St George's Church of England Infant and Preschool Equalities and Cohesion Policy

Date of approval and adoption by the Governing Body: September 2025

Date for Review: September 2028

Signed: **Chair of Governors**

Inspire, Believe, Achieve- Let Your Light Shine Matthew 5v16.

Be inspired with all our mind, believe in ourselves to achieve and flourish

The 6 Principles of Nurture:

The nurturing approach offers a range of opportunities for children and young people to engage with missing early nurturing experiences, giving them the social and emotional skills to do well at school and with peers, develop their resilience and capacity to deal more confidently with the trials and tribulations of life, for life.

1. Children's learning is understood developmentally
2. The classroom offers a safe base
3. The importance of nurture for the development of wellbeing
4. Language is a vital means of communication
5. All behaviour is communication
6. The importance of transition in children's lives

1. St George's CE Infant and Preschool Mission Statement / Principles

This Policy builds on St George's vision, core values and ethos and covers our aims for promoting equality and diversity, challenging discrimination and celebrating diversity.

What is Equality? Equality is the principle of equal treatment for all people irrespective of their gender, ethnicity, disability, religious belief/ non-belief, sexual orientation, age, gender re assignment, marriage or civil partnership and pregnancy or maternity status.

What is Diversity? Diversity is the acceptance that we are all different but we are all equal. Diversity focuses on valuing and celebrating the strengths in people's differences.

What is Community Cohesion? Community cohesion is to have common vision and civic pride, valued and celebrated diversity, clear rights and responsibilities, equal life chances for all and strong relations between different communities.

The philosophy of our school talks of valuing the individuality of all our pupils. We are committed to giving all our pupils every opportunity to achieve the highest of standards. Within this ethos of achievement, we do not tolerate bullying and harassment of any kind. We actively tackle discrimination against those with a disability (disabilism), racial discrimination including discrimination based on religion or belief / non-belief, sexual (orientation)

harassment and discrimination, gender re-assignment, pregnancy or maternity, breastfeeding discrimination and promote equal opportunities and good relations between and amongst all. We aim to ensure that the school promotes the individuality of all our pupils, irrespective of ethnicity, sexual orientation, disability, gender, gender re-assignment, religion, belief / non-belief or background. We are committed to ensuring that positive action is taken where necessary to redress the balance of inequality that may exist. Based on this, St George's CE Infant and Preschool's admissions policy is equally open to pupils of all groups.

Within the context of the school we aim to positively transform individual and shared circumstances, perceptions, attitudes and relations. We aim to reflect the diversity of our local community and society and ensure that the education we offer reduces the chances of social divisions and parallel lives by recognising, celebrating and valuing different backgrounds, lifestyles and identities.

We uphold fundamental British values and will endeavour to ensure that all children learn these as part of a broad and diverse curriculum. Through our work on preventing radicalisation and extremism (both violent and nonviolent) we will engage with our school community to enhance community cohesion. Our Safeguarding Policy reflects our commitment to ensuring our school is a safe place for all.

We believe that these commitments are as important in the context of a school with limited ethnic diversity as well as in a school with a diverse population whatever that diversity may be.

This policy applies to the whole school community including staff, governors, pupils, parents/carers and any other visitors to the school or members of our local community who have an interest in St George's.

2. Current Profile of the School

Further information regarding the profile of the school can be found on the Equality and Diversity section of the school website.

3. Legislative Context

Equality is not about benefiting some people at the expense of others - equality benefits everyone. In an effort to ensure that marginalised groups are given equal opportunity this policy will prioritise the following groups.

Disabled persons - We follow the social model of disability which means that we understand that the barriers to disabled persons securing equality are due to the physical environment and people's attitudes. Disabled people include those with physical and sensory impairment (difficulties), learning disabilities, mental illness, long term illness all of which are substantial. Regarding age our focus is on older-persons (over 60) and younger people.

Regarding race equality we accept the definition of a racist incident based on recommendation 12 of the Report of the Stephen Lawrence Enquiry: 'A racist incident is any incident which is perceived to be racist by the victim or any other person'.

