

Equality and Diversity Policy



Approved by: Penny Harris (Director) Jane Cox (Director) **Date:** 21st February 2023

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Next review due by: 21st February 2024

All policies are generated and reviewed with an awareness of equality and diversity in relation to pupils, staff and visitors. All policies are generated and reviewed placing safeguarding and wellbeing at the heart of all that we do.

1. Introduction

This school is actively committed to the promotion of genuine equality for all and this policy sets out our commitment to promote equality of opportunity for everyone, without prejudice or discrimination. On Track actively promotes and develops pupils' positive attitudes to the diverse society in which we all live and the curriculum enables staff and pupils together to discuss issues relating to equality, whilst also aiming to develop equal opportunities throughout the On Track community. We are committed to creating an inclusive working environment to maximise the potential of all staff, providing equal opportunities in all aspects of employment and avoiding unlawful discrimination at work.

2. Aims of the Equality and Diversity Policy.

- To prepare pupils for life in a diverse society.
- To ensure that all learners have equal access to a curriculum which meets their needs and enables them to achieve their potential.
- To ensure that staff are given opportunities for personal development to encourage them to achieve their potential.
- To promote positive attitudes to difference and good relationships between people with different backgrounds, genders, sexual orientation, cultures, faiths, abilities and ethnic origins.
- To eliminate prejudice, discrimination and harassment of any kind and work collaboratively with relevant outside agencies to remove barriers to participation and learning.
- To ensure that all pupils, parents, staff and visitors feel welcome, safe, valued and respected within the school.
- To ensure that equality is an integral part of all planning and decision making within the school.
- To ensure that all referral, recruitment, employment, promotion and training systems are fair to all, and provide opportunities for everyone to achieve.
- To ensure that everyone is aware of our equal opportunities policies, including pupils, teaching staff, education support staff, Directors and parents.
- To develop a meaningful accessibility policy and plan to increase access to all pupils, staff and visitors

3. The Equality Act 2010 and Specific Duties Regulations 2012

Everyone in Britain is protected from unlawful behaviour by the Equality Act 2010. The 'protected characteristics' under the Act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion and belief
- sex
- sexual orientation.

Under the Act, it is unlawful to discriminate, harass or victimise someone because they have, or are perceived to have a protected characteristic or are associated with someone who has a protected characteristic. The Act requires all organisations to have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between those who share or have different protected characteristics.

Having due regard for advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

4. Our Approach

Our school opposes all forms of discrimination, prejudice, and harassment and adopts a zero tolerance approach to prejudice of any kind. We aim to provide all our pupils with the opportunity to succeed and to achieve this we will ensure that:

- curriculum planning reflects a commitment to equality
- policies and procedures are written with an awareness of equality and diversity
- the curriculum prepares pupils for life in a diverse society and uses opportunities to reflect the background and experience of pupils and families
- there are opportunities in the curriculum to explore concepts and issues related to identity and equality
- the promotion of attitudes and values that celebrate and respect diversity and challenge discriminatory behaviour and language wherever it occurs
- the use of images and materials which positively reflect a range of cultures, identities and lifestyles
- there is a consistently high expectation of all pupils regardless of age, gender, ethnicity, ability, social background and sexual orientation.
- reasonable adjustments are made as needed to maximise the potential of all pupils

To secure the best possible outcomes we recognise that:

- adults in the school will be expected to provide good, positive role models in their approach to all issues relating to equality.
- it is important to identify the particular needs of individuals and groups within the school and to use targeted supportive interventions.
- barriers to participation usually involve multiple factors and each pupil is supported using a holistic approach.
- a range of teaching methods must be used to ensure that effective learning takes place at all stages for all pupils.
- all pupils are actively encouraged to engage fully in their own learning.
- additional staff training may be required to ensure that there is no inadvertent discrimination and outside agencies and organisations may be approached for advice.

