



MAYFIELD GRAMMAR SCHOOL
GRAVESEND

EQUALITY AND DIVERSITY POLICY

Approved by:

Last reviewed on:

Next review due by:

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September 2023

Mayfield Grammar School, Gravesend

EQUALITY AND DIVERSITY POLICY

LEGAL DUTIES

- The school welcomes our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race and ethnicity, religion or belief, sex and sexual orientation.
- The school welcomes our duty under the Education and Inspections Act 2006 to promote community cohesion.
- The school recognises that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention on the Rights of People with Disabilities, and the Human Rights Act 1998.

GUIDING PRINCIPLES

Mayfield Grammar School, Gravesend will ensure that no person is discriminated against due to any of the protected characteristics detailed in the Act. This includes discrimination due to association or perception (where it is believed that a person has a particular characteristic). The characteristics protected by the Act are:

Age

- age is a relevant characteristic in considering our duties in our role as an employer but not in relation to pupils.

Disability

- It may be necessary to treat a disabled person more favourably than a person who is not disabled and the school may have to make changes to its practices to ensure, as far as is reasonably possible, that a disabled person can benefit from what is offered to the same extent that a person without that disability can. The general principle is that we have to treat male and female, black and white, gay and straight pupils equally - but we may be required to treat disabled pupils differently. Discrimination is also defined rather differently in relation to disability.
- Mayfield Grammar School, Gravesend will not treat a disabled pupil less favourably simply because that pupil is disabled – for example by having an admission bar on disabled applicants.
- Mayfield Grammar School, Gravesend will not do something which applies to all pupils but which is more likely to have an adverse effect on disabled pupils only.
- Mayfield Grammar School, Gravesend will not discriminate against a disabled pupil because of something that is a consequence of their disability.
- Mayfield Grammar School, Gravesend has a duty to make reasonable adjustments applies only to disabled people as follows:

Where something the school does places a disabled pupil at a disadvantage compared to other pupils then we will take reasonable steps to try and avoid that disadvantage.

Mayfield Grammar School, Gravesend will provide an auxiliary aid or service for a disabled pupil when it is reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.

Many disabled children will have a SEN and may need auxiliary aids which are necessary as part of their SEN provision; in some circumstances as part of a formal SEN statement. These aids may be provided in the school under the SEN route.

Mayfield Grammar School, Gravesend is not obliged to anticipate and make adjustments for every imaginable disability and need only consider general reasonable adjustments.

Mayfield Grammar School, Gravesend will try to ensure that disabled pupils can play as full a part as possible in school life and the reasonable adjustments duty will help support that. However, there will be times when adjustments cannot be made because to do so would have a detrimental effect on other pupils and would therefore not be reasonable – for example, if a school put on a geology field trip which necessarily involved climbing and walking over rough ground and after fully considering alternatives to accommodate a disabled pupil in a wheelchair who could not take part, we determined that there was no viable alternative or way of enabling the disabled pupil to participate or be involved, the school would not have to cancel the trip as originally planned. This is unlikely to constitute direct discrimination or failure to make a reasonable adjustment.

- Mayfield Grammar School will implement accessibility plans which are aimed at:
 - increasing the extent to which disabled pupils can participate in the curriculum;
 - improve the physical environment to enable disabled pupils to take better advantage of education, benefits, facilities and services provided; and
 - improve the availability of accessible information to disabled pupils.
- An Accessibility plan will be regularly updated.

Ethnicity

- Pupils of all races are not singled out for different and less favourable treatment from that given to other pupils in school.

Gender reassignment –

- Mayfield Grammar School, Gravesend will ensure that all gender variant pupils, or the children of transgender parents, are not singled out for different and less favourable treatment from that given to other pupils.
- The School will ensure that there are no practices which could result in unfair, less favourable treatment of such pupils. For example, it would be unlawful discrimination for a teacher to single out a pupil undergoing gender reassignment and embarrass him in front of the class because of this characteristic. It is relatively rare for pupils to want to undergo gender reassignment, but when a pupil does so, a number of issues will arise which will need to be sensitively handled. We will address any issues early on and in a proactive way.

