



# Whitecross Nursery School

## Child Equality, Equity, Diversity and Inclusion Policy

Reviewed by	Claire Devey & Claire FitzPatrick
Date of last review	March 2024
Date of next review	March 2025
Ratified by the Governing Body	Tuesday 16 <sup>th</sup> April 2024

This policy will be reviewed sooner if there is a change to legislation or guidance which may affect it. Any changes will be communicated to all stakeholders.

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### Statement of Intent

Whitecross Nursery School understands that, under the Equality Act 2010, all schools have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality between different groups.
- Foster good relations between different groups.
- Promote mental health and wellbeing.

Our school's overall values are underpinned by our statutory duties under the Equality Act 2010. We are dedicated to ensuring that every child receives an education that offers them the best chance at fulfilling their potential, and to promoting mental wellbeing amongst our children. We are committed to supporting and celebrating all children's individual identities. We have developed this policy to provide a clear framework for how we will achieve our school's aims.

Our school's demographic state is directly linked to our overall aims for achieving equality. Specifically, we aim to:

Ensure that all children and their families from our diverse catchment is treated with the same courtesy and respect.

To achieve our aims, we will adopt the following methods:

- Embedding equality within teaching and resources
- Using key data indicators to understand the needs and characteristics of our school
- Promoting community cohesion
- Promoting parental engagement
- Investing in regular staff training
- Using key data, such as measures of wellbeing, to monitor the progress of children with protected characteristics
- Regularly reviewing our policy to ensure it reflects current trends and issues

## **1. Legal framework**

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Human Rights Act 1998
- The Equality Act 2010
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018

This policy has due regard to statutory and good practice guidance, including, but not limited to, the following:

- DfE (2014) 'The Equality Act and schools'
- DfE (2018) 'Promoting the education of looked after children and previously looked after children'
- DfE (2018) 'Gender separation in mixed schools'
- DfE (2018) 'Equality Act 2010: advice for schools'
- DfE (2018) 'Mental health and wellbeing provision in schools'

This policy operates in conjunction with the following school policies:

- Special Educational Needs and Disabilities (SEND) Policy
- Supporting Children with Medical Conditions Policy
- Attendance Policy
- Early Year's and Curriculum Policy
- Admissions Policy
- LAC Policy
- Behaviour Policy
- Child Protection and Safeguarding Policy
- Complaints Procedures Policy

## **2. Roles and responsibilities**

The governing board will:

- Be responsible for ensuring the school complies with the appropriate equality legislation and regulations.
- Take all reasonable steps to ensure children and potential children will not be discriminated against, harassed or victimised in relation to:
  - Admissions.
  - The way the school provides and education for children.
  - How children are provided with access to benefits, facilities and services.
  - The exclusion of a child or subjecting them to any other detriment.
- Ensure all policies are developed and implemented with appropriate equality impact assessments informing future plans in collaboration with the Headteacher.

The Headteacher will:

- Implement and champion this policy, ensuring that all staff and children apply its guidelines fairly in all situations.
- Conduct regular training sessions to ensure all members of staff are aware of their responsibilities, as well as to develop their skills and knowledge.
- Review and amend this policy, taking into account new legislation and government guidance, and previously reported incidents, in order to improve procedures.
- Ensure that appropriate counselling is made available for children who require immediate interventions, parental assistance and personal counselling.

Staff will:

- Be alert to the possible harassment of children, both inside and outside of the school, and to deal with incidents of harassment and/or discrimination as the highest priority.
- Carry out their statutory duties relating to equal opportunities and inclusivity, and pertaining to their specific roles.
- Have due regard to the sensitivities of all children, and not provide material that may cause offence.
- Act as a role model for equality, diversity and inclusion across the whole school community.

## **3. Protected characteristics**

We will not discriminate against, harass or victimise a child, or prospective child, because of their:

- Sex
- Race
- Disability, which includes mental health, encompassing prejudiced assumptions, attitudes or behaviors' related to mental health.
- Religion or belief
- Sexual orientation
- Gender reassignment

We will not discriminate against a child, or prospective child, because of a characteristic related to a person, such as a parent, with whom the child or prospective child is associated.

We will not discriminate against a child, or prospective child, because of a characteristic which they are believed to have, even if the belief is mistaken.

#### **4. Sex**

For the purpose of this policy, sex refers a child's biological assignment at birth depending on their reproductive organs. We understand some children identify as a gender different to the one they were assigned at birth, and we will support children through their transitioning phases.

We will ensure that children of one sex are not singled out for different or less favourable treatment from that given to children of other sexes.

The school will only separate children by sex where there is reasonable justification for doing so, or if one of the following applies:

- Children will suffer a disadvantage connected to their sex
- One sex has needs that are different from the needs of the other sex
- Participation in an activity by children of one sex is disproportionately low

The school will consider non-statutory exceptions on a case-by-case basis, and regularly review the impact of any separation to ascertain whether it remains lawful.

Children will be offered equal opportunities to undertake any activity in the school, e.g. in relation to technology lessons, all children will be allowed to choose which skills they learn.