Within our school there is an ethos and culture based on mutual respect. To foster this ethos we ensure that:

- we strive to achieve a feeling of openness and tolerance which welcomes everyone to the centre.
- the pupils are encouraged to greet visitors with friendliness and respect.
- the displays around the school reflect diversity and are frequently monitored.
- reasonable adjustments are made to ensure access for pupils, staff, parents and visitors with disabilities; this not only includes physical access, but takes account wider access to school information and activities (See Accessibility Policy and Plan).
- provision is made to cater for the spiritual, moral, social and cultural needs of all pupils (See SMSC Policy).
- all efforts are taken to ensure that learning resources and activities, communications and assessment procedures are free from discrimination and bias and actively promote and celebrate diversity.
- pupils' views are actively encouraged and respected; pupils are given an effective voice (See Pupil Voice policy).
- positive role models are used throughout the school to ensure that different groups of pupils feel welcomed and included.
- we acknowledge that sometimes the negative attitudes expressed by pupils arise from views that they may hear expressed at home. In these situations, we try to work with parents, accepting that they are entitled to their views, but helping them to see the negative impact that expressing these views may have for their son/daughter.
- all reports of incidents of discrimination, including discriminatory/derogatory language, prejudice or harassment relating to the protected characteristics are used to monitor incidents and inform future planning and practice.
- issues arising in the school relating to inclusion and equality are used to inform reviews of the Accessibility Plan and the School Development Plan.

Equality is promoted throughout the staff recruitment, line management and professional development process by:

- advertising all relevant posts in the school formally and open to the widest pool of applicants.
- all those involved in recruitment and selection are trained and aware of what they should do avoid discrimination to ensure equality of opportunity.
- employment policy and procedures are reviewed regularly to check conformity with legislation and the impact of policies are kept under regular review.

5. Review

In order to ensure that this policy is relevant, if you have any comments please email directors@ontrackededucation.com

Appendix 1

Supporting Trans Pupils and Staff

Equality and Diversity Policy

Terminology

'Trans' is an umbrella term describing people "whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth".

'Non-binary' is an umbrella term for people whose gender identity doesn't sit comfortably with 'male' or 'female'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

'Transitioning' is when a trans person takes steps to live in the gender with which they identify. This might include 'socially transitioning' (telling friends and family, dressing differently, using different pronouns) or 'medically transitioning' (medical interventions like hormone therapy or surgery).

'Misgendering' is when someone refers to a trans person using terms linked to the gender they were assigned at birth, instead of their real gender. To 'out' someone is to disclose information about someone's gender identity or sexuality without their consent.

These definitions are used by Stonewall.

Support

Everyone's transition journey is different. For example, a new pupil who has been living as their preferred gender for some time might feel confident and not need much in terms of information or support. However, a pupil at the start of their journey might need time, space, support and high-quality information to explore their gender identity and to decide how they want to approach transition at school.

Allow the pupil to make decisions in their own time – it may be a while before they have a clear idea of what their gender is or how they want to present. For example, they might not be certain whether they are trans or non-binary. They may also want to experiment with different names or pronouns.

If a pupil tells you they feel like they may be a different gender, or aren't sure which gender they are, you should:

- Listen calmly and neutrally
- Take what they say seriously
- Ask them how you can help
- Be positive and somewhat 'matter of fact'
- Reassure the pupil that their gender feelings are valid
- Reassure the pupil that you are pleased that they are able to talk to you about their feelings
- Ask questions in a sensitive and gentle manner
- Ask if the pupil has told anyone else

You shouldn't tell a pupil's parents about anything they've said about their gender identity – it's up to individuals to choose who they tell.

To 'out' someone without their permission is considered harassment, whether or not the person intended their behaviour to be offensive.

This is set out in the transphobic bullying guidance from the Gender Identity Research and Education Society (GIRES) and the Home Office.

It's always helpful to find out if their parents are aware of their gender identity. If the pupil hasn't told their family, then you'll need to be careful to respect their wishes when communicating with their parents.

If they want to come out openly in school, then it's likely that their families will find out.

If the pupil has told you that they intend to tell their parents, offer to facilitate the conversation, and signpost the parents to further information and support, such as this resource from Young Minds, a mental health charity for young people: [a guide for parents: gender identity](#).

If a pupil's parents aren't supportive of their child's identity, it will be difficult for you and the pupil to navigate transitioning at school.

If a pupil wants to go ahead without the support of their parents, you should apply the principles of Gillick competence.

You could support the pupil to live in their preferred gender by allowing them to change into spare clothing that matches their gender identity when they arrive at school.

Parents don't necessarily need to be notified if a pupil wants to be known by a different name in school – in fact, letting them know could be a serious breach of safeguarding and data protection.

Don't share confidential information regarding the child's wishes with parents unless you have a safeguarding reason for doing so, and remember that being trans isn't a safeguarding concern in itself.

Ask the pupil if they use their preferred name and pronouns at home. If they do, ask them if you can get in touch with their parents to discuss changing the pupil's name on your records.