4. Development of the Policy

This policy is based on the Buckinghamshire Council model policy. It has been developed by school staff and Governors. St George's equality objectives reflects our intention to include all equality and diversity groups in the work and life of the school. Ongoing development of this policy will be necessary in order to reflect the changing nature of our school.

5. Responsibility for the Policy

The Governing Body is responsible for ensuring that:

- The school complies with all equalities legislation relevant to the school community;
- The school's Equalities and Cohesion objective is maintained, updated regularly and published on the school's website
- That procedures and strategies related to the Policy are implemented;
- The named Equality Governor will monitor, on behalf of the governing body, all discriminatory / prejudiced based incidents and ensure that appropriate action is taken in relation to all said incidents.

Positive Action

The Governing Body recognises that the avoidance of discrimination is not sufficient to ensure that equality exists in the school. The Governing Body will therefore give full consideration to measures of positive action which may assist in achieving the aims of this policy. This is action designed to encourage or facilitate the employment or training of minority or disadvantaged groups.

The Governing Body will not discriminate in favour of individuals from specific groups (positive discrimination), but it will take positive action which enables members of those groups to compete on an equal basis. Positive action measures may include:

- encouraging applications from specific groups which are under-represented in the school
- encouraging people with disabilities to apply for posts
- advertisements which encourage applications from individuals of a particular sexual orientation, or religion or belief, but make it clear that selection will be on merit
- flexible working – promoting the use of job shares and flexible working where operational factors make this possible
- language/literacy training
- supporting training measure for under-represented groups
- assistance with applications for candidates with language problems
- provision of childcare facilities or support with the costs of childcare facilities for staff
- exploring the possibility of career breaks for women to assist with family commitments
- commitments to interviewing disabled people who meet the basic criteria for the post
- encouraging staff to become representatives of trade unions/associations

Harassment and grievance procedures

Harassment has the effect of destroying dignity and undermining the confidence of employees. It can take many forms including physical contact, bullying, threatening or ignoring someone. It can be a series of offensive remarks or a single incident. It can be behaviour that staff find offensive even if not directed at them or harassment because of perception or association.

The Governing Body is committed to the principles of dignity at work for all its staff in the school. This includes the right to be treated with respect by all managers and colleagues. The Governing Body will consider any acts of harassment including those on the grounds of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, as totally unacceptable and outside the ethos and culture of the school. Any such act by a member of staff against any adult or child will be treated as a disciplinary offence, and action taken accordingly.

The school has procedures to resolve grievances and for the handling of complaints of harassment and bullying at work. The Governing Body is committed to investigate any such complaint. These procedures will be followed carefully and promptly in response to any such complaint. The first point of contact for any such complaint should be to Beverley Accastello (Head Teacher). In addition, parents have the right to approach the governors and staff have the right to approach governors or their professional association/trade union representative for support.

The Headteacher and Senior Management are responsible for:

- Along with the Governing body, providing leadership and vision in respect of equality and diversity;
- Overseeing the implementation of the Equalities and Cohesion Policy;
- Co-ordinating the activities related to equality and diversity;
- Ensuring that all who enter the school are aware of, and comply with, the Equalities and Cohesion Policy
- Ensuring that staff are aware of their responsibilities and are given relevant training and support;
- Taking appropriate action in response to racist incidents, discrimination against persons with a disability and sexual harassment or discrimination against any persons because of their age, sexuality or religion, gender, belief / non belief.
- Supporting parents to become involved in their children's education.
- Considering and overcoming barriers to parents' involvement (i.e. work commitments, non-resident parents, and lone parents).

All Staff are responsible for:

- Dealing with incidents of discrimination and knowing how to identify and challenge bias and stereotyping;
- Not discriminating on grounds of race, disability, or other equality characteristics;
- Keeping up to date with equalities legislation by attending training events organised by the school or Local Authority.