Marriage and civil partnership –

- Mayfield Grammar School, Gravesend will accurately state the facts about marriage of same sex couples under the law of England and Wales, in a way that is appropriate to the age and level of understanding and awareness of the pupils.
- Teaching about marriage will be done in a sensitive, reasonable, respectful and balanced way.
- Teachers are subject to professional requirements, the school curriculum, school policies, and anti-discrimination duties towards colleagues and pupils.
- No individual teacher, is under a duty to support, promote or endorse marriage of same sex couples.
- Teaching will be based on facts and should enable pupils to develop an understanding of how the law applies to different relationships.
- Teachers will have regard to statutory guidance on sex and relationship education, and to meet duties under equality and human rights law.

Pregnancy and maternity -

- It is unlawful for schools to treat a pupil less favourably because she becomes pregnant or has recently had a baby, or because she is breastfeeding. Schools will also have to factor in pregnancy and maternity when considering their obligations under the Equality Duty.

Religion or belief -

- The Equality Act defines “religion” as being any religion, and “belief” as any religious or philosophical belief. A lack of religion or a lack of belief are also protected characteristics.

Sex

- No pupil will be discriminated against on account of their gender.

Sexual orientation -

- All gay, lesbian or bi-sexual pupils, or the children of gay, lesbian or bi-sexual parents, will not be singled out for different and less favourable treatment from that given to other pupils.

The school ensures that there are no practices which could result in unfair, less favourable treatment of such pupils.

The School will not discriminate against, harass or victimise a pupil or potential pupil:

- in relation to admissions,
- in the way it provides education for pupils,
- in the way it provides pupils access to any benefit, facility or service, or
- by excluding a pupil or subjecting them to any other detriment.

Mayfield Grammar School, Gravesend recognises and stands against unlawful behaviour. There are four kinds of unlawful behaviour – direct discrimination; indirect discrimination; harassment and victimisation. Mayfield Grammar School, Gravesend recognises that:

- Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat.
- Indirect discrimination occurs when a “provision, criterion or practice” is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic. It is a defence against a claim of indirect discrimination if it can be shown to be “a proportionate means of achieving a legitimate aim”. This means both that the reason for the rule or practice is legitimate, and that it could not reasonably be achieved in a different way which did not discriminate.
- Harassment is “unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic.
- The offence of harassment as defined in this way in the Act applies only to harassment because of disability, race, sex or pregnancy and maternity. Any case against the school would be on grounds of direct discrimination rather than harassment. Thus, if a teacher belittles a pupil and holds her up to ridicule in class because of a disability she has, this could lead to a court case alleging unlawful harassment. The same unacceptable treatment directed at a lesbian pupil, or based on a pupil’s religion, could lead to a case claiming direct discrimination.
- Victimisation occurs when a person is treated less favourably than they otherwise would have been because of something they have done (“a protected act”) in connection with the Act. A protected act might involve, for example, making an allegation of discrimination or bringing a case under the Act, or supporting another person’s complaint by giving evidence or information, but it includes anything that is done under or in connection with the Act. Even if what a person did or said was incorrect or misconceived, for example based on a misunderstanding of the situation or of what the law provides, they are protected against retaliation unless they were acting in bad faith. The reason for this is to ensure that people are not afraid to raise genuine concerns about discrimination because of fear of retaliation.
- As well as it being unlawful to victimise a person who does a protected act, a child must not be victimised because of something done by their parent or a sibling in relation to the Act. This means that a child must not be made to suffer in any way because, for example, her mother has made a complaint of sex discrimination against the school, or her brother has claimed that a teacher is bullying him because he is gay, whether or not the mother or brother was acting in good faith.
- If a pupil has himself or herself done a protected act – such as making a complaint of discrimination against a teacher – then the child’s own good faith will be relevant. For example, if the parent’s complaint is based on information from her son and the son was deliberately lying, it is not victimisation for the school to punish him in the same way as it might do any other dishonest pupil. Unless it can be clear that the mother was also acting in bad faith (for example that she knew her son was lying) it would still be unlawful to victimise her for pursuing the complaint.
- The law on disability discrimination is different from the rest of the Act in a number of ways. In particular, it works in only one direction – that is to say, it protects disabled people but

not people who are not disabled. Mayfield Grammar School, Gravesend is allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases is required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

The Public Sector Equality Duty

In carrying out our functions, Mayfield Grammar School, Gravesend is required to have due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it,
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

