



**SEVENOAKS**  
PREPARATORY SCHOOL

## **EQUAL OPPORTUNITIES POLICY**

<b>Status and Review Cycle:</b>	Statutory / Annual
<b>Policy reviewed and amended:</b>	19.8.21
<b>Next review date:</b>	30.8.22
<b>Governor Lead:</b>	Mr Chris Sutton-Mattocks
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Sevenoaks Preparatory School is an independent mainstream day school for boys and girls aged from 2 to 13 years. The School is committed to taking positive and proactive steps to ensure that we provide a safe and caring environment free from discrimination for everyone in our community.

### **Aims**

Our School actively promotes equality of opportunity, tolerance, fairness and anti-discriminatory practice towards all children, families, members of staff, students or volunteers.

The Governors and the Head ensure that we do not undermine the fundamental British values of democracy, the rule of the law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs nor do we discriminate against pupils with protected characteristics.

In the provision of equal opportunities, the School fully and wholeheartedly adheres to both the spirit and detail of the Equality Act 2010, the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000 and opposes discrimination on the basis of:

- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief (including lack of religion and belief)
- gender
- sexual orientation and (in the case of adult members of the school community) marital or civil partnership and age

These can be called the **Protected Characteristics**.

### **Forms of Discrimination**

- **Types:** Discrimination may be direct or indirect, or arising from disability and it may occur intentionally or unintentionally.
- **Direct discrimination:** Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic as stated in our aims above. For example, rejecting an applicant of one race because it is considered they would not "fit in" on the grounds of their race would be direct discrimination.
- Direct discrimination also occurs when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy or maternity). For example, if a pupil is harassed or victimised because a sibling is disabled, this would be direct discrimination against that pupil.
- **Indirect discrimination:** Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which puts them at a particular disadvantage because of, for example, their sex or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with gender, they would be indirectly discriminatory on the grounds of gender.
- **Discrimination arising from disability:** Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim.

### **Admissions**

The School treats every application for admission in a fair and equal way in accordance with this policy and the School's Admissions Policy. The school accepts applications from, and admits, prospective pupils irrespective of their disability, race, religion or belief (or lack of religion or belief) or special educational needs.

Our school accepts its duty to try to eliminate discrimination and to promote equality of opportunity and good race relations. All staff and children at the school are entitled to an environment free from harassment and discrimination, as outlined in the Equality and Diversity policy.

The school is open to children of all cultures, religions, linguistic backgrounds and abilities. All children are treated as individuals with equal concern, in order that they should feel equally valued regardless of their sex, disability, religion, nationality, ethnic or national origins. Any publicity will state our commitment to Equal Opportunities and promote positive images of those groups in the community who suffer discrimination. All staff work to encourage each child's self-esteem and respect for others by promoting the positive values of diverse cultural identities through activities and resources.

### **Religious Belief**

Sevenoaks Preparatory School follows a broadly Christian ethos but is inclusive and welcomes and respects the rights and freedoms of individuals from other religions and faiths ( or with no religion or faith). This is subject always to their respecting the rights and freedoms of the School Community as a whole and considerations of safety and welfare.

The Governors, through the Head ensure that we do not undermine the fundamental British values of democracy, the rule of the law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs nor do we discriminate against pupils with protected characteristics.

### **School Uniform**

Sevenoaks Prep School's newly introduced uniform in 2018 reflects our belief of equality for all. It is consistent with this policy allowing equality for all pupils irrespective of their gender, gender assignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief or special needs, subject to considerations of safety and welfare.

### **Disability and special educational needs**

**Definitions:** Children have Special Educational Needs if they have a learning difficulty which calls for special educational provision to be made for them. A disability is a physical or mental impairment which has 'a substantial and long-term adverse effect on a person's ability to carry out normal everyday activities' ( Equality Act 2010 ). This also includes pupils with significantly greater difficulty in learning than the majority of children of his/her age, or a disability which means that a pupil cannot make full use of the general educational facilities as stated in the Children and Families Act 2014.

Our school is aware that some children have disabilities/additional needs and are proactive in ensuring that appropriate action can be taken when such a child is identified or admitted to the provision. We are committed to taking appropriate action to make sure that all children are able to access our services, made to feel welcome, and that our activities promote their welfare and development in partnership with parents/carers and other relevant parties.

The school is committed to the integration of all children with disabilities/additional needs and comply with the current Code of Practice on Special Educational Needs, the Special Educational Needs and Disability Act 2001, and the Disability Discrimination Act.