All Parents/Carers are responsible for:

- Their children's education;
- Being aware of, and complying with, the Equalities and Cohesion Policy
- Positively influencing their children's expectations about education as well as their attitudes and behaviour towards other pupils, staff and senior management including the Governors
- Understanding the ethos of the school and becoming involved in school life (i.e. open days, extended services, parents' councils, informal discussions with staff, parent evenings)

All Pupils are responsible for:

- Being aware of and complying with the Equalities and Cohesion Policy;
- Not discriminating on grounds of race, sexual orientation, religion, belief or non-belief, gender; or other equality characteristics;
- Reporting any racist incident or act of discrimination in which they were directly or indirectly involved either in or out of school;
- Understanding, valuing and celebrating diversity;
- Challenging stereotypes, and prejudices.
- Treating others as their equals.

6. Eliminating discrimination, promoting equality and celebrating diversity

I. Learning and Teaching

At St George's CE Infant and Preschool, we aim to provide all our pupils with the opportunity to succeed, and to reach the highest level of personal achievement. To do this, teaching and learning will:

- Ensure equality of access for all pupils and prepare them for life in a diverse society;
- Use materials that reflect diversity within society in terms of age, race, gender, ability, faith, ethnicity, social condition, cultural background and sexual orientation, without stereotyping;
- Develop learning materials and activities that emphasise benefits of having diverse communities, neighbourhoods, schools and groups.
- Provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures.
- Promote attitudes and values that will challenge discriminatory behaviour;
- Strengthen individual and collective skills to deal with change across time and space.
- Provide opportunities for pupils to identify shared interests among members of different social groups and categories.
- Use a range of sensitive teaching strategies when teaching about different cultural traditions;
- Develop pupil's awareness so that they can detect bias and challenge discrimination;
- Ensure that the PSHE curriculum cover issues of equalities, diversity, human rights and inclusion;
- Promote and celebrate the contribution of different ethnic groups to the subject matter in all subject departments, where appropriate.
- Seek to involve all parents in supporting their child's education;
- Provide educational visits and extra-curricular activities that reflect all pupil groupings;
- Take account of the performance of all pupils when planning for future learning and setting challenging targets.
- Make best use of all available resources to support the learning of all groups of pupils.
- Increase achievement of all pupils in English, Maths, Science and ICT across all stages.
- Reduce direct, indirect and institutional discrimination.
- Reduce group segregation, disproportion and under/over representation.
- Foster social bonding (intra-group relations) and social bridging (inter-group relations) among pupils, workers, staff, parents, carers and families.
- Emphasise interconnectedness and interdependence of society members at local, regional, national and global levels.
- Facilitate balance between leadership and teamwork among pupils, staff, teachers and governors.
- Challenge negative stereotypes and prejudices about leadership/membership to certain groups in relation to specific persons and groups.
- Challenge assumptions and expectations about specific lifestyles or identities of certain persons and groups.

II. Personal development and pastoral guidance

At St George's

- The Senior Leadership Team takes account of disability needs, gender, religious and ethnic differences and the experience and needs of particular groups such as Gypsy Roma and Traveller, refugee and asylum seeker pupils.
- All pupils are encouraged to consider the full range of opportunities available to them with no discriminatory boundaries placed on them due to their disability, gender or race as well as their sexual orientation or religion/ belief or non-belief.
- Remove unlawful distinctions, exclusions, restrictions or preferences that have the purpose or effect of limiting equal access to goods, facilities and services.
- All pupils/staff/parents/carers are given support, as appropriate, when they experience discrimination. We also recognise that the perpetrators of discrimination are themselves sometimes victims of their personal circumstances and therefore where appropriate, remedial work is done to ensure that the actions do not occur again.
- Positive role models are used throughout the school to ensure that different groups of pupils can see themselves reflected in the school community.
- All pupils develop communication, delegation, motivation and supervision skills, particularly those who come from vulnerable, excluded or deprived backgrounds.