What having “due regard” means in practice has been defined in case law and means giving relevant and proportionate consideration to the duty. Mayfield Grammar School, Gravesend this means:

- Decision makers in the school must be aware of the duty to have “due regard” when making a decision or taking an action and must assess whether it may have particular implications for people with particular protected characteristics.
- Mayfield Grammar School, Gravesend will consider equality implications before and at the time that we develop policy and take decisions, not as an afterthought, and will keep them under review on a continuing basis.
- The PSED is integrated into the carrying out of the school’s functions, and the analysis necessary to comply with the duty will be carried out seriously, rigorously and with an open mind.
- Mayfield Grammar School, Gravesend will not delegate responsibility for carrying out the duty to anyone else.

The duty to have “due regard” to equality considerations means that whenever significant decisions are being made or policies developed, thought will be given to the equality implications. The significance of those implications – and the amount of thought that needs to be devoted to them - will vary depending on the nature of the decision. For example, deciding when and where to have a school trip may raise a range of considerations: are the facilities for boys and girls equivalent; are they accessible to disabled pupils; does the date cut across any religious holidays and so exclude some pupils, and so on.

Mayfield Grammar School, Gravesend will:

- (a) Publish information to demonstrate how we are complying with the Public Sector Equality Duty, and
- (b) Prepare and publish equality objectives at least once every four years.

Mayfield Grammar School, Gravesend will publish information relating to persons who share a relevant protected characteristic who are affected by their policies and practices. Data about employees will not need to be published if there are fewer than 150 employees. The school will ensure that individuals are not able to be identified through the publication of data.

Advancing equality of opportunity between people who share a protected characteristic and people who do not share it

Mayfield Grammar School, Gravesend will advance equality of opportunity, in particular:-

- (a) removing or minimising disadvantages suffered by people which are connected to a particular characteristic they have (for example disabled pupils, or gay pupils who are being subjected to homophobic bullying);
- (b) take steps to meet the particular needs of people who have a particular characteristic (for example enabling Muslim pupils to pray at prescribed times) and
- (c) encourage people who have a particular characteristic to participate fully in any activities (for example encouraging both boys and girls, and pupils from different ethnic backgrounds, to be involved in the full range of school societies).

This will enable the school to identify whether there are areas of inequality which may need to be addressed.

Mayfield Grammar School, Gravesend will also provide information about the steps taken in response to analysis of the available data.

Mayfield Grammar School, Gravesend will consult and engage both with people affected by their decisions - parents, pupils, staff, members of the local community – and with people who have special knowledge which can inform the school's approach, such as disability equality groups and other relevant special interest organisations.

In fulfilling the legal obligations referred to above the school is guided by nine principles.

Principle 1: All learners are of equal worth

The school sees all learners, potential learners and their parents and carers as of equal worth:

- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status
- whatever their sex and gender identity
- whatever their religious or non-religious affiliation or faith background
- whatever their sexual orientation

Principle 2: The school recognises and respects difference

Treating people equally does not involve treating them all the same. Our policies, procedures and activities must not discriminate, but are differentiated, as appropriate, to take account of differences of life experience, outlook and background, and in the kinds of barriers and disadvantage which people may face, in relation to:

- disability, so that reasonable adjustments are made
- ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
- sex, so that the needs and experiences of girls and boys, women and men are recognised
- gender identity, so that it is accepted that not everyone identifies with the gender ascribed to them at birth
- religion, belief or faith background
- sexual orientation

Principle 3: We foster positive attitudes and relationships, and a shared sense of cohesion and belonging

The school intends that our policies, procedures and activities should promote:

- positive attitudes towards disabled people, good relations between disabled and non-disabled people, and an absence of discrimination, harassment and victimisation of disabled people
- positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, national origin or national status, religion, belief or faith background, and an absence of racist and religiously motivated bullying and incidents
- mutual respect and good relations between sexes, and an absence of sexual harassment and harassment, discrimination and victimisation because of sex.
- mutual respect and good relations between pupils, parents and carers regardless of sexual orientation, and an absence of discrimination and victimisation because of sexual orientation.
- positive attitudes towards transgender people and an absence of discrimination, harassment and victimisation because of gender identity.

