



# Range High School Equality Policy

Person responsible for Policy:	Headteacher
Date of last review:	November 2017
Date of next review:	Summer 2018 - major changes will be brought to the governors' attention as, and when they occur

**RESPONSIBILITY FOR THIS POLICY HAS BEEN DELEGATED TO THE HEADTEACHER**

**ANNUAL REVIEW**

Reviewed by Headteacher: November 2017  
Governors informed: 7 December 2017

## **General Information**

Governors: This policy will be reviewed annually by the Headteacher

Headteacher: Mr G A Aldridge

## **RANGE HIGH SCHOOL**

### **EQUALITY POLICY**

Range High School uses the UNICEF Convention on the Rights of the Child as the basis for the development of this policy. Pupils have identified 5 Articles from the charter to which they wish to give prominence in the school. These are:

- 1. Article 28: Every child has the right to learn and go to school**
- 2. Article 12: Every child has the right to say what they think in matters concerning them and to have their views taken seriously**
- 3. Article 19: Every child has the right not to be harmed**
- 4. Article 23: Every child has the right to have special care and support according to individual needs.**
- 5. Article 29: Every child has the right to be the best that they can be.**

Key to this policy is Article 29: Every child has the right to be the best that they can be.

#### **Legal Frameworks**

1. We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations in relation to age (as appropriate), disability, ethnicity, gender (including issues of transgender, and of maternity and pregnancy), religion and belief, and sexual identity.
2. We welcome our duty under the Education and Inspections Act 2006 to promote community cohesion.
3. We recognise that these duties reflect international human rights standards as expressed in the UN Convention on the Rights of the Child, the UN Convention of the Rights of People with Disabilities, and the Human Rights Act 1998.

#### **Guiding principles**

4. In fulfilling the legal obligations cited above, we are guided by nine principles:

##### **Principle 1: All learners are of equal value**

We see all learners and potential learners, and their parents and carers, as of equal value:

- Whether or not they are disabled
- Whatever their ethnicity, culture, national origin or national status
- Whatever their gender and gender identity
- Whatever their religious or non-religious affiliation or faith background
- Whatever their sexual identity

##### **Principle 2: We recognise and respect difference**

Treating people equally (Principle 1 above) does not necessarily involve treating them all the same. Our policies, procedures and activities must not discriminate but must nevertheless take account of differences of life-experience, outlook and background, and in the kinds of barrier 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

- Gender, so that the different needs and experiences of girls and boys, and women and men, are recognised
- Religion, belief or faith background
- Sexual identity

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

We intend 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 harassment of disabled people
- Positive interaction, good relations and dialogue between groups and communities different from each other in terms of ethnicity, culture, religious affiliation, national origin or national status, and an absence of prejudice-related bullying and incidents
- Mutual respect and good relations between boys and girls, and women and men, and an absence of sexual and homophobic harassment

**Principle 4: We observe good equalities practice in staff recruitment, retention and development**

We ensure that policies and procedures should 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, religious affiliation, national origin or national status
- Whatever their gender and sexual identity, and with full respect for legal rights relating to pregnancy, maternity and paternity

**Principle 5: We aim to reduce and remove inequalities and barriers that already exist**

In addition to avoiding or minimising possible negative impacts of our policies, we take 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
- Girls and boys, women and men

**Principle 6: We will consult and involve widely**

We will engage, where possible, 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 will consult and involve:

- Disabled people as well as non-disabled
- People from a range of ethnic, cultural and religious backgrounds
- Both women and men, and both girls and boys
- Gay people as well as straight

**Principle 7: Society as a whole should benefit**

We intend 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 from a range of ethnic, cultural and religious backgrounds
- Both women and men, and both girls and boys
- Gay people as well as straight

**Principle 8: We base our policies and practices on sound evidence**

We seek, where possible, quantitative and qualitative information which shows our compliance with the public sector equality duty (PSED) set out in clause 149 of the Equality Act 2010, and on the basis of which we seek to define specific and measurable objectives.

Evidence relating to equality issues is integrated into our self-evaluation documentation where possible.

**Principle 9: Measurable objectives**

We seek, where possible, specific and measurable objectives, based on any consultations we have conducted (Principle 6) and evidence we have collected and published (Principle 8).

The objectives which we identify take into account national and local priorities and issues, as appropriate.

Our equality objectives will be integrated into the school improvement plan where possible.

We keep our equality objectives under review and will report on progress towards achieving them as appropriate.

**The curriculum**

5. We keep each curriculum subject or area under review in order to ensure that teaching and learning reflect the principles set out in **Guiding principles** above.