The school also believes that children with disabilities/additional needs have a right to play, learn and be able to develop to their full potential alongside other children.

Our school will do all it can to ensure children with disabilities/additional needs have access to the same facilities, activities and play opportunities as their peers. Everybody stands to gain if all children are allowed to share the same opportunities and are helped to overcome any disadvantages that they may face.

### **Identification of Children with Disabilities/Additional Needs and Support**

The School has an on-going duty to make 'reasonable adjustments' and the SENCO will manage provision for children with disabilities/additional needs. This individual will be fully trained and experienced in the care and assessment of such children.

All staff are responsible for identifying children's needs and supporting their learning. Any concerns will be discussed with the SENCO in consultation with the parent/carers.

All members of staff will also be expected to assist the SENCO in caring for children with disabilities/additional needs.

In EYFS, the child's Key Person is responsible for maintaining observations, record keeping and assessments of a child's progress in all areas of learning and development. It is also their responsibility to identify any areas of additional needs and inform the SENCO through the procedures in the SEND policy.

Detailed records of progress are maintained by the Key Person working closely with the Early Years Learning Support Co-ordinator. Regular progress reviews will be made.

Detailed and accurate observations and assessments of children's progress are regularly made and properly recorded.

Staff will work together with parents/carers as partners to give day to day care for the child. Parents/carers will be given support by the staff team. Parents/carers are consulted on a continuous basis and information exchanged regarding their child's progress.

All children will be treated as equals and are encouraged to participate in every aspect of the school.

All children will be involved in the daily activities e.g.: outdoor play.

When outings are being planned, children with disabilities/additional needs will always be accommodated and included following a risk assessment.

Wherever possible we will promote positive images of those with disabilities/additional needs.

The school will ensure that all staff are aware of all legislation, regulations and other guidance on working with children with disabilities/additional needs.

Children with disabilities/additional needs are fully considered when activities are being planned and prepared.

The school will liaise with other agencies and seek advice, support and training for themselves and other staff as is necessary.

The school will support other members of staff to become more skilled and experienced in the care of children with disabilities/additional needs.

The school will ensure that systems are in place to adequately plan, implement, monitor, review and evaluate the Inclusion policy.

The school's equal opportunities procedures aim to help everyone involved to counteract and eliminate both direct and indirect discrimination in decision making, employment practices and service provision and to ensure that our services strive to achieve equality of opportunity for all.

The school will endeavour to challenge any offensive behaviour, language or attitudes with regards to race, ethnicity, nationality, class, religion, culture, gender, language, sexual orientation and disability towards staff, parents/carers, children and visitors.

Our response to any complaint or challenge will be handled in such a way as to demonstrate the school's development to being an equal opportunities school.

We recognise that the active involvement of parents/carers in the development and monitoring of our Equality & Diversity policy is vital to its success as set out in the Partnership with Parents/Carers policy. As such, the school will both welcome and encourage parents and carers to get involved in the running and management of the school, and to comment on the effectiveness of its policies and procedures.

The school will facilitate regular opportunities for consultation with parents/carers about the service that the school provides, as a means of monitoring the effectiveness of the Equality and Diversity policy.

#### **POLICY OBJECTIVES:**

- To ensure that all children attending the school have equal access to activities that will support and extend their knowledge and experiences in all areas of learning and development
- To identify children with disabilities/additional needs as early as possible through continuous observation and assessment.
- To ensure that any child with a disability/additional need has access to all areas of the Early Years Foundation Stage.
- To keep parents/carers informed and encourage them to work in partnership with the school.

#### **EQUAL OPPORTUNITIES PROCEDURES**

To realise the school's objective of creating an environment free from discrimination and welcoming to all, the school will:

- Ensure that all children, including those with learning difficulties and disabilities, will be included and supported – with reasonable adjustments made for them.
- The SEND policy includes details about the welfare and educational provision for pupils with Statements of Special Educational Needs/EHCP.
- Ensure each child, parent and staff member knows that they are valued, and that their background (culture and religion) is understood, respected and reflected.
- Ensure that its services are open and available to all parents/carers and children in the local community.
- Ensure that issues of race, ethnicity, nationality, class, religion, culture, gender, language, sexual orientation and disability do not inhibit a child from accessing the school's services.
- Treat all children and their parents/carers with equal concern and value.
- Have regard for promoting understanding, respect and awareness of diversity and equal opportunities issues in planning and implementing the school's programme of activities.
- Promote the positive values of diverse cultural identities through anti-racist activities and resources.
- Help all children to celebrate and express their cultural and religious identity by providing a wide range of appropriate resources and activities.
- Encourage positive role models displayed through toys, imaginative play, resources and materials that promote non stereotyped images. Books will also be selected that promote and encourage such images.

