

Equal Opportunities Policy (Pupils)

September 2023



I. Introduction

- 1.1 **The School:** St. Helen's School (**School**) is an independent mainstream day school for pupils aged from 3 to 18 years. The School is a registered charity and welcomes staff, workers, volunteers, pupils, parents, applicants and Governors from all different ethnic groups, backgrounds and creeds. The term **School Community** includes staff, Governors, pupils, including those in the EYFS, parents, visitors and volunteers.
- 1.2 **School's position:** The School recognises the benefits of having a diverse School Community, with individuals who value one another, and the different contributions everyone can make. Pupils are taught to value and respect others. The School is committed to being an equal opportunities education provider and is committed to equality of opportunity for all members of the School Community. In the provision of equal opportunities, the School recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:
- disability;
 - gender reassignment;
 - pregnancy and maternity;
 - race (includes ethnic or national origins, colour or nationality);
 - religion or belief (including lack of religion or belief);
 - sex;
 - sexual orientation;
 - and (in the case of adult members of the School community)
 - marital or civil partnership status; and
 - age.
- 1.3 These are called the **Protected Characteristics**. The School also opposes all bullying and unlawful discrimination on the basis that a person has a special educational need (**SEN**) or learning difficulty, or because English is an additional language.
- 1.4 The School aims to ensure that all policies and practices, conform with the principles of equal opportunities. The School will tackle inappropriate attitudes and practices through staff leading by example, through the personal, social, health and citizenship education (**PSHCE**) programme, through the cultivation of the St Helen's Character Attributes of Kindness, Integrity, Courage and Resilience, through a supportive School culture and through the School's policies.
- 1.5 **Related policies:** This Equal Opportunities Policy is consistent with all of the School's policies, including the Admissions Policy, Pupil Behaviour Policy, Expulsion, Removal and Review Policy, Anti-Bullying Policy, Disability Policy, Educational Visits Policy, Accessibility

Plan and the Special Educational Needs and Learning Difficulties Policy and protocols on School Uniform.

- 1.6 All policies can be made available in large print or other accessible format if required.

2. Policy statement

2.1 Scope: This policy applies to all members of the current and prospective School Community. There is also an Equal Opportunities Policy for staff in the Employment Manual.

2.2 Policy aims: Through the operation of this policy we aim to:

- communicate the commitment of the School to equal opportunities for all members of the School community
- foster good relations between people who share a protected characteristic and people who do not share it
- promote equal treatment within the School for all members of the School Community
- create and maintain an open and supportive environment which is free from discrimination
- actively promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs
- remove or help to overcome barriers for pupils where they already exist
- ensure that there is no unlawful discrimination against any person on any ground listed at paragraph 1.2
- make it clear that, and ensure, all discriminatory words, behaviour and images are treated as unacceptable
- take reasonable steps to avoid putting disabled people at a substantial disadvantage (the 'reasonable adjustments' duty)

3. Forms of discrimination

3.1 Types: Discrimination may be direct or indirect, or arising from disability, and it may occur intentionally or unintentionally.

3.2 Direct discrimination: Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic as set out in paragraph 1.2 above. For example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race would be direct discrimination.

Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy or maternity). For example, if a pupil is harassed or victimised because a sibling is disabled, this would be direct discrimination against that pupil.

3.3 Indirect discrimination: Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for example, their gender, sexual orientation or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with gender, they would be indirectly discriminatory on the grounds of gender.

3.4 Discrimination arising from disability: Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a pupil with cerebral palsy who is a wheelchair user is told they are unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

3.5 Victimisation and harassment: Discrimination also includes:

- **Victimisation** - less favourable treatment because of an action taken to assert legal rights against discrimination) and
- **Harassment** - 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, regardless of whether this effect was intended

4. Admission

4.1 Applicants: The School accepts applications from, and admits pupils irrespective of their race, disability sexual orientation, gender reassignment pregnancy or maternity, religion or belief or special educational needs and will not discriminate on these grounds in the terms on which a place is offered, subject to section 10, below. The School will treat every application in a fair, open-minded way.

4.2 Selection: Every application will be considered on its merits within the School's criteria for selection on grounds of the pupil's ability and aptitude, but this will not be done as a way of excluding pupils with a disability or special educational needs, subject to section 10 below.

4.3 Admissions Policy: The School's Admissions Policy reflects the School's approach to equal opportunities and is consistent with this policy.

5. Education and associated services

5.1 Equal access: The School will afford all pupils equal access to all benefits, services, facilities, classes and subjects, including all sports, irrespective of their race, disability, sex, sexual orientation, gender reassignment, pregnancy or maternity, religion or belief or special educational needs, subject to considerations of safety and welfare, paragraph 8.3 and section 10, below.

