



## **THE HALL SCHOOL**

### **Anti-Discrimination Policy**

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#### **OTHER POLICIES**

This policy should be read in conjunction with the Behaviour Policy, Equal Opportunities Policy, Anti Bullying Policy, the SENDA & Accessibility Plan, and the Behaviour, Rewards and Sanctions policy.

This policy is available on the School website and can be made available in large print or other accessible format if required.

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### 1. RATIONALE

The Governors and Staff at The Hall School are committed to fostering an environment for pupils which provides equality of opportunity and freedom from discrimination. We are committed to overcoming discriminatory attitudes with an approach which seeks to raise consciousness and develop positive attitudes.

### 2. AIMS AND EXPECTATIONS

- At The Hall, we do not discriminate against anyone, be they staff or pupil, on the grounds of their sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity. These are what are known as the **protected characteristics**.
- We promote the principles of fairness and justice for all through the education that we provide in our school.
- We promote the principles of fairness and justice for all through the education we provide and ensure that all pupils have equal access to the full range of educational opportunities provided by the school.
- We constantly strive to remove any forms of indirect discrimination that may form barriers to learning.
- We ensure that all recruitment, employment, promotion and training systems are fair to all, and provide opportunities for everyone to achieve.
- We challenge stereotyping and prejudice whenever it occurs.
- We celebrate the cultural diversity of our community and show respect for all minority groups.
- We are aware that prejudice and stereotyping can be caused by low self-image and ignorance. Through positive educational experiences and support for each individual's point of view, we aim to promote positive social attitudes and respect for all.

### 3. ANTI-RACISM

Why do we need an explicit anti-racist approach?

- Race and racism are not well understood – ‘race’ is a social construct, but race is mistakenly and widely used to denote difference.
- Racism is very real and yet often we deny it affects us, our behaviours or our school/college – whereas it affects every single student.
- The majority of the people around the globe are not white and yet ideas about white superiority are still deeply influential and prevalent.
- Black teachers and staff face a range of discriminations, including in recruitment, career and pay progression rates and also in relation to issues such as appraisal and job evaluations.
- There is a growing ‘blame the foreigners’ narrative for strains on schools and colleges, (and the NHS and all public services), which if unchecked will lead to increasing racism.

Why do we need an anti-racist approach within education?

- Schools can change pupils’ lives which is why it is important that all schools have an inclusive and supportive approach.
- We face a growth in intolerance and racism, despite anti-racist legislation and agreements such as the International Declaration of Human Rights, all around the world and within the UK.
- Young people’s ideas about race must be explored and discussed within educational contexts – if not within education, where?
- Education is a crucial place where we can challenge the ‘normalisation’ of many forms of racism, including Islamophobia and Anti-Semitism.
- Training and other interventions will not be effective unless there is a culture of open discussions about race and racism, where staff and young people are acknowledged as key to developing solutions.

The Hall School aims to promote race equality and to actively tackle racial discrimination within all areas of school life:

- to challenge racial discrimination, racist behaviour, racist language or harassment, prejudice and stereotyping, however thoughtless or unintentional;
- to make sure that all students and staff are encouraged and supported to achieve their full potential;
- to provide an environment which respects and values diversity and shows consideration for the traditions, cultures and religious practices of people from different racial groups and different geographical regions;
- to prevent direct and indirect, overt and covert discrimination on grounds of race or geographical origin;

- to assist in the identification of possible barriers to equality of opportunity for students and staff and to ensure that these barriers are addressed where possible;
- to ensure all pupils understand that ‘Black Lives Matter’.

#### 4. DEFINITION OF RACISM

Racism is a form of bullying. It can be both (a) institutional and (b) personal, overt or subtle, intentional or unintentional.

##### a. *Institutional racism*

- The Stephen Lawrence Inquiry Report defined this as: ‘The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.’
- When a child is subject to racist bullying or harassment, their behaviour and attainment are likely to be affected; if the behaviour is treated in isolation without taking into consideration the issues and effects of racism, this can be described as institutional racism. The racist element must be explicitly recognised and dealt with.
- This type of racism is also covert and indirect and therefore can be difficult to identify and address. It is often evident in the assumptions, beliefs and values that affect people’s instinctive responses. It can be demonstrated subconsciously in subtle ways and the School recognises the need to consciously challenge such attitudes.

##### b. *Personal racism*

This is often direct and identifiable and can be manifested through harassment and offensive behaviour in the following ways:

- Physical assault against a person or group due to their colour, ethnicity, geographical origin or culture;
- Derogatory name calling, insults, ridiculing and racist jokes;
- Racist graffiti;
- Provocative behaviour such as wearing racists badges or insignia;
- Verbal abuse and threats;
- Incitement of others to behave in a racist way;
- Racist comments within the context of lessons.

