

# EQUAL OPPORTUNITIES - PUPILS



*Please read this policy in tandem with the Equal Opportunities - Staff Policy, Safeguarding, Pupils with Special Educational Needs and Disabilities, PSHE and RSE Policies, Anti-Bullying Strategy, Accessibility and Admissions Policies*

## **Aims of the Policy**

Birchfield School considers itself to be a close and diverse community where we aim to ensure that each individual's needs are recognised and any talents and aptitudes are fostered. It is as a living and caring community that the school is committed to a policy of equal opportunities for all - staff, children (including those in the Early Years Foundation Stage) and parents. We aim to :

- Eliminate unlawful discrimination on grounds of any of the protected characteristics
- Promote equality of opportunity for all members of the School community
- Comply with equality duties contained in the Equality Act 2010.

This policy has regard to the following legislation : Equality and Human Rights Commission (EHRC), Equality Act 2010, Gender Reassignment Regulations 1999, Gender Recognition Act 2004, Data Protection 1998, The Human Rights Act 1998 and the Sex Discrimination Regulations 1999.

The school's diversity brings educational benefits to all pupils and students, creating learning experiences enriched by different life experiences, varied perspectives, flexibility and creativity. It is the school's policy to accept and celebrate diversity and it opposes all forms of unlawful discrimination, but seeks to provide a learning environment which is free from discrimination. The school is therefore committed to building an environment where:

- all students are treated with dignity and respect;
- diversity is valued;
- stereotypes are questioned;
- bias, bigotry, prejudice and racism are rejected.

## **Education of the Pupils**

In the provision of education at the school, individual ability will be fostered and developed so that each pupil can fulfil his or her full potential regardless of their age, disability, gender reassignment, race, religion or belief, sex or sexual orientation. This means equality of opportunity and equal access to all areas of learning and school life. Everyone at the school is encouraged to take responsibility for challenging stereotypes and all forms of discrimination.

This message is shared with pupils through a range of means : in whole school assemblies, workshops and themed days, through its school values, The Birchfield Way, in its

programme of study for PSHE/RSE from Reception upwards and in form tutor time as well as through its relationships between staff and pupils in their care. Pupils are also encouraged to become involved in charity work and fund-raising opportunities in response to global crises, local need and community networking.

The school's curriculum is enhanced by children learning to understand and respect diversity and the various displays around the school also serve to reinforce that message.

### **Sex Discrimination**

In line with our Admissions Policy, applicants for admission to the school, and all pupils of the school, will be treated the same way, irrespective of sex. In particular, the school will ensure that:

- no attempt is made to balance the number of boys and girls admitted to the school
- any tests used to screen pupils are identical for boys and girls
- all children have equal access to the curriculum
- careers advice, interviews and literature are not sex-discriminatory.

All pupils, regardless of their sex, will have equal access to all subjects in the curriculum, recreational, sport and social facilities and out-of-school activities. (Where a child's special educational needs and/or disability profile warrants additional adjustment or further consideration to be made, discussions will be shared with parents in the interest of what is best for each individual).

### **Sexual-Orientation Discrimination**

The school will not discriminate directly or indirectly against anyone because of his, her or their actual or perceived sexual orientation. The school will not tolerate the harassment or victimisation of anyone because of his, her or their actual or perceived sexual orientation. The school will promote equality of opportunity for all students regardless of their sexual orientation. The school is committed to providing a safe environment for all pupils and will apply the school's Anti-bullying Strategy to deal with all instances of homophobic bullying or abuse. (Homophobia is a dislike or fear of someone who is, or is perceived to be, lesbian, gay, bisexual or transgender. Reaction can vary in intensity from passive resentment to active victimisation).

The school's comprehensive programme of PSHE as well as Relationships and Sex Education will offer further guidance for all pupils and students and allow staff to deal honestly and sensitively with sexual orientation, answer appropriate questions and offer support where necessary.

### **Gender Consideration**

The school will support pupils who initiate a process of gender fluidity, it is classified as one the nine 'protected characteristics' on the grounds of which people are protected against discrimination. Birchfield School aims to give support and understanding to those pupils and parents who wish to take steps to present themselves in a gender different to the one

assigned them at birth. We aim to foster an attitude and environment that is free from discrimination or harassment where all pupils are treated with dignity and respect.

In order to assist staff in developing the relevant skills and expertise to deal with Transgender issues, the school will ensure staff training covers safeguarding and confidentiality, anti-bullying strategies and changing legislation. Topics relating to transgender issues are covered in our RSE programme of study.

Sport and games form an intrinsic element of the school curriculum. A transgender pupil has the same entitlement to participate in these activities as any other pupil in the school. Participation in sport will be managed as sensitively as possible and appropriate risk assessments will be undertaken. Should an adjustment be required or requested, the school would always consult with the pupil as well as their parents. When swimming, careful consideration of suitable swimming attire is made to ensure the well-being and safeguarding of each child. The use of changing room facilities will also be carefully considered, with the school endeavouring to be sensitive to the needs of any transgender pupils while also recognising the needs of other pupils. A unisex changing area can be arranged, as needed. When competing against another school or at another venue, appropriate risk assessments will be in place. Children identifying as the opposite gender have the right to access facilities according to gender identification.

All pupils are required to wear a uniform. The Headmistress will consider requests from parents and pupils for variations in the uniform for reasons related to gender reassignment provided they are consistent with the school's policy on health and safety and it is reasonable in all the circumstances including in light of the School's obligations under the Equality Act 2010.

