



HEATHFIELD SCHOOL

Equal Opportunities Policy

Policy Area:	General
Relevant Statutory Regulations:	NMS Standard 3 Equality Act 2010 Public Sector Equality Duty 2011 Sex Discrimination Act 1986 Special Educational Needs and Disability Act 2001 Gender Recognition Act 2004 SEN and Disability Code of Practice 2015
Key Contact Personnel in School	
Nominated Member of Leadership Staff Responsible for the policy:	Bursar
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This policy will be reviewed at least triennially, and/or following any concerns and/or updates to national and local guidance or procedures.

Introduction

The promotion of equal opportunities is fundamental to the aims and ethos of Heathfield School. This commitment is shared by all who work at Heathfield School (“the School”). Heathfield School prides itself on providing a tolerant and mutually respectful environment in which the wishes of pupils and staff are considered in conjunction with the wellbeing of the whole community.

The School is an equal opportunities employer and values diversity in the School community and workplace. The School is committed to ensuring that its pupils and staff study and work in an environment that respects and values difference and diversity. Discrimination, bullying and harassment are not tolerated in the School and will be addressed under the appropriate policy as a serious matter.

Applicable to

This Policy applies to: employees; job applicants; individuals such as agency staff, contractors and volunteers who are not employees but who work at the School; and to pupils.

It does not form part of employees' contracts of employment and may be amended by the School

from time to time.

Approach

No person will receive unfair or unlawful treatment on the grounds of a Protected Characteristic, or because they are perceived to have a Protected Characteristic, or because they are associated with someone with a Protected Characteristic. Protected Characteristics are defined in the Equality Act 2010, and listed below:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Definitions

Discrimination: Discrimination may occur deliberately or by accident. Direct and indirect discrimination, victimisation and harassment are covered by this policy and are defined as follows:

Direct Discrimination: treating somebody less favourably because of a protected characteristic; their association with somebody who has a Protected Characteristic eg a parent with a disabled child; or the perception that somebody has a Protected Characteristic. This provides the most clear-cut and obvious examples of discrimination-for example if the School were to refuse to let a pupil be a prefect because she was gay.

Indirect discrimination: applying a criteria, provision or practice which places a group of people at a disadvantage because of a Protected Characteristic which cannot be objectively justified. An example might be to put a Parents' Evening on a Friday night which would mean that Jewish parents could not attend.

Harassment: any unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It can be persistent or isolated and includes behaviour which induces anger, stress, anxiety, fear or sickness on the part of the person being harassed. It can be physical, verbal, direct or indirect and can include gestures, intimidation, unwelcome remarks, suggestions, propositions, malicious gossip, jokes and 'banter'. In addition, non-verbal harassment can include offensive literature, pictures, graffiti, isolation, non-cooperation or unwelcome physical conduct. The School will not tolerate any form of harassment or bullying: such behaviour is totally unacceptable and the School looks to support any employee or pupil who is suffering from harassment. The School strives to provide a neutral working environment in which no-one feels threatened or intimidated.

Victimisation: treating one person less favourably than another on the grounds that they have brought discrimination proceedings, given evidence or information regarding discrimination proceedings or alleged discrimination or because they intend to do any of these acts.

Refer to Appendix A for examples of unacceptable behavior.

Aims of the Policy

The policy exists in order to ensure that all the provisions of relevant equality laws, and the recommendations of associated codes of practice, are fully observed throughout all areas of the School.

The School's duties under the Equality Act 2010 include dealing with issues related to pupils with special educational needs/disabilities, and making reasonable adjustments for these pupils.

The School aims to create a learning environment free from all forms of discrimination, victimisation or harassment.

The School's key objective is for pupils and staff to be full participants in the School community.

The School's aims and objectives reflect the requirements of its duties and to have due regard to the following:

- to continually aim to improve the inclusivity of the curriculum;
- promote equality of opportunity between people with disabilities and people with no disabilities;
- eliminate discrimination that is unlawful under the Disability Discrimination Act;
- eliminate harassment of people with disabilities that is related to their impairment;
- promote positive attitudes towards people with disabilities;
- encourage participation by people with disabilities in public life;
- to support the ethos of the School as a community which respects the rights of disabled pupils to have equal access to the curriculum, extra-curricular and other services;
- to equally value and encourage all pupils;
- to foster positive attitudes towards disability within our community;
- to take steps to meet the needs of people with disabilities, including making reasonable adjustment.