- 5.2 Positive action:** The School may afford pupils of a particular racial group, or pupils with a disability or special educational needs, access to additional education or training to meet the special needs of the pupils in that group, for example, special language training for groups whose first language is not English.
- 5.3 Exclusions:** The School will not discriminate against any pupil by excluding them from the School, or by subjecting them to any other detriment, on the grounds of their sex, race, disability, sexual orientation, gender reassignment, pregnancy or maternity, religion or belief, or special educational needs, subject to section 10 of this Policy.
- 5.4 Teaching and School materials:** Efforts are made to recognise and be aware of the possibility of bias (for example, gender or racial), so that this can be eliminated in both the School's teaching and learning materials and teaching styles. The School aims to ensure that materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias and proactively educates pupils through the PSHCE curriculum and subject curricula about the protected characteristics and Fundamental British Values.
- 1.7 **5.5 Pupil interaction:** All pupils are encouraged to work and play freely with, and have respect for, all other pupils, irrespective of their race, disability, sex, sexual orientation, gender reassignment, religion, belief, pregnancy or maternity or special educational needs, subject to considerations of safety and welfare. Positive attitudes are fostered towards all groups in society through the curriculum and ethos of the School, and pupils will be encouraged to question assumptions and stereotypes.
- 5.6 Bullying:** The School will not tolerate bullying or cyberbullying for any reason. Specific types of bullying include:
- bullying relating to race, religion, belief or culture;
 - bullying related to SEN, learning difficulties or disabilities;
 - bullying related to appearance or health conditions;
 - bullying relating to sexual orientation;
 - bullying relating to gender reassignment
 - bullying of young carers or looked after children or otherwise related to home circumstances;
 - sexist or sexual bullying.

The School's Anti-Bullying Policy contains more details about the School's strategy in this regard. The School will work with Children's Services as necessary when bullying behaviour becomes a potential safeguarding issue.

6. School uniform

- 6.1 The protocol on wearing a School uniform is consistent with this policy.** The protocol on wearing a School uniform applies equally to all pupils, irrespective of their race, disability, sex, sexual orientation, gender reassignment, pregnancy or maternity, religion or belief or special educational needs, subject to considerations of safety and welfare. However, the School will consider reasonable requests to alter the School

uniform, for example, for genuine religious requirements, and for an individual's desire to express their personal identity. The School will make reasonable adjustments for disabled children.

6.2 Symbols of faith: Certain items of jewellery, such as the Kara bangle, and certain items of headwear, such as headscarves may be worn by pupils when doing so is genuinely based on manifesting religious or racial beliefs or identity. This is subject to considerations of safety and welfare and the School's existing guidance on School uniform principles (in regard to, for example, the school colours). Where there is uncertainty as to whether an item may be worn under this section, the issue must be referred by the pupil or her parents to the Deputy Head Pastoral for consideration. The Deputy Head Pastoral may consult the Headmistress before making a final decision subject to the Complaints procedure.

6.4 Disabled pupils: Reasonable adjustments may be required on a case-by-case basis to the School uniform for disabled pupils who require them. The pupil or the pupil's parents should refer the matter to the Headmistress to ensure all reasonable adjustments are made to accommodate the pupil.

7. Religious belief

7.1 Religion: The School's religious ethos, services and school timetable are set in accordance with the Christian tradition, but the School respects the right and freedom of individuals to worship in accordance with other faiths, or no faith, subject always to their respecting the rights and freedoms of the School Community as a whole and considerations of safety and welfare.

8. Disability and special educational needs

8.1 Our approach: We are an inclusive School which welcomes members of the School Community with disabilities and special educational needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the School and we will not treat a member of the School Community less favourably on these grounds without justification. At present, our facilities, physical and otherwise, for the disabled and those with special educational needs are limited. However, we will do all that is reasonable to ensure that the School's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Disability Policy and Policy on Special Educational Needs and Learning Difficulties are consistent with this policy. For a copy of these policies, please contact the Business Director.

8.2 Definitions: Children have **Special Educational Needs** if they have a learning difficulty which calls for special educational provision to be made for them. A disability is a physical or mental impairment which has a "*substantial and long-term adverse effect*" on a person's ability to carry out normal day-to-day activity (Equality Act 2010). For further clarification, please refer to the policies mentioned in paragraph 8.1 above.

8.3 Reasonable adjustments: The School has an ongoing duty to make 'reasonable adjustments' for disabled pupils and pupils with special educational needs in respect of the education and associated services provided to ensure that such pupils are not placed at a

substantial disadvantage in comparison with other pupils. This is a broad expression that covers all aspects of school life, for example:

- the curriculum
- classroom organisation and timetabling
- access to school facilities
- clubs and visits
- school sports and
- school policies

Reasonable adjustments may typically include:

- making arrangements for a child in a wheelchair to attend an interview in an accessible ground floor room
- allowing extra time for a dyslexic child to complete an entrance examination
- providing examination papers in larger print for a child with a visual impairment
- rearranging the timetable to allow a pupil to attend a class in an accessible part of the building
- arranging a variety of accessible sports activities.

8.4 The School is not legally required to make adjustments which include physical alterations such as the provision of a stair-lift or new ground floor facilities, or a new library.

8.5 In making "reasonable adjustments" the School is required to provide auxiliary aids and services for disabled pupils. The School will consider any proposals made by parents carefully and will not unreasonably refuse any requests for such aids and services.