There may be occasions where we deem it necessary to teach some subjects in single-sex classes, but we will ensure that such classes do not give children a disadvantage when compared to children of the other sex in other classes. Occasions where children are separated to be taught in single-sex classes will be documented and the separation justified to ensure parents, Ofsted and, where necessary, the wider community can understand the reasons behind separation. Where a subject is taught in a single-sex class, trans children will be allowed to attend the single-sex class that corresponds with the gender they identify with.

Children age and stage of development will be taken into consideration before segregating sports teams. Both sexes will have equal opportunities to participate in comparable sporting activities; where separation is deemed necessary, the single-sex sports teams will receive the same quality and amount of resources.

#### **5. Race and ethnicity**

We will ensure that children of all races and ethnicities are not singled out for different and less favourable treatment from that given to other children, regularly reviewing our school practices to ensure that they are fair.

We will ensure children with EAL are treated equally and fairly, while ensuring they are supported at all times.

We will not segregate children on the basis of their race or ethnicity, understanding that claims of 'separate but equal' will not be tolerated, and that such actions will always be viewed as direct discrimination.

We may, however, take positive action, e.g. organising open days for children and families of a specific race that is under-represented, to address the particular challenges affecting children of one racial or ethnic group, where this can be shown to be a proportionate way of dealing with such issues.

## **6. Disability**

We will ensure that children with disabilities are not singled out or treated less favourably than other children simply because they have a disability, which includes any mental health issue, regularly reviewing our school practices to ensure they are fair.

We will avoid implementing rules that could have an adverse effect on children with disabilities (e.g. by making physical fitness a basis for admission, or asking all children to deliver a presentation, as this could be unfair towards children with anxiety), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.

We will ensure that we do not discriminate against children with disabilities because of something which is a consequence of their disability (for example, by not allowing a child on crutches outside at break time because it would take too long for them to get in and out), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.

We will make any reasonable adjustments, and provide any auxiliary aids, necessary to ensure the full inclusion of children with disabilities, especially where the child also has SEND but does not have a SEND statement or EHC plan.

We will meet our duty to undertake accessibility planning for children with disabilities and ensure that an Accessibility Plan is implemented and reviewed where necessary.

The school adheres to our Special Educational Needs and Disabilities (SEND) Policy containing further information addressing equal opportunities for children with SEND.

We will ensure that any medical conditions related to a child with a protected characteristic is fully supported in line with our Supporting Children with Medical Conditions Policy.

## **7. Religion and belief**

We will ensure that children are not singled out or treated less favourably because of their religion or belief, regularly reviewing our school practices to ensure that they are fair.

We will ensure that children are provided with the appropriate space in which they can practice their faith, e.g. to perform their daily prayers.

Absences in relation to religious observances will be handled in accordance with the school's Attendance and Absence Policy.

The school will liaise with local religious leaders of all faiths to inform the amount of leave children will be granted in relation to religious observance.

## **8. Sexual orientation**

We will ensure that all gay, lesbian and bisexual children, or the children of gay, lesbian or bisexual parents, are not singled out for different or less favourable treatment from that given to other children, regularly reviewing our school practices to ensure that they are fair.

We will ensure that children are taught about the nature of marriage, including same-sex marriage, by presenting the facts of English and Welsh law – teachers will not offer personal opinions when discussing marriage in RSHE. We will educate children on positive relationships, families and gender identities within the LGBTQ+ community.

We will ensure that any religious beliefs with regards to sexual orientation are taught to children in an educational context, in a manner that is not prejudicial or discriminatory.

We will support LGBTQ+ children to feel comfortable and ensure they can celebrate their identity.

We will ensure that there is a designated safe space within our school where children can discuss issues of sexual orientation without fear of discrimination.

## **9. Gender reassignment**

We will ensure that children are not singled out or treated less favourably in relation to gender reassignment, i.e. because they are trans or have trans parents, siblings or other family members. We will regularly check our school practices to ensure that they are fair in this regard. We recognise that gender reassignment does not necessarily involve physical change, and can be solely social and emotional.

We will make reasonable adjustments to accommodate absence requests for treatment and support of trans children by external sources, e.g. charities such as Stonewall. Any such absences will be recorded accurately and sensitively by the SENCO to ensure the privacy of the child.

Children have the right to dress in accordance with their true gender identity.

We will ensure that there are suitable toilet and changing facilities for children to use, including:

- Unisex/gender-neutral toilets and changing facilities.
- Private changing facilities.

We will support trans children to feel comfortable and ensure they can celebrate their identity.

We will ensure that there is a designated safe space within our school where trans children can discuss issues of gender without fear of discrimination.

## **10. Looked-after children (LAC)**

LAC and previously LAC (PLAC) will be given the highest priority for admissions, as per the requirements of our Admissions Policy.

We will ensure that children are not singled out or treated less favourably because they are looked after, or have previously been looked after, by the state.

A personal education plan will be created and implemented for all LAC and PLAC, to ensure that their education and development needs are fully covered, including appropriate transition and catch-up support to ensure that they do not fall behind.

