

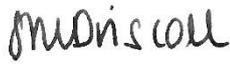
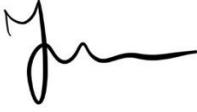
SIR THOMAS FREMANTLE SCHOOL



Equal Opportunities Policy

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ATTACHED COMMITTEE	Finance, Resources, Audit & Risk

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REVIEW CYCLE	1 Year
NEXT REVIEW DATE	January 2024

Mrs S Driscoll – Chair of Governors	Mr F Murphy – Head Teacher
Signed: 	Signed: 
Date: 26.01.23	Date: 26.01.23

CONTENTS

.....	1
1. Aims	5
2. Responsibilities	5
3. Liability	6
4. Monitoring Equality of Opportunities	6
5. Equal Opportunities for Students	7
5.1 Age	7
5.2 Disability	7
5.3 Gender reassignment	8
5.4 Race	8
5.5 Religion or belief	9
5.6 Sex	9
5.7 Sexual orientation	10
6. Equal Opportunities for Staff	10
6.1 Age	10
6.2 Disability	10
6.3 Reasonable adjustments for existing employees	11
6.4 Access to Work Funding	12
6.5 Gender reassignment	12
6.6 Marriage and civil partnership	12
6.7 Pregnancy & Maternity	12
6.8 Race	12
6.9 Religion or belief	13
6.10 Sex	13
6.11 Sexual orientation	13
6.12 Recruitment and Selection	13
6.13 Genuine Occupational Qualification	13

7. Discrimination	14
8. Extremism	15
9. Victimisation	15
10. Racial Incidents	15

1. Aims

Sir Thomas Fremantle School has a strong belief in the value of our community and the need to support every individual to achieve their potential.

Aims:

- to provide fair and enriching opportunities for all members of our community
- to promote diversity within society and acceptance of all members of society
- to celebrate our individuality
- to educate and develop positive attitudes and celebrate differences within society and what makes us unique
- to help ensure that discrimination does not occur within our community
- to ensure no one is disadvantaged because of their age; disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation
- to respond quickly and fairly where discrimination, verbal or physical abuse against staff or pupils
- set out the process that support reporting in a way that does not further disadvantage
- set out commonly accepted terminology to avoid causing offence

We consider Equal Opportunities when updating all policies. In particular this policy should be read alongside:

National: The Equality Act 2010 Equality and Human Rights Commission: Meeting the Equality Duty in Policy and Decision-Making England (and non-devolved public authorities in Scotland and Wales)

Equal Opportunities

Sir Thomas Fremantle School agrees to provide equal opportunities to all members of the community. This includes members within the protected characteristics:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

2. Responsibilities

The responsibilities of Sir Thomas Fremantle School:

- to assist the school to meet its commitment to providing equal opportunities
- to put equal opportunities into practice.
- to promote equal opportunities
- to treat all members of the school community and visitors with respect and not to behave in a way that could be offensive to others.

- to report incidents (either to yourself or directly witnessed) to ensure that the school can react promptly and proactively

Employees can be held personally liable as well as, or instead of, the school for any unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees, students or visitors are disciplinary offences and will be dealt with under the School's Disciplinary Policy. Conduct of this type will often be gross misconduct which can lead to dismissal without notice.

The additional responsibilities of senior management are:

- to ensure that all members of the school community for whom they are responsible have knowledge of and understand the Equal Opportunities Policy.
- to take appropriate corrective action, when they become aware of incidents which contravene this Policy.
- to ensure that there is a range of opportunities to discuss and celebrate diversity.
- to secure opportunities for students to learn about the history of discrimination and the movements to eradicate discrimination within our modern society

3. Liability

To avoid liability for the actions of employees the employer must be able to demonstrate that its employment policies and practices are known and applied fairly and effectively. It will be necessary to ensure that the EO Policy has been adopted, that information and training on equal opportunities has been made available to all staff and that there are effective procedures for dealing with grievances and allegations of harassment.

4. Monitoring Equality of Opportunities

The school monitors equal opportunities regularly as we strive to offer a community free from prejudice and discrimination. We consider Equal Opportunities when writing policies, establishing procedures and protocols, the establishment of the Curriculum, the generation of opportunities and the actions within the school. We always seek to improve and consider where we can be more inclusive within our approach.

