



# Banana Island School

*A Happy School with High Expectations*

## **Equal Opportunities Policy**

**October 2021**

**First Implementation Date October 2021**

**Review period | Annual**

**Date last reviewed October 2021**

**Responsible person Mrs Collins**

## PURPOSE

The School recognises the benefits of having a diverse school community, with individuals who value one another, and the different contributions everyone can make. Pupils will be taught to value and respect others. The School is committed to being an equal opportunities education provider and is committed to equality of opportunity for all members of the school community. In the provision of equal opportunities, the School recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:

- disability
- pregnancy and maternity
- race
- religion or belief (including where an individual does not subscribe to a particular religion or belief)
- gender
- marital status and age

These are called the **Protected Characteristics**. The School also opposes all bullying and unlawful discrimination on the basis that a person has a special educational need (**SEN**) or learning difficulty, or because English is an additional language.

The School aims to ensure that all policies and practices conform with the principle of equal opportunities. The School will tackle inappropriate attitudes and practices through staff leading by example, through the personal, social and health education (**PSHE**) programme, through the supportive School culture and through the School's policies.

### Related Policies

This Equal Opportunities Policy is consistent with all of the School's policies, including the Behaviour Policy, Anti-Bullying Policy, Accessibility Policy and the Inclusion Policy.

## POLICY AIMS

Through the operation of this policy we aim to:

- communicate the commitment of the School to the promotion of equal opportunities
- promote equal treatment within the School for all members of the school community by creating and maintaining an open and supportive environment which is free from discrimination
- foster mutual tolerance and positive attitudes so that everyone can feel valued within the School
- remove or help to overcome barriers for pupils where they already exist



- ensure that there is no unlawful discrimination against any person on any ground
- make it clear that all discriminatory words, behaviour and images are treated as unacceptable
- take reasonable steps to avoid putting disabled people at a substantial disadvantage

## **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. 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. For example, where a pupil with cerebral palsy who is a wheelchair user is told they will be unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

## **HARASSMENT**

There are three types of harassment.

- Harassment related to a relevant protected characteristic: The relevant protected characteristics are disability, race and sex. Harassment occurs when a person



engages in unwanted behaviour which is relevant to one of the relevant protected characteristics and which has the purpose or effect of:

- violating a pupil's dignity; or
  - creating an intimidating, hostile, degrading, humiliating or offensive environment for the pupil.
- Sexual harassment: This occurs when a person engages in unwanted behaviour which is of a sexual nature and which has the purpose or effect of:
    - violating a pupil's dignity; or
    - creating an intimidating, hostile, degrading, humiliating or offensive environment for the pupil.
  - Less favourable treatment of a pupil because they submit to or reject sexual harassment in any form.

## **VICTIMISATION**

Victimisation means treating someone badly because they have done a "protected act" (or because the School believes that a person has done or is going to do a protected act). Treating a pupil less favourably because they have taken such an action will be unlawful victimisation.

A "protected act" is:

- making a claim or complaint of discrimination
- helping someone else to make such a claim by giving evidence or information
- making an allegation that the School or someone else has breached the policy guidelines

## **ADMISSION**

### **Applicants**

The School accepts applications from, and admits pupils irrespective of their Protected Characteristics and will not discriminate on these grounds in the terms on which a place is offered, subject to the section below. The School will treat every application in a fair, open-minded way.

### **Selection**

Every application will be considered on its merits within the School's criteria for selection on grounds of the pupil's ability and aptitude. The school is an inclusive school but needs to satisfy itself that the particular needs of all individual students can be met within the resources and expertise held by staff at the school. Occasionally, an application may be turned down where the school considers that it is unable to provide the specialist help and expertise required to enable the pupil to flourish. Where the school considers that the



curriculum, the expertise and support is insufficient to meet any child's specific needs, parents will be told and the school will not seek to take tuition fees and accept the child.

## **EDUCATION AND ASSOCIATED SERVICES**

### **Equal Access**

The School will afford all pupils equal access to all benefits, services, facilities, classes and subjects including all sports, irrespective of their Protected Characteristics, subject to considerations of safety and welfare highlighted below.

### **Positive Action**

The School may afford pupils of a particular racial group, or pupils with a disability or special educational needs, access to additional education or training to meet the special needs of the pupils in that group, for example, special language training for groups whose first language is not English.

### **Exclusions**

The School will not discriminate against any pupil by excluding him or her from the School, or by subjecting him or her to any other detriment, on the grounds of his or her gender, race, disability, pregnancy or maternity, religion or belief, or special educational needs, subject to the conditions below.

### **Teaching and School Materials**

Efforts are made to recognise and be aware of the possibility of bias (for example, gender or racial), so that this can be eliminated in both the School's teaching and learning materials and teaching styles. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias.

### **Pupil Interaction**

All pupils are encouraged to work and play freely with, and have respect for, all other pupils, irrespective of their Protected Characteristics, subject to considerations of safety and welfare. Positive attitudes are fostered towards all groups in society through the curriculum and ethos of the School, and pupils will be encouraged to question assumptions and stereotypes.

### **Bullying**

The School will not tolerate bullying or cyberbullying for any reason.

The School's Bullying Prevention Policy contains more details about the School's anti-bullying practices.

### **Disabled Pupils**



Reasonable adjustments may be required to the School Uniform for disabled pupils who require them. The pupil or his or her parents should refer the matter to the Principal to ensure all reasonable adjustments are made to accommodate the pupil.

