

# North Halifax Grammar School

## Equal Opportunities Policy



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| <b>Approved by</b>   | <b>Principal</b>         |
| <b>Date approved</b> | <b>February 2022</b>     |
| <b>Next review</b>   | <b>Spring Term 2024</b>  |
| <b>Policy Owner</b>  | <b>Personnel Officer</b> |

## 1. Introduction/Equalities Statement

North Halifax Grammar School Academy Trust (“**the Trust**”) is committed to promoting understanding of the principles and practices of equality and justice.

We aim to equip students with an awareness of our diverse society and to celebrate the value of difference.

Every member of the Trust is regarded as being of equal worth and importance, irrespective of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation (“**Protected Characteristics**”).

Every aspect of the Trust’s activity has an equal opportunities dimension. This may be expressed explicitly in teaching materials and display, implicitly in classroom practice, or as part of the social interaction amongst and between staff and students.

North Halifax Grammar School’s (“**the School**”) learning environment influences the developing attitudes of the students within it, and can be a powerful vehicle for the promotion of understanding and practice of equal opportunities.

We will continually monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. We will take reasonable steps to improve access to all.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

### Links with other policies or legislation

This statement applies to every policy, procedure and guidance document that is produced in relation to students, staff, parents/guardians/carers and governors.

This statement is underpinned by the Equality Act 2010.

Policies/documents which link to this statement include, but are not limited to::

- SEND policy;
- Admissions policy;
- Anti-bullying policy;
- Recruitment and Selection policy;
- Access plan;
- Behaviour policy; and
- Employee related policies and procedures, such as the Flexible Working, Maternity & Parental Leave, and Uniform policies.

As an employer, we are committed to promoting equal opportunities to those employed by the Trust.

This policy sets out our approach to equal opportunities and the avoidance of discrimination in our support of students and our employment of staff. It applies to **all** students (including prospective and former students), staff and governors and any other members of the wider community that we may deal with, including conduct towards others in school and, for staff, to all aspects of their employment with the Trust.

Prospective students are included as the Trust owes duties to them in respect of admissions arrangements. Former students are included in respect of conduct closely associated with their former relationship with the Trust / School. Further information can be found at:

[https://www.equalityhumanrights.com/sites/default/files/what\\_equality\\_law\\_means\\_for\\_you\\_as\\_an\\_education\\_provider\\_schools.pdf](https://www.equalityhumanrights.com/sites/default/files/what_equality_law_means_for_you_as_an_education_provider_schools.pdf)

## **2. Roles and Responsibilities**

### Principal

The Principal will monitor, evaluate and review this policy in line with statutory and best practice guidelines.

The Governance Board will nominate a SEND Governor, who will have responsibility for monitoring the quality of the Trust's SEND provision.

The role of the Principal is to ensure that this policy is applied fairly and consistently across the Trust.

### Vice Principals

The Vice Principals will be responsible for:

- Progress and enrichment, ensuring that relevant data is analysed to ensure that no groups are disadvantaged in school;
- Curriculum - ensuring that the Trust offers an inclusive curriculum, which promotes equal opportunities and good relations across all groups of students;
- Pastoral - ensuring that the Trust has an appropriate SEND policy and pastoral procedures in place to ensure that all students benefit from equal opportunities, and good relations are promoted across all groups of students; and
- Learning Quality - ensuring that the Trust develops teaching and learning strategies that ensure all staff are able to deliver inclusive learning.

This role will be in addition to that of the Special Educational Needs Co-Ordinator in place at each school across the Trust (see below).

### Personnel Officer

The Personnel Officer is responsible for all employment related policies, ensuring the principles of this policy are reflected in all of the Trust's employment related practices. If a grievance is raised by a member of staff, provided it is appropriate, their line manager will deal with the issue in the first instance, with support and guidance from the Personnel Officer.

### Finance Director

The Trust's Finance Director will monitor contractor and service provider compliance and deal, in the first instance, with complaints in relation to them.

### SEND Co-Ordinator

The SEND Co-Ordinator is responsible for the day-to-day management and co-ordination of education to students with special, or disability related needs.

It is recognised that all staff are responsible for ensuring that all students, members of the school community and staff are treated with respect and given equal access to all parts of school life. This could involve, for example, ensuring that the curriculum is differentiated suitably; that the individual needs of students are identified and respected and that planning of extra-curricular activities are underpinned by the principles of equality.

## **3. The Law and Discrimination**

The Equality Act became law in 2010 and applies to everyone in Britain and protects individuals from acts of discrimination, harassment and victimisation in their employment, as well as in other fields such as the provision of goods and services. Most relevant to the Trust, it applies to the provision of education and opportunities to students, prospective students and former students as above.

