

Equality Pupil Policy



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Responsible person:	Deputy Head (Pastoral)
References:	The Equality Act 2010 The Equality Act 2010 and Schools, DfE, May 2014 Admissions Policy (15a) Accessibility Plan (17b) Curriculum Policy (2a 2b) Learning Development Department Handbook (3b) The SEND Code 2015 Equality and Diversity (Staff policy) (L22) Safeguarding and Protecting Children Policy and Procedures (7a8a) The Education (Independent School Standards) Regulations 2014 Boarding Schools: National Minimum Standards 2015
Appendix 1	Types of unlawful discrimination
Policy number:	17a

1. Introduction

St John's School is committed to promoting a positive and diverse culture in which all staff and young people are valued and supported to fulfil their potential. Proud to be '*a School where we can all be ourselves*' St John's actively encourages applications from prospective staff and pupils that have a protected characteristic. The School aims to be an environment in which all staff and pupils, whatever their identity and characteristics, feel equally welcome and valued.

We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations among all members of the school community, particularly with respect to protected characteristics. We oppose and will challenge all forms of unlawful and unfair discrimination, bullying and harassment and will make every effort to comply with the requirements of the Act and its subsequent provisions.

The Equality Act covers nine protected characteristics upon which discrimination is unlawful: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

2. Duty to make reasonable adjustments

The School has an Accessibility Plan in place, in accordance with the Equality Act 2010, in order to ensure, where possible, 'reasonable adjustments' are made for current and future disabled pupils. The Act defines disability as: 'A physical or mental impairment which has substantial and long-term adverse impact on a person's ability to carry out normal everyday activities'.

We will actively seek to make reasonable adjustments, where there is a need to ensure that a disabled person has the same access to everything as a non-disabled person, as far as is reasonable. We will take positive and proactive steps to remove, reduce or prevent the obstacles faced by a disabled individual, as far as is reasonable. For further information, visit the Equality and Human Rights Commission website at: www.equalityhumanrights.com

3. Roles and responsibilities

Governing Council

The Governing Council is responsible for ensuring that the School complies with legislation, and that this policy, its related procedures and any action plans are implemented. The Risk Management and Compliance Committee is responsible for overseeing the implementation of this policy.

The Governing Council monitors the School's effectiveness in maintaining the commitment to implement duties under the Equality Act, in terms of standards, curriculum, admissions, exclusions, personnel issues and the school environment.

The Deputy Head (Pastoral) and the Senior Leadership Team

The Deputy Head (Pastoral) is responsible for overseeing implementation of this policy; for ensuring that all staff are aware of their responsibilities, are given appropriate training and support and for taking appropriate action in any cases of unlawful discrimination. The Senior Leadership Team has a broad, day-to-day responsibility for co-coordinating implementation of this policy and for monitoring outcomes in their respective areas. They will have informed knowledge of the Equality Act.

All staff are responsible for:

- Ensuring they follow the equality policy and take up equality training and learning opportunities provided by the School;
- Behaving in a dignified manner towards others, and respecting individuals regardless of protected characteristics;
- A consistent challenge to unwanted behaviour, including inappropriate use of language;
- Consistent application of all school policies;
- Staff with responsibility for areas of the curriculum are responsible for completing Curriculum Equality Audits for each area, and making appropriate changes to teaching and learning methods to:
 - (i) improve accessibility,
 - (ii) advance equality of opportunity,
 - (iii) eliminate discrimination, harassment and victimisation.

All Teaching and Support Staff will:

- promote an inclusive and collaborative ethos in the classroom and throughout the School;
- challenge prejudice and discrimination and deal fairly and professionally with any prejudice-related incidents that may occur;
- plan and deliver lessons that reflect the School's ethos;
- provide materials that give positive images in terms of race, gender and disability and avoid all negative presentation of all protected characteristics;
- expect the highest standards from all pupils;
- support different groups of pupils in their class to make the best possible progress through differentiated planning and teaching;
- keep up-to-date with equality legislation relevant to their work.
- Treat colleagues, young people and visitors with dignity and respect; and avoid behaving in any manner that may give rise to claims of discrimination, harassment or victimisation;
- Support and participate in any measures introduced to promote equality and diversity;
- Actively challenge discrimination and disadvantage in accordance with their responsibilities;
- Report any issues associated with equality and diversity in accordance with this policy.

