



beatrice tate school

Policy status	Statutory
Adopted by Governing Body	15th May 2023
Review date	May 2025

Safeguarding Statement

At Beatrice Tate School we respect and value all children and young people and are committed to providing a caring, friendly and safe environment for all our students so they can learn, in a relaxed and secure atmosphere. We believe every student should be able to participate in all school activities in an enjoyable and safe environment and be protected from harm. This is the responsibility of every adult employed by or invited to deliver services at Beatrice Tate School. We recognise our responsibility to safeguard all who access school and promote the welfare of all our learners by protecting them from physical, sexual and emotional abuse, neglect and bullying.

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Version	Date	Author	Description of change
May 2023	15.05.23	WH	New Policy
May 2025	19.05.25	WH	Reviewed; no changes

1. Aims

Our school aims to meet its obligations under the Public Sector Equality Duty (PSED) by having due regard to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Equality Act 2010
- 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

Beatrice Tate School has developed this policy to ensure the school meets its statutory duty regarding:

- Race, Gender and Disability Equality
- Spiritual, Moral, Social and Cultural (SMSC) Development, including Community Cohesion
- Site / Asset Management and Health & Safety

This policy applies to all protected characteristics as defined in the Equality Act 2010:

- age,
- disability,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- race,
- religion or belief,
- sex and
- sexual orientation.

This document also extends to cover all aspects of vulnerability, including those associated with socio-economic factors where known (e.g. students qualifying for free school meals).

Beatrice Tate School is committed to being a good employer and this policy outlines how we meet our varied duties in terms of recruitment and employment practices. We seek to be fully inclusive of all those in our community, including parents and guardians. As such, this scheme sets out how we will work to overcome any discrimination related to the other protected characteristics:

- age;
- being married or in a civil partnership;
- pregnancy and maternity.

This policy will be evaluated with findings reported to the Governing Body annually. A full review will be conducted every three years.

2. Legislation and guidance

This document meets the requirements under the following legislation:

- [The Equality Act 2010](#), which introduced the Public Sector Equality Duty and protects people from discrimination
- [The Equality Act 2010 \(Specific Duties\) Regulations 2011](#), require schools to publish information to demonstrate how they are complying with the Public Sector Equality Duty and to publish equality objectives

This document is also based on Department for Education (DfE) guidance: [The Equality Act 2010 and schools](#).

3. Roles and responsibilities

The Governing Body will:

- Ensure that the equality information and objectives as set out in this statement are published and communicated throughout the school, including to staff, students and parents
- Ensure that the published equality information is updated at least every year and that the objectives are reviewed and updated at least every 4 years
- Delegate responsibility for monitoring the achievement of the objectives daily to the headteacher

The equality link governor will:

- Meet with the designated member of staff for equality every term, and other relevant staff members, to discuss any issues and how these are being addressed
- Ensure they're familiar with all relevant legislation and the contents of this document
- Attend appropriate equality and diversity training
- Report back to the full Governing Body regarding any issues

The Headteacher will:

- Promote knowledge and understanding of the equality objectives among staff and students
- Monitor success in achieving the objectives and report back to governors

The designated member of staff for equality will:

- Support the Headteacher in promoting knowledge and understanding of the equality objectives among staff and students
- Meet with the equality link governor every term to raise and discuss any issues
- Support the Headteacher in identifying any staff training needs, and deliver training as necessary

All school staff are expected to have regard for this document and to work to achieve the objectives as set out in section 8.

4. Eliminating discrimination

The school is aware of its obligations under the Equality Act 2010 and complies with non-discrimination provisions.

Where relevant, our policies include reference to the importance of avoiding discrimination and other prohibited conduct.

Staff and governors are regularly reminded of their responsibilities under the Equality Act – for example, during meetings. Where this has been discussed during a meeting it is recorded in the meeting minutes. All staff will receive training on the Equality Act as part of their induction, and all staff receive refresher training every 2 years.

The school has a designated member of staff for monitoring equality issues and an equality link governor. They regularly liaise regarding any issues and make senior leaders and governors aware of these as appropriate.