It is against the law to discriminate against someone because of their:

- Gender reassignment;
- Race;

- Disability;
- Age;
- Religion or belief;
- Marriage and Civil Partnership;
- Sex;
- Sexual Orientation; and/or
- Pregnancy and Maternity.

The above are known as protected characteristics.

### **What is discrimination?**

Discrimination is treating another individual unfavourably, or less favourably than you would treat others, because they possess one or more of the protected characteristics listed above.

Discrimination can arise in different forms:

#### **Direct discrimination**

Direct discrimination occurs where an individual is treated less favourably than another person because of a protected characteristic, they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic (see discrimination by association below).

**Example:** *A woman with young children fails to obtain a job because it is feared that she might be an unreliable member of staff.*

#### **Discrimination by association**

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

**Example:** *A manager treats an employee (who is heterosexual) less favourably because she has been seen out with a person who is gay.*

#### **Perception discrimination**

This is direct discrimination against an individual because others think they possess a particular protected characteristic.

**Example:** *An employer rejects a job application from a white woman whom he wrongly thinks is black because the applicant has an African-sounding name. This would constitute direct race discrimination based on the employer's mistaken perception.*

#### **Discrimination arising from disability**

Discrimination arising from disability occurs where an individual is treated unfavourably because of something connected with their disability; and the person treating them unfavourably cannot justify such treatment.

**Example:** *Not allowing a student who has diabetes to go on a school trip because of fears about managing their diabetes.*

It is important to note here that discrimination arising from disability does not occur where the Trust does not know or could not reasonably have been expected to know that the disabled student / staff member had the disability.

#### **Failure to provide reasonable adjustments for students with a disability**

Section 20 of the Equality Act 2010 sets out the duty to make reasonable adjustments to prevent disabled students (applicants for places and some limited cases disabled former students) from being placed at a substantial disadvantage in comparison with non-disabled students. A substantial disadvantage could be caused by:

1. a Provision, Criterion or Practice;
2. a physical feature; or
3. the absence of an auxiliary aid or service.

**Example:** Allowing a student with a mobility difficulty to leave the classroom early to avoid the rush in the corridor.

It should be noted that failing to make reasonable adjustments cannot be justified. Where the duty to make adjustments arises, the consideration is whether those adjustments are 'reasonable'.

The duty is an anticipatory and continuing one that the Trust owes to disabled students generally, regardless of whether it is known that a particular student is disabled or whether the Trust currently has any disabled students. You should not wait until an individual disabled student approaches you before you consider how to meet the duty. Instead, you should plan ahead for the reasonable adjustments you may need to make, regardless of whether you currently have any disabled students.

### **Indirect Discrimination**

Indirect discrimination occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage. Such requirements would need to be shown to be objectively justified.

Indirect discrimination will occur if the following four conditions are met:

1. The Trust / School applies (or would apply) the provision, criterion or practice equally to all relevant students, including a particular student with a protected characteristic, and
2. The provision, criterion or practice puts or would put students sharing a protected characteristic at a particular disadvantage compared to relevant students who do not share that characteristic, and
3. The provision, criteria, practice or rule puts or would put the particular student at that disadvantage, and
4. The Trust / School cannot show that the provision, criteria or practice is justified as a 'proportionate means of achieving a legitimate aim'.

To be legitimate, the aim of the provision, criterion or practice must be legal and non-discriminatory and represent a real objective consideration. In the context of school education, examples of legitimate aims might include:

- Maintaining academic and other standards
- Ensuring the health and safety and welfare of students

Even if the aim is legitimate, the means of achieving it must be proportionate. Proportionate means 'appropriate and necessary', but 'necessary' does not mean that the provision, criterion or practice is the only possible way of achieving the legitimate aim.

**Example:** *An employer has a requirement for all employees to work full-time hours, which has the potential to place women at a particular disadvantage because they generally have greater childcare commitments.*

### **Harassment**

Harassment is 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.

In determining whether conduct has the necessary 'effect', each of the following must be taken into account: the victim's perception; the other circumstances of the case; and whether it is reasonable for the conduct to have that effect.

Employees can complain of behaviour that they find offensive even if it is not directed at them.

## **Victimisation**

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance in relation to discrimination or harassment.

## **Disability Discrimination**

The Trust encourages any employee or student who is disabled or becomes disabled to inform their line manager (if applicable) or a member of the HR team of their condition to allow the Trust to offer any appropriate support.

Any employee who is experiencing difficulties at work due to disability should discuss with their line manager any reasonable adjustments that would help minimise the difficulty. In order to assess and accommodate any possible adjustments it may be necessary to consult with the individual's medical adviser or the Trust's occupational health providers.