Principle 4: The school observes good equalities practice in staff recruitment, retention and development

We ensure that policies and procedures benefit all employees and potential employees, for example in recruitment and promotion, and in continuing professional development:

- whatever their age
- whether or not they are disabled
- whatever their ethnicity, culture, national origin or national status, religion, belief or faith background
- whatever their sex and with full respect for legal rights relating to pregnancy and maternity
- whatever their gender identity
- whatever their sexual orientation
- whatever their status with regards to marriage and civil partnership
- When a candidate is known personally to a member of the selection panel it will be declared before shortlisting takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities are adhered to.
- The school will make reasonable adjustments in relation to disability for employees or potential employees and will ensure that staff with disabilities have access to appropriate support in the form of aids, adaptations and other specialist services and will make reasonable adjustments to arrangements or practices to alleviate disadvantage.
- Mayfield Grammar School, Gravesend will not enquire about the health of an applicant for a job until a job offer has been made, unless the questions are specifically related to an intrinsic function of the work for the position that has been applied for.
- In some instances, the school may decide to ask necessary health questions after a job offer has been made to an individual. In such a situation the school will ensure that health-related questions are targeted, necessary and relevant to the job applied for.
- All staff will receive equal opportunities training which will include disability awareness/equality. This training will be part of staff induction as well as the CPD programme.
- The school will ensure that no member of staff is denied access to any form of training because of an inaccessible venue or because the provision does not account for their disability. Staff with disabilities will be actively encouraged to attend courses which will support their career progression and personal development.
- Staff will be treated fairly and consistently and that this is held to account through our staff appraisal procedures, discipline, conduct and grievance policies.
- Staff performance will be monitored, and we expect that staff will feel able to voice complaints and grievances in confidence, trusting that we will deal with their grievances fully, promptly and fairly.

Principle 5: The school aims to reduce and remove inequalities and barriers that already exist

In addition to avoiding or minimising possible negative impacts, the school takes opportunities to maximise positive impacts by reducing and removing inequalities and barriers that may already exist between:

- disabled and non-disabled people
- people of different ethnic, cultural and religious backgrounds
- sexes.
- cisgender and transgender people
- LGBTQ+ people
- older and younger people

Principle 6: The school consults widely

The school engages with a range of groups and individuals to ensure that those who are affected by a policy or activity are consulted and involved in the design of new policies, and in the review of existing ones. We consult and involve:

- disabled people as well as non-disabled
- people from a range of ethnic, cultural and religious and non-religious backgrounds
- people of different sexes
- LGBTQ+ people as well as heterosexual people
- transgender people as well as cisgender people
- older and younger people

Principle 7: Society as a whole should benefit

The school intends that our policies and activities should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life of:

- disabled people as well as non-disabled
- people of a wide range of ethnic, cultural and religious and non-religious backgrounds
- people of different sexes
- LGBTQ+ people as well as heterosexual people
- transgender people as well as cisgender people
- older and younger people

Principle 8: We base our policies and practice on sound evidence

The school collects information, which shows our compliance with the public sector equality duty (PSED) set out in clause 149 of the Equality Act 2010 and use this information to inform our self-evaluation and Equalities Action Plan. Evidence related to equality is integrated into our Equalities Action Plan.

Principle 9: We work towards measurable equality objectives

The school creates and publish specific and measurable equality objectives, based on the evidence that we have collected.

The objectives that we identify take into account national and local priorities and issues as appropriate. Our equality objectives are devised in consultation with school governors and integrated into the school's key documentation.

The school keeps the equality objectives under review and reports annually on progress towards achieving them.

EQUALITIES OBJECTIVES - agreed for 2021-2025

- Continue to close the gap on national average for the % of White British students making expected levels of progress in subjects

- Continue to close the gap between SEN Support (K) and non-SEN students and the expected progress they make based on their attainment on entry
- Continue to close the in-school variation gap for the % of disadvantaged students who make expected levels of progress at the end of each key stage.
- To ensure that all ethnic groups reach or exceed national benchmarks and reduce any in-school variations.
- To ensure that all students are given the opportunity to make a positive contribution to the life of the school, particularly focusing on developing leadership opportunities for all students.
- To eradicate the use of homophobic, sexist, racist and other discriminative language by students in the school.
- To ensure the accessibility is provided in any new building projects across the school for students, staff and visitors with disabilities and to work towards increasing accessibility in other areas of the school, where possible.
- To work with Equaliteach to educate and support students and staff on equality and diversity.