**Ethos and organisation**

6. We ensure the principles listed in **Guiding principles** above apply to the full range of our policies and practices, including those that are concerned with:
  - Pupils' progress, attainment and achievement
  - Pupils' 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
  - Working in partnership with parents, carers and guardians
  - Working with the wider community

**Addressing prejudice and prejudice-related bullying**

7. The school is opposed to all forms of prejudice which stand in the way of fulfilling the legal duties referred to in points 1-3:
  - Prejudices around disability and special educational needs
  - Prejudices around racism and xenophobia, including those that are directed towards religious groups and communities

8. There is guidance available for staff on how prejudice-related incidents should be identified, assessed, recorded and dealt with.
9. We keep a record of prejudice-related incidents and, if requested, provide a report to the local authority about the numbers, types and seriousness of prejudice-related incidents at our school and how they are dealt with.

### **Roles and Responsibilities**

10. 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.
11. 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.
12. 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 **Guiding principles** above
  - Support pupils in their class for whom English is an additional language
  - Keep up-to-date with equalities legislation relevant to their work

### **Information and resources**

13. We ensure that the content of this policy is known to all staff and governors and, as appropriate, to all pupils and their parents and carers.

### **Religious observance**

14. We respect the religious beliefs and practice of all staff, pupils, parents and carers, and comply with reasonable requests relating to religious observance and practice.

### **Staff development and training**

15. We ensure that all staff receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.

### **Breaches of the policy**

16. 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 review**

17. We will collect; study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate.
18. In particular, we will collect; analyse and use data in relation to achievement, broken down as appropriate according to disabilities and special educational needs; ethnicity, culture, language, religious affiliation, national origin and national status; and gender.

### **Background and acknowledgements**

1. In its overall framework this policy on all equalities in education is based on the race equality policy that Derbyshire LA developed in response to the Race Relations Act 2000, and that was included in

*Here, There and Everywhere: belonging, identity and equality in schools* published by Trentham Books in 2004.

2. The policy statement takes into account guidance issued by several other local authorities, including Buckinghamshire, Cambridgeshire, Dudley, Durham, Hertfordshire, Newcastle, Sheffield and Somerset.
  3. The list of principles at Point 4 is adapted slightly from material in *Equality Impact Analysis: a workbook*, the most recent version of which was published by the Department for Education in April 2012.
  4. The phrasing at certain points reflects the specific duties required by the Equality Act 2010 to publish information and evidence (Principle 8) and to formulate and publish specific and measurable objectives (Principle 9).
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## Range High School Transgender Statement – Appendix to Equality Policy

The purpose of this policy is to explain Range High School's good practice in the field of Transgender consideration in order to minimise the distress and disruption to all students by:

- ensuring teachers and Governors are dealing with Transgender matters inclusively and sensitively
- providing an inclusive environment for any Transgender student
- ensuring all students are aware of and educated on issues of Transgender

### 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 (*the Tavistock hold regular satellite clinics in Leeds*). 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.

### Legislation

Data Protection Act 1998 (UK)

Information about a person's Transgender status is considered "sensitive personal data" and is subject to tighter controls than other personal data. Explicit consent is required before it can be processed.

- Personal data must be looked after properly following the eight data protection principles, which include ensuring personal data is accurate, secure and processed fairly and lawfully.
- Failure to change a person's title, name and gender when requested (if the request is lawful) could lead to the following offences under the Act:
- Disclosure of personal information that is used, held or disclosed unfairly, or without proper security
- Failure to ensure personal information is accurate and up-to-date
- Processing of data likely to cause distress to the individual

We are not legally obliged to disclose Mentoring notes to parents/carers unless we believe there is a risk to the child in not doing so.



## **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 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).

Less favourable treatment relating to absences arising from gender reassignment is unlawful if:

- the treatment is less favourable than if it had been due to sickness or injury
- the treatment is less favourable than if it had been due to some other cause and, having regard to the circumstances of the case, it is reasonable not to be treated less favourably.
- Less favourable treatment includes the arrangements relating to terms and conditions or arrangements under which employment, education or vocational training is offered.

## **Discrimination**

Reviewed by Headteacher: November 2017  
Governors informed: 7 December 2017

As stated, The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act, one of which is Gender Reassignment.

The legislation states that a school must not discriminate against a student because of their Transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it cannot be justified as a proportionate means of meeting a legitimate aim. An example might be an inflexible school uniform rule which offers no “unisex” options such as trousers for girls, and which would therefore create a particular difficulty for a F2M student.

### **School Attendance**

Range High School will make reasonable adjustments to accommodate absence requests for treatment and external sources in line with their absence policy. Sensitive care will be taken when recording the reason for absence.

### **Transphobia and Bullying**

Range High School has a robust anti-bullying policy. In line with this policy, transphobia incidents will be recorded and dealt with in the same manner as other incidents that are motivated by prejudice, e.g. racist or homophobic incidents.

### **Training**

In order to ensure all staff and Governors have the skills to deal with Transgender issues, Range High School will hold training sessions on topics such as:

- Safeguarding
- Confidentiality
- Gender Identity
- Tackling discrimination
- Relevant legislation

All topics will be covered during the Range High School INSET programme and will be revisited annually.

### **The Curriculum**

The issues connected to Transgender will be visited for all students at some point during the PSHE programme. These issues may also be touched upon during other subjects.