## **Gender Reassignment**

The Equality Act 2010 makes it unlawful to discriminate against a person because they are transsexual. Transsexuals are individuals whose gender identity is different from the gender assigned to them when they were born.

## **Race Discrimination**

The Equality Act 2010 defines racial discrimination as discrimination on the grounds of colour, race, nationality or ethnic or national origins and makes it unlawful to discriminate against a person on any of these grounds.

## **Age Discrimination**

The Equality Act 2010 prohibits discrimination on the basis of a person's age. In some cases, provided it can be objectively justified by an organisation, there may be a legitimate reason for age discrimination, for example, the requirement for a certain level of experience to carry out a particular role (which has the potential to place younger candidates at a disadvantage). Where this is the case, such discrimination is likely to be justified in accordance with the law.

## **Religion or belief Discrimination**

The Equality Act 2010 prohibits discrimination on the basis of religion or belief. The religion and beliefs of all members of the Trust community will be respected. There may be occasions where students are required to study other religions or beliefs contrary to their own, in accordance with the requirements of the National Curriculum. The Trust will respect an individual's religion and belief, to the extent that it is compatible with the Trust's other legal requirements.

## **Marriage and Civil Partnership Discrimination**

The Equality Act prohibits discrimination on the basis that an individual is married or in a civil partnership. Under the Equality Act 2010, marriage and civil partnership are given their ordinary meaning, and the terms refer to those who are legally married or in a civil partnership. An individual will not have this particular characteristic if they are:

- Single;
- Living with their partner (but neither married nor civil partners);
- Engaged to be married but not married; or
- Divorced or a person whose civil partnership has been dissolved.

## **Sex Discrimination**

The Equality Act 2010 provides that an individual must not be discriminated against because they are (or are not) a particular sex, they are considered to be the opposite sex (known as discrimination by perception) or are connected to someone of a particular sex (known as discrimination by association).

## **Sexual Orientation Discrimination**

The Equality Act 2010 provides that an individual must not be discriminated against because of their sexual orientation, e.g. being heterosexual, gay, lesbian or bisexual. An individual can also be discriminated against where another thinks that the individual has a particular sexual orientation (even if that is not the case) or is connected to someone who has a particular sexual orientation

## **Pregnancy and Maternity Discrimination**

Pregnancy and maternity discrimination arise when an individual is treated unfairly because they are pregnant, breastfeeding or because they have recently given birth.

## **4. Trust Aims**

In implementing and monitoring this policy, the Trust's aims are:

- To ensure that students and staff recognise that discrimination on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation is not acceptable.
- To provide an environment in which all students and staff feel safe enough to express and question views.
- To ensure the principles and practice of equal opportunities apply to all members of the school community, including students; staff; parents/guardians/carers, governors and visitors.
- To ensure that equal opportunities practices are evident in all aspects of school life – in lessons, extra-curricular activities and in the School's ethos.
- To educate, develop and prepare all students in the school for life beyond school whatever their age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation colour, origin, culture or ability.
- To ensure that students and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals.
- That students are seen as individuals and each student's education and care is to be tailored in accordance with their needs and abilities. This eclectic approach is to be based upon sound knowledge and awareness of an appropriate range of teaching and learning styles, teaching interventions, behavioural methods, medical and diagnostic issues.

## **5. Practice**

### **Student matters**

#### **Admissions**

The admissions arrangements for the School are designed to be lawful and fair. The arrangements will not discriminate against applicants with any of the protected characteristics, as set out above.

#### **Registration**

Students and staff names will be accurately recorded and correctly pronounced. Students will be encouraged to accept and respect names from other cultures.

#### **Discrimination**

All forms of discrimination by any person within the Trust's responsibility will be treated seriously as such behaviour is unacceptable. Racist and sexist symbols, badges and insignia on clothing and equipment are forbidden in school. Staff should be aware of possible cultural assumptions and bias within their own attitudes.

Parents/Guardians/Carers should be aware of the Trust's commitment to equal opportunities. All cases of discrimination or prejudice should be taken seriously and dealt with promptly and appropriately, in

accordance with existing sanction procedures. Serious cases of deliberate discrimination by staff may amount to gross misconduct resulting in dismissal.

If you believe you have suffered discrimination, employees can raise the matter through the Trust's grievance procedure. Students or their parents can raise their complaints via the Trust's [complaints procedure]. Complaints will be treated in confidence and investigated as appropriate.

## **Language**

The Trust views linguistic diversity positively. The Trust values the natural language of students and staff alike, although the first language to be used within the School is English.

