ground to talk to one another and valuing living together in a community.

Every member of staff needs to accept responsibility for establishing a reasonable climate for debate and extending opportunities for controversial discussion. They must address widely held misconceptions to avoid the risk of pupils with limited experience arriving at consensus views of doubtful validity.

The provision of genuine equality of opportunity must be inherent in the education our school offers. Curriculum opportunities will be open to all [and post-16 provision will give access for both sexes to all subjects]. Our school will challenge any gender stereotyping, which leads to constraints on the development of pupils' abilities and aspirations and will include the opportunity to study multicultural issues as an intrinsic part of all programmes and teaching.

Our school will demonstrate the unacceptability of attitudes, incidents, taunts or remarks that give offence, intimidate, devalue another's view or opinion, or undermine another's self-esteem.

More specifically this means the following codes of practice for governors and staff, pupils, parents and carers, visitors and contract staff.

#### **Governors and/or staff**

Staff will treat each other and all pupils with respect.

Staff will examine the ideas and images in books and other resources and will challenge negative images and give all pupils positive images.

Policies on displays, notices, meals, uniform, etc. in our school will reflect its multi-cultural, multi-racial population.

Attendance at in-service training courses on equal opportunities will be encouraged. Staff will make every effort to understand the origins and nature of racism and sexism and to recognise their own prejudice.

Our school values the fact that many pupils are bilingual and will encourage the teaching and/ or use of community languages.

Positive links will be developed with the homes of pupils and communities from which our pupils come.

Preventing and dealing with discriminatory behaviour, abuse, bullying and intimidation is the responsibility of us all. Our school will support victims of such incidents, on or off the premises.

Appointment and promotion of staff will be made and monitored in accordance with our school's equal opportunities policy for staff selection, appointment and promotion. The governing body will monitor the balance at all levels of gender and ethnicity as well as membership of the governing body.

### **Pupils**

All pupils are valued for themselves and can expect to have their culture and language treated positively and with respect.

Pupils will be given the opportunity in the classroom to discuss and with which to identify and understand racism, sexism and other forms of prejudice.

Pupils will be able to contribute to the development of equal opportunities and other school policies through the year and school councils.

If pupils feel they have been abused racially or bullied they should report the matter immediately to their [tutor/pastoral co-ordinator or a deputy or assistant head teacher]. All pupils can expect to be listened to and have their complaints investigated. If a pupil feels their complaint has not been properly dealt with they may take the matter to the head teacher.

Pupils who have suffered racist or sexist behaviour, abuse, bullying or intimidation will be supported by the school and, in particular, their tutor and/or year head. Anyone who has committed such offences will be appropriately dealt with. In the case of pupils, this may include exclusion from our school.

All pupils should treat each other and staff with respect.

### **Parents/carers and visitors or contract staff**

Parents/carers are very important to our school and, in particular, they have much to contribute to our equal opportunities policies; their views are welcome and valued at all times. We ask that all parents/carers fully support our school equal opportunities and racial equality policies.

Our school will discuss with parents/carers any incidents of racist or sexist abuse or bullying in which their sons or daughters have been involved.

If parents/carers are aware of incidents of racism, sexism or bullying then they should contact their child's tutor, pastoral co-ordinator or the appropriate senior member of staff.

Any visitors or contract staff visiting or working at our school who become aware of any incidents of racism, sexism or racism should report them to the head teacher or one of his or her senior staff. They should also abide by the code of conduct established by the school in relation to equal opportunities.