It is the right of all pupils to receive the best education the school can provide, with access to all educational activities organised by the school. Furthermore, we provide materials for staff, such as the Show Racism the Red Card training, which they will complete as part of their induction, to empower them to deal with incidents. We do not tolerate any forms of racism or racist behaviour. Should a racist incident occur, we will act immediately to prevent any repetition of the incident. Guidelines to follow this are set out below in the **Tackling Discrimination** section.

## **5. GENDER EQUALITY, ANTI-HOMOPHOBIA, BIPHOBIA AND TRANSPHOBIA**

At The Hall, we are committed to ensuring equal treatment of all our employed, pupils and visitors, regardless of gender or sexual orientation, and fostering an environment where everyone feels safe.

The glossary in appendix 1 has been produced by **Stonewall**. This list will help to understand some of the more common terms you might come across when tackling homophobic, biphobic and transphobic bullying and offering support to lesbian, gay, bisexual and trans (LGBT) young people.

There are a wide range of terms that people may use to describe their sexual orientation or gender identity. The best way to get this right is to give people the opportunity to say how they would describe themselves, rather than making your own assumptions. For more information, see Stonewall's guidance for teachers on supporting LGBT young people.

Should a sexist, homophobic, biphobic or transphobic incident occur, we will act immediately to prevent any repetition of the incident. Guidelines to follow this are set out below in the **Tackling Discrimination** section.

## **6. TACKLING DISCRIMINATION & FRAMEWORK FOR DEALING WITH INCIDENTS.**

Bullying and harassment on account of race, gender, disability or sexual orientation are unacceptable and are not tolerated within the school environment. It is essential that the school is proactive, as well as a reactive, in its approach to tackling discrimination. For example, through staff training and the curriculum. Therefore, as well as provide the students with an environment that is free from discrimination, The Hall also aims to establish a culture for staff where they feel supported and empowered to tackle discrimination.

See Appendix 2 for details of Framework for dealing with an incident

## Appendix 1

### GENDER EQUALITY, ANTI-HOMOPHOBIA, BIPHOBIA AND TRANSPHOBIA

#### Glossary of Terms

**Sexual orientation** a person's emotional, romantic and/or sexual attraction to another person

**Gender identity** a person's internal sense of their own gender, whether male, female, or something else (see nonbinary below)

**Sex** assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes the terms 'sex' and 'gender' are interchanged to mean 'male' or 'female'

**Lesbian** refers to a woman who has an emotional, romantic and/or sexual orientation towards women

**Gay** refers to a man who has an emotional, romantic and/or sexual orientation towards men. Also a generic term for lesbian and gay sexuality – some women define themselves as gay rather than lesbian

**Homosexual** this might be considered a more medical term used to describe someone who has an emotional romantic and/or sexual orientation towards someone of the same gender. The term 'gay' is now more generally used

**Bisexual** refers to a person who has an emotional, romantic and/or sexual orientation towards more than one gender

**Trans** an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, cross dresser, non-binary, gender queer

**LGBT** the acronym for lesbian, gay, bisexual and trans

**Questioning** the process of exploring your own sexual orientation and/or gender identity

**Queer** in the past a derogatory term for LGBT individuals. The term has now been reclaimed by LGBT young people in particular who don't identify with traditional categories around gender identity and sexual orientation, but is still viewed to be derogatory by some

**A cisgender person** someone whose gender identity is the same as the sex they were assigned at birth. Non-trans is also used by some people

**Non-binary** an umbrella term for a person who does not identify as male or female

**Gender variant** someone who does not conform to the gender roles and behaviours assigned to them at birth. This is usually used in relation to children or young people

**Intersex** a term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people can identify as male, female or non-binary.

It is important to remember that

- the terms people use to describe themselves may change over time

- sexual orientation and gender identity are not the same thing
- not everyone thinks of themselves as 'male' or 'female'
- not everyone identifies with the sex that they were assigned at birth

**Transgender man** a term used to describe someone who is assigned female at birth but identifies and lives as a man. This may be shortened to trans man, or FTM, an abbreviation for female-to-male

**Transgender woman** a term used to describe someone who is assigned male at birth but identifies and lives as a woman. This may be shortened to trans woman, or MTF, an abbreviation for male-to-female

**A transsexual person** this was used in the past as a more medical term (similarly to homosexual) to refer to someone who transitioned to live in the 'opposite' gender to the one assigned at birth. This term is still used by some although many people prefer the term trans or transgender

**Gender dysphoria** used to describe when a person experiences discomfort or distress because there is a mismatch between their sex assigned at birth and their gender identity. This is also the clinical diagnosis for someone who doesn't feel comfortable with the gender they were assigned at birth

**Pronoun** words we use to refer to people's gender in conversation – for example, 'he' or 'she'. Some people may prefer others to refer to them in gender neutral language and use pronouns such as they / their and ze / zir

**Transitioning** the steps a trans person may take to live in the gender they identify as. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents

**Gender reassignment** is another way of describing a person's transition. To undergo gender reassignment usually means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender. Gender reassignment is a characteristic that is protected in the Equality Act 2010

**Coming out** when a person first tells someone/others about their identity as lesbian, gay, bisexual or trans

**Outed** when a lesbian, gay, bisexual or trans person's sexual orientation or gender identity is disclosed to someone else without their consent

**Homophobia** the fear or dislike of someone who identifies as lesbian or gay

**Biphobia** the fear or dislike of someone who identifies as bisexual

**Transphobia** the fear or dislike of someone who identifies as trans

**Gender stereotypes** the ways that we expect people to behave in society according to their gender, or what is commonly accepted as 'normal' for someone of that gender

## Appendix 2

### Framework for dealing with a discriminatory incident at The Hall School

This framework should serve as a guide as to the steps to follow when dealing with a discriminatory incident at The Hall.

This is an incident based on the following protected characteristics: sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity.

This framework should be followed, even if there has not been a specific victim of the perpetrator's discriminatory actions.

Fundamentally, the steps you must follow are on the basis of:

#### **React. Report. Respond. Record.**

#### **React: Acknowledge the incident immediately. Do not ignore.**

- If there is a victim, ensure they are offered support and space if requested
- Treat the issue seriously
- Respond calmly to the perpetrator and explain why the comment was not acceptable
- Reinforce the school's position and rules on discrimination (see policy for reference)
- Make sure that any witnesses know that the behaviour will not be tolerated

#### **Report: Tell the victim and perpetrator's Form Teacher(s) and Head of Year/Head of School what happened**

- As soon as possible, write a record of what happened
- Speak to the victim and perpetrator's Form Tutor and Head of Year
- Send the written report to the victim and perpetrator's Form Tutor, Head of Year and Head of School

#### **Respond: The Form Teacher(s) and Head of Year/Head of School must speak to those pupils involved as soon as possible**

The victim/perpetrator's Form Teacher and Head of Year will interview the victim and any witnesses, to ensure the facts are established. The Form Teacher and Head of Year (and Head of School if required) will ensure the victim is offered support. They will then interview the perpetrator.

Once the facts are established, the key aims of the meeting are the following:

- To understand why the perpetrator discriminated against the victim
- To ensure the perpetrator understands why what he said was wrong

- Reinforce the school's position and rules on discrimination (see policy for reference)
- To explain to the perpetrator that the school will take time to consider what course of action will be taken, but that it will largely centre around 're-education'
- To explain that both the perpetrator and victim's parents will be informed of the incident

The Form Teacher and/or Head of Year/School will communicate with both sets of parents to explain what has happened.

The Form Teacher/Head of Year/School should decide on an appropriate punishment, if required, and devise suitable re-education activities for the perpetrator to complete.

**Record: The details of happened must be recorded on CPOMS**

- The victim/perpetrator's Form Teacher/Head of Year needs to write a record of everything that has occurred – from the incident, right the way through to the punishment, on CPOMS.
- They need to mark it as a discriminatory incident, and assign it to both the victim and perpetrator

## EQUALITY AND THE LAW

- The Equality Act 2010 has replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It also provides some changes that schools need to be aware of.
- The Equality Act 2010 provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by removing anomalies and inconsistencies that had developed over time in the existing legislation, and it extends the protection from discrimination in certain areas.
- **As far as schools are concerned, for the most part, the effect of the new law is the same as it has been in the past – meaning that schools cannot unlawfully discriminate against pupils because of sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity. However, schools that are already complying with the law should not find major differences in what they need to do. The exceptions to the**

**discrimination provisions for schools that existed under previous legislation such as the content of the curriculum, collective worship and admissions to single sex schools and schools of a religious character, are all replicated in the new act. However, there are some changes that will have an impact on schools as follows: it is now unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that schools should no longer, as a matter of course, require job applicants to complete a generic health questionnaire as part of the application procedure. Schools are advised to review their existing practices to ensure they are complying with both the Health Standards Regulations and Section 60 of the Equality Act.**

- The Single Equality Act reflects the Government's commitment, 'to narrowing gaps, and to tackling the barriers to equal opportunities and social mobility which hold individuals back, and bring heavy social and economic costs. Equality is central to building a strong economy and fairer society. It underpins the Coalition's guiding principles of freedom, fairness and responsibility'.
- The Government believes that they need to reform education to tackle educational inequality, which has widened in recent years. They believe, 'that too many children are held back by disadvantage and discrimination. We want to build a fair society where social mobility is unlocked; where everyone, regardless of background, has the chance to succeed. We welcome the fact that the Equality Act gives us all an opportunity to do this in a more streamlined and effective way'.