4. Aims and Objectives of this Equality Policy

The School recognises the benefit of having a diverse community in which individuals value one another and appreciate each other's different contributions.

Through this, and other School policies, we aim to:

- communicate the School's commitment to equality and the promotion of equal opportunities;
- foster self-esteem and respect for each person as an individual and create a positive and inclusive atmosphere where there is a shared commitment to respect diversity and difference, challenge and prevent discrimination and encourage good relations between people so that everyone can feel valued within the School;

- 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;
- prevent and tackle the use of discriminatory or derogatory language, harassment and bullying (e.g. name-calling, derogatory jokes, graffiti, homophobic or transgender abuse, intrusive questions) and challenge extremist ideas as part of the School's duty to protect individuals from being radicalised or drawn into terrorism;
- take reasonable steps to avoid putting disabled individuals at a disadvantage;
- ensure that there is no unlawful discrimination against any person on any of the grounds listed at paragraph 1 above;
- ensure that genuine equality of opportunity is inherent in the education the School offers. 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; and
- provide information to staff so they are confident they are complying with the Equality Act 2010 and other relevant legislation such as the Human Rights Act 1998 and the Gender Recognition Act 2004.

5. Pupil Equality Group

The School has a pupil and staff led equality and diversity group which meets on a weekly basis. This group aims to present and promote the equality and diversity agenda at St John's through assemblies and designated themed days and weeks as well as providing a network of support and encouragement for both pupils and staff.

6. Areas of specific consideration

6.1 Beliefs

Although the School's religious ethos is based on Christian values and tradition, the School is inclusive and welcomes and respects the rights and freedoms of individuals from other religions and faiths (or those with no religion or faith) subject to considerations of safety and welfare and the rights and freedoms of other members of the School community.

The Governing Council, through the Senior Leadership Team, actively promotes the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

6.2 Requests for variation in the School uniform

All pupils are required to abide by the School's Dress Code and Uniform Rules. The Head will consider requests from parents and / or pupils for variations in the uniform for reasons related to protected characteristics provided that:

- the request is consistent with the School's policy on health and safety;
- the request is reasonable in all the circumstances including in light of the School's obligations under the Equality Act 2010; and
- the Head considers the proposed variations to be in the spirit of the School's policy.

6.4 School facilities

In addition to the provisions set out in the School's Accessibility Plan, where reasonably practicable and taking into consideration the safety and comfort of all pupils, a pupil undergoing gender reassignment will be given access to appropriate facilities around School site (such as changing rooms, toilets, bathrooms etc.) for example, through the provision of gender neutral facilities.

6.5 Boarding

In accordance with the National Minimum Standards for Boarding, boarders are not discriminated against, paying particular regard to any protected characteristics or because of their cultural background, linguistic background, special educational need, or academic or sporting ability. These factors are taken into account in the care of boarders, so that care is sensitive to different needs.

6.6 Educational visits

Where reasonably practicable and taking into consideration the safety and comfort of all pupils the School will have regard to specific requests from pupils who require adjustments to enable them to take part in educational visits. Such adjustments will be discussed with the pupil (and if appropriate their parents) beforehand and considered on a case by case basis.

6.7 Pupils and prospective pupils undergoing gender reassignment

The School will endeavour to support pupils wishing to express themselves as transgender, who may be questioning their birth identity or undergoing gender reassignment so that they are not subject to detriment.

As with any child or young person with a protected characteristic, a whole school approach is needed to support and keep safe trans and gender questioning children, young people and staff. The School will provide further guidance to staff on how to manage transitioning for trans children in as sensitive way as possible, as required.

6.8 Change of name

Pupils who are undergoing a process of gender reassignment cannot legally apply to change their gender until they have reached the age of 18 and will remain registered at the School in their legal name rather than their preferred name. However, a pupil's wish to be known by a different name, in line with their chosen gender identity, will be respected and all staff and pupils should be informed of the chosen name and pronoun.

For public examinations and public exam certificates, pupils will be required to use their legal name (i.e. that which is on their birth certificate or passport) rather than their preferred name. This is because the Unique Pupil Number sent to exam boards is linked to and verified by legal names only.

6.9 Sport and physical education

The School will consider on a case by case basis, requests for adjustments made by pupils on grounds of a protected characteristic, in respect of their involvement in the sports and physical education curriculum.

