

Queen Elizabeth's School

EQUAL OPPORTUNITIES POLICY

1. Introduction and Aims

Queen Elizabeth's School believes that excellence is enabled through recognising the value of every individual. The School aims to create an environment that respects the diversity of staff and pupils from all different backgrounds and allows them to achieve their full potential, to contribute fully, and to derive maximum benefit and enjoyment from their involvement in the life of the School.

The School opposes all forms of unlawful and unfair discrimination and aims to provide a supportive environment for all pupils, members of staff, visitors and members of the wider Elizabethan community.

To this end, the School acknowledges the following basic principles for all members and prospective members of its community:

- to be treated with respect and dignity;
- to be welcomed and valued;
- to be treated fairly with regard to all procedures, assessments and choices; and
- to receive support and encouragement to reach their full potential.

These values carry with them responsibilities and the School requires all members of the community to act in accordance with them in all their dealings.

This policy therefore aims to ensure:

- an environment of mutual respect and tolerance;
- that everyone has the same opportunities and support to fulfil their potential;
- that awareness of equalities issues are raised throughout the School and considered regularly as part of curriculum and School development planning;
- that pupils are educated to value the rich diversity of the world and society; and
- that pupils are educated against all forms of prejudice and discrimination, especially those relating to protected characteristics (as defined by the Equality Act 2010).

2. The Equality Act 2010

This policy has been prepared with reference to the Equality Act 2010 and the School is committed to complying with its requirements to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

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The 'protected characteristics' referred to in this policy apply to the following (in line with the Equality Act 2010):

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

Further details relating to the School's duties and approach with regards to these protected characteristics can be found in section 10.

3. Forms of discrimination

The School will be cognisant of the different forms that discrimination can take. The following forms of discrimination are prohibited under this Policy and are unlawful:

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic as outlined in Section 2 above. An example of direct discrimination would be refusing to employ a woman because she is pregnant. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic (although it does not explicitly include pregnancy and maternity, which is covered by indirect sex discrimination) such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

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Victimisation occurs where an individual is subjected to a detriment because they made or supported a complaint or raised a grievance under The Equality Act 2010, or because they are suspected of doing so. In the case of an employee, such detriment might be that they are denied a training opportunity or a promotion. However, the employee would not be protected from victimisation if they acted maliciously or made or supported an untrue complaint. There is no longer a need for a complainant to compare their treatment with someone who has not made or supported a complaint under The Equality Act 2010. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments and is then systematically excluded from all meetings, such behaviour could amount to victimisation.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and - according to guidance from the Government and ACAS - pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Third-party harassment occurs where an individual is harassed, and the harassment is related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity), by third parties such as parents or carers, suppliers or visitors.

For an employer to be liable:

- the harassment must have occurred on at least two previous occasions (although not necessarily by the same harasser or suffering the same type of harassment);
- it must be aware that the previous harassment has taken place; and
- it must have failed to take reasonable steps to prevent harassment from happening again.

Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

4. Roles and responsibilities

Everyone in the School community has a responsibility to support the values and provisions of this policy, to treat all individuals fairly and with respect, and to challenge and report any instances of discrimination. However, in particular:

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The Governing Body will:

- set the framework of equal opportunities policy and promote equality through all functions of the School;
- ensure that unlawful discrimination does not occur in relation to the recruitment and subsequent employment of staff;
- adopt no measure nor approve any policy which would or would be likely to result in unlawful discrimination, harassment or victimisation of a pupil with a protected characteristic;
- hold the Headmaster and Senior Leadership to account for the implementation of the policy and its procedures; and
- monitor progress in relation to equal opportunities and the School's equality objectives.

The Headmaster will:

- manage the implementation of the School's policies to ensure equal opportunities;
- ensure staff are aware of the policies and that they are applied consistently;
- maintain an overview of curricula and pastoral provision with respect to equalities;
- monitor pupil behaviour and exclusions to ensure there is no discrimination;
- manage the School's recruitment processes to ensure fairness to all applicants;
- ensure support and reasonable adjustments are offered to pupils and staff where this is required; and
- promote a culture of inclusion, understanding, respect and equality among all members of the School community.