If their parents aren't aware, or refuse to use the pupil's preferred name and/or pronouns, keep their birth name and gender on all school records, but continue using their preferred name while they're at school. This will prevent the pupil being 'outed' or forced into a difficult situation by an administrative error.

Make sure all teachers are aware that they should use the pupil's birth name and pronoun when communicating with the pupil's parents, but the pupil's preferred name and pronouns when speaking to or about the pupil at school.

ACTION PLAN FOR SUPPORTING A TRANS PUPIL

Names and pronouns

TOPIC	QUESTIONS TO ASK THE PUPIL	SITUATION	ACTIONS TO TAKE	DATE COMPLETED	OWNER
Names and pronouns	Do you want to use a different name or pronouns?	The pupil wants you to use their preferred name or pronouns	Begin to use the pupil's preferred name and pronouns as soon as they ask you to		

TOPIC	QUESTIONS TO ASK THE PUPIL	SITUATION	ACTIONS TO TAKE	DATE COMPLETED	OWNER
	<p>Do you want everyone at school to use your preferred name and pronouns?</p> <p>Do you want us to make an announcement of the name change, or would you like to do it yourself?</p>	<p>The pupil wants everyone in school to use their preferred name and pronouns</p> <p>The pupil wants the school to tell staff and pupils about their new name</p>	<p>Inform all staff of the change at a meeting</p> <p>If the pupil wants the school to inform their classmates, let them know. The pupil may or may not want to be present</p> <p>Inform any supply staff know the pupil goes by a different name</p>		
	<p>Are your family aware, and do they approve?</p> <p>When we speak to your family should we use your preferred name and pronouns?</p>	<p>The pupil's parents are aware of the pupils trans status</p> <p>The pupil's parents aren't aware, or disapprove of the pupils trans status</p>	<p>Invite the parents in for a meeting to have a conversation about the pastoral support you can offer their child</p> <p>Use the pupil's legal name in all home-school communications</p>		
	<p>Would you like us to change your name on any IT systems or written documentation?</p>	<p>The pupil wants to change their preferred name and their parents agree</p> <p>The pupil wants change their preferred name, but their parents don't agree/aren't aware</p>	<p>Change the pupil's preferred name on the MIS. Update the name on all physical documents or printed materials</p> <p>Speak to the pupil and explain that there's a high chance their parents will find out. Best practice is to hold off until parents are in agreement, but decide on a case-by-case basis</p>		
	<p>Has everyone started to use your preferred name and pronouns after you told them to?</p>	<p>Staff or pupils refuse to use the correct name or pronouns</p>	<p>Take action in line with your behaviour policy or staff discipline policy</p>		

Clothing and gendered spaces

QUESTIONS TO ASK THE PUPIL	SITUATION	ACTIONS TO TAKE	DATE COMPLETED	OWNER
Are you able to wear clothing that you feel comfortable in?	The pupil wants to wear clothing that corresponds to their gender identity	Allow the pupil to wear clothes that they feel comfortable in		
Do you have a suitable clothing?	The pupil doesn't have access to clothing that conforms to their gender identity because their parents aren't aware or are unsupportive	Allow the pupil time to get changed, and if possible, provide them with a spare clothing to change into		
Do you want to use the facilities that correspond to your gender identity, or would you prefer to use gender neutral facilities?	The pupil wants to use facilities matching their gender identity	Allow the pupil to do so		
	The pupil wants to use gender neutral facilities	Rename your disabled toilet as a gender neutral, accessible toilet		

Wellbeing and time off

QUESTIONS TO ASK THE PUPIL	SITUATION	ACTIONS TO TAKE	DATE COMPLETED	OWNER
Do you need any time off for medical appointments related to your transition?	The pupil needs to miss school to attend appointments	Record their absence in the register sensitively - use code M		
		Teachers set work to allow the pupil to catch up on any lessons missed		
How are you feeling?	The pupil wants support for their mental health	Make appropriate referrals to in-school or third party sources of support		

QUESTIONS TO ASK THE PUPIL	SITUATION	ACTIONS TO TAKE	DATE COMPLETED	OWNER
<p>What worries you about transitioning at school?</p> <p>Do you want support for your mental health?</p> <p>What could we do to make the environment better for you?</p>	<p>The pupil doesn't want support for their mental health</p>	<p>Remind the pupil that they can come back to discuss any issues that come up at any time</p> <p>Sign post pupil to reputable charities that support trans youth e.g. Mermaids</p>		