III. Curriculum

At St George's CE Infant and Preschool, the Senior Leadership Team, Governors and staff ensure that:

- Each area of the curriculum is planned to incorporate the principles of equality and to promote positive attitudes towards equality and diversity.
- Pupils will have opportunities to explore concepts and issues relating to identity and equality.
- All steps are taken to ensure that all pupils have access to mainstream curriculum by taking into account the cultural and lifestyle backgrounds of all pupils, their linguistic needs and their learning styles.
- Provide reasonable means for children, young people their friends and families to have meaningful and continuous interaction with people from different backgrounds, lifestyles and identities.
- Provide opportunities to recognise similarities while appreciating, respecting and valuing differences across and between groups.
- Challenge perceptions among majority groups about special treatment of minority groups.
- Challenge cultural, geographical or generational boundaries of the "community".
- Utilise food, arts, sports and PE as a means to foster participation, engagement, empowerment and consultation.
- Utilise case studies to emphasise successful relations among members of different groups, areas, neighbourhoods, nations and countries.
- Foster social bonding (intra-group relations) and social bridging (inter-group relations) among pupils, workers, staff, parents, carers and families.
- Facilitate meaningful and continuous interaction between people from all walks of life.
- Increase awareness about rights and responsibilities of pupils, their parents and carers as community members, regardless of migratory status and/or nationality.
- Remove barriers to access, participation, progression, attainment and achievement.
- Emphasise multiple dimensions of equality (opportunities, access, treatment, participation and outcome).

IV. Staff recruitment and professional development

- All posts are advertised 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 to avoid discrimination and ensure equality good practice throughout the recruitment and selection process.
- Steps are taken to encourage people from under represented groups apply for positions at all levels of the school.
- Access to opportunities for professional development is monitored on equality grounds.
- Equalities policies and practices are covered in all staff induction.
- All supply staff are made aware of equalities policies and practices.
- Facilitate training for staff, teachers, governors and head teachers on community cohesion.
- Reduce direct, indirect and institutional discrimination with regards to staff recruitment, training and retention.
- Workforce at all levels reflects local, regional and national diversity in terms of age, race, gender, ability, faith, ethnicity, social condition, cultural background and sexual orientation.

V. Partnerships with parents/carers and communities

- All parents/carers are encouraged to participate at all levels in the full life of the school.
- As part of the schools commitment to equality and diversity, a group made up of members of the school community including pupils, staff, local community members, parents/carers, local faith groups and local disability groups has been developed to support the school with matters related to its equalities duties and the nature of the extended services that the school will offer.
- We will, as a school, establish and strengthen partnerships with other schools to share good practice, exchange information and foster multi-cultural, multi- geographical and multi-generational activities.
- Members of the local community regularly join in school activities e.g. school fair, Gypsy, Roma and Traveller month celebrations, Black history month celebrations, Eid celebrations, harvest festival etc.
- The school has a role to play in supporting new and settled communities.
- We plan to increase consultation and engagement of community members to monitor and evaluate efficiency and fairness of extended services.
- Establish links with community groups and organisations to increase the range of activities and services they can offer.
- Establish links with community groups and organisations to share good practice and grassroots knowledge.
- Increase participation and empowerment of community members on all extended services.
- Emphasise equal contribution to society of members from different backgrounds with various lifestyles and identities.
- Improve perceptions about efficiency, efficacy and fairness of service provision at local level.
- Increase sense of responsibility and reciprocity between and within groups and persons.
- Promote understanding and recognition of overlapped and interconnected sources of identity for persons and groups.
- Increase awareness amongst pupils, parents, carers and families about social services at county, district, parish and neighbourhood level.
- Involve community members in activities that reflect similarities across heterogeneous groups and differences within homogeneous groups.
- Foster positive relationships between and within groups of pupils, workers, staff, parents, carers and families.
- Facilitate meaningful and continuous interaction between and within members of different groups.
- Establish and strengthen effective approaches to monitor, evaluate, manage and prevent conflict.

7. Putting Policy into Practice

This Policy has actions that require annual monitoring (see Equality and diversity page on the website). The plan identifies areas for development with clear targets; identifies staff with responsibility for meeting the targets and a timeline for achieving targets.

8. Monitoring and Reviewing

Under the Codes of Practice all Equalities Policies and related actions, need to be monitored and reviewed annually and a report on progress should be given to the Governors. This policy should outline how it intends to carry out this particular duty.