Where pupils take part in single-sex sports (as permitted under the Equality Act) the School will allow all pupils equal opportunities to participate in comparable sporting activities.

7. Admissions policy

The School encourages applications from all admissions candidates because diversity enriches our community and broadens the experience of all pupils. Selection criteria and processes are fair, non-discriminatory and applied consistently to every young person, irrespective of any protected characteristic.

8. Curriculum delivery

The curriculum is crucial to tackling inequalities for pupils including gender stereotyping, preventing bullying and raising attainment for certain groups. The principles of equality and diversity are embedded in our academic and wellbeing curriculum. Positive and proactive steps will be taken to prevent discrimination against, or victimisation of, any young person in the provision of education or access to any benefit, facility or service including educational trips, work experience and leisure activities.

The School's PSHE and Wellbeing Curriculum Policy encourages respect for all people and pays particular regard to the protected characteristics.

9. Sanctions and exclusions

The decision to apply sanctions or to exclude a pupil for a fixed period or permanently is a last resort. Our exclusion criteria are defined under the Behaviour, Rewards and Sanctions policy and the Permanent Exclusion Policy and Procedure, and are applied consistently to every young person, irrespective of any protected characteristic.

10. Reporting and recording incidents of discrimination and harassment

All incidents of discriminatory treatment, bullying and harassment involving pupils must be reported to the Deputy Head (Pastoral) or DSL and recorded as soon as is reasonably possible. All bullying-related incidents (confirmed or otherwise), will be addressed in accordance with our Anti-Bullying Policy. Pupils may speak to House staff, tutors or any trusted adult.

11. Confidentiality and information sharing

The School acknowledges that pupils may want to keep information about their protected characteristic confidential. The School will keep secure and confidential information about the pupil's protected characteristic in accordance with the School's [*Data Protection Policy and Compliance Procedures for Staff*](#) subject to any prevailing legal obligation to disclose a pupil's personal data e.g. where a court order requires disclosure or where the School is obliged to disclose confidential information in accordance with its safeguarding duties.

In certain circumstances, the School will, with the consent of the pupil, wish to share information with staff, students, and/or parents or guardians in the best interest of that pupil.

12. Breach of this Policy

The School aims to resolve any issues arising from the matters covered in this policy without recourse to its Complaints Procedure but if you are unhappy with the way that the School has dealt with an issue arising under this policy, a copy of the Complaints Procedure for pupils is in the Pupil Handbook, and the procedure for parents is available on the School's website. Pupils who are in breach of this policy will be dealt with under the *Behaviour, Rewards and Sanctions policy* and/or the *Anti-Bullying Policy and Procedure*.

13. Implementation, monitoring, evaluation and review

The designated senior member of staff with overall responsibility for the implementation, monitoring, evaluation and review of this Equality Policy is the Deputy Head (Pastoral).

The Deputy Head (Pastoral) is also responsible for ensuring that all pupils, staff and parents are aware of our policy. Additional support will also be provided to any parent or significant person wishing to know more about this policy.

A copy of this policy document is available for inspection on the premises during office hours and a copy is published on our website.

Appendix 1 - Types of unlawful discrimination

- **Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic.
- **Discrimination by association** is direct discrimination against someone because they associate with another person who possesses a protected characteristic.
- **Perception discrimination** is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.
- **Indirect Discrimination** occurs when a condition, provision, policy or practice applies to everyone but particularly disadvantages people who share a protected characteristic and it cannot be shown to be a proportionate means of achieving a legitimate aim.
- **Discrimination arising from disability** occurs when you treat a disabled person unfavourably because of something connected with their disability and cannot justify such treatment. Discrimination arising from disability is different from direct and indirect discrimination.
- **Harassment** occurs when a person is subject to “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.
- **Third-party harassment**¹ occurs where a pupil is harassed by an individual or individuals who are not under the direct control of St John's School (i.e. a pupil from another school) and the harassment relates to a protected characteristic.
- **Victimisation** occurs when an individual is subject to a detriment because they have made an allegation of, or given evidence about, the treatment of any individual (including themselves) who has been subject to any of the above. Any individual making allegations of a false, malicious or vexatious nature would not be protected against victimisation and will be subject to disciplinary action.