

# Equal Opportunities Pupil Policy



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## **1. Statement of intent:**

Releasing Potential is committed to promoting equality of opportunity for all students and values the rich diversity and creative potential that pupils with different backgrounds, skills and abilities bring to the School. The School is opposed to any form of discrimination, harassment or bullying on the grounds of any protected characteristic and aims to create an environment where all current and prospective pupils are treated with dignity and respect and fairly with regard to their 'protected characteristics'. This Equal Opportunities (Pupils) Policy sets out how the School intends to meet these aims and comply with its equality duties, and is written under the requirements of the Equality Act (2010) ('the Act') <https://www.legislation.gov.uk/ukpga/2010/15/contents>

## **2. Legal framework:**

This Policy is underpinned by legislation, which places individual responsibilities on staff/service users/visitors as well as Releasing Potential, this includes:

- UN Convention on the Rights of the Child 1989
- Human Rights Act 1998
- The Civil Partnership Act 2004
- The Gender Recognition Act 2004
- Equality Act 2010
- DfE 'The Equality Act and schools' 2014
- DfE 'Promoting the education of looked after children' 2014

*The above list is not exhaustive and will be reviewed regularly.*

*Under the above Equality legislation, it is unlawful to:*

- Discriminate directly against anyone and treat him/her less favourably than others because of a protected characteristic they have or are thought to have (perception discrimination), or because they associate with someone who has a protected characteristic (discrimination by association).;
- Discriminate indirectly against anyone by applying a criterion, provision or practice which particularly disadvantages people who share a protected characteristic;

- Subject someone to harassment related to a relevant protected characteristic
- Victimise someone because s/he has made, or intends to make, a complaint or allegation or has given or intends to give evidence in relation to a complaint of discrimination;
- Discriminate against someone in certain circumstances because of a protected characteristic after the working relationship has ended.

### **3. Roles and responsibilities:**

- The head of school will implement this policy, ensuring that all staff and students apply its guidelines fairly in all situations
- The head of school will ensure regular training to ensure all members of staff are aware of their responsibilities as well as to develop their skills and knowledge
- It is the responsibility of all staff to be alert to the possible harassment of students, both inside and outside of the school, and to deal with incidents of harassment/discrimination as the highest priority
- The school will have measures in place to ensure that appropriate counselling is made available for students who require immediate interventions
- The head of school and trustees will review and amend this policy, taking into account new legislation and government guidance, and previously reported incidents, in order to improve procedures
- Staff will have due regard to the sensitivities of all students and not provide material which may cause offence

### **4. Data Protection**

- The school will adopt secure controls on sensitive personal data, ensuring all data is accurate, secure and processed fairly and lawfully
- The school will gain consent from the student and parents/carers before any sensitive personal data is processed
- The school will respect all students' rights to privacy and will not disclose a student's trans status<sup>1</sup> or sexual orientation to any other students, staff members or third parties
- The school holds a Data Protection policy containing further information addressing data protection

### **5. Protected Characteristics**

We will not discriminate against, harass, or victimise a student or prospective student because of their:

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

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<sup>1</sup> Trans is an umbrella term that refers to all of the identities within the gender identity spectrum

- Age
- Marriage and civil partnership

We will not discriminate against a student or prospective student, because of a characteristic related to a person, such as a parent/carer, with whom the student or prospective student is associated.

We will not discriminate against a student, or prospective student, because of a characteristic which they are believed to have, even if the belief is mistaken.

We will ensure that students of one sex are not singled out for different or less favourable treatment from that given to students of other sexes, regularly reviewing school practices to ensure they are fair.

There may be occasions where we deem it necessary to teach some subjects in single-sex classes, such as relationship and sex education (RSE) but we will ensure that such classes do not give children an unfair disadvantage when compared to children of the other sex in other classes.

Where a subject is taught in a single-sex class, students undergoing gender reassignment will be allowed to correspond with the gender role in which they identify.

Both sexes will have equal opportunities to participate in comparable sporting activities.