Members of staff will:

- ensure they understand the School's policies and the requirements of the Equality Act 2010;
- implement these policies across the School and its various activities;
- engage with training and professional development opportunities relevant to delivering equal opportunities;
- challenge any discriminatory behaviour or prejudicial language;
- consider equalities when planning lessons, activities and schemes of work;
- provide extra support to pupils with additional needs or disabilities and make reasonable adjustments to provision, where required, to enable them to fulfil their potential; and
- exemplify the values of this policy in their professional conduct at all times.

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5. Equal opportunities in the curriculum

When planning, reviewing and delivering the curriculum in each subject, careful consideration is given to the needs of pupils with protected characteristics and to ensure equal opportunity for all.

- All pupils have equal access to a broad and balanced curriculum. If on rare occasions pupils are dis-applied from aspects of the curriculum, this is as a result of careful consideration of the particular pupil's educational needs and will follow consultation with the pupil and their parents.
- All pupils have equal access to resources and activities. The School will consider the needs of pupils with a disability and make reasonable adjustments to resources and methods to support them. Full details can be found in the School's Special Educational Needs and Disabilities Policy.
- The School will also attempt to address any inequalities likely to be the result of financial disadvantage through efforts to provide extra funding for trips and activities for pupils in financial need.
- Teaching takes account of pupils' cultural background, linguistic needs and different learning styles to provide equality of opportunity. Bespoke tutorials, personalised targets and feedback, and supportive interventions are used to support pupils with different challenges.
- All Departments consider the issue of avoiding stereotypes when purchasing and utilising resources.
- When creating its own resources to use with pupils, the School uses inclusive language, and tries to avoid language and images which might reinforce stereotypes.
- The curriculum is planned to incorporate the principles of equality and to encourage thoughtful responses to, and positive attitudes towards, diversity. Pupils are given opportunities to explore concepts and issues relating to identity and equality.
- There is a diverse curriculum, providing encounters with other cultures and contributing to the spiritual, moral, social and cultural development of all pupils. The broad range of extra-curricular activities and events cater for the interests and capabilities of all pupils.
- The School encourages pupils to deal assertively with discrimination wherever they encounter it. These themes are covered within their learning at the School, particularly through their Personal Development Time studies.

6. Pastoral support

The aim of the pastoral system is to support boys as they progress through the School, helping them develop socially, morally and academically. It aims to promote socially responsible behaviour, emotional wellbeing, respect for others and mutual tolerance, maintaining the standards of a civilised and supportive community.

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Through Personal Development Time and the Lecture Programme boys are encouraged to consider different perspectives and understand the challenges facing different groups, building broad cultural understanding and empathy.

The House system helps foster a sense of shared identity and belonging and further enables vertical tutoring, though which pupils in the Upper School can support their younger peers.

This is in addition to the bespoke tutorial system, peer mentoring scheme, staff mentoring and counselling services which can be utilised to tailor support so that everyone can reach their potential.

7. An equal opportunities employer

Queen Elizabeth's School aims to ensure that equality of opportunity underpins all aspects of employment policy and practice. We aim to:

- be an equal opportunities employer committed to a policy of equal access to employment opportunities, training and development, at all levels of the organisation;
- recruit and retain a workforce that reflects the expertise and demands of our community and ensure that recruitment and selection procedures are in place to attract the best applicants to the School; and
- subject to operational requirements, give reasonable consideration and support to members of staff whose personal circumstances change and attempt to accommodate these in accordance with the law, for example by varying working arrangements, retraining or redeployment where possible.