We have a rolling programme for reviewing our school policies. When policies are reviewed in future, governors will endeavour to ensure that due regard is given to the promotion of all aspects of equality within each policy.

We regularly review the impact of our policies on the needs, entitlements and outcomes for pupils, staff and parents from the equality strands referred to in this policy. We pay specific attention to the impact that our policies have on the attainment of pupils from different groups.

We make regular assessments of pupils' learning and use this information to track pupils' progress, as they move through the school. As part of this process, we regularly monitor the performance of different groups, to ensure that all groups of pupils are making the best possible progress. We use this information to adjust future teaching and learning plans, as necessary. Resources are available to support groups of pupils where the information suggests that progress is not as good as it should be. The governing body receives regular updates on pupil performance information.

School performance information is compared to national data, to ensure that pupils are making appropriate progress when compared to all schools, and to schools in similar circumstances.

As well as monitoring pupil performance information, we also regularly monitor a range of other information. This relates to:

- Exclusions;
- Incidents of racism, disabilism, sexual harassment and all forms of bullying;
- Parental involvement.

Our monitoring activities enable us to identify any differences in pupil performance. This allows us to take appropriate action to meet the needs of specific groups and to set targets in our strategic plan, in order to make the necessary improvements.

How this policy relates to other school policies

St George's CE Infant and Preschool takes account of the need to review all policies for adverse impact on any groups referred to in this policy.

We ensure that the commitments embodied in our mission statement for equality apply to the full range of our policies and practices, especially those concerned with:

- Equal opportunities
- Pupils' progress attainment and assessment
- Behaviour discipline and exclusions

- Pupils' personal development and pastoral care
- Teaching and learning
- Induction
- Admissions and attendance
- The curriculum
- All subjects
- Teaching and learning
- Staff recruitment and retention
- Governor /staff training and professional development
- Partnerships with parents/carers and communities
- Visits and visitors

Each policy, and any other relevant policies as outlined in the specific duties placed upon us by the relevant legislation, will be evaluated and monitored for its impact on pupils, staff, parents and carers from the different groups that make up our school. As part of the action plan a timeline of high, medium and low priority policies for impact assessment will be drawn up.

APPENDIX A

The Equality Act 2010

The Equality Act 2010 replaced all existing equality legislation from 1st October 2010.

It streamlines all the various legislation into a single requirement.

The Act prohibits schools from discriminating against, harassing or victimising:

- prospective pupils
- pupils at the school
- in some circumstances former pupils

Schools also have obligations as employers, bodies which carry out public functions and service providers.

What the law protects against

These are the main forms of prohibited conduct.

Discrimination

This includes:

- Treating a person worse than someone else because of a protected characteristic (known as **direct discrimination**). Although in the case of pregnancy and maternity direct discrimination, this can occur if they have protected characteristic without needing to compare treatment to someone else. It is not possible to justify direct discrimination, so it will always be unlawful.
- Putting in place a rule or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified (known as **indirect discrimination).** Indirect discrimination will occur if the following four conditions are met: ○ You apply (or would apply) the provision, criterion or practice equally to all relevant pupils, including a particular pupil with a protected characteristic, and
  - The provision, criterion or practice puts or would put pupils sharing a protected characteristic at a particular disadvantage compared to relevant pupils who do not share that characteristic, and
  - The provision, criteria, practice or rule puts or would put the particular pupil at that disadvantage, and ○ You cannot show that the provision, criteria of practice is justified as a 'proportionate means of achieving a legitimate aim'.
- Treating a disabled person unfavourably because of something connected with their disability when this cannot be justified (**known as discrimination arising from disability).** Discrimination arising from disability occurs when you treat a disabled pupil unfavourably because of something connected with their disability and cannot justify such treatment. Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising from disability, the motive for the treatment does not matter; the question is whether the disabled pupil has been treated unfavourably because of something connected with their disability.
- Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled pupil or for the disabled pupil to compare themselves with anyone else. Discrimination arising from disability will occur if the following three conditions are met:
  - you treat a disabled pupil unfavourably, that is putting them at a disadvantage, even if this was not your intention, and
  - this treatment is because of something connected with the disabled pupil's disability, and
  - you cannot justify the treatment by showing that it is 'a proportionate means of achieving a legitimate aim'.
- Failing to make reasonable adjustments for disabled people.