### **Physical Education**

Sports and Physical Education is a key aspect of the national curriculum and the physical and mental well-being of young people. Physical Education develops students’ competence and confidence to take part in a range of physical activities that become a central part of their lives, both in and out of school. A young Transgender person has the same right to Physical Education as other young people.

With regard to young Transgender people at school, there should be reasonably few, if any, issues regarding participation within the sports of their true gender. There may be sports where, as puberty develops, M2F Transgender participants may have a physical advantage over other girls but this should not present a problem within a carefully and sensitively managed lesson context. The issue of physical risk

Reviewed by Headteacher: November 2017  
Governors informed: 7 December 2017

within certain sports should also be managed properly within the lesson context rather than preventing young Transgender people from participating (which would be discriminatory). It may be that due to the nature of contact and physicality of sports such as rugby, the school would consider whether a Transgender person participating in full contact lessons is appropriate towards the latter stages of puberty. This is something that Range High School will take a view on prior to the delivery of those lessons, in discussion with parents or guardians.

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. When competing at another school or outside venue, school staff must ensure there is appropriate sensitive provision available.

### **Work Experience**

As already stated, the Equality Act 2010 encompasses every environment that pupils will be working in; therefore all placements should be aware of their duties and responsibilities. Where Range High School is considering allowing a Transgender young person to attend a work experience placement the school will complete a suitable assessment on the potential placement to establish if there is any risk to the young Transgender person, taking account of the young Transgender person's right to privacy – as a general principle, personal information on the young Transgender person must not be shared.

Range High School will be sensitive to this in their planning before any young Transgender person is placed in any business or organisation. Careful discussion about the placement with the student and parents or guardians, will occur to find the most suitable way forward to ensure the placement is successful.

### **Changing/Toilet Facilities**

There is provision in Range High School for unisex toilets. Transgender students will be able to use these facilities which have been labelled sensitively and appropriately. Range High School has conducted an audit of the appropriateness of the facilities.

### **School Uniform**

Transgender students will be expected to follow the School Uniform Policy, which covers uniform, make-up and jewellery.

### **Name Changing 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, reports, etc. Furthermore, the change of name and associated gender identity will be respected and accommodated by the school. This will include the use of pronouns used in speech and in documents. Visiting or casual staff (eg Exam Invigilators or Supply Staff) will be alerted to the preferred name and pronoun as much as is reasonably possible.

Exam entries must follow JCQ guidelines. These require that for a result to be certificated, the entry and the name on the exam paper must be the legal name which can be verified by a birth certificate. For a result to be 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.

We will ensure a strategy is agreed with the student and their parents or guardians, and then agreed with the various Examination Boards prior to starting GCSE courses. The DfE analysis of school performance may still present the student in the gender registered by their UPN.

Reviewed by Headteacher: November 2017  
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It is possible for 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. A person under 16 years of age cannot change their name legally without the consent of a parent.

### **Vaccinations**

Range High School will allow any gender specific vaccinations to be carried out at the GP's surgery in order to eliminate any embarrassment.

### **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. Range High School will give consideration well in advance of any additional needs which may include having a parent/carer (or member of staff) accompanying the visit to ensure the Transgender student is fully included.

The sleeping arrangements will be considered before a visit is undertaken; it is possible that the Transgender student would prefer to have a separate room etc. 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. Range 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. Range High School will consider and investigate the laws regarding Transgender communities in any country considered for a school visit.

### **GLOSSARY OF TERMS**

Binding – a F2M adolescent that is developing breasts may strap down their chest so that it is less obvious. This can be hot, uncomfortable and restrictive but very important to their psychological and emotional wellbeing. It might make certain PE lessons difficult for them to participate in and could sometimes lead to breathing difficulties, skeletal problems and fainting.

**F2M – Female to Male**, a person that was identified as Female at birth but came to feel that their true gender is actually Male

**Gender** – the way that a person feels about themselves in relation to their physical and mental self; the basis of their identifying as male, or female, or neither, or either, or both

**Gender Dysphoria** – the medical condition that describes the symptoms of being Transgender

**Gender Identity Disorder** – GID is a medical term describing being Transgender; this tends not to be used owing to the subtext around the word “disorder”.

**Gender Recognition Certificate** – an official document presented by a Gender Recognition Panel that enables all official documents and records (including birth certificate) to be amended to the true gender of the individual thereby providing full legal recognition

**Gender Role** – the social role/interaction with others, which gives expression to the inner gender identity and reinforces it

**M2F – Male to Female**, a person that was identified as Male at birth but came to feel that their true gender is actually Female

**Packing** – a F2M person may wear a prosthetic item in their pants that will give a “bulge” in their trousers so as to appear more male

**Sex** – the way a person’s body appears, sometimes wrongly, to indicate their gender

**Transgender** – a person that feels the assigned gender and sex at birth conflicts with their true gender

**Transsexual** – a Transgender person who lives fulltime in their true gender

**True Gender** – the gender that a person truly feels they are inside