5. Advancing equality of opportunity

As set out in the DfE guidance on the Equality Act, the school aims to advance equality of opportunity by:

- Removing or minimising disadvantages suffered by people that are connected to a particular characteristic they have (e.g. students with disabilities, or gay students who are being subjected to homophobic bullying);
- Taking steps to meet the particular needs of people who have a particular characteristic;
- Encouraging people who have a particular characteristic to participate fully in any activities (e.g. encouraging all students to be involved in the full range of school activities according to their abilities);

In fulfilling this aspect of the duty, the school will:

- Publish progress data each academic year showing how students with different characteristics are performing;
- Analyse the above data to determine strengths and areas for improvement, implement actions in response and publish this information;
- Make evidence available identifying improvements for specific groups (e.g. declines in incidents of homophobic or transphobic bullying);
- Publish further data about any issues associated with particular protected characteristics, identifying any issues which could affect our students.

6. Fostering good relations

The school aims to foster good relations between those who share a protected characteristic and those who do not share it by:

- Promoting tolerance, friendship and understanding of a range of religions and cultures through different aspects of our curriculum. This includes teaching in RE, citizenship and personal, social, health and economic (PSHE) education, but also activities in other curriculum areas. For example, as part of teaching and learning in English/reading, students will be introduced to literature from a range of cultures.
- Holding assemblies dealing with relevant issues and cultural events. Students will be encouraged to take a lead in such assemblies (e.g. the Student Council) and we will also invite external speakers to contribute when appropriate.
- Working with our local community. This includes organising school trips and activities based on the local community.
- Encouraging and implementing initiatives to deal with tensions between different groups of students within the school. For example, our school council has representatives from different year groups, and abilities and is formed of students from a range of backgrounds. All students are encouraged to participate in the school's activities. We also work with parents to promote knowledge and understanding of different cultures and groups.
- We have developed links with people and groups who have specialist knowledge about particular characteristics, which helps inform and develop our approach

7. Equality considerations in decision-making

The school ensures it has due regard to equality considerations whenever significant policies are developed and decisions made.

When developing school policies and procedures due regard will be given to equality principles. This will be explicit in every school policy.

The school will consider the impact of significant decisions on particular groups. For example, when a school trip or activity is being planned, the school considers whether the trip:

- Cuts across any religious holidays
- Is accessible to students with disabilities
- Has equivalent facilities for students regardless of their gender identity

The school actively considers our equality duties when planning school trips and activities. The record is completed by the member of staff organising the activity (Visit Lead) and is stored with the completed risk assessment by the Educational Visits Coordinator (EVC).

8. Our Guiding Principles

In fulfilling the legal obligations outlined in this policy, Beatrice Tate Schools is guided by the following principles:

Principle 1: All members of the school and the wider community are of equal value

We see all members of the school and the wider community of equal value:

- Whether or not they have a disability;
- Whatever their ethnicity, culture, religion, national origin or socio-economic circumstances;
- Whatever their gender identity or sexual orientation;
- Whatever their age.

Principle 2: We recognise and respect diversity

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

- Disability, so that reasonable adjustments are made;
- Ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised;
- Gender and sexual orientation so that the different needs and experiences of girls and boys, women and men are recognised;
- Age.

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

We intend 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 socio-economic circumstances, and an absence of prejudice-related bullying and incidents;
- Mutual respect and good relations between our school population whichever their gender and sexual orientation might be and an absence of sexual harassment;
- Positive intergenerational attitudes and relationships.

Principle 4: We ensure that the recruitment, retention and ongoing development of staff is undertaken fairly and equitably to support our school's vision and values.

All policies and procedures should benefit all employees and potential employees. For example in recruitment and promotion, and continuing professional development:

- Whether or not they have a disability;
- Whatever their ethnicity, culture, religious affiliation,* national origin or socio-economic circumstance;
- Whatever their gender identity or sexual orientation;
- Whatever their age.

*Employment: The Equality Act 2010 provides that for schools with a religious character, it will not be unlawful discrimination to do things permitted by the School Standards and Framework Act 1998. The existing exemptions as they relate to schools with a religious character are therefore retained.

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

In addition to avoiding or minimising possible negative impacts, 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 and socio-economic backgrounds;
- All students and staff regardless of their gender identity;

- People of different sexual orientations;
- People from different age groups (where appropriate).

Principle 6: We consult widely.