- Encourage all children to access all areas of learning and participate in all activities; activities are planned to reflect the interests of the range of children.
- Ensure that the school's recruitment policies and procedures are open, fair and non-discriminatory.
- Endeavour to recruit a staff team that reflects the make-up of the school's local community.
- Ensure that all members of staff, children and their parents/carers are aware of, and understand the ethos of the Equality and Diversity policy, as it relates to all aspects of its work.
- Encourage and support staff to act as positive role models to children by displaying and promoting tolerant and respectful behaviour, language and attitudes and challenging any discriminatory incident, according to the provisions set out in the Staff Disciplinary & Grievance Procedures and the Behaviour policy.
- Treat seriously any member of staff found to be acting, or have been acting, in a discriminatory way, according to the provisions of the Staff Disciplinary & Grievance Procedures policy
- Work to fulfil all the legal requirements of the Sex Discrimination Act 1975, the Disability Discrimination Act 1995, the Human Rights Act 1998 and the Race Relations (Amendment) Act 2000.
- We will ensure that our childcare practice is regularly reviewed in order to remove those practices which discriminate unfairly on the grounds of gender, culture, religion or sexuality.
- Ensure that policies and procedures for consultation and participation are in place and understood.
- Ensure the services offered will support opportunities for staff to recognise discrimination, seek to address areas of inequality, promote understanding and awareness

The Head and Head of Pre-Prep will also be responsible for ensuring that the Equality policy is implemented and that its effectiveness is regularly monitored. They will be responsible for ensuring that:

- Staff receive appropriate training.
- The Equality and Diversity policy is consistent with current legislation and guidance.

All the school's policies and procedures will be kept under review to ensure they do not operate in a discriminatory manner or in any way against its commitment to equal opportunities.

### **Preventing Racial Harassment and Discrimination**

Proactive steps can be taken to prevent racial harassment and discrimination, and the school believes that this is more effective than tackling a situation once it has already occurred. Therefore, alongside the procedures outlined later in this policy to deal with incidents of racial harassment and discrimination, the school will:

- Ensure that all children are valued, irrespective of their race, colour, nationality or ethnicity.
- Encourage individuals to treat each other with respect, regardless of their race, colour, nationality or ethnicity.
- Acknowledge the existence of racism in society and take steps to promote harmonious race relations in our community.
- Promote good relations between different ethnic groups and cultures within the school and in the wider community.
- Ensure that different cultural and religious needs are met, understood and communicated to all individuals involved in the school.
- Actively look at promoting inclusive education in line with 'Black Lives Matter' throughout the curriculum.

## Examples of Racial Harassment and Discrimination

Racial harassment and discrimination can manifest itself in a variety of ways, some overt and others much less so. Some examples of unacceptable behaviour include:

- The use of patronising words or actions towards an individual for racial reasons, including name calling, insults and racial jokes.
- Threats made against a person or group of people because of their race, colour, nationality or ethnicity.
- Racist graffiti or any other written insults or the distribution of racist literature.
- Physical assault or abuse against a person or group of people because of their race, colour, nationality or ethnicity.

All staff and children will be encouraged to actively take responsibility for promoting racial tolerance and for protecting each other from racial harassment and discrimination by reporting any suspected incident to the Head or a member of SMT.

## THE SCHOOL AS AN EMPLOYER

As an employer, the school is committed to ensuring that the workforce reflects the multicultural community that it serves. To this end, the school will:

- Advertise job vacancies in a variety of media sources and outlets and in a variety of places.
- Ensure that the school's human resource procedures prohibit racial discrimination and harassment, and investigate any concerns when this is suspected of failing.
- Investigate any allegation of racial discrimination or harassment according to the provisions of the Staff Disciplinary Procedures, Equality and Behaviour Management policies.
- Collect and monitor information about the ethnic background of the staff team and children.

## Addressing Racial Harassment and Discrimination

If a member of staff or a child becomes aware of an incident of racial harassment or discrimination occurring at the school, they will be encouraged to report the incident to the Deputy Head.

Any allegation made against a member of staff or a child will be investigated thoroughly. The individual concerned will be told that such behaviour will not be tolerated, and steps will be taken to ensure that it does not happen again.

Each incident will be fully investigated and details will be recorded in a separate section of the Incident Record Book.