We will ensure that any SEND that LAC or PLAC have are duly taken into account and addressed, whether this is with or without a SEND statement or EHC plan.

The school adheres to our LAC Policy containing further information addressing equal opportunities for LAC.

## **11. The Curriculum**

We believe that children should be exposed to thoughts and ideas of all kinds, however challenging or controversial, and will not make any unjustified changes to our curriculum content on the grounds of any protected characteristics that a child may have. We will ensure, however, that the curriculum is as balanced as possible, and delivered in such a way that prevents discrimination and the promotion of prejudicial stereotypes.

To ensure equality, diversity and acceptance are taught and promoted throughout each subject area:

- Through teaching of the PSED curriculum
- Through books that represent diversity across society
- Through resources that represent diversity across society

The observation of inclusive teaching strategies is a key aspect of the SLT's regular programme of monitoring.

## **12. Promoting inclusion**

We will promote inclusion and equality at our school through:

- Ensuring that children are called by their preferred names, which may be different from their legal names, taking into account the correct spelling, structure and pronunciation.
- Ensuring, as far as possible, that our governing board and staff reflect the full diversity of our local community.
- Providing an environment where prejudiced assumptions, attitudes and behaviours are continually challenged.
- Instilling in children an awareness of prejudice, giving them confidence that it can, and must, be eradicated.
- Providing a variety of educational visits that expose children to a wide range of cultural experiences.
- Ensuring equal access to opportunities, such as extracurricular activities and the curriculum.
- Taking care in the use of language and the choice of resources, so that teaching and non-teaching staff avoid reinforcing stereotypical views of society.
- Valuing the cultural experiences and contributions of all children, regardless of any protected characteristic that they may have.
- Communicating our policy to parents to gain their understanding, agreement and support for its provisions.
- Promoting equality of opportunity within the wider society.
- Ensuring admission arrangements will not unfairly disadvantage a child from a particular social or racial group, or with SEND.

## **13. Children that have left school**

Our responsibility to not discriminate, harass or victimise does not end when a child has left school. It will continue to apply with regard to subsequent actions related to our previous relationship with the child, such as the provision of references.

## **14. The Public Sector Equality Duty**

We will meet our duty to publish:

- Annual information to demonstrate how the school is complying with the Public Sector Equality Duty, taking into account the specific circumstances surrounding children who have any of the protected characteristics outlined in [section 3](#).
- Equality objectives (at least every four years) outlining how we may further equality in our school.

There are some protected characteristics where statistical data is less likely to be readily available, and children will not be pressured into providing information related to any characteristic which they may identify with.

## **15. Bullying and discrimination**

Our Behaviour Policy will be used in conjunction with this policy in order to prevent, and effectively deal with, any discriminatory incidents.

Any incidents of a child protection or safeguarding nature will be reported, recorded and dealt with in line with the process in our Child Protection and Safeguarding Policy.

It is the responsibility of the Headteacher to decide whether it is appropriate to notify social services and/or the police of any incident.

Concerns with regards to the handling of bullying and discrimination incidents will be dealt with via the procedures outlined in our Complaints Procedures Policy.

## **16. Staff training**

New staff will receive relevant training on the provisions of this policy during their induction.

Whole-school staff training will be delivered on a regular basis.

Staff will receive the appropriate equalities training that will:

- Focus on staff specialisms in relation to equality, for example, a focus on homophobic bullying to address a planned approach towards inclusion.
- Ensure all staff are aware of, and comply with, current equalities legislation and government recommendations.
- Ensure all staff are aware of their responsibilities and how they can support children with protected characteristics.
- Provide support for teachers to effectively manage any discrimination towards children with protected characteristics.
- Provide up-to-date information on the terms, concepts and current understandings relating to each of the protected characteristics.
- Develop appropriate strategies for communication between parents, educators and children about any issues related to a protected characteristic.
- Ensure that the school is aware of, and participates in, relevant awareness days, such as Black History Month, World Disability Day, Transgender Day of Remembrance, Pride, and International Women's Day.

## **17. Complaints Procedures**

The school aims to resolve all complaints at the earliest possible stage and is dedicated to continuing to provide the highest quality of education possible throughout the procedure. Any person, including a member of the public, is able to make a complaint about the provision of facilities or services that the school provides.

The school will adhere to the Complaints Procedures Policy to ensure a straightforward, impartial, non-adversarial process; that allows a full and fair investigation, respects confidentiality, and delivers an effective response and appropriate redress. If a complaint has completed the school's process and the complainant remains dissatisfied, they have the right to appeal, as outlined in the Complaints Procedures Policy.

## **18. Monitoring and review**

This policy will be monitored and evaluated annually by the Headteacher and governing board, using the following data;

- Individual attainment data
- Equality impact assessments
- Ofsted inspection judgements on equality and diversity
- Incident records related to harassment and bullying

Any amendments will be duly communicated to staff. Staff and Parents/Carers are invited to comment on this policy and suggest ways in which it might be improved by contacting the Headteacher.

*Please note we removed the pregnancy and maternity characteristic as it is not age appropriate for our children.*