Staff Recruitment and Training

The School is committed to providing equal opportunities throughout employment, including in the recruitment, training and promotion of employees, and to eliminating discrimination in the workplace whether on the grounds of a Protected Characteristic.

The School is committed to ensuring that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position. The School has a comprehensive Recruitment Policy which details the recruitment process and covers equality and diversity issues. All job applicants and employees will be treated with respect, and diversity is valued. It is the School's policy to give full and fair consideration to all applications for employment and to provide appropriate training, development and promotion prospects to all staff.

Newly created posts may be advertised internally initially, externally or both depending on the requirements of the role. External posts will be advertised on-line, in the national press, and/or in local press, and/or in specialist journals as appropriate to the position in question. The School aims in doing this it will encourage suitable applicants from a broad range of backgrounds.

The School is committed to ensuring equality of opportunity in respect of all areas including the following:

- Career development
- Opportunities for training
- Appointments and allocation of responsibilities for all employees
- Grievance and disciplinary procedures
- Termination of employment including redundancies
- Conduct at work
- Respectful and non-discriminatory behaviour by all staff.

The School aims to ensure that staff achieve their full potential and that all employment decisions are taken without reference to irrelevant or discriminatory criteria. The School also aims to encourage good practice in the field of equality of opportunity for pupils so that all pupils at the School are able to develop fully as individuals. This Equal Opportunities Policy has been adopted as a means of helping to achieve these aims.

Staff at the School are expected to set an example and promote equality of opportunity for all pupils and staff, both current and prospective, and to support an environment that values diversity.

Responsibility

All staff have a duty to act in accordance with this policy and ensure that pupils do likewise.

The **Governors, Headmistress and Senior Leadership Team** have a particular responsibility to lead by example and ensure that those they manage adhere to this policy.

Employees have a responsibility to ensure that the School's Equal Opportunities Policy is properly observed and fully complied with. Breaches of this Equal Opportunities Policy, and any act of discrimination, bullying, victimisation or harassment by an employee, are viewed very seriously by the School and, in appropriate cases, will result in disciplinary action, up to and including the employee's summary dismissal without notice. Employees should be aware that they can be held personally liable as well as, or instead of, the Governors for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

The responsibility of the **Teacher**:

- The class teacher ensures that all pupils are treated fairly, equally and with respect. We do not discriminate against any child.
- When selecting classroom material, the class teacher should pay due regard to the sensitivities of all members of the class and do not provide material that is racist or sexist in nature.
- Teachers strive to provide material that gives positive images and that challenges stereotypical images of minority groups.

The School will fulfil this Equal Opportunities Policy by ensuring that:

- the education provided by the School promotes positive social attitudes and respect for all;
- all members of the School community are treated fairly and with equality;
- all staff set an example to pupils to encourage them to be aware of equal opportunities and respect for others;
- it respects the cultural and ethnic diversity of pupils, parents and guardians and staff, recognising that this enriches the environment of the School;
- it recognises and value different religious belief systems;

- if a pupil's religion affects the wearing of the School uniform, the School will deal with each case on an individual basis and with respect for the pupil's cultural traditions;
- pupils for whom English is a second language and pupils with learning difficulties, such as dyslexia, receive appropriate support;
- all pupils have access to the full range of the curriculum and opportunities offered by the School.

Addressing concerns

Staff: An individual or group who has been subjected to any form of discrimination may wish to try and resolve the problem informally before or instead of invoking the formal procedure. Where practical, this approach is often very effective and it is recommended as the first step in resolving the problem. If such an approach is impractical or unsuccessful the incident should be discussed with the appropriate line manager or, if that is not appropriate, a member of the Senior Leadership Team. All issues relating to discrimination, harassment and bullying are taken extremely seriously in the School and complaints will be investigated in line with the Grievance Procedure for staff. Where appropriate the Disciplinary Procedure will be applied.

Pupils and Parents: Pupils should report any concerns about equality issues to a member of staff. Complaints against other pupils will be investigated and addressed in accordance with the Promoting Positive Behaviour Policy. Discrimination, bullying and harassment of any kind are not tolerated in the School.

Complaints about the admissions process should be raised in accordance with the Admissions Policy.

Parents of pupils currently at the School may raise complaints formally with the School through the Complaints Policy.

Pupil Admissions

Equality in education does not refer to all pupils reaching the same level of achievement, but to the removal of barriers to educational success and the broadening of opportunities for all pupils to reach their individual potential. The School welcomes applications from candidates regardless of their background. The School is committed to ensuring that its admissions process is conducted in a way which is transparent and fair. It is the aim of the School to identify and admit pupils of academic potential regardless of their current educational setting and family circumstances.