### **Implementation**

Our school will publish a statement that incorporates our observance of the Equality Act and the PSED above with details of contact personnel to whom to report incidents. Detailed procedures will be developed and published to make sure that everything in this policy statement happens. Our school will operate the policy in respect of all staff appointments and promotions and monitor gender and ethnicity balance of appointments and promotions. All subject teaching and pastoral programmes of study will consider the objectives and guidelines of this policy. Information will be collected about pupils' performance and progress in all areas of school activity, including racial groupings, to analyse trends that could have an adverse impact on pupils' attainment:

- Admissions and transfer procedures.
- Assessment and subsequent groupings by ability/attainment levels.
- Curriculum, teaching and learning (including language and cultural needs).
- Pupil behaviour, discipline, punishment and reward.
- Exclusions (fixed and permanent).
- Racism, racial harassment and bullying.
- Staff recruitment and career development.
- Membership of the governing body.
- Parental involvement.
- Working with the community.
- Support, advice and guidance given by tutors, year heads, learning mentors and counsellors.

All contraventions of this policy will be treated as disciplinary matters.

### **Evaluation (monitoring and assessment)**

This policy is to be monitored by the designated personnel to ensure its effectiveness through our school's self-review processes. This policy statement will continue to be discussed with pupils, parents/carers and staff and governors. The revision of the policy will be on-going, ensuring the involvement and commitment of the whole school community. The statement will be reviewed annually.



## **SINGLE EQUALITY SCHEME**

### **Introduction**

This single equality scheme (SES) integrates the general duties that apply to public bodies, including maintained schools and academies, and extends to all groups with protected characteristics; specifically, in relation to race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment. A person's age is a protected characteristic in relation to employment and services, but does not apply to pupils in schools. The duties cover staff, students, governors and people using the services of the school. Schools might wish to make a general single equality statement and retain their individual schemes for race, disability and gender equality or include these within the single equality scheme. The over-arching statement includes priorities and actions to eliminate discrimination and harassment for all equality areas; those groups with protected characteristics.

The Equality Act 2010 brought a statutory requirement for public bodies, including schools, to have a single equality scheme which consolidated equality legislation. It also had the effect of replacing all previously existing legislation, e.g. the Race Relations Act, Disability Discrimination Act and the Sex Discrimination Act. It is a further requirement to review the single equality scheme and any associated action plan annually and this will be through the governing body and will cover activity undertaken in relation to the three original equality schemes and the other equality strands. In May 2014, the DFE published non-statutory advice for school leaders, school staff, governing bodies and local authorities (LAs) to assist them in understanding how the Equality Act 2010 affects them and how to fulfil their duties.

The DFE advice suggests that for schools that were already complying with previous equality legislation, they should not find major differences in the requirements. Further details can be found at the following address: [www.gov.uk/government/publications/equality-act-2010-advice-for-schools](http://www.gov.uk/government/publications/equality-act-2010-advice-for-schools).

### **SINGLE EQUALITY SCHEME: STATEMENT**

Harlington School is a multi-cultural, multi-racial community of nearly 1200 people, both adults and pupils. We believe that everyone in the school is of equal value and should have equal opportunities in school, the community and in life. Many people in our society are discriminated against and treated as if they are worth less than others because of their race, religion or language; because of their gender or sexuality; because of their class or because of a disability. This is not acceptable in our school.

People are individuals and therefore different. They have different needs and different contributions to make to the life of our school and of the community. The staff and governors for their part strive to give unconditional trust and ask of pupils that they endeavour to be honest and give respect to other people and their property. There may be times when the relationship between a member of staff and a pupil breaks down. In such cases, the school will give all the support it can to the pupil concerned and to his or her parents, even though redress to exclusion may be necessary.

Equal opportunities is not about treating everybody the same. It is about meeting people's individual needs and appreciating their individual strengths and gifts. We are all different and should all be equally valued. Everything that follows in this statement is to help everyone involved make Harlington School a real equal opportunities and inclusive school.

## Aims

Our main aim is to offer an education appropriate to each individual pupil's needs, regardless of their race, colour, ethnic or national origins, gender, sexual orientation, disability, gender reassignment, pregnancy or maternity or religious beliefs.

We aim to ensure equal access to educational opportunities for all our pupils, and the opportunity to reach levels of attainment appropriate to their ability. We regard all our pupils as being of equal value and to ensure that the needs of all pupils are identified and met, and that they are able to achieve their full potential, helping to raise standards across the school.