The school's curriculum supports diversity; opportunities to reflect on the past and the world in which we currently live can be found across a range of subjects. We consider annually how our curriculum can be adjusted to support greater learning, awareness and understanding beyond the standard curriculum. Our curriculum monitors and responds to patterns in students' attitudes ensuring that we are able to maintain our inclusive society. This includes reducing unconscious bias, prejudice and reducing the use of inappropriate terminology. We actively support students to develop their opinions, develop a voice and consider how they can make a positive difference to lives now and in the future.

We believe that our ongoing curriculum supports a breadth of knowledge and opportunities to explore society and the world. We aim to keep abreast of national and international developments and ensure that students have the opportunity to explore and consider their views on events that occur. We will, where possible, incorporate these agendas into our formal and informal education.

As the world evolves, we will respond and will not prioritise any one agenda above another, aiming to keep the widest version of Equal Opportunities for all at any one time.

5. Equal Opportunities for Students

Sir Thomas Fremantle students can attend school and access all opportunities without fear of discrimination and abuse. We have the same high expectations of all our students and do not accept any suggestions that any student cannot be successful and achieve, at least, in line with their peers. A simple definition of Equal Opportunity is:

It is about giving all students a fair and unbiased way to reach their pure potential.

It is about ensuring equal access to provision, opportunities and life chances.

When considering any required support for the child, this is identified on an individual basis and on their specific needs. At times support may be given due to their protected characteristic, depending upon their needs. We do not place any higher emphasis on any one child, group or protected characteristic. All students are equal and are offered the appropriate support and provision for their individual needs and at each stage of their educational career.

We actively promote the celebration of our unique qualities and individuality. Through the PSHEE curriculum we promote and consider individuality, tolerance and celebration of the diverse community we live in. Our pastoral system further supports inclusion and British Values. We do not accept negative behaviours towards any students, particularly if these are due to prejudices relating to any of the protected characteristics.

5.1 Age

Sir Thomas Fremantle School is open to students aged between 11-16. Typically, students will study within the year in line with the year of their birth. Education 'Out of Year' will be considered in special circumstances. Please refer to the school's Admissions Policy.

At times there will be opportunities open to specific age groups in line with their stages within the curriculum. This may be due to a range of reasons which could include:

- the courses that they are studying
- needs specific to their point in their education
- the offer of differing opportunities to different age groups
- the ability to offer the opportunity to all students may not be feasible
- school will always aim to offer a range of "education stage appropriate" opportunities to all age groups.

5.2 Disability

Sir Thomas Fremantle School has a strong history of supporting students with disabilities and works closely with individuals to ensure that they are able to access the breadth of opportunities at STFS.

The definition of disability under the Equality Act 2010 is if you have a physical or mental impairment that has a substantial and long-term adverse effect on your ability to do normal daily activities.

Substantial: is more than minor or trivial e.g. it takes longer than it usually would to complete a daily task like getting dressed.

A person automatically meets the disability definition under the Equality Act 2010 from the day they are diagnosed with HIV infection, Cancer or Multiple Sclerosis.

On rare occasions, certain activities may not be accessible if we feel that this poses a Health & Safety risk to the individual or if it would place other members of the school at risk. At these points a conversation will be had with the student and parents/carers. We will work closely with the individual and the family to support a positive educational experience and ultimate success.

Admission to Sir Thomas Fremantle School will be agreed unless on a rare occasion the school feels that the school is unsuitable and to admit the individual would prejudice the provision of efficient education and use of resources.

Reasonable adjustments for disabled students will be set within the Integrated Health Care Plan (IHCP):

- physical adjustments to the premises
- strategic timetabling to limit movement around the building (where possible)
- support moving around the building
- allow leave during school hours for rehabilitation, assessment or treatment
- acquire or modify equipment
- modify procedures for testing or assessment
- provide a reader
- provide supervision

5.3 Gender reassignment

Sir Thomas Fremantle School supports students undertaking Gender Reassignment. This is always managed in a sensitive way and in direct discussion with the individual and their family. We recognise that every case of gender reassignment is different and we do not have a set approach, instead responding to the needs of the individual. The school will support the change in the preferred name of the individual in all years.

We work with each individual to support them in accessing all opportunities and in day to day situations. Where necessary, e.g. residential trips, we may need to discuss with other members of the school and parents/carer a means to support inclusion.