## **DISABILITY AND SPECIAL EDUCATIONAL NEEDS**

### **Our Approach**

We are an inclusive School which welcomes members of the school community with minor disabilities and special educational needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the School and we will not treat a member of the school community less favourably on these grounds without justification. We will do all that is reasonable to ensure that the School's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Inclusion Policy and Policy on Special Educational Needs are consistent with this policy.

### **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 day-to-day activity.

### **Reasonable Adjustments**

The School has an on-going duty to make 'reasonable adjustments' for disabled pupils and pupils with special educational needs in respect of the education and associated services provided to ensure that such pupils are not placed at a substantial disadvantage in comparison with other pupils. This is a broad expression that covers all aspects of School life, for example:

- the curriculum
- classroom organisation and timetabling
- access to school facilities
- clubs and visits
- school sports and
- school policies.

Reasonable adjustments may typically include:

- allowing extra time for a dyslexic child to complete an entrance exam
- providing examination papers in larger print for a child with a visual impairment
- rearranging the timetable to allow a pupil to attend a class in an accessible part of the building
- arranging a variety of accessible sports activities.



### **Informing the School**

In accordance with the School's terms and conditions, parents of pupils must notify the Head Teacher in writing if they are aware or suspect that the pupil (or prospective pupil) has a disability or if they (either parent), the pupil (or prospective pupil), or immediate family have at any time had, or has a learning difficulty. Parents must provide copies of all written reports and other relevant information upon request. Providing the School with such information will enable the School to support the pupil as much as possible. Confidential information of this kind will only be communicated on a "need to know" basis where it is necessary for members of staff to be informed of any particular vulnerability of a pupil. The School will have due regard to any request by a parent or pupil (who has sufficient understanding of the nature and effect of the request) to treat the nature or existence of the person's disability as confidential.

### **Admission of Children with Special Educational Needs and / or a Disability**

Applications for a place at the School will be considered on the basis that reasonable adjustments (see definition above) have been made by the School in order to cater for the child's special educational needs and / or disability. The School will not offer a place if, after reasonable adjustments have been made, the School will not be able to provide adequately for the pupil's physical and educational needs. The School shall inform the parents of their decision and give details of the reasonable adjustments they are going to make or give reasons why an offer of a place has not been made.

### **Existing Pupils**

Where the School becomes aware of a disability or special educational need of an existing pupil, the School will do all that is reasonable to assist the pupil whilst at the School, which may include making reasonable adjustments. If in the professional judgement of the Head Teacher, and after consultation with the parents and the pupil (where appropriate), the School cannot provide adequately for the pupil's physical and educational needs after all reasonable adjustments have been made, parents will be asked to withdraw the pupil, without being charged fees in lieu of notice and with the acceptance deposit returned. The School will do what is reasonable to help parents to find an alternative placement which will provide their child with the necessary environment and level of teaching and support.

### **Access**

The School will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to other users. Where possible and proportionate, the School will take steps to improve access for disabled users of the premises.

## **PUPILS WITH STATEMENTS OF SPECIAL EDUCATIONAL NEEDS**



The School's Policy on Special Educational Needs includes details about the welfare and educational provision for pupils with Statements of Special Educational Needs.

## **PUPILS WITH ENGLISH AS AN ADDITIONAL LANGUAGE**

Pupils with English as an Additional Language (**EAL**) will receive additional learning support if necessary. The School will consult with the pupil and the parents as appropriate.

## **PROVISION FOR PUPILS WITH PARTICULAR DIETARY, LANGUAGE OR CULTURAL NEEDS**

The School will make individual provision for such pupils where necessary and in accordance with this policy.

## **RESPONSIBILITIES**

All members of the school community are expected to comply with this policy and therefore to treat others with dignity at all times.

### **Overall Responsibility**

The **Governing Body** has overall responsibility for the effective operation of the School's Equal Opportunities Policy and for ensuring compliance with the relevant statutory framework prohibiting discrimination.

## **MONITORING AND REVIEW**

### **Monitoring**

To ensure that this policy is operating effectively with respect to admission and selection, the School monitors applicants' gender, race, disability and religion or belief confidentially as part of the Admissions procedure. We also maintain records of this data in an anonymised format solely for the purposes stated in this policy.

### **Review**

The Head Teacher is responsible for the ongoing monitoring and regular analysis of the data monitored under the paragraph above and under paragraph below and will arrange for the taking of appropriate positive steps to eliminate unlawful direct and indirect discrimination where necessary. The Head Teacher is also responsible for reviewing whether the aims of this Policy are carried out throughout all areas of the School and taking appropriate action where necessary. This policy is reviewed by the Head Teacher and recommendations for any amendments are reported to the Governing Body.

## **REPORTING AND RECORDING INCIDENTS OF DISCRIMINATION**

### **Questions about this Policy**



If you have any questions about the content or application of this policy, you should contact the Principal.

### **Complaints**

If you believe that you have received less favourable treatment on any of the unlawful grounds, or if you feel that this policy has been breached in any way to your detriment you are encouraged to raise the matter through the School's formal Complaints Procedure. For a copy of the School's Concerns and Complaints Policy, please contact the Head Teacher. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the complaints procedure.

### **Reports**

If you would like to report a breach of this policy that does not constitute a complaint please contact the Head Teacher.

### **Enforcement**

We will treat seriously and urgently investigate every complaint and report. Disciplinary action may be taken against any member of the school community who is found to have acted in contravention of this policy.

### **Record**

All reported breaches of this policy will be recorded and this record will be reviewed annually by the Head Teacher.