In this spirit, the School is committed to equal treatment for all and undertakes to comply with legislation governing equal opportunities. In addition, the School is committed to promoting understanding of the principles of equality and fairness.

The School will not discriminate against anyone on the grounds of their racial or ethnic origin, religion or belief, sexual orientation, age, body image, background or, where practicable, disabilities.

A well-developed bursary programme enables as many as possible who meet the School's admission criteria to attend the School regardless of their family's financial circumstances.

The School also welcomes applications from pupils with special educational needs and/or disabilities. Although there are currently limited facilities for the disabled the School will accommodate the requirements of candidates who have special educational needs and/or disabilities for which, with reasonable adjustments, the School can cater adequately.

The School often accepts pupils whose first language is not English, but in order to access the curriculum and benefit from the wide range of opportunities offered at the School, pupils need to be fluent in

English. For this reason, the School's entrance process assumes that candidates are able readers, speakers and writers of English.

This diversity enriches the School community and is vital in preparing pupils for today's world. The School concentrates on educating the individual, to provide a comfortable and welcoming atmosphere where each individual feels valued and can flourish. The School's fundamental objective is to nurture the identity of all pupils.

Developing Understanding

Assemblies, PSHEE, curriculum lessons especially RS, Drama and English and clubs and societies are all used to:

- Ensure a clear understanding of the fundamental British values of democracy, the law of the land, individual liberty and mutual respect and tolerance.
- Promote tolerance of each other and respect for others.
- Promote positive images and role models to avoid prejudice and raise awareness of related issues.
- Foster an open-minded approach and encourage pupils to recognise the contributions made by different cultures.
- Understand why and how the School will deal with offensive language and behaviour.
- Understand why and how the School will deal with any incidents promptly and in a sensitive manner.

Discriminatory harassment in all its forms is unlawful and unacceptable; the School's policies contain clear procedures for dealing with unlawful discrimination.

Staff receive information about the Equality Act 2010 as part of their induction. Training is available for staff on SEND and equality issues in education from time to time. Procedures ensure fair and equitable treatment in relation to the assessment and other treatment of pupils.

Culture and Race

The School is proud of the fact that pupils and staff come from diverse backgrounds; the School endeavours to foster an atmosphere of mutual respect in order to help to promote a school and a society in which there is social, religious and racial harmony:

The School will:

- take positive action to enable every individual to raise his/her self-esteem, expectations and achievement.
- consider relaxing its usual rules on dress to allow special forms of dress where these are an essential part of a religious or cultural background.
- value the contribution of our multicultural community and seek to express this in the life of the School.
- seek to counter negative, patronising and stereotyped views.
- not tolerate racist behaviour.

Transgender

Heathfield is committed to single-sex education for girls. Admissions to Heathfield is based on the prospective pupil's legal sex as recorded on their birth certificate.

The School is able to operate a single-sex admissions policy, without breaching the Equality Act 2010 on the basis of an exemption relating to biological sex. The School believes that an admissions policy based on gender identity rather than the legal sex recorded on a pupil's birth certificate would jeopardise the status of the school as a single-sex school under the act. For this reason, the School does not accept applications from students who are legally male. The School will, however, continue to monitor the legal interpretation of this exemption.

Guidance, support and training will be provided to staff to ensure that the School's commitment to support trans staff and pupils is fully realised.

The School has a separate Transgender Policy which should be referred to for more details.

Religion

The School acknowledges that staff and pupils come from diverse backgrounds: some have no religious faith; others are committed to a greater or lesser extent to a variety of religions. The School seeks to promote an ethos of tolerance based on understanding of, and respect for, the beliefs and practices of others. The Chaplain gives active support to all faith groups within the School.

With regard to the teaching of Religious Education the School considers that the role of the teacher is that of educator and not that of evangelist. The School does not seek to make pupils religious, but to teach them about religion.

Attendance at Chapel services, whilst being Christian, is also an opportunity to bring the School community together and so is compulsory for all, no matter their religion and/or beliefs.

Resources

All materials published by and in use in the School will be monitored for discriminatory content by the marketing department.

The School aims:

- To prepare and select resources which are free from cultural or gender bias wherever possible.
- Where their use is unavoidable, to employ biased resources as a means of provoking discussion of equal opportunities.

Disability Discrimination

A disability is defined as a physical or mental impairment which has a substantial and long term adverse effect on a person's ability to carry out normal day to day activities. Mental impairment includes those with learning difficulties and mental illness – providing that the illness is clinically well recognised - and "long term" means at least one year).