8. Recruitment and selection

The School is committed to ensuring that the processes for recruiting staff are objective, fair and prevent either direct or indirect discrimination. The School is determined to attract and appoint the best possible staff, irrespective of background, and recognises the advantages to the pupils of having a diverse teaching body and support staff. To support these aims, the following procedures are implemented:

- Recruitment, promotion and other selection exercises, such as redundancy selection, will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person (and with the involvement of the Governing Body for the appointment of the Deputy and Headship).
- Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

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- Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a protected characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- Applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Headmaster. For example:
 - questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments); or
 - questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment; or
 - positive action to recruit disabled persons; or
 - for the purposes of equal opportunities monitoring (although this will not form part of the selection or decision-making process).
- Where necessary, job offers can be made conditional on a satisfactory medical check.
- The School is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy the Prevention of Illegal Working Regulations. The list of acceptable documents is available online.
- The Rehabilitation of Offenders Act 1974 and associated Regulations set out when previous convictions must be disclosed to employers. All posts that involve contact with children or vulnerable adults are exempt from this Act, which includes all posts within the School. Therefore, spent convictions must be disclosed to the School in all cases. There are no exceptions to this rule. If any convictions are disclosed they are not necessarily a bar to employing that person and the relevance of the offence to the duties of the job will be considered at the short-listing stage.
- To ensure that this Policy is operating effectively, and to identify groups that may be underrepresented or disadvantaged in the School, applicants' ethnic group, gender and disability may be collected as part of the recruitment procedure. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment.

9. Dealing with allegations of discrimination

Allegations of discrimination will be taken seriously and investigated by a suitably senior member of staff, or governor. Pupils, members of staff and visitors are encouraged to report, in timely manner, any incident they observe or are made aware of. Any such incidents will be responded to in accordance with the Pupil Discipline Policy, Bullying Policy, Staff Disciplinary Procedure, Complaints Policy, or Whistleblowing Policy, as relevant to the details of the case and the method of reporting. The use of offensive, pejorative or

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discriminatory language will be challenged and dealt with under the same procedures. The School will seek to support individuals affected by such behaviour.

Allegations found, after careful investigation, to be malicious will be dealt with as a disciplinary matter under the relevant procedures for pupils or staff.

10. Protected characteristics

As established by the Equality Act 2010, no one should be discriminated against, or treated less favourably, on the basis of the following protected characteristics. The School recognises its duties and responsibilities in each case and takes steps to mitigate any potential disadvantage and promote equality of opportunity.

10.1 Age

The provisions concerning age apply to all parts of the employment relationship, including recruitment, terms and conditions, promotions, transfers, dismissals and training. This means that it is essential for organisations not to recruit, select, promote, develop, nor make individuals redundant on the basis of age.

The age provisions do not apply to pupils in the School. The School therefore remains free to admit and organise pupils in age groups and to treat pupils in ways appropriate to their age and stage of development.

10.2 Sex

Queen Elizabeth's is a single-sex school and the law specifically states that it is not unlawful discrimination to only admit boys.

The School is conscious, though, of the need to ensure that pupils are suitably educated about gender equality, highlighting societal inequalities and representing the viewpoints and academic contributions of women across the curriculum.

Respect for girls and women is actively promoted and sexist language or behaviour will be challenged. The School will endeavour to maintain some scope within the enrichment programme for the boys to work alongside girls from other schools, for example in academic symposia and debating activities.

The School will not discriminate in recruitment, selection or promotion processes on the basis of sex. Employers must not discriminate, either directly or indirectly, between men and women during the employment relationship, including recruitment, training, promotions,

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transfers and dismissals. Equal treatment, in respect of pay, terms of contract and employment, must be given to men and women for doing equal work.

10.3 Race

The School is a proudly racially-diverse community. Race is defined as including colour, nationality and ethnic or national origins. The School will not unlawfully discriminate against a job applicant, employee, or prospective pupil, nor treat them less favourably, because of their race. The School ensures that pupils of all races are treated equally and are not singled out for different and less favourable treatment from that given to other pupils.

Any cases of racially-motivated bullying, or the use of racist language, will not be tolerated and will be swiftly dealt with under the School's behaviour policies.