We recognise that people affected by a policy or activity should be consulted and involved in the design of new policies and the review of existing ones. Wherever possible and/or deemed appropriate we will strive to involve:

- Disabled people as well as non-disabled;
- People from a range of ethnic, cultural and religious and socio-economic backgrounds;
- All students and staff regardless of their gender identity;
- People of different sexual orientations;
- People from different age groups.

Principle 7: Students, their families, staff and the wider community as a whole should benefit.

We intend that our school policies should benefit society as a whole, both locally and nationally, by fostering greater social cohesion, and greater participation in public life. Our policies seek to respect and include:

- Disabled people as well as non-disabled;
- People of a wide range of ethnic, cultural and religious and socio-economic backgrounds;
- All students and staff regardless of their gender identity;
- People of different sexual orientations;
- People of different ages and between generations.

All maintained schools must meet the requirements set out in section 78 of the Education Act 2002 and promote the spiritual, moral, social and cultural (SMSC) development of their students. By ensuring students' SMSC development, schools can also demonstrate they are actively promoting fundamental British values. Meeting requirements are a way of ensuring students' SMSC development.

Beatrice Tate School contributes to SMSC development through collective worship, establishing a strong school ethos supported by effective relationships throughout the school, and through the curriculum where students interact and participate in a range of learning activities and events with those from different backgrounds, groups and cultures. This enriches their understanding of the community and its diversity.

9. Monitoring arrangements

The Equality Team will update the equality information we publish at least every year. This document will be reviewed and approved by the Governing Body at least every 4 years.

10. Equality Plan

The School's Equality Plan is published separately on the school website and reviewed annually by the Equality Team.

11. Links with other policies

This document links to all school policies.

Note: The following appendix provides detailed guidance for staff on recognising, responding to, and reporting discriminatory incidents. It supports the implementation of this policy in practice.

12. Appendix 1 – Discrimination Guidance

Tackling and Eliminating Discrimination

Harassment on account of race, gender, disability or sexual orientation is unacceptable and is not tolerated within the school environment.

All staff are expected to deal with any discriminatory incidents that may occur in line with the school's policies and procedures. They are expected to know how to identify and challenge prejudice and stereotyping and to support the full range of diverse needs according to a student's individual circumstances.

All incidents of harassment or bullying, including those of a racist, homophobic or other discriminatory nature, will be initially managed by the staff member present and escalated as necessary to senior leaders. These incidents are reported to the Headteacher, and racist incidents are also reported to the Governing Body and Local Authority termly.

What is a discriminatory incident?

Harassment on grounds of race, gender, disability, sexual orientation or other factors such as socio-economic status, can take many forms including verbal or physical abuse, name-calling, exclusion from groups and games, unwanted looks or comments, jokes and graffiti.

Types of the discriminatory incident

Types of discriminatory incidents that can occur are:

- Physical assault against a person or group because of their colour, ethnicity, nationality, disability, sexual orientation or gender;
- Use of derogatory names, insults and jokes;
- Racist, sexist, homophobic or discriminatory graffiti;
- Provocative behaviour such as wearing racist, sexist, homophobic or discriminatory badges or insignia;
- Bringing discriminatory material into school;
- Verbal abuse and threats;
- Incitement of others to discriminate or bully a victim because of their race, disability, gender or sexual orientation;
- Discriminatory comments in the course of discussion;
- Attempts to recruit others to discriminatory organisations and groups;
- Ridicule of an individual for difference e.g. food, music, religion, dress etc;
- Refusal to cooperate with other people on grounds of race, gender, disability or sexual orientation.

Types of Discrimination

Direct discrimination

Direct discrimination occurs when a person is treated less favourably than you treat (or would treat) another person because of a protected characteristic. For someone to show that they have been directly discriminated against, they must compare what has happened to them to the treatment a person without their protected characteristic is receiving or would receive. A person does not need to find an actual person to compare their treatment with but can rely on a hypothetical person if they can show there is evidence that such a person would be treated differently. There is no need for someone claiming direct discrimination because of racial segregation or pregnancy or maternity to find a person to compare themselves to:

- Racial segregation is deliberately separating people by race or colour or ethnic or national origin and will always be unlawful direct discrimination.
- To claim pregnancy or maternity discrimination a female must show that she has been treated unfavourably because of her pregnancy or maternity and does not have to compare her treatment to the treatment of someone who was not pregnant or a new mother.