- The reasonable adjustments duty was first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act operates slightly differently and has been extended to cover the provision by a school of auxiliary aids and services; however this element of the duty will not come into force until a later date yet to be confirmed. The object of the duty is the same: to avoid as far as possible by reasonable means, the disadvantage which a disabled pupil experiences because of their disability.
- In some cases the support a disabled pupil may receive under the special educational needs framework may mean that they do not suffer a substantial disadvantage and there is no need for additional reasonable adjustments to be made for them. In other cases disabled pupils may require reasonable adjustments in addition to the special educational provision they are receiving. There are also disabled pupils who do not have special educational needs but still require reasonable adjustments to be made for them.

Harassment

- Unwanted conduct which has the purpose or effect of violating someone's dignity or which is hostile, degrading, humiliating or offensive to someone with a protected characteristic or in a way that is sexual in nature.

Victimisation

- Treating someone unfavourably because they have taken (or might be taking) action under the Equality Act or supporting somebody who is doing so. These are called 'protected acts'.

A 'protected act' is:

- Making a claim or complaint of discrimination (under the Act).
- Helping someone else to make a claim by giving evidence or information.
- Making an allegation that the school or someone else has breached the Act.
- Doing anything else in connection with the Act.

There is also protection for pupils who are victimised because their parent or sibling has carried out a protected act.

As well as these characteristics, the law also protects people from being discriminated against:

- By someone who wrongly perceives them to have one of the protected characteristics.
- Because they are associated with someone who has a protected characteristic. This includes the parent of a disabled child or adult or someone else who is caring for a disabled person.

New positive action provisions

Pupils with protected characteristics may be disadvantaged for social or economic reasons or for reasons to do with past or present discrimination. The Act contains provisions which enable schools to take action to tackle the particular disadvantage, different needs or disproportionately low participation of a particular pupil group, provided certain conditions are met.

These are known as the positive action provisions and allow (but do not require) schools to take proportionate action to address the disadvantage faced by particular groups of pupils. Such action could

include targeted provision, resources or putting in place additional or bespoke provision to benefit a particular disadvantaged pupil group.

Positive action is intended to be a measure that will allow schools to provide additional benefits to some pupils to address disadvantage and is not the same as positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged pupil group that exceeded the positive action conditions.
It is never unlawful to treat disabled pupils (or applicants) more favourably than non-disabled pupils (or applicants). That is, a school is permitted to positively discriminate in favour of disabled pupils (applicants).

Why we need to address race equality issues:

Legal Requirements:

- The Equality Act 2010 outlines that all public authorities including schools have a statutory duty to
- Eliminate racial discrimination;
- Promote equality of opportunity;
- Promote good relations between people of different racial groups.

The specific duties require us to*:*

- Prepare a written policy on racial equality;
- Assess the impact of our policies, including this policy, on pupils, staff and parents of different racial groups including, in particular, the impact on attainment levels of these pupils;
- Monitor the operation of our policies through the impact they have on such pupils, staff and parents, with particular reference to their impact on the attainment levels of such pupils.

Why we need to address gender issues:

Legal requirements:

The Equality Act 2010 states that it is unlawful to treat a person less favourably than another is treated in similar circumstances on the grounds of sex:

- Apply a condition which discriminated against a man or a woman because they are less able to comply with it than a member of the opposite sex is and;
- Discriminate against somebody because they are married.

The Equality Act 2010 requires that men and women should be paid equally where they are carrying out:

- The same job
- Work of equal value
- Work related as equivalent under the job evaluation scheme

The Equality Act 2010 permits employers to act positively in favour of a particular gender by:

- Offering access to training to employers and/or non employees to help fit them to particular work in the organisation in which their gender group has been identified as under represented and;
- Encouraging employees and/or non employees to take up opportunities for work.