THE CURRICULUM

We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the principles in paragraph 4 above.

- All pupils will be entitled to access a broad and balanced curriculum and to teaching and learning opportunities which meet their needs, including extra support where this has been identified as a statutory need.
- When planning the curriculum, Mayfield Grammar School, Gravesend will take every opportunity to promote and advance equality.
- When teaching the curriculum, Mayfield Grammar School, Gravesend will promote equality and will not subject individuals to discrimination.
- Mayfield Grammar School, Gravesend will ensure PSHE lessons are designed for pupils to develop their knowledge of the world and the importance of equality.

ETHOS AND ORGANISATION

The school ensures that the principles listed above apply also to the full range of our policies and practices, including those that are concerned with:

- learners' progress, attainment and assessment
- learners' personal development, welfare and well-being
- teaching styles and strategies
- admissions and attendance
- staff recruitment, retention and professional development
- care, guidance and support
- behaviour, discipline and exclusions
- safeguarding
- working in partnership with parents, carers and guardians
- working with the wider community.

ADDRESSING PREJUDICE AND PREJUDICE-RELATED BULLYING

The school is opposed to all forms of prejudice which stand in the way of fulfilling the legal duties referred to above:

- prejudices around disability and special educational needs

- prejudices around racism and xenophobia, including those that are directed against Travellers, refugees and people seeking asylum
- prejudices against religious groups and communities, for example anti-Semitism and Islamophobia
- prejudices reflecting sexism, homophobia, biphobia and transphobia.
- There is guidance in the staff handbook on how prejudice-related incidents should be identified, assessed, recorded and dealt with.
- We keep a record of prejudice-related incidents, including the type of incident, seriousness and how the incident was dealt with.

ROLES AND RESPONSIBILITIES

- The governing body is responsible for ensuring that the school complies with legislation, and that this policy and its related procedures and action plans are implemented.
- A member of the Student Affairs Committee has a watching brief regarding the implementation of this policy.
- The governing body will monitor the effectiveness of the Equality Policy annually and will monitor education outcomes, incidents of harassment and discrimination and referrals by a range of criteria including protected characteristics.
- The Headteacher is responsible for implementing the policy; for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.
- A member of SLT has day-to-day responsibility for co-ordinating implementation of the policy.
- All staff are expected to:
 - promote an inclusive and collaborative ethos in their classroom
 - deal with any prejudice-related incidents that may occur
 - plan and deliver curricula and lessons that reflect the principles in paragraph 4, above
 - support pupils in their class for whom English is an additional language
 - keep up-to-date with equalities legislation relevant to their work.
- Staff will foster positive relationships and attitudes, a shared sense of cohesion and belonging, and ensure that this is promoted in our policies, procedures and activities.
- Mayfield Grammar School, Gravesend will observe good equalities practice in staff recruitment and retention and development, and ensure that all policies and procedures benefit all employees regardless of any protected characteristic, and with full respect for legal rights relating to pregnancy and maternity.

INFORMATION AND RESOURCES

- The school ensures that the content of this policy is known to all staff and governors and, as appropriate, to all pupils and their parents and carers.
- All staff and governors have access to a selection of resources which discuss and explain concepts of equality, diversity and community cohesion in appropriate detail.
- Equaliteach training and resources shared with all staff, Governors and to be rolled out to students.

RELIGIOUS OBSERVANCE

The school respects the religious beliefs and practice of all staff, pupils and parents, and complies with reasonable requests relating to religious observance and practice.

STAFF DEVELOPMENT AND TRAINING

The school ensures that all staff, including support and administrative staff, receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

BREACHES OF THE POLICY

Breaches of this policy will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the headteacher and governing body.

MONITORING AND EVALUATION

The school collects, studies and uses quantitative and qualitative data relating to the implementation of this policy, and makes adjustments as appropriate.

The school collects information, which shows our compliance with the public sector equality duty (PSED) set out in clause 149 of the Equality Act 2010 and uses this information to inform our self-evaluation and Equalities Action Plan. Evidence related to equality is integrated into our Equalities Action Plan.

Ratified by the Governing Body: