



# The Ursuline Academy Ilford

## Equality Policy: Equality and Diversity for Pupils

2021

Reviewed in November 2021, to take effect from:	<b>November 2021</b>
Next Review:	<b>November 2025</b>

**We are a Catholic community of faith, love and service rooted in the spirit of St Angela.  
Through Christ and the Gospel and in our diverse community we strive to provide an  
environment for young women to flourish, spiritually, academically and socially.**

**Together we are The Ursuline Academy Ilford.**

To help bring this about Governors and staff at the school commit themselves to:

- Recognising the value and uniqueness of every student we teach;
- Ensuring that the school is a safe place to be and one where the interests of justice are served;
- Creating a community which is inclusive, one whose basis is mutual respect and equality;
- Maintaining the long tradition of trust, cooperation and courtesy;
- Generating good order and discipline based on sound relationships between staff, students, parents and carers;
- Nurturing the religious and intellectual lives of our students through curricular and extra-curricular activities;
- Inviting parents and carers to play an active role in their daughter's development, academically, spiritually and morally.

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# 1. Policy Statement

In accordance with our mission statement to recognise the value of each individual as gift from God, and the **Equality Act 2010**, Ursuline affirms its intent to not unlawfully discriminate against, harass or victimise **a pupil or potential pupil** (subject to certain exceptions including those applying to schools with a religious character):

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

We will strive to:

- Respect the equal human rights of all of our pupils;
- educate them about equality (especially gender equality); and
- encourage them to respect the diversity of the society in which they live and to promote community cohesion at a school, local, national and global context.

This policy should be read in conjunction with many additional policies, and compliments the Equality Policy for Equality and Diversity in employment.

## 2. Statutory Requirements

### Protected Characteristics

It is unlawful to discriminate against a pupil or prospective pupil by treating them less favourably on the basis of the following protected characteristics:

- Sex;
- Race;
- Disability;
- Religion or belief;
- Sexual orientation;
- Gender reassignment- this protection was introduced by the Act;
- Pregnancy or maternity;
- Special Educational Needs;
- Behaviour, or;
- Socio- economic background, including mobility

It is also unlawful to discriminate on the basis of association or perception i.e. because a person with whom the pupil or prospective pupil is associated has a protected characteristic, or if we think a person has a protected characteristic even if this is mistaken.

Although age is also a protected characteristic in relation to employment and to the provision of goods and services (except for children) this does not apply to pupils in schools. This allows schools to differentiate on the basis of age so that schools can continue to organise children in age groups and treat them age appropriately. Schools remain free to admit and organise children in age groups and to treat them in ways appropriate to their age and stage of development.

**Our school is an 11-18 single sex school for girls. We teach pupils in year groups but reserve the right to offer children, for a variety of reasons such as illness, the opportunity to 'go back a year' if it will support their progress.**

In relation to disability, the Act provides protection for disabled people but not those who are not disabled so schools can treat disabled pupils more favourably. The Act imposes a duty to make reasonable adjustments for disabled pupils and prospective disabled pupils. The Act also contained a new duty for employers to provide an auxiliary aid if without it the disabled person would be at a substantial disadvantage.

The duty was extended to auxiliary 'services'. From September 2012 schools and local authorities have a duty to supply auxiliary aids and services as reasonable adjustments to pupils, where they are not being supplied through special educational needs statements.

**Our policy on Special Educational Needs is clearly identified on the school's website. It is compliant with the Code of Practice 2014.**

As a single sex school, we are able to refuse to admit pupils of the opposite sex. We are not prevented from admitting a small number of pupils of the opposite sex on an exceptional basis or in relation to particular courses or classes only. Other forms of sex discrimination against those opposite-sex pupils would be unlawful e.g. not allowing them access to school facilities.

## Unlawful Behaviour

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

**Indirect discrimination** – occurs where a “provision, criteria or practice” is applied which has the effect of putting people who have a particular protected characteristic at a disadvantage when compared to people without that characteristic;

**Harassment** – “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.

In schools this applies only to harassment because of sex, race, disability and pregnancy and maternity. It does not apply to religion or belief, sexual orientation or gender reassignment. This does not of course mean that such behaviour would be permissible; it would remain unlawful discrimination notwithstanding that this legal definition does not apply;

**Victimisation** – is where a person is treated less favourably because of something done (“a protected act”) in connection with the Act e.g. because the person has brought a claim under the Act.

### 3. School Exceptions: General and Related to our School

#### Religion or Belief

The Act provides an exception from the prohibition on religion and belief discrimination in the provision of services in schools. For all schools the areas covered by the exception are the curriculum, collective worship, school transport and the establishment, alteration and closure of schools. For schools with a religious character the exceptions also apply to anything done in connection with admissions or in relation to the responsible body of such schools i.e. for Catholic schools the school's Governing Body.

Our School has an Admission criteria that clearly identifies that we are an 11-18 Single status Academy Catholic school. The Governors will consider all applications for admission to the School from girls who satisfy the criteria outlined in our Admissions information. (See school website)

#### Curriculum

The **content** of the curriculum has never been caught by discrimination law and the Act states that it is specifically excluded.

**As a Catholic school R.E is a compulsory subject and is taught in specific lessons that make up 10% of the curriculum time in each year group, in accordance with Diocesan guidelines.**

**SRE and Drugs Education are taught in accordance with the National Curriculum and with Diocesan guidelines. The curriculum overview is outlined on our school website.**

The **delivery** of the curriculum is however explicitly included.

The DfE guidance highlights the relationship between protection because of sexual orientation and protection of religious freedom. It states that many people's views on sexual orientation/sexual activity are grounded in religious belief. It refers to concerns of schools with a religious character that they may be prevented from teaching in line with their religious ethos. It also refers to teachers having expressed concerns that they may be subject to legal action if they do not voice positive views on same sex relationships, whether or not this view accords with their faith. The guidance also refers to concerns that such schools may teach and act in ways unacceptable to lesbian, gay and bisexual pupils and parents when same sex relationships are discussed because there are no express provisions to prevent this occurring.

**The guidance makes clear that, like all schools, schools with a religious character have a responsibility to the welfare of children in their care and to adhere to curriculum guidance. It goes on to say that, provided their beliefs are explained in an appropriate way in an educational context that takes into account existing guidance on the delivery of Sex and Relationship education (SRE) and Religious Education, then schools should not be acting unlawfully. Further that it would not be unlawful for a teacher in any school to express personal views on sexual orientation provided that it is done in an appropriate manner and context. The guidance however provides a note of caution about the influential role of a teacher and that their actions and responsibilities extend beyond the requirements of the equality legislation and that expressing personal views should not extend to allowing unlawful discrimination.**

#### Acts of Worship

The Act contains a general exception to the religion or belief provisions which allows all schools to have acts of worship or other forms of collective religious observance. The daily act of collective worship is not covered by the religion or belief provisions, which means that schools will not be acting unlawfully if they do not provide an equivalent act of worship for other faiths. For maintained schools a daily act of collective worship remains a mandatory requirement. It continues to be the case that in any maintained school collective worship is to be 'wholly or mainly of a broadly Christian character' except where a determination otherwise has been successfully obtained.



A school must of course comply with any request by a parent for a pupil to be wholly or partly excused from attending RE. Parents have the right to withdraw their children from collective worship and sixth form pupils have the right to withdraw themselves.

The character and content of collective worship in a Catholic Academy continues to be determined by the Governing Body and for an Academy with a religious character will be in accordance with the school's trust deed or in accordance with the beliefs of the religion or denomination specified for the school. For us, as a Catholic school this will be in accordance with the teachings of the Catholic Church.

Schools are also free to celebrate religious festivals and would not be discriminating against children of other faiths e.g. putting on a nativity play.

**As a Catholic school acts of worship are in accordance with the teachings of the Catholic Church. We have a rich liturgical life which includes, a daily prayer at registration, year group and key stage assemblies, voluntary lunchtime mass, Mass on Holy days of obligation, alongside many others ways of worshipping God.**

## **Uniform**

The Act does not deal specifically with school uniform or appearance but the general requirement not to discriminate would apply. Governing bodies must also have regard to their obligations under the **Human Rights Act 1998**.

It is for the Governing Body to decide matters relating to uniform and appearance. The DfE guidance on school uniform policy advises that schools should be sensitive to the needs of different cultures, races and religions and that the Department would expect schools, where possible, to act reasonably in accommodating these needs, within a general uniform policy, without compromising important school policies, such as school safety or discipline.

**Our School uniform is clearly identified on our website and includes reference to religious exceptions that may apply to children of other faiths, such as wearing a hijab on the way to and from school. The school is supportive of the dress requirements of children of other faiths.**

## 4. Exceptions for Schools with a Religious Character

### Admissions

Priority may be given on the basis of faith criteria in cases of where schools are oversubscribed in accordance with admissions law and the provisions of the School Admissions Code. Schools designated as having a religious character **must** have regard to any guidance from the body or person representing the religion or religious denomination when constructing faith-based oversubscription criteria and must also consult that body or person when deciding how membership or practice of the faith is to be demonstrated.

Catholic schools must therefore have regard to diocesan guidance and consult with their diocese. This applies to **all** Catholic schools, including schools which are under the trusteeship of a religious order.

**The Ursuline Academy Ilford reviews its admissions criteria annually in accordance with Diocesan guidelines.**

### Benefits, Facilities and Services

Exceptions are provided for schools with a religious character in relation to how education is provided and access to aspects of school life.

Catholic schools will still be able to mark or celebrate events specific to their religion and ethos. Parents, guardians or carers will not be able to claim that their children have been discriminated against simply because an equivalent celebration of events of significance to their particular religion is not arranged. Schools will also still be able to organise trips to a local church and will not have to organise visits to accommodate children of other faiths within the school. The DfE guidance also states as an example that a child of a different faith could not claim that they were being treated less favourably because objects symbolic of a school's faith, such as the Bible, were given a special status on the school.

### Employment

The Act provides that for schools with a religious character it will not be unlawful discrimination to do certain things permitted by the **School Standards and Framework Act 1998** ("the SSFA").

This means that for Catholic schools, preference may be given in connection with the appointment, remuneration or promotion of teachers, to those whose religious beliefs or religious practice is in accordance with the tenets of the school's religion or religious denomination or who give or are willing to give religious education in accordance with the tenets of the faith. Conduct that is incompatible with the precepts of the Church, or which fails to uphold its tenets, may be taken into consideration in determining whether the teacher's employment should be terminated.

## 5. Roles and Responsibilities

### **The Governing Body will:**

- support the implementation of the Equality and Diversity Policy;
- ensure the equality policies and practice are non-discriminatory in word and operation and comply with legislation;
- collate, analyse and monitor the policy and practice, initiating appropriate action;
- ensuring complaints are investigated and dealt with effectively;
- ensure appropriate training takes place for governors and employees.

### **Headteacher and other Managers have responsibility for:**

- ensuring that the Equality and Diversity Policy is implemented in word and management and all other practices;
- ensuring the policy is brought to the attention of all employees/workers/volunteers and that they all receive appropriate training;
- encouraging good practice and dealing appropriately with breaches of this policy;
- monitoring the operation of relevant policies and procedures;
- **The Headteacher is the responsible person for equality of opportunity.**

### **All Employees, Volunteers, Visitors and Workers have a responsibility to:**

- act within equal opportunities legislation and to comply with the school policy;
- take part in training and comply with measures introduced to ensure equal opportunities and non-discrimination;
- report to their line manager, or other appropriate person, any breaches of this policy enacted against him/herself or another person by another employee, pupil or another person.

## 6. Monitoring the Provision of Equality in This Policy/Impact Assessment

The impact of equality provision will be monitored through:

- Data analysis including annual exam results and analysis, progress check analysis;
- Admission and induction procedures and feedback including in year admissions and hard to pace/fair access;
- Attendance and punctuality figures;
- Behaviour and exclusions, both internal procedures and external exclusions;
- Records of racist incidents, bullying and online incidents;
- Curriculum content, organisation and delivery;
- Assemblies and liturgical activities;
- Participation in extra-curricular activities and trips including those of different cultures;
- Range and use of resources;
- Displays;
- Visitors and representatives from different minority groups in the school as well as inclusion in the curriculum;
- Training and development relating to equality and cohesion;
- Production of policies and information on the website and sent to stakeholders such as the prospectus;
- Recruitment, development and retention analysis and the
- Surveys of different stakeholders;
- the School Improvement Plan and self-evaluation framework.

Governors will monitor this through the termly Headteacher's report, school visits, healthcheck reports to committees and the School Improvement Plan.

**This Policy will be reviewed every 4 years or when legislation dictates...**