We aim to ensure that active encouragement is given to all pupils in order to enable them to develop fully talents and personal skills for co-operative interaction and academic excellence. No one person has the right to deny another person his or her educational opportunity.

We aim to ensure that everyone at the school, (staff, pupils, parents, carers, contractors and visitors) is afforded the basic rights of freedom and access to opportunity, including freedom from all forms of harassment or bullying.

Where contractors are working on-site, measures will be taken to ensure, as far as possible, that their employees operate according to the school's equal opportunities policies.

We aim to challenge in a positive way any form of prejudice, racism or sexism, whether overt or covert, which contradicts the school's single equality scheme, (including disability, gender and racial equality policies and codes of conduct) (*omit if appropriate*). This means adopting a consistent and unambiguous stand, from which we strive to overcome prejudice and ensure equality of opportunity for all, thus protecting the rights and liberties of every individual.

We aim to create and retain a workforce that is valued for its diverse contributions and represents different perspectives, ethnic backgrounds, experience and skills. To achieve this, the school will maintain strong community/parental links and governors will give support to the school and all its stakeholders, to ensure an effective educational delivery.

From this, the following key guidelines emerge:

- All pupils should be encouraged to value their own cultural heritage and the culture and lifestyles of others, and to show respect for self and others while at the same time finding common ground to talk to one another and valuing living together in a community.
- Every member of staff needs to accept responsibility for establishing a reasonable climate for debate and extending opportunities for controversial discussion. They must address widely held misconceptions to avoid the risk of pupils with limited experience arriving at consensus views of doubtful validity.
- The provision of genuine equality of opportunity must be inherent in the education the school offers. The curriculum opportunities must be open to all [and post-16 provision must give access for both sexes to all subjects]. The school must challenge any gender stereotyping, which leads to constraints on the development of pupils' abilities and aspirations and should include the opportunity to study multicultural issues as an intrinsic part of all programmes and teaching.

- The school should clearly demonstrate the unacceptability of attitudes, incidents, taunts or remarks that give offence, intimidate, devalue another's view or opinion, or undermine another's self-esteem.

More specifically, this means the following codes of practice for governors and staff, pupils, parents/carers and visitors and contract staff.

### **Governors and staff**

Staff will treat each other and all pupils with respect.

Staff will examine the ideas and images in books and other resources and will challenge negative images and give all pupils positive images.

Policies on displays, notices, meals, uniform, etc. in the school will reflect its multi-racial population.

Attendance at in-service training courses on equal opportunities will be encouraged. Staff will make every effort to understand the origins and nature of racism, disability, sexism and other forms of prejudice to recognise their own prejudice where it exists.

The school values the fact that many pupils are bilingual and will encourage the teaching and/or use of community languages.

Positive links will be developed with the homes of pupils and communities from which our pupils come.

Preventing and dealing with discriminatory behaviour, abuse, bullying and intimidation is the responsibility of us all. The school will support victims of such incidents, on or off the premises.

Appointment and promotion of staff will be made and monitored in accordance with the school's equal opportunities policy for staff selection, appointment and promotion. The governing body will monitor the balance at all levels of gender and ethnicity as well as membership of the governing body.

### **Pupils**

All pupils are valued for themselves and can expect to have their culture and language treated positively and with respect.

Pupils will be given the opportunity in the classroom to discuss and to identify and understand racism, sexism, disability and other forms of prejudice.

Pupils will be able to contribute to the development of equal opportunities and other school policies through the year and school councils.

If pupils feel they have been abused racially or bullied they should report the matter immediately to their teacher/pastoral co-ordinator/deputy/assistant head teacher (as appropriate). All pupils can expect to be listened to and have their complaints investigated. If a pupil feels their complaint has not been properly dealt with they may take the matter to the head teacher.

Pupils who have suffered racist or sexist behaviour, abuse, bullying or intimidation will be supported by the school and in particular by their teacher/tutor/year head (as appropriate). Anyone who has

committed such offences will be dealt with appropriately – in the case of pupils this may include exclusion from the school.