## **Culture, Class and Race**

The Trust acknowledges that members of its community will come from a diverse range of cultural, racial and socio-economic backgrounds, and the Trust endeavours to foster an inclusive environment of mutual respect, promoting a school and a society in which there is social, religious and racial harmony. The Trust recognises the existence of inequalities of opportunity which exist within society for certain individuals and groups, and is determined to take positive action to enable every individual to raise their self-esteem, expectations and performance so as to benefit from more opportunities in life.

We understand the need to be different without being excluded. We are happy for students to wear special forms of dress where these are an essential part of their religious or cultural background, for example- Sikhs' turbans, Muslim hijabs or headscarves etc.

We value the history, experience and contribution of our multi-cultural community and seek to express this in the curriculum and life of our school. We try to counter negative, patronising and stereotyped views: a prime cause of prejudice is ignorance and misunderstanding. We will not tolerate racist behaviour in any form.

## **Gender**

As a school we continually examine our curriculum, procedures and materials for gender bias or inequality. We encourage students to be aware of the rigid sex stereotypes presented by, for example, the media. We are committed to providing a curriculum which avoids unnecessary historical gender divisions. All students have equal access to the curriculum. We try to ensure that:

- a) teachers allocate their time fairly between genders;
- b) all students have opportunities for working with students of all genders; and
- c) we break down traditional sex stereotypes,

## **Religion**

We acknowledge that members of the school come from diverse backgrounds: some have no religious faith; others are committed to a greater or lesser extent to a variety of religions. We seek to promote an ethos of tolerance based on understanding of and respect for the beliefs and practices of others.

With regard to the teaching of Religious Studies, we consider that the role of the teacher is that of an educator and not that of evangelist. We do not seek to make students religious, but to teach them about different religions.

## **Disability**

The Vice Principal with responsibility for learning quality will be responsible for ensuring that the Trust develops teaching and learning strategies that allow all staff are able to deliver inclusive learning. The needs of individual students will be catered for and consideration will always be given to remove or minimise any disadvantage that may be experienced by disabled students through reasonable adjustments.

## **Resources**

The Trust's aim is to provide for all students according to their needs, irrespective of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Resources are to reflect cultural and racial backgrounds of students to support positive self-imagery. We try to ensure that our resources include non-sexist books which value the achievements of all genders. Displays will similarly reflect a range of cultures



and races. The achievements of those with disabilities will also be acknowledged and celebrated through our resources.

## **Relationships**

Any member of the Trust acting in a manner contrary to the spirit of this policy should be made aware of the unacceptable nature of their behaviour. This should be done in a supportive manner to encourage change and reinforce the principles of this policy. In extreme circumstances, formal procedures may be taken in line with the Trust's policies.

## **Staff**

All staff must set an appropriate standard of behaviour and lead by example, ensuring that those they manage do the same; promoting at all time the aims and objectives with regard to the principles of this policy and equal opportunities.

Recruitment, selection and promotion will be conducted on the basis of merit against objective criteria that avoid discrimination and shall not be based on assumptions of appearance or apparent nationality. Shortlisting will be done by more than one person where possible. The recruitment process shall be conducted so as to treat applicants on the basis of merit and abilities and job applicants will not be asked questions about their health or disability before a job offer is made.

To ensure that this policy is operating effectively and to identify groups that may be underrepresented or disadvantaged, we monitor applicants' ethnic group, gender, disability and sexual orientation, religion or age as part of the recruitment procedure. This information is given voluntarily, and is not relied on in decision making, nor shall it adversely affect the chances of recruitment. Such data is, from time to time, analysed to help us take appropriate steps to avoid discrimination and improve equality and diversity issues.

Training needs are identified as part of appraisals and performance management and access will be given based on merit.

If any staff member believes they are disabled, they are encouraged to tell the School's Personnel Officer and/or Principal so that support can be given as appropriate. We monitor the physical features of the School premises carefully to consider whether they might place anyone with a disability at a substantial disadvantage and where necessary; will take steps to improve access.

## **6. Awareness of policy**

Parents/Guardians/Carers, students and staff should know that the Trust has an Equal Opportunities policy and is committed to providing equal opportunities to all students and staff.

## **7. Complaints**

The Trust will treat all complaints of unlawful or potentially unlawful discrimination seriously.

All complaints about a breach of this policy will be investigated in accordance with the Trust's Grievance Procedure, Anti-Bullying Policy or the Complaints Policy as appropriate.

## **8. Monitoring and review**

The Trust monitors the impact of its policies and procedures on different groups and the effectiveness of such policies are assessed through self-evaluation procedures.

Breaches of the policy by staff and conduct which is not consistent with the practice and principles promoted within it are taken seriously and treated as misconduct. If students are found to be acting contrary to the practices and principles promoted within this policy, action will be taken in accordance with the Trust's Behaviour Policy.

The Trust also recognises that it has a duty under the Equality Act 2010, to collect and publish equality information as required.