

# Bedford High School

A Specialist Business and Enterprise College

To Care To Learn To Achieve



## Equality and Diversity Policy

<b>School Address</b>	Manchester Road Leigh WN7 2LU
<b>School Contact Number</b>	01942 909009

### Document control

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### Changes History

Version	Date	Description	Changes

# EQUALITY INFORMATION AND OBJECTIVES (PUBLIC SECTOR EQUALITY DUTY) STATEMENT FOR PUBLICATION

March 2017

Equality Information and Objectives (public sector equality duty) statement for publication.

This statutory policy is in line with legislation: The Equality Act 2010 and The Equality Act 2010 (Specific Duties) Regulations 2011. See also related documents SEND and Local Offer and Accessibility Plan.

## 1. Introduction

The Governors of Bedford High School are committed to the principle of equality of opportunity for all in employment and in the provision of teaching and learning.

Our school takes pride in our increasingly diverse community and all the cultural richness that it brings with it.

This statement outlines our commitment to equality and diversity. It sets out our intention to create an environment in which everyone in our school community can take full part in the social and cultural life of the school. It also sets out our commitment to promote equality and diversity among our students, their families and our staff.

## 2. Statement of Intent

The Governors of the school recognise that certain groups in society have historically been disadvantaged on account of unlawful discrimination they have faced on the basis of their ethnicity, race, gender, disability, religion/belief, sexual orientation, age, socio-economic background, gender and gender identity.

We will put in place a range of actions to eliminate prejudice, unlawful discrimination and victimisation within the school community we serve and our workforce.

## 3. Our aim

We want to see a strong, sustainable and cohesive community in our school. We will continue to develop and promote policies and systems that make sure that the school community and our workforce are not unlawfully discriminated against.

Our aims are to:

- promote equality of opportunity;
- eliminate unlawful discrimination, and
- promote good relations between people from different backgrounds.

#### 4. **How will we deliver our commitment?**

The Governors have adopted the following principles:

- we recognise the value of diversity within the community, our workforce and our student body and the contribution made by people from different backgrounds;
- we are committed to ensuring that teaching and learning meet the varied and complex needs of all students in our care;
- we will make sure our employment is accessible to everyone and that we actively value and celebrate the wide variety of lifestyles and cultures within the community.

Our commitment is supported by a legal duty to provide learning and employment opportunities fairly, without unlawful discrimination. We believe we have a strong moral and social duty to recognise any unlawful discrimination, take steps to challenge prejudice and promote equality.

#### 5. **Objectives**

##### 5.1 **Accessible services and partnerships:**

Where appropriate we will work with other organisations and local voluntary and community groups to provide teaching and learning and access to employment which promote equal opportunities to all by:

- building on good practice;
- consulting with and involving our local community;
- providing accessible information and ways for people to comment;
- carrying out equality impact assessments of new and existing policies and practices to make sure that they do not unlawfully discriminate against anyone;
- removing barriers which deny people access to our school community;
- using our powers to make sure that organisations providing services on our behalf work in line with this statement;
- promoting an environment which gives all students an equal chance to learn and live free of unlawful discrimination and prejudice, all staff to work and live free of unlawful discrimination and prejudice;
- take steps to build an inclusive and cohesive school community.

##### 5.2 **Equal and appropriate treatment in employment, training and recruitment opportunities:**

This will be achieved by:

- developing a workforce which reflects the community at all levels;
- making sure that all employees understand their responsibilities under this statement;
- making sure that all employees know about their rights of protection from unlawful discrimination, harassment, bullying, including homophobic bullying or victimisation;

- developing and promoting policies which give everyone equal access to employment and opportunities;
- gathering evidence of the impact of our actions.

## 6.0 Responsibilities

The Governors are an equal opportunities employer and provider of teaching and learning. In order to support this public commitment all staff play a key role in ensuring that provision does not give rise to unlawful discrimination of any kind and that we have a shared understanding of the relevant issues and how best to deal with them.

All employees at the School are expected to comply with the schools values of promoting equality and diversity and treat colleagues and others in the school community with dignity and respect at all times. This commitment must be evidenced in practice. Any behaviour that falls below these standards is unacceptable to the Governors and potentially constitutes misconduct.