The Equality Act 2006 purpose was to create a public duty to promote equality of opportunity between men and women and to prohibit sex discrimination.

Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female pupil of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female pupil of any age) less favourably because she is breastfeeding a child who is more than 26 weeks old.

Gender Reassignment

Gender reassignment is a personal process (rather than a medical process) which involves a person expressing their gender in a way that differs from or is inconsistent with the physical sex they were born with.

This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to dress in a different way as part of the personal process of change.

A person will be protected because of gender reassignment where they:

- make their intention known to someone – it does not matter who this is, whether it is someone at school or at home or someone like a doctor:
    - once they have proposed to undergo gender reassignment they are protected, even if they take no further steps or they decide to stop later on
    - they do not have to have reached an irrevocable decision that they will undergo gender reassignment, but as soon as there is a manifestation of this intention they are protected
- start or continue to dress, behave or live (full-time or part-time) according to the gender they identify with as a person
- undergo treatment related to gender reassignment, such as surgery or hormone therapy, or • have received gender recognition under the Gender Recognition Act 2004.

It does not matter which of these applies to a person for them to be protected because of the characteristic of gender reassignment.

This guidance uses the term 'transsexual person' to refer to someone who has the protected characteristic of gender reassignment.

Why we need to address disability issues:

The Equality Act 2010 outlines that a person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'. There is no need for a person to have a medically diagnosed cause for their impairment; what matters is the effect of the impairment not the cause.

In relation to physical impairment:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met (see below).
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.
- Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia. The other tests to apply to decide if someone has the protected characteristic of disability are:
- The length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur or if the person no longer has the condition, they will be considered to be a disabled person.
- Whether the effect of the impairment is to make it more difficult and/or time- consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.
- If the activities that are made more difficult are 'normal day-to-day activities' at work or at home.
- Whether the condition has this impact without taking into account the effect of any medication the person is taking or any aids or assistance or adaptations they have, like a wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is taken into account.

The Duty:

The Equality Act 2010 places a general duty on schools, who need to have due regard for the following when carrying out their functions:

- Promoting equality of opportunity between disabled people and other people;
- Eliminating discrimination that is unlawful under the DDA;
- Eliminating harassment of disabled people that is related to their disability;
- Promoting positive attitudes towards disabled people;
- Encouraging participation in public life by disabled people;
- Taking steps to meet disabled people's needs, even if this requires more favourable treatment.

Why we need to address sexual orientation issues:

Legal requirements:

- The Equality Act 2010,covers discrimination, harassment and victimisation in work and vocational training. They make it unlawful to deny people jobs because of prejudice about their sexual orientation. They enable individuals to take prompt and effective action to tackle harassment and enable people to have an equal chance of training and promotion, whatever their sexual orientation or the sexual orientation of those with whom a person is associated or related.
- The Equality Act 2006 included an order making power that allows Regulations to be made to prohibit sexual orientation discrimination in the provision of all goods, facilities and services in education and in the execution of public functions. These Regulations entered into force on the 30th of April 2007. Sexual orientation means an individual's sexual orientation towards:

- people of the same sex as him or her (gay or lesbian);
- people of the opposite sex (heterosexual);
- people of both sexes (bisexual)

It does not include transsexuality which is related to gender and is covered in the employment context by sex discrimination legislation.

The Regulations prohibit discrimination on the basis of a person's:

- Actual sexual orientation;
- Perceived sexual orientation by him or her;
- Sexual orientation of someone with whom he/she is associated.

Discrimination is defined as:

- Direct discrimination on the grounds of sexual orientation happens when a person is treated less favourably than another person is, or would be, treated in the same circumstances, and that treatment is because of their sexual orientation, perceived sexual, or that of a person with whom he or she is associated- such as a parent.
- Indirect discrimination on the grounds of sexual orientation happens where a provision, criterion or practice is applied to everyone, but it has the effect of putting a person of a particular sexual orientation at a disadvantage- and it cannot be reasonably justified by reference to considerations other than sexual orientation.
- Victimising someone by treating them less favourably because of anything they have done or intend to do in relation to these regulations such as making a complaint or giving evidence for a complainant, is also unlawful discrimination.

