



King's High School

Policy:	Equal Opportunities Policy - Students
Applies to:	King's High School
Authors:	Deputy Head (Pastoral) Autumn Term 2021
Approved by:	KHS Committee (due)
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Signed:	S.Watson

Equal Opportunities Policy - Students

The School is committed to promoting equality of opportunity for all members of its community and values the rich diversity and creative potential that students with different backgrounds, skills and abilities bring to the School. The School is opposed to any form of discrimination, harassment or bullying on the grounds of any protected characteristic and aims to create an environment where all current and prospective students are treated with dignity and respect and fairly with regard to their 'protected characteristics'.

This Equal Opportunities Policy – Students sets out how the School intends to meet these aims and comply with its equality duties, and is written under the requirements of the [Equality Act \(2010\)](#) ('the Act'), and draws upon the DfE guidance [The Equality Act 2010 and schools \(2014\)](#).

This policy applies to all areas of school life, which relate to students, including the school's curriculum, teaching, pastoral and co-curricular provision. This policy is also set within the context of the school as a single-sex establishment with strong collaborative links with other schools in the Warwick Independent Schools Foundation, and as a Christian foundation that welcomes students and staff of all faiths and none.

All members of the School community are expected to comply with this policy. The School seeks to encourage greater awareness of its aims, policies and procedures in relation to equal opportunities and will provide information and training as required.

There is a separate Equal Opportunities Policy – Staff.

Unlawful Discrimination

The Act defines four kinds of unlawful behaviour (direct discrimination, indirect discrimination, harassment and victimisation) as defined below:

- **Direct discrimination** - This occurs when one person treats another less favourably, because of a protected characteristic, than they treat – or would treat – other people. This describes the

most clear-cut and obvious examples of discrimination (e.g. if the School were to refuse to let a student become a prefect because of a protected characteristic).

- **Indirect discrimination** - This occurs when a “provision, criterion or practice” is applied generally but has the effect of putting students with a particular characteristic at a disadvantage when compared to students without that characteristic.
- **Harassment** - This is defined in the Act as “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 to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic. Harassment in all its forms is unlawful and unacceptable.
- **Victimisation** - This occurs when a student 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. If a student has done a protected act themselves (e.g. making a complaint of discrimination against a teacher) then the student’s own good faith will be relevant (e.g. if the parent’s complaint is based on information from their child and the child was deliberately lying, it is not victimisation for the school to punish the student in the same way as it might do any other dishonest student). A student must not be victimised because of something done by their parent or a sibling in relation to the Act.

Failure to Adhere to this Policy

The School will do its utmost to protect students from discriminatory behaviour by any individual or groups within the School. Allegations of discriminatory behaviour on the part of students or staff will be handled under the relevant policy: the students’ Behaviour, Rewards & Sanctions and Appeals Policy or the Staff Code of Conduct.

This policy should also be read in conjunction with the:

- Admissions Policy
- Special Educational Needs and Disability Policy
- Accessibility Policy
- Curriculum Policy
- Teaching Policy
- PSHEE Policy
- RSE Policy

This policy has regard to Schedule 10 of the Equality Act (2010) as outlined in the Independent School Standards Regulations.

Protected Characteristics

It is unlawful for a school to discriminate against a student or prospective student by treating them less favourably because of their:

- Sex (but please note the admissions criteria above)
- Disability
- Sexual orientation
- Gender reassignment

- Religion or belief
- Race (including colour, nationality and ethnic or national origins) • Pregnancy and maternity
- Age
- Marriage and civil partnership

Everyone has at least some characteristics included in this list. (Also see the Protected Characteristics section below.) The School aims to foster a sense of community in which all students are valued and can thrive regardless of any of these characteristics and will seek to counter and discriminatory practices.

For issues related to gender reassignment, please see the School's Gender Identity Policy.

In teaching about sexual orientation and marriage and civil partnership, teachers must have regard to statutory guidance on Relationship and Sex Education (RSE). For further information, please see the School's PSHEE Policy and RSE Policy.

Admissions

All candidates for admission will be treated equally, irrespective of their, or their parents', race, sexual orientation, religion or belief, pregnancy or maternity, gender reassignment or any disability. Candidates will also be treated equally in respect of their parents' age, gender or marital or civil partnership status.

The School is inclusive and welcomes applicants with disabilities and special educational needs. It promotes a positive culture towards inclusion of disabled people and those with special educational needs. The School's facilities, physical and otherwise, for the disabled and those with special educational needs are limited, but it will do all that is reasonable to comply with its legal and moral responsibilities under Equality Legislation in order to accommodate the needs of applicants who have disabilities for which, with reasonable adjustments, the School can cater adequately.