10.4 Disability

The term disability applies to a person when:

- they have a physical or mental impairment;
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

For the purposes of the Equality Act, these words have the following meaning:

- 'substantial' means more than minor or trivial
- 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping

The School is committed to meeting the needs of pupils with disabilities. The School endeavours to meet the requirements of the Equality Act 2010, which specifies due regard should be given to consider the barriers that may exist to a pupil's access to education and how to remove those barriers. All reasonable steps will therefore be taken to ensure that disabled pupils are not placed at any disadvantage compared to non-disabled pupils. The Equality Act also determines that where significant disadvantage exists, disabled people will be treated more favourably to address the imbalance. This will be taken into account when considering any necessary improvements.

The School is committed to providing an environment that allows disabled pupils full access to the curriculum and enrichment opportunities.

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Staff will modify teaching and learning as appropriate for pupils with disabilities. For example, they may give additional time to complete certain activities or modify teaching materials or offer alternative activities where pupils are unable to complete certain tasks.

Specific measures for an individual pupil will be set out in their inclusion reports, available to all members of staff. Information about pupils with severe medical conditions will also be available to their teachers to ensure that they can be effectively supported.

A plan will also be put in place for increasing the accessibility of the School site to disabled pupils, staff and visitors, as well as increasing access to information. The School ensures disabled access to the venues of major School events and arranges specialist support for parents' evenings, where required.

It is against the law to discriminate against a disabled person because of their disability. This applies to all employment matters (including recruitment, training, promotion and dismissal). In order to help a disabled person compete on equal terms with an able bodied person, the School will look at what reasonable adjustments they could make to the workplace or to the way the work is done as a means of negating or limiting the effect of the disability. The School is able to take into account how much the changes will cost and how much they will help, when considering what is reasonable.

If a pupil or member of staff becomes disabled, they should inform the School at the earliest opportunity so that steps can be taken to support their full participation in School life. The School may need to consult with them and their doctor (or, in certain circumstances for staff, a doctor nominated by the School) in order to plan the appropriate steps and adjustments.

10.5 Religion and belief

Queen Elizabeth's School is a non-denominational school, which aims to build understanding and respect for those of all faiths and none through its curriculum.

Pupils, staff and visitors will be treated equally irrespective of their religion or belief and the School will comply with reasonable requests relating to the accommodation of a recognised religion or belief's observance and practice, such as by designating a room for prayers or authorising absence for notable religious holidays.

Bullying or harassment relating to someone's belief system will not be tolerated.

Equal opportunities will also be given to members of staff in relation to religion or belief. It is unlawful to discriminate against a job applicant or employee or treat them less favourably because they follow, or are perceived to follow, a particular or no religion, religious belief or similar philosophical belief. It is also unlawful to treat a job applicant or employee less favourably because of the religion or belief of someone with whom the job applicant or employee associates.

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The School is compliant with its mandatory legal duty to provide for a daily act of collective worship, which (in a non-denominational school) should be of a broadly Christian nature.

10.6 Pregnancy and maternity

It is unlawful for an employer to discriminate against a job applicant or employee by treating her unfavourably because of her pregnancy or because of an illness she has suffered as a result of her pregnancy, during the relevant protected period, or by treating an employee unfavourably because she is on compulsory maternity leave or because she is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.

In addition to implementing its legal duties, the School will support members of staff through pregnancy and maternity, meeting with them at regular intervals to discuss if any reasonable adjustments are required to their working arrangements.

10.7 Sexual orientation

The School will make no assumption about the sexual orientation of any of the members of its community, including its pupils, staff, parents and visitors.

Academic and pastoral provision will be regularly reviewed so as to be inclusive and will seek to avoid reinforcing heteronormativity through the use of language and resources. Sex education will encompass different sexual orientations and deal with each sensitively.

Homophobic or bi-phobic language, including making negative associations, will be challenged across the School and any cases of bullying based on a person's sexual orientation, or perceived orientation, will be dealt with seriously under the relevant discipline policy.

It is unlawful to discriminate against a job applicant or employee or treat them less favourably in the workplace because of their sexual orientation, their perceived sexual orientation or because they associate with someone of a particular sexual orientation.