The specific duties require us not to unlawfully discriminate against a person:

- *In the terms on which it offers to admit him or her as a pupil*
- *By refusing to accept an application to admit him or her as a pupil*
- *In the way in which a pupil is afforded access to any benefit, facility or service • By refusing access to any, benefit, facility or service*
- *By excluding him or her*
- *By subjecting him or her to any other detriment*

Why we need to address Religious belief / non-belief issues:

Legal requirements:

- The Equality Act 2010 outlines discrimination on grounds of religion, religious belief or similar philosophical belief. They cover direct or indirect discrimination, harassment and victimisation in work and vocational training on grounds of perceived as well as actual religion or belief (i.e. assuming - correctly or incorrectly - that someone has a particular religion or belief). It is illegal to discriminate against any one because of their religion or faith when providing goods or services.

- Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular religion or belief in order to do the job or to comply with the religious or belief ethos of the organisation

- Religion or belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It will be for the Employment Tribunals and other Courts to decide whether particular circumstances are covered by the law

For example it is unlawful to:

- Decide not to employ someone
- Dismiss them
- Refuse to provide them with training
- Deny them promotion
- Give them adverse terms and conditions

Because they follow, or do not follow, a particular religion or belief

Why we need to address age issues:

Legal requirements:

- The Equality Act 2010 prevents unjustified age discrimination in employment and vocational training. It protects against discrimination that is directly against anyone:

    - That is, to treat them less favourably than others because of their age – unless objectively justified
    - Discriminate indirectly against anyone – that is, to apply a criterion, provision or practice which disadvantages people of a particular age unless it can be objectively justified
    - Subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances including the perception of the victim
    - Victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of age.

Why we need to Community Cohesion issues:

Legal requirements: The duty still remains but is no longer a criteria used by Ofsted when grading schools.

The Education and Inspections Act 2006 establishes general duties of governing bodies:

Section 38 states that governing bodies should conduct the school with regard to four new duties one of which is the duty to "promote community cohesion".

Section 154 states the duty to report to OFSTED on the contribution of certain schools to community cohesion.

Section 33 about requirements to foundation school contains a subsection 96) which establishes an explicit requirement that a foundation school should "promote community cohesion". This seems to be linked to the Government's desire "to promote ethnic, religious, and cultural tolerance and respect between different groups of people living together." Therefore, trusts will need to demonstrate that they are committed to providing "opportunities for young people from different backgrounds to learn from each other and encourage an understanding of, and respect for, other cultures and faiths and by activities in the community, which help build bridges between different ethnic groups." This duty also implies assessing if certain activities would constitute an obstacle to meeting this requirement.

Schools play a fundamental role in decreasing deprivation and exclusion, in valuing and celebrating ethnic diversity, raising achievement and attainment, preventing and managing bullying, anti-social behaviour and discrimination incidents.

Beyond statutory requirements for schools to promote community cohesion, it is important that these policies are developed in a context-wise, evidence-based and problem-solving manner. Likewise, it is useful to acknowledge that the school's efforts to promote community cohesion will be more significant if the duty is mainstreamed across all areas such as curriculum and teaching and learning,

Appendix B - Resources

You may wish to add an appendix of all resources used or referred to in this document. Eg:

Guidance for Education Providers: Schools
https://www.equalityhumanrights.com/en/advice-and-guidance

The Employment Equality (Sexual Orientation Regulations 2003) http://www.opsi.gov.uk/si/si2003/20031661.htm

The Equality Act (2010) Advice for Schools
https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools

For detailed guidance on:

- Writing about Ethnicity ○ https://www.ethnicity-facts-figures.service.gov.uk/style-guide/writing-about-ethnicity
- Handling sex and relationship education ○ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/283599/sex_and_relationship_education_guidance.pdf
- Tackling bullying ○ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/623895/Preventing_and_tackling_bullying_advice.pdf