Discrimination based on association

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 and maternity). This might occur when a person is treated less favourably because their sibling, parent, guardian or friend has a protected characteristic.

Discrimination based on perception

Direct discrimination also occurs when a person is treated less favourably because you mistakenly think that they have a protected characteristic.

Discrimination because of pregnancy and maternity

It is discrimination to treat a woman (including a female student of any age) less favourably because she is or has been pregnant, has given birth in the last 26 weeks or is breastfeeding a baby who is 26 weeks or younger.

It is direct sex discrimination to treat a woman (including a female student of any age) less favourably because she is breastfeeding a child who is more than 26 weeks old.

Indirect discrimination

Indirect discrimination occurs when you apply a provision, criterion or practice in the same way for all persons or a particular group but this has the effect of putting persons sharing a protected characteristic within the general group at a particular disadvantage. It doesn't matter that you did not intend to disadvantage the person/s with a particular protected characteristic in this way. What does matter is whether your action does or would disadvantage such person/s compared with persons who do not share that characteristic.

'Disadvantage' is not defined in the Act but a rule of thumb is that a reasonable person would consider that disadvantage has occurred. It can take many different forms, such as denial of an opportunity or choice, deterrence, rejection or exclusion.

'Provision', 'criterion' or 'practice' are not defined in the Act but can be interpreted widely and include:

- Arrangements (for example, for deciding whom to admit)
- The way that education, or access to any benefit, service or facility is offered or provided
- One-off decisions
- Proposals or directions to do something in a particular way.

Indirect discrimination will occur if the following four conditions are met:

1. You apply (or would apply) the provision, criterion or practice equally to all relevant persons, including a particular person with a protected characteristic, and
2. The provision, criterion or practice puts or would put persons sharing a protected characteristic at a particular disadvantage compared to relevant persons who do not share that characteristic, and
3. The provision, criteria, practice or rule puts or would put the particular person at that disadvantage, and
4. You cannot show that the provision, and criteria of practice are justified as a 'proportionate means of achieving a legitimate aim'.

What are a 'proportionate means of achieving a legitimate aim'?

To be legitimate the aim of the provision, criterion or practice must be legal and non-discriminatory and represent a real objective consideration. In the context of school education, examples of legitimate aims might include:

- Maintaining academic and other standards.
- Ensuring the health, safety and welfare of students.

Even if the aim is legitimate the means of achieving it must be proportionate. Proportionate means 'appropriate and necessary', but 'necessary' does not mean that the provision, criterion or practice is the only possible way of achieving the legitimate aim.

Although the financial cost of using a less discriminatory approach cannot, by itself, justify, the cost can be taken into account as part of the school's justification if there are other good reasons for adopting the chosen practice.

The more serious the disadvantage caused by the discriminatory provision, criterion or practice, the more convincing the justification must be.

In a case involving disability, if you have not complied with your duty to make relevant reasonable adjustments it will be difficult for you to show that the treatment was proportionate.

Discrimination arising from disability

Discrimination arising from disability occurs when you treat a disabled person unfavourably because of something connected with their disability and cannot justify such treatment.

Discrimination arising from disability is different from direct discrimination. Direct discrimination occurs because of the protected characteristic of disability. For discrimination arising from disability, the motive for the treatment does not matter; the question is whether the disabled person has been treated unfavourably because of something connected with their disability.

Discrimination arising from disability is also different from indirect discrimination. There is no need to show that other people have been affected alongside the individual disabled person or for the disabled person to compare themselves with anyone else.

Discrimination arising from disability will occur if the following three conditions are met:

- you treat a disabled person unfavourably, that is putting them at a disadvantage, even if this was not your intention, and
- this treatment is because of something connected with the disabled person's disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour, and
- you cannot justify the treatment by showing that it is a proportionate means of achieving a legitimate aim'. This is explained above.

Knowledge of disability

You will need to show that:

- You did not know that the disabled person had the disability in question, and
- You could not reasonably have been expected to know that the disabled person had the disability
- The unfavourable treatment would not amount to unlawful discrimination arising from disability.

If your agent (someone who undertakes tasks on your behalf) or employee knows of a person's disability, you will not usually be able to claim that you do not know of the disability.