### **5.1 Race and ethnicity**

- We will ensure that students of all races and ethnicities (including those who have English as an additional language) are not singled out for different and less favourable treatment from that given to other students, regularly reviewing school practices to ensure that they are fair
- We will not segregate students based on their race or ethnicity, understanding that claims of 'separate but equal' cannot be sustained, and that such actions will always be viewed as direct discrimination
- We may, however, take positive action to address the particular challenges affecting students of one racial or ethnic group where this can be shown to be a proportionate way of dealing with such issues

### **5.2 Disability**

- We will ensure that students with disabilities are not singled out or treated less favourably than other students simply because they have a disability, regularly reviewing our school practices to ensure they are fair
- We will ensure that we do not discriminate against students with a disability by implementing a rule for all students that could have an adverse effect on students with disabilities only (for example making physical fitness a basis for admission) unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim
- We will ensure that we do not discriminate against students with disabilities because of something which is a consequence of their disability (for example by not allowing a student on crutches outside at break time because it would take too long for them to get in and out) unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim
- We will make any reasonable adjustments and provide any auxiliary aid necessary to ensure the full inclusion of students with disabilities. All our students have EHCPs because of their special educational needs
- We will meet our duty to undertake accessibility planning for students with disabilities and ensure that any accessibility plan is duly implemented and reviewed where necessary

- We are an independent special school and our provision is tailored to meet the needs of children with SEN because of their social, emotional and mental health difficulties

### **5.3 Religion and belief**

- We will ensure that students are not singled out or treated less favourably because of their religion or belief, regularly reviewing school practice to ensure they are fair
- We will ensure that students are provided with the appropriate space in which they can practice their faith, e.g. to perform daily prayers

### **5.4 Sexual orientation**

- We will ensure that all gay, lesbian, bi-sexual and transgender students, or the children of lesbian, gay, transgender or bi-sexual parents/carers are not singled out for different or less favourable from that given to other students, regularly reviewing school practices to ensure they are fair

### **5.5 Gender reassignment**

- We will ensure that students are not singled out or treated less favourably because they have undergone, or plan to undergo, gender reassignment, or have trans parents/carers, regularly checking our school practices to ensure they are fair
- We will make reasonable adjustments to accommodate absence requests for treatment and support of trans students by external sources. Any such absences will be recorded accurately and sensitively to ensure the privacy of the student
- Students have the right to dress in accordance with their true gender identity
- Students who face discomfort using a shared changing space will be provided with a safe and non-stigmatising alternative such as a separate changing schedule

### **5.6 Children looked after**

- We will ensure that students are not singled out or treated less favourably because they are looked after, or have previously been looked after by the state
- A Personal Education Plan (PEP) will be created and implemented for all CLAs and PCLAs to ensure that their education and development needs are fully covered, including appropriate transition and catch-up support to ensure they do not fall behind
- We will ensure that any SEND that a CLA or PCLA has are duly taken into account and addressed

### **5.7 The curriculum**

- We believe that students should be exposed to thoughts and ideas of many kinds, however challenging or controversial, and will not make any unjustified changes to our curriculum content on the grounds of any protected characteristics a student may have
- We will ensure, however, that the curriculum is as balanced as possible, and delivered in such a way as to prevent discrimination and the promotion of prejudicial stereotypes
- The observation of inclusive teaching and learning strategies is a key aspect of the school's provision which is monitored and reviewed on an ongoing basis
- We will respect the right of parents/carers to withdraw their child from RSE in accordance with DfE regulations

## **5.9 Promoting inclusion**

- We will promote inclusion and equality in the school by:
- Ensuring students are called by their preferred names, considering the correct spelling and pronunciation
- Ensuring, as far as possible, that our trustees and staff reflect the full diversity of our local community
- Providing an environment where prejudiced assumptions, attitudes and behaviours are continually challenged
- Instilling in students an awareness of prejudice, giving them confidence that it can and must be eradicated
- Providing a variety of educational visits which expose students to a wide range of cultural experiences
- Taking care in the use of language and the choice of resources, so that teaching and non-teaching staff avoid reinforcing stereotypical views of society
- Valuing the cultural experiences and contributions of all students, regardless of any protected characteristic they may have
- Communicating our policy to parents/cares to gain their understanding, agreement and support for its provisions

## **5.10 Supporting with medical conditions**

We will ensure that any medical conditions related to a student with a protected characteristic is fully supported

## **5.11 Students who have left school**

Our duty not to discriminate or victimise does not end when a student has left the school, but will continue to apply regarding subsequent actions related to our previous relationship with the student, such as the provision of references

## **5.12 Staff training**

- New staff will receive relevant training on the provisions of this policy during their induction
- Staff will receive the appropriate equalities refresher training as required which will:
- Ensure all staff are aware of and comply with current equalities legislation and government recommendations
- Ensure all staff are aware of their responsibilities and how they can support students with protected characteristics
- Provide support for staff to effectively manage any discrimination towards students with protected characteristics
- Provide up-to-date information on the terms, concepts and current understandings relating to each of the protected characteristics
- Develop appropriate strategies for communication between parents/carers, educators and students about any issues related to a protected characteristic
- Ensure the school is aware of, and participates in, relevant awareness days