10.8 Gender reassignment

The School aims to be a welcoming and supportive community for all pupils and staff and this applies equally for transgender people. Through Personal Development Time and the wider curriculum, the School will seek to build understanding of the different issues surrounding gender identity and ensure a safe, inclusive and positive environment for all transgender and transgender questioning Elizabethans.

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Where a member of staff identifies as being a different gender to the sex that they were assigned at birth, or where they have gone through a process of gender reassignment, the School will recognize this and refer to them accordingly. The School will discuss the individual staff member, what, if any, adjustments may be required to support them.

For transgender pupils, the School will discuss each case as it arises, consulting closely with the pupil and their parents, where appropriate. Good ongoing communication will be a priority, in order both that suitable arrangements can be put in place and that these arrangements are then monitored for their ongoing suitability. Consideration will be given to:

- How the pupil is identified in terms of their gender and their preferred personal pronoun;
- A strategy for changing the pupil's name, in terms of day-to-day usage within the School and with external organisations, such as examination boards (if the pupil wishes their preferred name to appear on exam certificates);
- Whether any adjustments are required to the application of the School's Uniform Policy;
- What arrangements need to be put in place with regards to accessing facilities such as toilets and changing rooms;
- Whether any adjustments are necessary for certain activities, such as PE/Games lessons or for external trips and visits (taking into account the pupil's wishes alongside the outcomes of relevant risk assessments);
- Any matters associated with confidentiality and information sharing that arise; and
- How to manage any absence from School relating to medical appointments or counselling, whilst stressing the importance of good overall attendance for the pupil's academic and wider progress.

Where a pupil on roll transitions from male to female, they will be eligible to continue their studies at the School.

Transphobic language will be challenged and cases of relating bullying will be dealt with seriously under the relevant discipline policy.

10.9 Marriage and civil partnership

It is unlawful to discriminate against a job applicant or employee or treat them less favourably than others because of marriage or civil partnership.

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Appendix A – School Equality Objectives

Under the Public Sector Equality Duty, as articulated by the Equality Act 2010, the School needs to establish and monitor a set of equality objectives. These are in addition to the aims, objectives and commitments set out in the School's Equal Opportunities Policy (as above).

Alongside working to achieve and uphold the requirements of the Equality Act, the School more specifically aims to:

1. Reduce any attainment gap between pupils of different ethnicities in English (and other essay-writing subjects), relating to around half of all pupils not having English as their first language.
2. Reduce the attainment gap between those pupils in receipt of pupil premium and their cohort at large at GCSE.
3. Reduce further the incidence of the use of pejorative language by pupils in relation to race, gender and sexual orientation.
4. Further foster tolerance, understanding and good relations between those in the School community with a protected characteristic and those without through the curriculum and pastoral support system.
5. Increase pupil consultation and leadership on equalities issues, enabling them to better promote equality, diversity and inclusion among their peers.

Progress against these objectives will be monitored on an ongoing basis and reported at least annually to the Governing Body.

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*LINKED
POLICIES*

- The School’s Strategic Development Plan
- Admissions Policy
- Bullying Policy
- Complaints Policy
- Governors’ Statement of Education
- Health and Safety Policy
- Home-School Agreement
- Information and Communication Technology Policy
- Mental Health & Wellbeing Policy
- Pupil Discipline Policy
- Sex and Relationships Education Policy
- Special Educational Needs and Disability Policy
- Spiritual, Moral, Social and Cultural Development Policy
- Staff Disciplinary Procedure
- Staff Grievance Procedure
- Staff Training and Development Policy
- Whistleblowing Policy

*LINKED
LEGISLATION
AND
REFERENCES*

- Equality Act 2010
- Rehabilitation of Offenders Act 1974
- <https://www.gov.uk/government/publications/right-to-work-checklist>
- Department for Education: The Equality Act 2010 and schools (2014)
- Department for Education: Personal, Social, Health and Economic Education (2013)
- Department for Education: Preventing bullying (2013)

Approved by the Governing Body on 28 February 2019

Signed

B.R. Martin, Chairman of the Governing Body