In the case of **children**, incidents will be reported to their parent/carer and a course of action agreed upon to resolve the situation, in accordance with the provisions of the Behaviour policy.

In the case of **staff**, provisions within the Staff Disciplinary Procedures policy will be activated and a record of the incident will be kept and made available to statutory authorities if appropriate.

The Head is responsible for ensuring that all incidents are handled both professionally and sensitively. All incidents will be kept confidential, with initials being used in the place of names in the Incident Record book. In cases where the Head is involved in an allegation, the Chair of governors will handle the incident, or nominate a senior member of staff in their place.

In all cases, continued racial harassment or discrimination from any individual will result in exclusion from the school, where all other efforts have failed to provide a satisfactory resolution.

**LINKS WITH OTHER POLICIES**

Safeguarding Policy	Anti-Bullying Policy
e-Safety Policy	Health & Safety Policy
Curriculum Policy	Behaviour Policy
Employee Manual	PSHE Policy
SMSC Policy	SEND/MAL/EAL Policies
Admissions Policy	
Accessibility Plan	

**APPENDICES**

1. Legislation and guidance that informs this policy
2. ISI Regulatory Requirements 2021



## **APPENDIX 1**

### **Legislation / guidance that informs this policy**

Equality Act 2010 and advisory documents

DfE Non-Statutory Guidance 2014

Single Public Sector Equality Duty

The Equality Act 2010 harmonised nine major pieces of equality legislation and around 100 statutory instruments that have been introduced over the past 40 years including:

The Sex Discrimination Act 1976

The Race Relations Act 1968

The Children's Act 1989, 2004

The Disability Discrimination Act 1995, 2005

UN Convention on the Rights of the Child 1998

Race Relations Amendment Act 2000

The Special Educational Needs and Disability Discrimination Act 2001

The Childcare Act 2006

## **APPENDIX 2**

ISI Regulatory requirements 391-398: The Independent Schools Inspectorate Regulatory Requirements 2020 advises as follows:

391. To inform their advice and inspection of other standards, which require schools to cater for the needs of all pupils, inspectors may wish to be aware of other aspects of the Equality Act.

392. Academically selective schools may select pupils by ability and aptitude (and need not adjust the pass mark for pupils with disabilities), schools with a religious designation may select by religion and single sex schools, by gender. It is permissible to treat pupils differently on the basis of age.

393. It would be unlawful discrimination in England, for example, to make girls sit at the back, limit the subjects they can study or the careers advice available to them, because they are girls.

394. Schools must: • not treat disabled pupils less favourably; • take reasonable steps to avoid putting disabled pupils at a substantial disadvantage (the 'reasonable adjustment' duty) in matters of admission and education.

395. The duty to make 'reasonable adjustments' does not include a duty to change physical features. From 1 September 2012 it does include a duty to provide auxiliary aids and services: 'where a disabled person would, but for the provision of the auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, [a duty] to take such steps as it is reasonable to have to take to provide the auxiliary aid'. There are no generic answers as to what is a reasonable adjustment. The duty is always child specific and context specific. Many suggestions made in the non-statutory advice from the DfE, or statutory guidance aimed at state schools or LAs, could be viewed as steps/adjustments which could potentially be reasonable for independent schools to make for pupils with disabilities. See, for example, the suggestions contained in advice documents listed in the glossary.

396. The legal definition of 'disability' expressly excludes certain conditions: a tendency to set fire, steal, physical or sexual abuse of other persons, exhibitionism and voyeurism. This has the effect that a pupil with a disability is not protected by the Equality Act in relation to these specific behaviours – with one exception. Where a tendency to physical abuse of others is part of a disability (eg an autistic child who lashes out at care staff), this is not excluded; such a pupil has the usual degree of protection afforded by the Equality Act, namely the school must make reasonable adjustments to avoid putting them at a substantial disadvantage, eg adjustments to the Behaviour Policy and to avoid the

behaviours arising (eg de-escalation strategies, supervision, staff training). Indirect discrimination can be justified where it is a proportionate means of achieving a legitimate aim.

397. Tattoos, piercings and addictions to alcohol, nicotine and other substances are also expressly excluded from the protection of the Equality Act.

398. Independent schools receiving local authority placements do not have a clear legal obligation to meet maintained school legislation (the Public Sector Equality Duty) in matters such as producing a written 'disability equality scheme', a written 'race equality policy' or a written 'gender equality scheme'. However, they may produce these if they so wish and public bodies may impose requirements as a condition of funding.