The School is committed to facilitating the employment of people with disabilities wherever practical.

Members of staff are encouraged to notify the HR Manager if they have ongoing health issues which are causing difficulties at work or which are of concern generally. The School is often able to provide assistance by considering reasonable adjustments to the workplace or duties. These are often simple to put in place but can make a significant difference.

Action to be taken

Any and all acts of discrimination, whether they appear serious or not, must be responded to straight away. Failure to challenge any form of prejudice, especially on the part of adults, can be viewed by the pupils as condoning it. It is the responsibility of the individual who hears or witnesses an expression of a discriminatory nature to judge the impact and seriousness of the incident.

Action to be taken:

- Challenge those involved unless a member of staff is either the victim or the perpetrator. In this case the matter must be reported directly to the Deputy Head (Pastoral and Boarding).
- All pupils in the School have a responsibility to act and to report.
- If in doubt talk to a member of staff or a prefect.
- What you must not do is do nothing.
- If distress caused is evident, the incident must be reported to a member of staff who will record the event and pass this on to the Deputy Head (Pastoral and Boarding).

Success Criteria

The measurement of equal opportunities in practice requires a variety of criteria to be assessed, of both a quantitative and qualitative nature. Key areas for consideration are:

- The level of complaints by pupils, staff and parents will be reviewed each term or more frequently if unsatisfactory trends are evident;
- Attendance records, punctuality and unauthorised absences will be examined in this respect;
- The degree of pupil-pupil and pupil-teacher interaction during learning/break time is deemed equally important;
- Test results need constant attention and samples analysed to detect signs of under-achievement against baseline assessments, teachers' expectations, etc. Such comparisons will pay regard to equal opportunities factors.

Practice around the School

The School's aim is to have a zero incidence of, and tolerance for, discriminatory behaviour. The School should exude a confident, progressive approach to the aims set out in this policy, actively demonstrating the benefits of mixed contributions and teamwork.

Pupils with special educational needs must be given equal access to the curriculum. All pupils have equal access to extra-curricular activities. Staff need to have an awareness of the demands of the individual and endeavour to give equal attention and speak in the same manner to all pupils, avoiding bias when praising or disciplining. The School will:

Management and Organisation

- Review all policies to ensure that each area, whether a whole school issue or a curriculum subject, takes account of the specific ways in which equal opportunities applies.
- Monitor academic achievement by analysing test results and other relevant pupil data scores by sex, race and ethnicity.

Ethos

- Plan a programme of assemblies which includes opportunities to challenge prejudice, question stereotyping and enhance understanding of our multicultural and pluralistic society.

- Ensure that all assemblies are free from messages or language which undermine principles of tolerance or understanding.
- Encourage adults from a broad spectrum of society to visit the School, particularly to demonstrate role models which are non-traditional for their sex, ethnicity or disability.
- Include in the School's Behaviour & Anti-Bullying Policy a reference to the avoidance of sexual or racial harassment and abuse, together with clearly understood procedures for dealing with any occurrences.
- Ensure that sanctions used in the school are the same and applied equally, regardless of gender, ethnicity or disability.
- Encourage an understanding of the ways in which language can be used to stereotype and undermine confidence.
- Make clear sexist and/or racist abuse is not acceptable.
- Ensure that School publications reflect the commitment to equal opportunities and are free from gender or cultural bias.
- Provide access throughout the school site for wheelchair users and people with other disabilities, as resources allow (refer to Disability Policy).
- Encourage and develop positive links with the local community.
- Make all visitors feel welcome.

Curriculum Planning and Design

- Review the taught curriculum and actively seek opportunities to address the issues of equal opportunities.
- Ensure that multi-cultural issues are not presented in a tokenistic way.
- Be aware of, and challenge, bias and stereotypical viewpoints within our teaching and language.
- Draw on examples from many cultural traditions and recognise Britain as having a diverse cultural background.
- Help children explore the idea of 'stereotyping' in order that they can make more informed choices in relation to their identity (i.e., gender, ethnic or cultural background, disability).
- Be aware of the balance of male/female roles, disabled/able-bodied and roles from a variety of cultural backgrounds when choosing historical figures or the work of artists, composers, authors, etc. as a focus for a curriculum area.

Assessment

- Monitor assessment procedures to ensure that they are not distorted by stereotyped attitudes and expectations.