Relevance of reasonable adjustments

By acting quickly to identify and put in place reasonable adjustments for disabled persons, you can often avoid discrimination arising from disability, although there may be cases where an adjustment is unrelated to the unfavourable treatment in question.

If you fail to make an appropriate reasonable adjustment, it is likely to be very difficult for you to argue that unfavourable treatment is justified.

Reasonable adjustments

School is familiar with the reasonable adjustments duty, first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act operates slightly differently and has been extended to cover the provision by a school of auxiliary aids and services; however, this element of the duty will not come into force until a later date yet to be confirmed. The object of the duty is the same: to avoid as far as possible by reasonable means, the disadvantage which a disabled person experiences because of their disability.

This duty sits alongside your duties and those of local authorities under Part 4 of the Education Act 1996. In some cases, the support a disabled student may receive under the special educational needs framework may mean that they do not suffer a substantial disadvantage (see below) and so there is no need for additional reasonable adjustments to be made for them. In other cases, disabled students may require reasonable adjustments in addition to the special educational provision they are receiving. Some disabled students do not have special educational needs but still require reasonable adjustments to be made for them. The level of support a student is receiving under Part 4 of the Education Act 1996 is one of the factors to be taken into account when you consider what it would be reasonable for you to have to do.

What is the reasonable adjustments duty?

School is required to take reasonable steps to avoid substantial disadvantage where a provision, criterion or practice puts disabled students at a substantial disadvantage

We owe this duty to existing students, applicants and, in limited circumstances, to disabled former students in the following areas:

- Deciding who is offered admission as a student
- The provision of education
- Access to any benefit, service or facility.

The duty does not require the school to make reasonable adjustments to avoid the disadvantage caused by physical features as this is covered by the planning duties.

School cannot justify a failure to make a reasonable adjustment; where the duty arises, the issue will be whether or not adjusting is 'reasonable' and this is an objective question for the tribunals to ultimately determine.

The duty is an anticipatory and continuing one that we owe to disabled students generally, regardless of whether you know that a particular student is disabled or whether you currently have any disabled students. We will not wait until an individual disabled student approaches us before we consider how to meet the duty. Instead, we will plan ahead for the reasonable adjustments school may need to make, regardless of whether we currently have any disabled students. By anticipating the need for an adjustment we will be best placed to help disabled students who come to our school. School is not expected to anticipate the needs of every prospective student but we are required to think about and take reasonable and proportionate steps to overcome barriers that may impede students with different kinds of disabilities.

What is a substantial disadvantage?

A disadvantage that is more than minor or trivial is called a 'substantial disadvantage'. The level of disadvantage created by a lack of reasonable adjustments is measured in comparison with what the position would be if the disabled student in question did not have a disability.

Schools will take into account several factors when considering whether or not the disadvantage is substantial such as:

- The time and effort that might need to be expended by a disabled child;
- The inconvenience, indignity or discomfort a disabled child might suffer;
- The loss of opportunity, or the diminished progress a disabled child might make in comparison with his or her peers who are not disabled.

The duty to change a provision, criterion or practice

These terms are not defined but in general, they relate to how education and other benefits, facilities and services are provided and cover all of your arrangements, policies, procedures and activities.

Where a provision, criterion or practice places disabled students at a substantial disadvantage in accessing education and any benefit, facility or service, you must take such steps as it is reasonable to take in all the circumstances to ensure the provision, criterion or practice no longer has such an effect. This might mean waiving a criterion or abandoning a practice altogether but often will involve just an extension of the flexibility and individual approach that most schools already show to their students.

When is it reasonable for the school to have to make adjustments?

A useful starting point when determining what a reasonable adjustment might be is to consider how to ensure that disabled students can be involved in every aspect of school life. Often effective and practical adjustments involve little or no cost or disruption.

Where disabled students are placed at a substantial disadvantage by a provision, criterion or practice or the absence of an auxiliary aid, the school must consider whether any reasonable adjustment can be made to overcome that disadvantage.

The school does not expect disabled students to suggest adjustments but if they do we will consider whether those adjustments would help to overcome the disadvantage and whether the suggestions are reasonable. It is good practice for schools to work with students and their parents/guardians in determining what reasonable adjustments can be made.