9. Informing the School

In accordance with the School's terms and conditions, parents of pupils must notify the Headmistress in writing if at any time they are aware or suspect that the pupil has a learning difficulty. The registration form enables prospective parents to give details of their child's disability when applying for a place at the School. Parents must provide copies of all written reports and other relevant information upon request. Providing the School with such information will enable the School to support the pupil as much as possible. Confidential information of this kind will only be communicated on a "need to know" basis. The School will have due regard to any request made by a parent or pupil (who has sufficient understanding of the nature and effect of the request) to treat the nature or existence of the person's disability as confidential.

10. Admission of children with special educational needs and / or a disability

Applications for a place at the School will be considered on the basis that reasonable adjustments (see definition above) have been made by the School in order to cater for the child's special educational needs and / or disability. The School will not offer a place if, after reasonable adjustments have been made, the School will not be able to provide adequately for the pupil's

physical and educational needs. The School shall inform the parents of their decision and give details of the reasonable adjustments they are going to make or give reasons why an offer of a place has not been made.

10.1 Existing pupils: Where the School becomes aware of a disability or special educational need of an existing pupil, the School will do all that is reasonable to assist the pupil whilst at the School, which may include making reasonable adjustments. If in the professional judgement of the Headmistress, and after consultation with the parents and the pupil (where appropriate), the School cannot provide adequately for the pupil's physical and educational needs after all reasonable adjustments have been made, parents will be asked to withdraw the pupil, without being charged fees in lieu of notice and with the acceptance deposit returned. The School will do what is reasonable to help parents to find an alternative placement which will provide their child with the necessary environment and level of teaching and support.

10.2 Access: The School will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to other users. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises. The School has an Accessibility Plan, which is kept under review and revised as necessary. The Plan is available on request from the Business Director.

SENCo: The School's Special Educational Needs Co-ordinator (known as the Head of Individual Needs) is Judit Halmagyi.

11. Pupils with Statements of Special Educational Needs/Education, Health and Care Plans

The School's Policy on Special Educational Needs includes details about the welfare and educational provision for pupils with Statements of Special Educational Needs/ Education, Health and Care Plans.

12. Pupils with English as an additional language

Pupils with English as an Additional Language (**EAL**) receive additional learning support if necessary, overseen by the Head of Literacy, the English Department and the Head of Individual Needs. The School consults with the pupil and the parents as appropriate. The School has appropriate welfare support for all such pupils through the supportive and inclusive pastoral system, aided where appropriate by the Engagement and Support Lead.

13. Responsibilities

All members of the School Community are expected to comply with this policy and therefore to treat others with dignity at all times.

13.1 Overall responsibility: The Council of Governors has overall responsibility for the effective operation of the School's Equal Opportunities Policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination. The Council of Governors has delegated to the Executive Committee day-to-day responsibility for operating the policy and ensuring its accessibility, availability, maintenance and review.

13.2 Management: Those working at a management level have a specific responsibility to set an appropriate standard of behaviour, to lead by example and to promote the aims and objectives of the School with regard to equal opportunities.

14. Monitoring and review

14.1 Monitoring: To ensure that this policy is operating effectively with respect to admission and selection, and to identify those sections of the local community which may be under-represented in the School, the School monitors applicants' gender, race, disability and religion or belief confidentially as part of the Admissions procedure. We also maintain records of this data in an anonymised format solely for the purposes stated in this policy.

14.2 Review: The Deputy Head Pastoral is responsible for the ongoing monitoring and regular analysis of the data monitored under paragraph 14.1 above and under paragraph 15.5 below and will arrange for the taking of appropriate positive steps to eliminate unlawful direct and indirect discrimination where necessary. The Deputy Head Pastoral is also responsible for reviewing whether the aims of this Policy are carried out throughout all areas of the School and taking appropriate action where necessary. This policy is reviewed annually by the Deputy Head Pastoral.

15. Reporting and recording incidents of discrimination

15.1 Questions about this policy: If you have any questions about the content or application of this policy, you should contact the Deputy Head Pastoral.

15.2 Complaints: If you believe that you have received less favourable treatment on any of the unlawful grounds listed in paragraph 1.2 above, or if you feel that this policy has been breached in any way to your detriment you are encouraged to raise the matter through the School's formal complaints procedure. For a copy of the School's Concerns and Complaints Policy, please contact the Deputy Head Pastoral. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the complaints procedure.

15.3 Reports: If you would like to report a breach of this policy that does not constitute a complaint under paragraph 15.2 above, please contact the Business Director.

15.4 Enforcement: We will treat seriously and investigate every complaint and report. Disciplinary action may be taken against any member of the School Community who is found to have acted in contravention of this policy.

15.5 Record: All reported breaches of this policy will be recorded, and this record will be reviewed annually by the Deputy Head Pastoral.

16. Publication

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

Authorised by	Executive Team
Effective date of the policy	1 st September 2023 – 31 st August 2024
Review period	Annual