Misogynistic, homophobic or gender-related prejudice will not be tolerated and programmes of study in RSE and PSHE as well as the overall school values help to reinforce and raise awareness.

### **Racial Discrimination**

The school will promote equal opportunity and good race relations, and will not discriminate against anyone on the basis of race, colour, nationality or citizenship, ethnic or national origin. The school will not tolerate any form of racial discrimination, racial harassment or inciting of racial hatred. Incidents of this nature may be offences under criminal law and will be treated as such.

### **Disability Discrimination**

The Equalities Act 2010 ("the Act") imposes a duty on schools to make reasonable adjustments to 'policies, criteria and practices' to address potential issues of discrimination. In addition, the school will comply with the Act's reasonable adjustment duty : "where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, [a duty] to take such steps as it is reasonable to have to take to provide the auxiliary aid ".

The school will not tolerate any form of discrimination against disabled pupils. This includes the use of any derogatory term to indicate the disabled person's supposed mental capacity. The duty only arises if a pupil is disabled within the meaning of the Act. If the pupil is not disabled under the Act, there is no legal duty to consider reasonable adjustments, although the school may wish to do so anyway. A pupil receiving SEN support may or may not mean that they are disabled under the Act, but there will no doubt be overlap and due consideration will be given by the school. Reasonable adjustments will be made to the school uniform, where deemed necessary.

Assumptions will not be made about the general abilities of people who are disabled. The school will bear in mind that a child with special educational needs (SEN) is not necessarily disabled and that a disabled child does not necessarily have SEN.

The school is aware that a failure to make reasonable adjustments amounts to disability discrimination and makes every effort to ensure that its premises are accessible to visitors with all kinds of disabilities. The school produces an accessibility plan detailing the planned improvements and adjustments to cater for people with disabilities.

### **Religious Discrimination**

While Birchfield School is based upon a Christian foundation, the school recognises, respects and values the various traditions, customs and rules of different religious groups and will not discriminate against any pupil on the grounds of his, her or their religion or belief.

The school understands that for religious reasons certain pupils might adopt or seek to adopt ways that are contrary to accepted school rules. Every effort will always be made to accommodate the wishes of these pupils, as appropriate.

The school undertakes to tailor collective worship and religious teaching to reflect the particular racial and religious mix in the school, covering different religious festivals throughout the year, teaching a comprehensive programme of RS study, covering various cultures as well as leading a carol service at St Mary's Magdelene Church in Albrighton.

### **Religious and Belief Observance**

Many religions and beliefs are represented in our multi-cultural society and we recognise that our pupils may wish to observe the requirements of their chosen religion or belief system while at school. The school aims to ensure a fair and consistent approach in the management of such requests so that no student is discriminated against on the basis of his, her or their religion, belief, or absence of religion or belief.

### **General Considerations**

While the school aims to be sensitive to the needs of its community and the whole community also has a responsibility to ensure that the Headmistress is aware, in good time, of their individual needs to meet the requirements of their belief or religion. This will ensure that there is ample opportunity for those needs to be considered and for the appropriate actions to be taken (where practicable).

## **Time Off for Religious Festivals or Worship**

Pupils are generally expected to ensure that their parents request any time off by writing to the Headmistress. This follows the normal procedure for the authorisation of absence from school.

## **Fasting, Prayers and Other Religious Obligations**

Some religions require their followers to pray at specific times during the day. Should pupils request access to an appropriate quiet place to undertake their religious observances, then providing that such a quiet place is available, and allowing its use for prayer does not cause problems for other pupils or the school, the school will consider the request sympathetically.

Some religions or beliefs require extended periods of fasting, for example during Ramadan. Where pupils feel that they need support during such a period, they should inform their teachers who will then consider how best to provide the necessary support. However, all decisions will take into account the needs of the school as whole.

## **Dietary Requirements**

Some religions or beliefs have specific dietary requirements. The school will consider all requests from students with religious dietary or alternative dietary needs and will make reasonable efforts to accommodate these requests where appropriate. If the food that is provided by the school for students does not suit their personal dietary needs then the student must inform their teacher in good time of any dietary requirements, and to co-operate in suggesting reasonable suitable alternatives. The kitchen caters for food allergies and will again need to be made aware in order to ensure the best service is provided.

Due to religious dietary needs, if pupils bring food into school, they may need to store and heat food separately from other food. Should such an issue arise; the teacher will consult with all staff concerned to try to ensure a solution is found. This may be as simple as using plastic containers for the food in a shared fridge.

## **Personal Appearance and Dress**

Where a student or pupil may feel that the school uniform and code of dress conflicts with the dress requirements of their religion, they should raise the issue with their teacher in the first instance so that the matter can be further considered. However, such adjustments need to be made in a manner that is compatible with the requirements of the school and that ensures the health and safety of all.

Some religions require their followers to wear particular jewellery, headwear or other apparel. While the school will consider each request sympathetically, the needs of the school must also be considered and the requirements of health and safety legislation will need to take priority.

## **Harassment and Victimisation**

While the school maintains its Christian ethos, it will not tolerate any form of harassment or victimisation of its pupils on the grounds of their religion or belief, or the absence of a religion or belief.

### **Monitoring of the Policy**

There will be a systematic review by the Senior Management Team of the impact of all policies and procedures on equality and diversity to address any areas of inequality as felt appropriate or identified by the school at any time.

### **Publication**

This policy will be available on the school's website and on request from the school.