### Leaders and managers are expected to:

- be at the forefront of best practice on equalities within their respective areas;
- set equality targets, monitor outcomes and develop relevant action plans;
- review all provision to ensure elimination of unequal treatment of staff, students and the wider school community
- raise equality-related issues with their staff and senior colleagues;
- encourage leadership on equalities amongst their staff and other providers;
- establish monitoring systems;
- report to the Governors on the results of assessments, consultations and monitoring;
- train staff on equalities issues;
- consider better access for people with disabilities;
- monitor provision by contractors and other external providers;
- have evidence of consultation carried out with staff and the school community;
- make guidance readily available to staff.

## 7.0 Transgender and other LGBT issues

All young people are entitled to be treated with equality, irrespective of difference. Young people of a different race or religion may add to the school's diversity and this is to be celebrated. Equally, if a young person believes themselves lesbian, gay, bisexual, transgender or questioning of their sexual orientation, this should be met with tolerance and respect. If a student discloses that they may be Lesbian, Gay, Bisexual or Transsexual and requests advice, the safeguarding lead should consider an external agency that can provide unbiased support.

Our community recognise that a student may question their sexuality and the process of defining this may take some time. Patience should be shown by school and this should be encouraged at home, too. There are several groups who meet locally or offer a range of face-to-face or online advice; for example, Stonewall and BYOU (Voice and Engagement team), as well as peer support.

### 7.1 Legislation

The Human Rights Act 1998: The following Articles from The Human Rights Act 1998 support the rights and needs of Transgender people to live their lives in their true gender.

- Article 8: right to respect for private life and family life;
- Article 10: freedom of expression;
- Article 14: the prohibition of discrimination.

The Gender Recognition Act 2004: The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth certificate to match their true

gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to. Equality Act 2010 (Great Britain)

The Equality Act 2010: This ensures legal protection against discrimination, harassment and victimisation (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is Gender Reassignment (also known as Transgender). Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to School and young people. The Equality Act 2010 (2:1:7) states that: A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. The Act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a student will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so.

### **Sex Discrimination (Gender Reassignment) Regulations 1999**

Individuals who intend to undergo, are undergoing or have undergone gender reassignment are protected from discrimination in work, school and vocational training (including higher education study).

## **7.2 Transgender Identity**

A Transgender person feels that their external appearance (sex) does not match up with the way they feel internally about their gender identity. A Female to Male (F2M) person will have the external appearance or body of a female and identify their gender as male; a Male to Female (M2F) person will have the external appearance or body of a male and identify their gender as female. The word Transgender is sometimes used interchangeably with the term gender-variant but usually has a narrower meaning and different connotations than gender variant, including non-identification with the gender assigned at birth. Children and students that experience or show gender variance may or may not be transsexual, as some will not retain their gender variance following puberty because gender variance can be fluid. Gender Dysphoria (or Gender Identity Disorder) is a clinical condition that can present from as early as age 2 and can only be diagnosed by a medical and/or psychiatric expert. A person diagnosed with Gender Dysphoria may require treatment, e.g. hormone blockers (currently not available in the UK under the age of 16), to ameliorate the symptoms associated with being Transgender. A Transgender person may live their life without being or needing to be diagnosed as having Gender Dysphoria. Diagnosis and treatment for young people is currently only possible through a specialist team from the Tavistock clinic in London. It must be understood that some people with Gender Dysphoria may not want any treatment. Some may choose to be known by a different name or to wear different clothes. However, most or all young Transgender people (and their families) will need some expert support as they grow up and develop.

## **7.3 Discrimination**

Bedford High School has a robust anti-bullying policy. Incidents of racism, homophobia or transphobia are dealt with seriously and with consistent sanctions. As part of the sanction, there will always be therapeutic education for the perpetrator. Incidents will be recorded and monitored as part of the six-weekly behaviour reporting to SLT and governors.

## **7.4 Changing/Toilet Facilities**

The use of changing room facilities will also be carefully considered. Facilities for Transgender participants will be sensitive to their needs and also recognise the needs and sensitivities of other students. Changing facilities will be discussed with the student and their parents/carers and take account of their views. When competing at another school or outside venue, school staff must ensure there is appropriate sensitive provision available. There is provision in Bedford High School for unisex/accessible toilets. Transgender students will be able to use these facilities which are labelled sensitively and appropriately. Bedford High School has conducted an audit of the appropriateness of the facilities.