5.4 Race

Race includes:

- colour

- nationality
- ethnic or national origins

Under the Equality Act 2010 we adhere to the general duty on every school to make appropriate arrangements with a view to eliminating unlawful racist discrimination and promoting equality of opportunity and good relations between persons of different racial groups.

Sir Thomas Fremantle School is a diverse society with students from a range of nationalities/ethnicities attending the school. We are an inclusive society and actively support students from all nationalities/ethnicities to be an active part of the school's community and engage with the opportunities we offer.

Students with limited English skills on entry are provided with EAL tuition to support a rapid increase in their understanding of the English language to enable them to engage with learning rapidly and to reduce any impact having English as a second language may have on their outcomes and their overall success.

Where first languages are spoken at home, we actively seek methods to engage with the parents and families to ensure that the individual and their parents can access effectively the breadth of provision in place for them.

5.5 Religion or belief

Students from all religions and beliefs are welcomed and celebrated within the school community. As a whole school we celebrate Christmas, Shrove Tuesday and Easter.

A wide range of religions and beliefs are addressed within PHSE and the Religious Studies curriculum that is offered in all Key Stages. Across the school we teach a wide range of beliefs, skills and topical issues which parents can request for their child not to participate in if they feel that this is not in line with their respective belief or religion.

Students from all religions and beliefs are encouraged to be an active part of the Sir Thomas Fremantle School community and engage with the opportunities offered. Where there may be a reason whereby we feel that we cannot offer an opportunity – e.g. restricted medical consent due to religious beliefs, then this will be discussed closely with the family and all opportunities explored to allow the engagement to occur, before this opportunity is disallowed.

Where amendments to the school dress code are requested on religious grounds then these will be considered fairly and accepted where there is just cause.

5.6 Sex

Sir Thomas Fremantle is a mixed sex setting at Key Stages 3 and 4 (please see the Admissions Policy)

We actively support all students to have a positive engaging experience in the Sir Thomas Fremantle School and to be successful in their outcomes. They have an equal opportunity to engage with the opportunities that the school offers and where roles are allocated e.g. student positions/roles within the school musical, these are allocated based on the aptitude of the individual.

5.7 Sexual orientation

Sir Thomas Fremantle supports students from the LGBTQ+ communities and, as sexual orientation continues to evolve, we will support all students as they explore their sexuality and the challenges that they may face in the process of doing this.

We work with each individual to support them in accessing all school opportunities and in day to day situations. Where necessary, e.g. residential trips, we may, with the permission of the individual, need to discuss with other members of the SLT to support inclusion.

6. Equal Opportunities for Staff

Sir Thomas Fremantle School has a commitment to both the equality of opportunity in employment for its staff and in the provision of its services. The school aims to ensure that all job applicants and employees receive equal treatment and are not disadvantaged by unnecessary conditions or requirements.

Through good equal opportunity practice we aim to achieve the best professional standards for all. Equal opportunity also makes good business sense in terms of improved morale, lower sickness absence, less stress and greater commitment. We pay due diligence to our legal responsibilities.

A simple definition of Equal Opportunity is:

- about giving all staff a fair and unbiased way to reach their pure potential
- about ensuring equal access to employment and services.

All employees are expected to perform their duties in accordance with and in furtherance of good equal opportunity practice. Wilful breaches of policy may result in disciplinary action. We do not accept negative behaviours towards any members of staff, particularly if these are due to prejudices relating to any of the protected characteristics.

6.1 Age

Sir Thomas Fremantle School employs staff from across the age range and they are selected for their skills and attributes as a person. Discrimination by age in the selection of successful candidates for a job is unacceptable. We support members of staff wanting to continue working beyond their retirement age and adopt the good practice that employment after this age should be reviewed on an annual basis.

6.2 Disability

Staff with disabilities are welcomed and we work with the individual to support them with their disability through open and honest communication, agreed risk assessments and support plans. Staff with diagnosed and confirmed disabilities are asked to notify HR as soon as possible after their diagnosis to enable us to support them fully. At times we may ask members of staff to seek

additional information and consultation with specialists to ensure that we can fully support them to fulfil their role fully and successfully, and ensure that their needs are understood by those working closely with them. Any actions are agreed with the individual with the disability.

The definition of disability under the Equality Act 2010 is if you have a physical or mental impairment that has a substantial and long-term adverse effect on your ability to do normal daily activities.

Substantial: is more than minor or trivial e.g. it takes longer than it usually would to complete a daily task like getting dressed.

Long-term: 12 months or more

There is a common misapprehension that disabled people are confined to wheelchairs and that buildings need to be adapted with ramps, and doorways widened. In fact, only 4% of people with disabilities are in wheelchairs. The large majority have few, if any, mobility problems. The onset of most disabilities occurs during people's working lives - only 17% of disabled people are born with their impairment.

Disabilities can be physical or mental, apparent or invisible. However, in no way is it fair, or legal, to impose a blanket restriction against employing applicants with disabilities. Some types of disabilities obviously will have an overriding impact on whether a person with a disability is suitable for a particular job. For example, one would not employ a blind person on driving duties. However, there are many jobs that people with disabilities can perform entirely satisfactorily, which to the recruiter may, at first sight, seem impossible.

**above are extracts taken from www.disabilityconfident.campaign.gov.uk*

A person automatically meets the disability definition under the Equality Act 2010 from the day they are diagnosed with HIV infection, Cancer or Multiple Sclerosis.

We actively support staff who become disabled whilst employed by Sir Thomas Fremantle School. However, each case will be dealt with on its merits. Where an employee would prefer not to take/ does not meet the criteria for medical retirement, then every effort will be made to maintain the position they held when they became disabled, or every effort will be made to find them a job, appropriate to their experience; where necessary training will be given. In these cases, the vacancy to be filled may not necessarily be advertised. However, there will be an assessment at six months and annual review of performance and if appropriate medical retirement will remain an option.

6.3 Reasonable adjustments for existing employees

In order to comply with the duty to make reasonable adjustments to working arrangements or physical features of premises where these cause disadvantage to a disabled person, the following steps might be taken:

- physical adjustments to premises
- allocating some of the disabled person's duties to another person
- transferring the disabled person to fill another vacancy
- alter working hours
- allow leave during working hours for rehabilitation, assessment or treatment
- give or arrange training

- acquire or modify equipment

Sir Thomas Fremantle School is not obliged to make the best adjustment possible nor to provide items/equipment that an individual could reasonably be expected to have already for personal use.

Buildings in which the public are to be admitted and/or staff are to be employed should incorporate the standard facilities for people with disabilities relating to parking, means of access and sanitary accommodation. The facilities in the British Standard Code of Practice 5810. "Code of Practice for access for the disabled to buildings" should be introduced so far as is practicable and reasonable when major adaptation or refurbishment schemes are undertaken.

6.4 Access to Work Funding

Access to Work Advisors can provide an advisory service for employers and people with disabilities. They may help towards the cost of equipment and adaptations to premises, both for the specific employment of a new recruit and for current staff who become disabled.

Amongst other things, Access to Work can help pay for:

- adaptations to equipment, or new equipment
- alterations to premises or working environments
- travel expenses
- Disability Awareness Training for colleagues

6.5 Gender reassignment

Should the need arise Sir Thomas Fremantle School would support the member of staff through the gender reassignment and how this is managed across the school community.

6.6 Marriage and civil partnership

Staff with all relationship statuses are welcomed at Sir Thomas Fremantle School.

6.7 Pregnancy & Maternity

A woman has a statutory right to take time off to attend ante-natal appointments, start her maternity leave any day from 11 weeks before her due date and at the end of their maternity leave return to the job, or a similar one, that she was originally employed to do and on the same or no less favourable terms and conditions. (See Absence Policy)

6.8 Race

Race includes:

- colour
- nationality
- ethnic or national origins

Under the Equality Act 2010 there is a general duty on every school to make appropriate arrangements with a view to eliminating unlawful racist discrimination, and promoting equality of opportunity and good relations between persons of different racial groups.

Our staffing body consists of members of staff from across the world and our diversity is welcomed.

6.9 Religion or belief

Staff from all religions and beliefs are welcomed and celebrated within Sir Thomas Fremantle School and where appropriate are encouraged to share their religious celebrations with the school. The whole school celebrates Christmas, Shrove Tuesday and Easter.

6.10 Sex

Staff of all sexes are welcomed at Sir Thomas Fremantle School. At times, members of staff may be approached to support on residential visits to ensure that the correct levels of appropriate gender supervision are in place.

6.11 Sexual orientation

Sir Thomas Fremantle School supports staff from the LGBTQ+ communities and as sexual orientation continues to evolve, we will continue to support staff.

6.12 Recruitment and Selection

When recruiting staff, we do so in accordance with the school's "Recruitment, Selection and DBS" policy. We ensure that all stages of the selection process are fair and non-discriminatory.

6.13 Genuine Occupational Qualification

Selection on racial or gender grounds is allowed in certain jobs where there is a genuine occupational qualification.

7. Discrimination

Sir Thomas Fremantle School actively seeks not to discriminate against any individual. We are proactive in building a positive and inclusive society where we can all achieve our potential. Where a case of discrimination is raised then the school will act promptly to investigate, resolve and, where found to be substantiated, ensure that no further occurrences occur.

Discrimination involves treating an individual less favourably than another based on negative assumptions about a particular group of people.

Direct discrimination refers to the treatment of an individual less favourably than another on the basis of race, sex, marital status, disability, religious belief, age, gender reassignment and sexual orientation and is nearly always intentional.

Indirect discrimination refers to when a requirement or condition is applied equally to everyone but many fewer people of a particular group are able to comply with it. Indirect discrimination is unlawful when it cannot be justified.

Where discrimination is proved then this will be sanctioned formally: Students – in line with the Behaviour Policy and staff in line with the Disciplinary Policy

We are an inclusive school and do not accept negative behaviours or actions towards any members of staff or students. Harassment in relation to a Protected Characteristic is unacceptable. Any imposed conduct which is unwanted, unreciprocated or offensive to the person on the receiving end - whether physical, verbal or non-verbal - can be regarded as harassment.

Note: Harassment does not depend on the intention of the offender but rather the impact of that behaviour on others. There are no acceptable levels.

If an individual is being harassed, they should make it clear to the offender that their behaviour is unacceptable and unwelcome.

In the rare event that this occurs then we ask the victim of the behaviours (or a direct witness) to raise this immediately through tutors, Mentors or the nearest available member of staff. Staff should raise awareness through their Line Manager, Business Manager, Head Teacher or the nearest available member of SLT. A thorough investigation will then take place.

The Head Teacher, SLT and Governing Body are responsible for taking appropriate action to eliminate harassment and intimidation of which they are aware. Failure to do so will be considered a failure to fulfil all the responsibilities of the position. However, where it is appropriate, a person of a particular gender may be designated to deal with cases of sexual harassment.

Where harassment/negative behaviours are proved then this will be sanctioned formally, Students in line with the Behaviour Policy and Staff in line with the Disciplinary Policy

Note: Any incident of discrimination or negative behaviours against a protected characteristic will be recorded.

Note: Care should be taken that members of one sex or a particular ethnic minority group are not disciplined or dismissed for performance or behaviour, which is overlooked or condoned in another sex or another racial group.

Note: The attention given to a complaint of discrimination or harassment may be considered by an Employment Tribunal as an indication of whether the legal duty is discharged.

8. Extremism

We are an inclusive society and do not accept extremism within our community. Any concerns surrounding an individual are reported to the PREVENT.

9. Victimisation

This involves penalising someone who has made allegations or brought a claim about harassment or discrimination, through unwarranted disciplinary procedures, threats, less favourable treatment or any other means. It is unlawful.

Note: Complaints of victimisation will receive a thorough investigation at a senior level.

Note: Internal harassment is also a criminal offence

10. Racial Incidents

Schools are required by the Equality Act 2010 to eliminate unlawful racial discrimination, promote equality of opportunity and promote good race relations between people of different racial groups. Schools must record, investigate and respond to racial incidents.

Schools are recommended to adopt MacPherson's definition of a racist incident, as outlined in the enquiry into the death of the teenager Stephen Lawrence:

"A racist incident is any incident which is perceived to be racist by the victim or any other person."

This is a victim-friendly definition used by the Home Office, which is nationally accepted by the DfE, the Police and the LA. It includes all groups, and is not confined to race or skin colour. It requires schools to demonstrate effective listening, supported by impartial investigation procedures that allow both the victim and the alleged perpetrator to be given a fair hearing.

A racist incident may be perpetrated against individuals because of their race, colour, nationality, culture, language or religion. Racial incidents may also include acts not targeted at an individual.