All pupils should treat each other and staff with respect.

### **Parents/carers, visitors and contract staff**

Parents/carers are very important to the school and in particular they have much to contribute to the single equality scheme; their views are welcome and valued at all times. We ask that all parents/carers fully support the school single equality scheme.

The school will discuss with parents/carers any incidents of racist, disability, sexist abuse or bullying and harassment incidents in which their sons or daughters have been involved.

If parents/carers are aware of incidents of racism, sexism or bullying then they should contact their child's teacher/tutor/pastoral co-ordinator/senior member of staff (as appropriate).

Any visitors or contract staff visiting or working at the school who become aware of any incidents of racism, sexism, disability or other discrimination should report them to the head teacher or one of the senior staff. They should also abide by the code of conduct established by the school in relation to the single equality scheme.

### **Implementation**

The school will operate the policy in respect of all staff appointments and promotions and will monitor gender and ethnicity balance. All subject teaching and pastoral programmes of study will consider the objectives and guidelines of this policy. Information will be collected about pupils' performance and progress in all areas of school activity, including racial groupings, to analyse trends that could have an adverse impact on pupils' attainment:

- Admissions and transfer procedures.
- Assessment and subsequent groupings by ability/attainment levels.
- Curriculum, teaching and learning (including language and cultural needs).
- Pupil behaviour, discipline, punishment and reward.
- Exclusions (fixed term and permanent).
- Racism, racial harassment and bullying.
- Staff recruitment and career development.
- Membership of the governing body.
- Parental involvement.
- Working with the community.
- Support, advice and guidance given by teachers/tutors/year heads/ learning mentors/counsellors (as appropriate).

All contraventions of this policy will be treated as disciplinary matters.

### **Evaluation (monitoring and assessment)**

This policy is to be monitored by the designated personnel to ensure its effectiveness through the school's self-review processes. Evidence will be sought to confirm that the policy is promoted effectively to all stakeholders, ensuring that staff, pupils and parents understand and meet their responsibilities. The effectiveness of the policy will be confirmed by its impact upon the raising of all

pupils' levels of attainment, together with an increased inclusive atmosphere for all stakeholders and towards particular goals such as maintaining the gender/disability/racial balance within the staffing establishment, including at senior level. This policy statement will continue to be discussed with pupils, parents/carers, interested parties, staff and governors. The revision of the policy will be on-going, ensuring the involvement and commitment of the whole school community. The statement will be reviewed annually. The single equality scheme should impact upon all the policies and procedures in the school and all other school policies and procedures will be assessed to ensure their compliance with this scheme.

### **Harlington School Disability Equality**

The disability provisions in the Equality Act mainly replicate those in the **Disability Discrimination Act (DDA)** which place a general duty on schools, requiring them to have due regard for the following when carrying out and delivering services:

- Promoting equality of opportunity between disabled people and other people.
- Eliminating discrimination and harassment of disabled people that is related to their disability.
- Promoting positive attitudes towards disabled people.
- Encouraging participation in public life by disabled people.
- Taking steps to meet disabled people's needs, even if this requires more favourable treatment and requiring that reasonable adjustments are made where needed.

### **Addition:**

#### **Promoting disability equality**

This school operates in ways to ensure each and every person at our school who has a physical or mental impairment that has a substantial adverse effect on his or her ability to carry out normal day-to-day activities is treated without disadvantage. We will take reasonable steps to avoid disadvantage. Disability equality is at the forefront of our policy development and over time will ensure that equality for disabled children and adults is woven into the culture of our school in practical and demonstrated ways.

These details have been developed through the involvement of representatives of the people it is intended to support. (Retain details of all consultation). By the end of September each year they will be revisited with representatives of the disabled children (and/or their parents), young people and adults who are, at that time, members of our school. (A record of this revisiting will be reported to the governing body and taken into the public minutes of its meeting.)

We will maintain information about all our school members who have a condition that has a substantial and long-term adverse effect on that person's ability to carry out their normal day-to-day activities. We will embrace all disabilities including those due to:

- Cancer.
- Diabetes.
- Epilepsy.
- HIV.
- Multiple sclerosis.
- Hearing or sight impairments.
- Mobility difficulties.

- Mental health or learning difficulties.

The name of our designated lead professional for the **disability equality scheme (DES)** can be found in our SEND policy. In addition to the annual review, (s)he will also ensure that disabled school members are involved in discussions about policy or practice changes that occur at times during the year.

The lead professional for the DES will involve disabled school members and others in the production, delivery, monitoring and evaluation of an annual action plan for disability equality.

### **Monitoring disability equality**

The governing body will ensure that matters of confidentiality are dealt with appropriately. We will ensure parents/carers and members of staff understand which impairments and health conditions meet the definition of disability and why it is important that school has information about disability and health conditions.

In order to monitor the effectiveness of our policies and practices, all staff members will be given the opportunity to raise personal issues throughout the school year.

The school will make sure pupils feel comfortable in school and confident to raise any issues or difficulties they have which may be as a result of an impairment or health condition.

When admitting new pupils to the school we will ensure information about disability is shared.

When appointing new staff, we will ensure that our arrangements for recruiting, developing and retaining disabled employees promote equal opportunities.

The lead professional for the DES will collate information about the recruitment, development and retention of disabled employees based on data collection and on staff interviews. The results will be reported to the governing body and incorporated in the public minutes of the governing body meeting. The report to governors will include an evaluation of the efficacy of the school's arrangements for disability equality.

The lead professional for the DES will collate information about the educational opportunities available to and achievements of disabled pupils based on data collection and on pupil/parent interviews. The results will be reported to the governing body and incorporated in the public minutes of the governing body meeting. The report to governors will include an evaluation of the efficacy of the school's arrangements for disability equality.

### **Developing disability equality**

The lead professional for the DES will gather together all the information relating to disability equality in order to produce an annual action plan. In producing this plan, there will be involvement of representatives of anyone in school who has a physical or mental impairment that has a substantial adverse effect on his or her ability to carry out normal day-to-day activities.

The action plan will incorporate success criteria against which progress will be measured.

A key feature of the evaluation of our developing disability equality scheme will be its impact on disabled children and adults. Impact assessments will be an essential element of our review process and will focus on the extent to which we have taken the right actions and the extent to which school activities do not inadvertently disadvantage disabled pupils, employees, parents and carers and any other disabled people using the school's facilities.

All action plans will incorporate a timetable for action. Specific goals will be set for improving the educational attainment of disabled pupils though regard will always be given to the extent to which the gap between disabled and non-disabled children can reasonably be achieved in the case of those disabled pupils who also have special educational needs. Specific goals will also be set to encourage disabled applicants for positions within the school. The appointment of more disabled members of staff is also encouraged, although the appropriateness of this will be considered in relation to the size and location of our school impact assessment.

As well as evaluating the actuality of the impact of our policies and practices, we will seek the perceptions of disabled pupils and their parents and the perceptions of disabled adults. This will be undertaken in the following ways:

- The impact of policy and practice will be monitored against the stated goals of the initial DES and the subsequent annual action plans;
- School leadership will evaluate the impact of policy and practice using the published success criteria.
- School governance will formulate a response to the progress made and the impact of policy and practice and their views will be taken into the record of a governors' meeting.

A decision will be made each year by the headteacher, on the recommendation of the lead professional for DES and based on the actual number of pupils and staff who are disabled, as to the method of gathering the perceptions of disabled pupils and/or their parents and members of staff. Whether the decision is to speak to all disabled members of staff or whether it is to carry out a survey, the outcomes will be recorded, considered by leadership, reported to governors and acted upon accordingly.