## **7.5 School Uniform**

Transgender students will be expected to follow the School Uniform Policy, which covers uniform, make-up and jewellery. There is a generally broad range of uniform available for both genders (i.e. girls and boys can wear trousers and all students must wear a sweatshirt, shirt and tie) and it is not stipulated in any policy that any uniform is gender-specific. As regards PE kit the Transgender student should be allowed to wear the kit of their true gender.

## **7.6 Changing Names and Exam Certification**

If a Transgender student wishes to have their preferred name recognised on school systems, this will be supported and will feed on to letters home, report cycles, bus pass information etc. Furthermore, the change of name and associated gender identity will be respected and accommodated by the school. It is a real indicator that the Transgender student is taking steps to, or proposing to move towards a gender they feel they wish to live in. Students can be entered under any name with an Examination Board. However, once a result is accredited it will need to be linked with a Unique Pupil Number (UPN) or Unique Learner Number (ULN) which existed in the school census information submitted in January of the examination year. UPNs and ULNs are only linked with legal names, not preferred names. It is possible for examination certificates to be issued in the preferred name, but any young person finding themselves in this position should discuss this issue with Bedford High School and parents/carers to ensure the best way forward. Schools are encouraged to ensure a strategy is agreed with the student and their parents/carers, then agreed with the various Examination Boards prior to starting GCSE courses as some examinations may be sat in year 10 and the length of time the process re-registering may take has to be considered. Schools will also need to be aware that the DfE analysis of school performance may still present the student in the gender registered by their UPN. It is possible for most documents to be changed to reflect the chosen name of the young person. Changing the gender recorded on a birth certificate is not possible until a Gender Recognition Certificate has been issued. In order to change a name on other official documents such as a passport, it might be necessary for evidence of change of name to be produced: there are two main ways in which this can be done, by deed poll and by statutory declaration. Transgender support organisations will have more information on this subject. A person under 16 years of age cannot change their name legally without the consent of a parent.

### **7.7 Vaccinations**

Bedford High School will allow any gender specific vaccinations to be carried out at the GP's surgery in order to eliminate any embarrassment (e.g. a F2M Transgender student may find it difficult to stand in a queue of girls awaiting a female specific vaccination).

### **7.8 School Visits**

Learning about different cultures and lives and taking part in activities may lead to overnight stays, both at home and abroad. Issues may arise for both young Transgender students and other students but this must not mean Transgender students cannot be included on the visit. Bedford High School will give consideration well in advance of any additional needs to ensure the Transgender student is fully included. The sleeping arrangements will be considered before a visit is undertaken. Each individual case and visit needs to be considered separately and in depth discussions will happen well in advance, with all appropriate bodies, linked to the accommodation available. With regards to a visit abroad, anyone can be searched at borders and other places. Different countries will have policies and procedures they will follow. Bedford High School will contact the relevant border control or agency in advance to ensure that any policy or risk assessment completed by the school is accurate for that visit. There are countries that are not as legally and culturally open as the UK. In fact, some have laws that make it illegal to be part of the Transgender community. Some countries even make it an offence not to report to the authorities that someone is part of the Transgender community. Bedford High School will consider and investigate the laws regarding Transgender communities in any country considered for a school visit.

### **7.9 Dealing with concerns of staff, families and carers**

Staff concerns can be dealt with by providing appropriate training and reference to the Equality Policy. Confidential information about students must not be shared with other parents/guardians. If a family are not supportive of a student's sexuality, this should not sway the school's response in supporting the student. As with any child protection concern, the child should trust in the school to support them. If the school judges that a student may be at risk of harm at home as a result of sexuality, the children's duty team should be contacted for advice.

The following suggested statement is suitable in most circumstances in relation to Transgender issues: "As this issue involves the personal circumstances of a young person we are unable to make any comment on this individual case. Our school is committed to working with families and other agencies to ensure that the needs of all students in our care are met and that they can achieve their full potential".

### **8.0 Implementation, Monitoring and Evaluation**

With the help of feedback from employees and the wider school community we will continue to develop arrangements to monitor, review and evaluate the effectiveness of our employment policies and provision of teaching and learning. If our monitoring reveals any gaps in our policies/provision, we will take necessary action.

Equality Objectives must be published every 4 years.