The School needs to be aware of any particular requirements which may affect a child's ability to participate in the admissions procedure and take full advantage of the education provided at the School. The School shall determine the reasonable adjustments that are required for the applicant based on the information provided, in accordance with the School's obligations under equality legislation as explained above. The School staff will assess the child's needs and consult with parents about the adjustments which can reasonably be made to ensure that the application procedure is accessible for the child and that the School can provide adequately for them should an offer of a place be made.

For further information, please see the Warwick Independent School Foundation Admissions Policy.

Disability

Definition of 'disability'

The Act defines a 'disability' as when a person has 'a physical or mental impairment which has a substantial and long-term adverse impact on a person's ability to carry out normal everyday activities'. This has some overlap with the definition of 'Special Educational Needs' (SEN) in the Children and Families Act (2014) (<https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>), but not all students are disabled by their SEN and vice versa. 'Disabled students', for the purpose of this policy, refers not only to those students with physical disabilities but could include, for example, those with health issues, including mental health, or learning disabilities if they meet the legal definition of 'disability'.

Disability and discrimination

- **Direct discrimination:** the School will not treat a disabled student less favourably simply because that student is disabled.

- **Indirect discrimination:** the School will not do something which applies to all students but which is more likely to have an adverse effect on disabled students only unless the School can show that it is done for a legitimate reason and is a proportionate way of achieving that legitimate aim.
- **Discrimination arising from disability:** the School will not discriminate against a disabled student because of something that is a consequence of their disability (e.g. by not allowing a disabled student on crutches outside at break because it would take them too long to get out and back).
- **Harassment:** the School will not harass a student because of their disability (e.g. a teacher shouting at the student because their disability means that they are constantly struggling with classwork or unable to concentrate).

Reasonable Adjustments

The School will take reasonable steps to avoid putting disabled students at a substantial disadvantage in comparison with other students (the 'reasonable adjustment' duty).

Where the School is required to consider its reasonable adjustments duty, it will consult with parents about what reasonable adjustments, if any, the School is able to make to avoid their child being put at a substantial disadvantage. The school will carefully consider any proposals for auxiliary aids and services in light of a student's disability and the resources available to the School.

Reasonable adjustments and students' behaviour

Independent schools must comply with the Act in relation to student exclusions. The Act does not prohibit schools from excluding students with a protected characteristic but does prohibit schools from excluding students because of their protected characteristic or from discriminating unlawfully during the exclusion process. Schools also have a duty to make reasonable adjustments to the exclusions process for disabled students.

The School's Accessibility Policy sets out the School's arrangements for:

- increasing the extent to which disabled students can participate in the School's curriculum.
- improving the physical environment of the School for the purpose of increasing the extent to which disabled students are able to take advantage of the education and benefits, facilities or services provided or offered by the School.
- improving the delivery to disabled students of information which is readily accessible to students who are not disabled.

Curriculum and Teaching

The Act explicitly states that the content of the School's curriculum is excluded from discrimination law.

However, the delivery of the curriculum is explicitly included. As such, the School will endeavour to deliver the curriculum such that teaching covers issues, thoughts and ideas of all kinds and does not subject individual students to discrimination in relation to the protected characteristics listed above. Staff are expected to be sensitive about equal opportunities in their teaching and guard against the transmission, through the content and delivery of the curriculum, of attitudes which stereotype people or label individual students as inferior or limited. This includes through the planning of lessons, teaching methods, classroom resources, behaviour management, etc., and through the 'hidden lessons' implicit in other activities about their value as a person, their human rights, the options available to them and their expectations for adult life.

For further information about the content and delivery of the curriculum, please see the School's Curriculum and Teaching and Learning Policy.

Raising Awareness

All school staff are expected to implement this policy on equal opportunities. Use is made of assemblies, PSHEE, the curriculum and the co-curricular programme to:

- Help students to develop self-esteem and recognise that they are valued as individuals
- Promote respect for each other within the school community
- Promote positive images and role models to challenge prejudice and raise awareness of related issues
- Foster an open-minded approach and encourage students to recognise the contributions made by different cultures, and so enable students to contribute actively to the process of education by bringing to it their cultural experiences, values and perspectives
- Understand why and how we deal with offensive language and behaviour
- Understand why we will deal with any incidents in a sensitive manner and as promptly as possible