

# Equality Policy (2018)

## To be reviewed Summer Term 2020



### 1. Mission statement

At Robert Bloomfield Academy (RBA) we are committed to ensuring equality of education and opportunity for all pupils, staff, parents and carers receiving services from the school, irrespective of race, gender, disability, religion and belief, or socio-economic background. We aim to develop a culture of inclusion and diversity in which all those connected to the school feel proud of their identity and able to participate fully in school life.

The achievement of pupils will be monitored by race, gender and disability and we will use this data to support pupils, raise standards and ensure inclusive teaching. We will tackle discrimination by the positive promotion of equality, challenging bullying and stereotypes and creating an environment which champions respect for all. At Robert Bloomfield Academy we aim to make diversity a strength, which should be respected and celebrated by all those who learn, teach and visit here.

### 2. Mainstreaming equality into policy and practice

As well as the specific actions set out beneath this plan, the school operates equality of opportunity in its day to day practice in the following ways.

#### Teaching and learning

We aim to provide all our pupils with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, we will:

- Use contextual data to improve the ways in which we provide support to individuals and groups of pupils;
- Monitor achievement data by ethnicity, gender, pupil premium and disability and action any gaps;
- Take account of the achievement of all pupils when planning for future learning and setting challenging targets;
- Ensure equality of access for all pupils and prepare them for life in a diverse society;
- Use materials that reflect the diversity of the school, population and local community in terms of race, gender and disability, without stereotyping;
- Promote attitudes and values that will challenge racist and other discriminatory behaviour or prejudice;
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures;
- Seek to involve all parents in supporting their child's education;
- Encouraging classroom and staffroom discussion of equality issues which reflect on social stereotypes, expectations and the impact on learning;
- Including teaching and classroom-based approaches appropriate for the whole school population, which are inclusive and reflective of our pupils.

#### Admissions and exclusions

Our admissions arrangements are fair and transparent, and do not discriminate on race, gender, disability or socio-economic factors.

Exclusions will always be based on the school's Behaviour Policy. We will closely monitor exclusions to avoid any potential adverse impact and ensure any discrepancies are identified and dealt with.

### 3. Equal Opportunities for Staff

We are committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment.

All staff appointments and promotions are made on the basis of merit and ability and in compliance with the law. However we are concerned to ensure wherever possible that the staffing of the school reflects the diversity of our community.

### **Employer duties**

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

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

Actions to ensure this commitment is met include:

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

### **4. Equality and the law**

There are a number of statutory duties that must be met by every school in line with legislation from the Disability Equality Duty (2005), Equality Act (2006) and the Equality Act (2010).

#### **Public Sector Equality Duty**

Under the Equality Act 2010, it is unlawful to discriminate against a pupil or prospective pupil by treating them less favourably on the basis of a 'protected characteristic.'

The protected characteristics are:

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

A person's age is also a protected characteristic in relation to employment, and in regard to the provision for goods and services. It does not however apply to pupils, and so the school is free to arrange pupils in classes based on their age group with materials appropriate to them.

The Equality Act 2010 introduced a single Public Sector Equality Duty which applies to public bodies, school including both LA maintained and Academies. The school must have due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the act;
- Advance equality and opportunity between people who share a prohibited characteristic and people who do not share it;
- Foster good relationships across all characteristics, between people who share a protected characteristic and people who do not share it.

Having due regard in this context means that when significant decisions are being taken, thought must be given to the equality implications.

#### **4a. Race Equality**

The definition of race includes colour, nationality and ethnic or national origins.

#### **4b. Disability**

This section should be read in conjunction with the Academy's Special Educational Needs Policy and Accessibility Strategy.

The Equality Act 2010 defines a disabled person as someone who has 'a physical or mental impairment which has a substantial or long-term adverse effect on his or her ability to carry out normal day-to-day activities'.

People with HIV, multiple sclerosis and cancer (although not all cancers) are deemed disabled before they experience the long-term and substantial adverse effect on their activities.

Section 18 has been amended so that individuals with a mental illness no longer have to demonstrate that it is "clinically well-recognised", although the person must still demonstrate a long-term and substantial adverse impact on his/her ability to carry out normal day-to-day activities.

#### **4c. Transgender Identity**

A Transgender person feels that their external appearance (*sex*) does not match up with the way they feel internally about their gender identity. A Female to Male (*F2M*) person will have the external appearance or body of a female and identify their gender as male; a Male to Female (*M2F*) person will have the external appearance or body of a male and identify their gender as female.

The word Transgender is sometimes used interchangeably with the term *gender-variant* but usually has a narrower meaning and different connotations than gender variant, including non-identification with the gender assigned at birth. Children and pupils/students that experience or show gender variance may or may not be transsexual, as some will not retain their gender variance following puberty because gender variance can be fluid.

Gender Dysphoria (*or Gender Identity Disorder*) is a clinical condition that can present from as early as age 2 and can only be diagnosed by a medical and/or psychiatric expert. A person diagnosed with Gender Dysphoria may require treatment, e.g. hormone blockers (currently not available in the UK under the age of 16), to ameliorate the symptoms associated with being Transgender. A Transgender person may live their life without being or needing to be diagnosed as having Gender Dysphoria.

Diagnosis and treatment for young people is currently only possible through a specialist team. It must be understood that some people with Gender Dysphoria may not want any treatment. Some may choose to be known by a different name or to wear different clothes. However, most or all young Transgender people (and their families) will need some expert support as they grow up and develop.

#### **4d. Sex Discrimination (Gender Reassignment) Regulations 1999**

Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, school and vocational training (including higher education study).

Less favorable treatment relating to absences arising from gender reassignment is unlawful if:

- the treatment is less favorable than if it had been due to sickness or injury
- the treatment is less favorable than if it had been due to some other cause and, having regard to the circumstances of the case, it is reasonable not to be treated less favorably.

Less favorable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

#### **4e. Discrimination**

As stated, The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act, one of which is Gender Reassignment.

The legislation states that a school must not discriminate against a pupil/student because of their Transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a

particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible school uniform rule which offers no “unisex” options such as trousers for girls, and which would therefore create a particular difficulty for a F2M student.

### **Changing/Toilet Facilities**

There is provision within the Academy for unisex toilets. Transgender pupils/students will be able to use these facilities which have been labelled sensitively and appropriately. RBA has 3 separate unisex toilet blocks as well as separate individually sexed toilet blocks. In terms of changing for PE/Dance, as pupils at RBA are not Fraser-Gillick competent, any decision made regarding an alternative provision would be made in partnership with Parents/Carers.

### **Academy Uniform**

Transgender pupils/students will be expected to follow the Academy Uniform Policy, which covers uniform, make-up and jewelry. At RBA we have adopted a gender neutral uniform which has numerous unisex options. Pupils are allowed to partake in PE uniform in the uniform that applies to their identified gender. We will also provide separate changing facilities where required. As pupils at RBA are not Fraser-Gillick competent, any decision made regarding uniform would be made in partnership with Parents/Carers.

### **Legal duties**

The Equality Act 2010 places 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.

Under our specific duty we will:

- Prepare and publish an Equality Plan which covers the requirements for a Disability Equality Scheme identifying our disability equality goals and actions to meet them;
- Review and revise this Scheme every three years.

### **4f. Gender Equality**

The Gender Equality Duty 2006 places a general and specific duty on schools to eliminate unlawful discrimination and harassment on the grounds of gender and to promote equality of opportunity between female and male pupils and between women and men and transgender people.

Under our general duty we will actively seek to:

- Eliminate unlawful discrimination and harassment on grounds of sex and gender reassignment;
- Promote equality between men and women.

Under our specific duty we will:

- Prepare and publish an Equality Plan which covers the requirements for a Gender Equality Scheme identifying our gender equality goals and actions to meet them;
- Review and revise this Scheme every three years.

### **4g. Sexual Orientation**

The Equality Act 2006 made provision for regulations to be introduced to extend protection against discrimination on grounds of religion or belief to sexual orientation.

The Equality Act (Sexual Orientation) Regulations 2007 came into force on 30 April 2007, and they make discrimination unlawful in the area of goods, facilities and services on grounds of sexual orientation. For schools this means admissions, benefits and services for pupils and treatment of pupils.

#### **4h. Community cohesion**

The Education and Inspections Act 2006 inserted a new section 21(5) to the Education Act 2002, introducing a duty on the governing bodies of state schools to promote community cohesion. Community cohesion encompasses promoting good relations between pupils from different races, faiths / beliefs and socio-economic backgrounds. The duty came into force on 1 September 2007.

#### **5. Consultation and involvement**

It is a requirement that the development of this plan and the actions within it have been informed by the input of staff, pupils and parents and carers. We have achieved this by using the following to shape the plan:

- Feedback from parents' evenings, parent-school forum meetings
- Input from staff surveys or through staff meetings / INSET;
- Feedback from the school council, PSHE lessons, whole school surveys on children's attitudes to self and school (PASS);
- Issues raised in annual reviews or reviews of progress on Individual Education Plans/Personalised Provision Maps, Education health care plans, mentoring and support;
- Feedback at Governing body meetings.

#### **6. Roles and Responsibilities**

##### **The role of governors**

- The governing body has set out its commitment to equal opportunities in this plan and it will continue to do all it can to ensure that the school is fully inclusive to pupils, and responsive to their needs based on the protected characteristics.
- The governing body seeks to ensure that people are not discriminated against when applying for jobs at our school on grounds of the protected characteristics.
- The governors take all reasonable steps to ensure that the school environment gives access to people with disabilities, and also strive to make school communications as inclusive as possible for parents, carers and pupils.
- The governors welcome all applications to join the school, whatever a child's socio-economic background, race, gender or disability.
- The governing body ensures that no child is discriminated against whilst in our school on account of their race, sex or disability, gender, religion and belief or the fact that they are pregnant or are undergoing gender reassignment.

##### **The role of the Principal (or senior leader responsible for Equalities)**

- It is the Principal's role to implement the school's Equality Plan and s/he is supported by the governing body in doing so. It is the Principal's role to ensure that all staff are aware of the Equality Plan, and that teachers apply these guidelines fairly in all situations.
- The Principal ensures that all appointments panels give due regard to this plan, so that no-one is discriminated against when it comes to employment or training opportunities.
- The Principal promotes the principle of equal opportunity when developing the curriculum, and promotes respect for other people and equal opportunities to participate in all aspects of school life.
- The Principal treats all incidents of unfair treatment and any incidents of bullying or discrimination, including racist incidents, with due seriousness.

##### **The role of all staff: teaching and non-teaching**

- All staff will ensure that all pupils are treated fairly, equally and with respect, and will maintain awareness of the school's Equality Policy and objectives.
- All staff will strive to provide material that gives positive images based on race, gender and disability, and challenges stereotypical images.
- All staff will challenge any incidents of prejudice, racism or homophobia, and record any serious incidents, drawing them to the attention of the Principal.
- Teachers support the work of ancillary or support staff and encourage them to intervene in a positive way against any discriminatory incidents.

## 7. Tackling discrimination

Harassment or victimisation on account of race, gender, disability or sexual orientation, gender reassignment or pregnancy is unacceptable and is not tolerated within the school environment.

All staff are expected to deal with any discriminatory incidents that may occur. They are expected to know how to identify and challenge prejudice and stereotyping; and to support the full range of diverse needs according to a pupil's individual circumstances.

Staff and governors should be aware of both direct and indirect discrimination and understand the differences:

- **Direct discrimination** occurs when one person treats another less favourably because of a protected characteristic.
- **Indirect discrimination** occurs when a 'provision, criterion or practice' is applied generally but has the effect of putting people with a particular characteristic at a disadvantage.

Racist and homophobic incidents and other incidents of harassment or bullying are dealt with by the member of staff present, escalating to a class teacher / Principal where necessary. All incidents are reported to the Principal and racist incidents are reported to the governing body and local authority on a termly basis.

### What is a discriminatory incident?

**Harassment** is defined in the Equality Act 2010 as "unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person's dignity or an intimidating, hostile, degrading, humiliating or offensive environment for that person"

**Victimisation** occurs when a person is treated less favourably, than they otherwise would have been because of something they have done ("a prohibited act") in connection with the Act. E.g. making an allegation of discrimination.

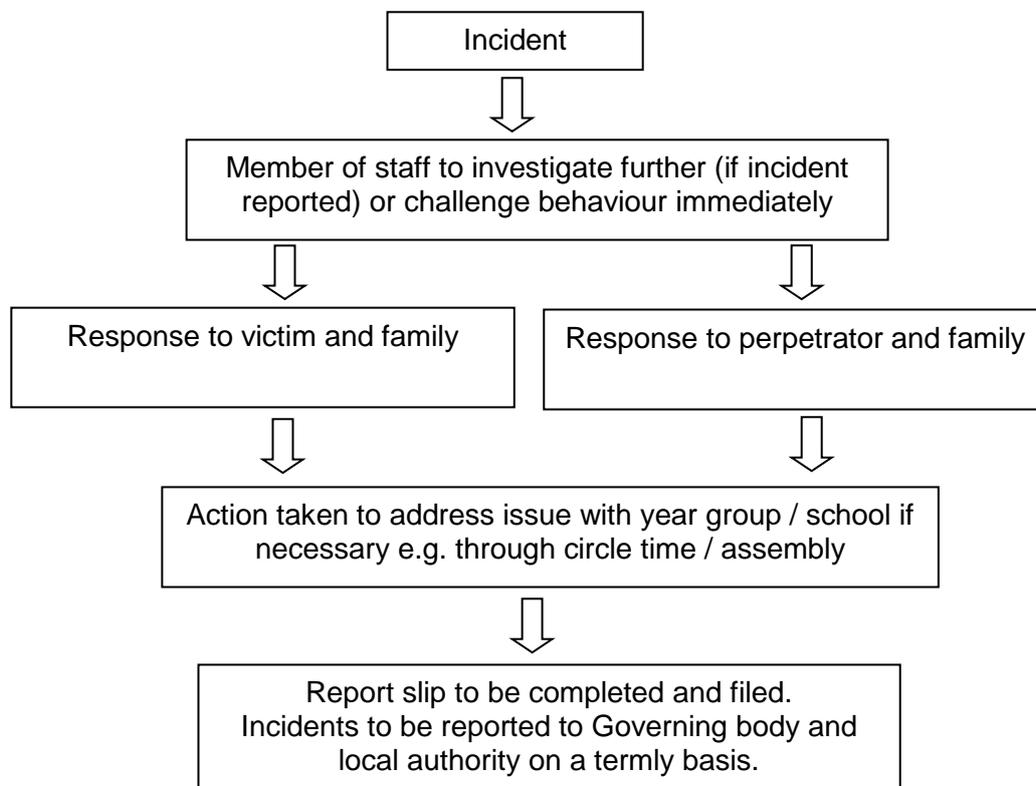
### Types of discriminatory incident

Types of discriminatory incidents that can occur are:

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

### Responding to and reporting incidents

It should be clear to pupils and staff how they report incidents. All staff, teaching and non-teaching, should view dealing with incidents as vital to the well-being of the whole school.



## 8. Review of progress and impact

The objectives have been agreed by our Governing Body. We have a rolling programme for reviewing our school policies and their impact. In line with legislative requirements, we will review progress against our Equality objectives annually and review the entire plan and accompanying action plan on a four year cycle.

We make regular assessments of pupils' learning and use this information to track pupil progress. As part of this process, we regularly monitor achievement by ethnicity, gender and disability, to ensure that all groups of pupils are making the best possible progress, and take appropriate action to address any gaps.

## 9. Links to Other Policies

RBA's Behaviour Policy

RBA's Uniform Policy

BEST has a separate Equality Policy for HR and recruitment.

## 10. Monitoring and Evaluation

The objectives have been agreed by RBA Governors and Principal. There is a rolling programme for review of policies and their impact.

RBA undertakes regular assessments of pupils' learning and uses this information to track pupil progress. As part of this process, achievement by ethnicity, gender and disability are regularly monitored to ensure that all groups of pupils are making the best possible progress, and take appropriate action to address any gaps.

## 11. Implementation and Review

In order to meet the statutory requirements to publish information to demonstrate how they are complying with the Public Sector Equality Duty, RBA will:

- 1.1. Publish information on its website
- 1.2. Raise awareness through the school newsletter, assemblies, staff meetings and other communications

### 1.3. Make sure hard copies are available

The information that demonstrates how the academy is complying will need to be published at least annually. Publication of information in future years should include evidence of the progress made. The information released does not simply have to be statistical data but can for example include minutes from Governing Body Meetings that demonstrates progress.

This policy will be made known to all staff, parents/carers and governors, and published on the RBA website. Copies are also available upon request from the Academy office.

#### **Author and Date**

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Date: 9<sup>th</sup> July 2018

## GLOSSARY OF TERMS

**Binding** – a F2M adolescent that is developing breasts may strap down their chest so that it is less obvious. This can be hot, uncomfortable and restrictive but very important to their psychological and emotional wellbeing. It might make certain PE lessons difficult for them to participate in and could sometimes lead to breathing difficulties, skeletal problems and fainting.

**F2M** – Female to Male, a person that was identified as Female at birth but came to feel that their true gender is actually Male.

**Gender** – the way that a person feels about themselves in relation to their physical and mental self; the basis of their identifying as male, or female, or neither, or either, or both.

**Gender Dysphoria** – the medical condition that describes the symptoms of being Transgender.

**Gender Identity Disorder** – GID is a medical term describing being Transgender, this tends not to be used owing to the subtext around the word “disorder”.

**Gender Recognition Certificate** – an official document presented by a Gender Recognition Panel that enables all official documents and records (including birth certificate) to be amended to the true gender of the individual thereby providing full legal recognition.

**Gender Role** – the social role/interaction with others, which gives expression to the inner gender identity and reinforces it.

**M2F** – Male to Female, a person that was identified as Male at birth but came to feel that their true gender is actually Female.

**Packing** – a F2M person may wear a prosthetic item in their pants that will give a “bulge” in their trousers so as to appear more male.

**Sex** – the way a person’s body appears, sometimes wrongly, to indicate their gender.

**Transgender** – a person that feels the assigned gender and sex at birth conflicts with their true gender.

**Transsexual** – a Transgender person who lives fulltime in their true gender.

**True Gender** – the gender that a person truly feels they are inside.