## **TRANSGENDER EQUALITY POLICY**

### **Background**

The Equality Act 2010 brought together all matters of equal opportunities and it is the main legal reference on equal opportunities. Potential gender discrimination applies to both males and females and makes it unlawful to discriminate against any person on the grounds of gender. It also applies to transgender matters. Such a person is referred to under the Equality Act as a transsexual person.

Absence from work because of gender reassignment cannot be treated less favourably than absence because of sickness or injury.

The public sector equality duty requires public authorities to have due regard to the need to eliminate discrimination, harassment and victimisation against transsexual people, to advance equality or opportunity and foster good relations between transsexual people and others.

The Equality Act sets out a number of 'occupational requirement' exceptions that employers can rely on in discrimination claims in respect of recruitment, access to promotion, transfer or training or dismissal. For example, not being a transsexual is an occupational requirement, having regard to the nature or context of work, or where the requirement not to be a transsexual person is a 'proportionate means of achieving a legitimate aim'. The onus is on the employer to prove such an exception applies. Such exceptions will be rare.

The Gender Recognition Act 2004 gives people with gender dysphoria legal recognition as members of the sex appropriate to their gender (male or female) allowing them to acquire a new birth certificate, affording them full recognition of their acquired sex in law for all purposes, including marriage. Under section 22 of the Gender Recognition Act 2004, it is an offence for a person who has acquired protected information in an official capacity to disclose the information to any other person, unless the individual has provided consent.

The Human Rights Act 1998 supports transgender individuals with the right to a private and family life.

The Data Protection Act 1998 (soon to be General Data Protection Regulation (GDPR)) provides for gender reassignment and any information about an individual's gender history to be treated as 'sensitive data' which can only be processed for certain specified reasons.

In May 2014, the DFE published 'The Equality Act 2010 and schools. This is non-statutory advice for school leaders, school staff, Governing Bodies and local authorities (LAs) to assist them in understanding how the Equality Act 2010 affects them and how to fulfil their duties. In November 2015, the Government Equalities Office published 'Recruiting and retaining transgender staff: a guide for employers.

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 provides for gender reassignment and any information about an individual's gender history to be treated as 'special category data' which can only be processed for certain specified reasons.

### **TRANS EQUALITY**

Harlington School is committed to ensuring that transgender individuals receive equal treatment and protection from discrimination at work. This includes equality of opportunity throughout recruitment and employment. The school recognises that the period of transition can be very complex and difficult for an individual and we are committed to acting in a supportive and sensitive way throughout any transitioning process. The school respects an individual's right to self-identify as male or female and we commit to recognising all employees of the school as the gender in which they choose to present.

This policy does not anticipate every situation that might occur with respect to transgender individuals. The needs of each transgender staff member must be assessed on a case-by-case basis.

#### **Aims**

This policy is designed to:

- Ensure that transgender members of staff do not fear social stigmatisation through non-acceptance in the general workplace.



- Provide an environment in which a transgender member of staff is treated with dignity and respect.
- Support colleagues to be more aware of gender identity issues and to have a respectful and flexible approach towards individuals who are considering undergoing, have undergone, or are in the process of undergoing gender reassignment.
- Ensure that transgender staff can feel valued, supported and have appropriate advice and encouragement for their professional development.
- Ensure the principles and practices of equal opportunities apply to all members of the school community.

### **Gender reassignment**

'Trans' or 'transgender' describes people whose gender identity differs from their sex assigned at birth.

This policy relates to staff members who are proposing to undergo, are undergoing or have undergone a process (or part of a process) for the purpose of reassigning their sex by changing physiological or other attributes of sex.

This is a personal process for the individual which may involve:

- Medical interventions.
- Counselling.
- Psychotherapy.
- Hormone therapy or surgery.

The school recognises that there is no right or wrong way to transition and is committed to supporting each individual in their decisions.

### **Privacy**

The school will respect the confidentiality of all transgender individuals and the right of transgender individuals to discuss their gender identity openly, or to keep that information private. It is for the transgender member of staff to decide when and how much information to share and with whom. The school encourages individuals to talk to their manager openly about the situation as early as possible, so the appropriate support can be provided. Any information shared with management or human resources should not be disclosed further to any others without the individual's specific consent.