Monitoring and Review of Policy

Pupil admissions, staff recruitment and employment decisions will be made on the basis of fair and objective criteria. The School will endeavour to ensure that job vacancies are normally widely advertised and/or publicised so that the broadest range of candidates can apply. The School's selection procedures will be reviewed from time to time to ensure they are appropriate for achieving the School's objectives and for avoiding unlawful discrimination.

The School retains equality data covering age, nationality and gender for its staff and anonymised data including ethnicity for job applicants. In order to ensure the effectiveness of its Equal Opportunities Policy, the School monitors the composition of its workforce and pupil body from time to time. Information given by parents, staff and job applicants is treated in the strictest confidence and is used solely for monitoring purposes.

Equal consideration will be given to staff career development and other employment matters irrespective of gender, gender re-assignment, marital or civil partner status, age, disability, sexual orientation, race, colour, nationality, national or ethnic origins, maternity or pregnancy and religion or belief.

Related Policies

- Accessibility Policy
- Admissions Policy
- Anti-bullying Policy
- Code of Conduct for All Staff
- Complaints Policy
- Curriculum Policy
- Disability Policy
- Disciplinary Policy and procedure
- Educational and Co-Curricular Trips Visits Policy
- Equality, Diversity and Inclusion Policy
- First Aid and Medical Care Policy
- Grievance Policy and procedure
- Health and Safety Policy
- ICT acceptable use Policy
- Menopause Policy
- Overseas Student Admissions and EFL-EAL Policy
- Promoting Positive Behaviour Policy
- Promoting Fundamental British Values Policy
- PSHEE Policy
- Recruitment Policy
- Risk Assessment Policy
- Safeguarding Children and Child Protection Policy
- SEND Policy
- Spectrum Laptop Computer and Word Processor Policy
- Staff Mental Health and Wellbeing Policy
- Supporting Pupils with Medical Conditions Policy
- Transgender Policy
- Whistleblowing Policy

Appendix A - Unacceptable Behaviour

In all areas described below it is possible for discrimination to be direct, indirect, or to take the form of harassment, bullying or victimisation, including third party harassment and which may also include the use of electronic technology.

The following examples would constitute unacceptable behaviour – the list is not exhaustive:

- i. Physical assault against a person or group because of a protected characteristic (under the Equality Act 2010);
- ii. Verbal abuse, derogatory name-calling, insults, threats and jokes any of which may be based on a protected characteristic;
- iii. Graffiti relating to a protected characteristic;
- iv. Issuing/wearing materials relating to a protected characteristic, eg leaflets, magazines, insignia;
- v. Inciting others to behave in inappropriately towards others on the basis of a protected characteristic;
- vi. Making derogatory or stereotypical remarks, comments or suggestions about a particular ethnic or religious group or gender in the course of discussions or lessons;
- vii. Refusing to co-operate with others because of a protected characteristic;
- viii. The use of electronic technology to further any of the above abuses.

Race

The School regards racism as any attitude held by a person or group of one ethnic origin towards an individual or group of different ethnic origin which is offensive, discriminatory or hostile towards the individual or group.

The School also considers racism to be behaviour, acts or expressions that reflect such attitudes, or any incitement to behaviour of that kind.

Sex

The School considers sexism to be any attitude held by a person or group of one sex towards an individual or group of the other sex which is offensive, discriminatory or hostile towards the individual or group.

The School considers sexual harassment to be behaviour, acts or expressions that reflect such attitudes, or an incitement to behaviour of that kind.

Sexual Orientation

The School considers it unacceptable to hold or express any attitude towards an individual which is offensive, discriminatory or hostile on the basis of that individual's or group's orientation towards persons of the same sex or opposite sex (namely homosexuals, heterosexuals and bisexuals).

It is also unacceptable to discriminate on the grounds of perceived sexual orientation (that is, assuming – correctly or incorrectly – that someone is homosexual, heterosexual or bisexual), and association (that is, being discriminated against on the grounds of the sexual orientation of those with whom you associate).

Religion or Belief

The School considers it unacceptable to hold or express any attitude towards an individual which is offensive, discriminatory or hostile on the basis of that individual's or group's religious belief or similar

philosophical belief.

It is also unacceptable to discriminate on the grounds of perceived as well as actual religion or belief.

Further, it is unacceptable to discriminate against individuals or groups on the grounds of the religion or belief of those with whom an employee associates.

Age

The School considers it unacceptable to hold or express any attitude towards an individual which is offensive, discriminatory or hostile on the basis of that individual's age.

It is also unacceptable to discriminate on the grounds of perceived as well as actual age.