### **Pre-employment transition**

Any individual who changes gender before entering employment is under no obligation to inform either management or colleagues of their gender history. If an individual chooses to disclose this information, full confidentiality will be respected and maintained in relation to the information shared.

**Transition during employment**

The school is committed to ensuring that all individuals who elect to transition during their employment will be treated with respect and dignity by all members of staff. Support will be provided as appropriate to ensure a safe and comfortable environment during the transition period.

**Notifying management**

The timing of the initial approach to management is a matter for the individual to decide. Those wishing to undergo gender reassignment should discuss the matter with their immediate line manager, who would typically be the point of contact during the transition period. Due to the sensitive nature of the matter, individuals are free to elect an alternative point of contact, such as a union representative, but a member of senior management must remain involved. The point of contact is under a duty to maintain confidentiality except as otherwise agreed by the individual.

**Developing an action plan for managing the transition**

It is important at an early stage for the individual and management (usually the line manager) to agree on an action plan to make the transition work as smoothly as possible. This could include discussions with regards to:

- The anticipated date for change of name, personal details and social gender.
- The main point of contact.
- Changing work equipment, such as identity badge, photo.
- Details of any medical appointments and the anticipated absence.
- Whether any additional counselling will be required.
- When and how colleagues should be informed.
- Any specific support required on return to work.
- How to handle any harassment or media interest.

Regular meetings will be held to discuss the progress of the action plan and any additional support required.

**Time off for medical and surgical procedures**

As far as possible, the line manager should discuss with the individual how much time off the individual will require to undergo gender reassignment treatment.

The school will provide a member of staff who is undergoing gender reassignment with a reasonable amount of leave for appointments related to the transition process.

If an individual is absent for a long period, absence monitoring in accordance with the school's absence management policy may apply.

**Informing colleagues, pupils and parents**

Individuals will be encouraged to inform colleagues, pupils and parents of their transition.

Before making the disclosure, the individual should discuss with their line manager how and when the disclosure will take place, and in what detail, so appropriate support can be provided.

Alternatively, a member of the senior leadership team can disclose on the individual's behalf. This will not be done without the individual's explicit consent and agreement on the way in which the disclosure will be made and the information to be provided.

Once the transition process is complete, it is never appropriate to inform colleagues, pupils, parents or any other third parties that the individual had in the past undergone gender reassignment. Any disclosure of this nature is unlawful.

### **Changing records**

The school will update records in a timely manner and to coincide with the date on which the workplace transition begins. Certain types of records, such as payroll and those relating to pensions, may require a legal name change and a copy of an amended birth certificate or gender recognition certificate before they can be amended. Paper records will be updated where possible. Those which cannot be updated will be stored in a secure place and clearly marked confidential.

Following disclosure by an individual of their gender reassignment, or proposed gender reassignment, all staff will be expected to address the individual by the name and pronoun corresponding to the individual's gender identity. The intentional or persistent refusal to respect an individual's gender identity can constitute harassment and may be dealt with accordingly under the school's disciplinary policy.

### **Dress code**

Individuals who have undergone gender reassignment, or are undergoing gender reassignment, have the right to dress in a way consistent with their gender identity. Any such clothing should be in accordance with the school's dress code policy.

### **Facilities**

The line manager and individual should agree the point at which the use of facilities, such as toilets and changing rooms, should change to correspond with the individual's new gender identity. It is advisable that the individual starts to use the revised facilities for their new gender at the point where they begin to live in that gender, irrespective of the progress of any surgical or medical procedures.

*Under no circumstances should an individual be expected, after transitioning, to use the facilities of their former gender.*

### **Bullying and harassment**

The school will not tolerate any bullying or harassment relating to an individual's gender reassignment or identity. Any such incidents or use of inappropriate behaviour or language will be dealt with accordingly under the school's Anti-bullying policy (students) or the Staff Disciplinary policy.