Windermere School - Equal Opportunities Policy (Whole School)

Review Date: September 2026

Reviewed by: SLT

Review Period: 12 months

Staff Responsibility: Deputy Head

1.1 Introduction

The School: Windermere School is an independent, mainstream, boarding and day school for boys and girls aged from 3 to 20 years. The School is a registered charity and is based on the Round Square ethos of internationalism, democracy, environment, adventure, leadership and service. The term School Community includes staff, governors, pupils, parents, carers, visitors and volunteers.

1.2 Guiding Principles

The School recognises the value of having a diverse school community, individuals are encouraged to recognise the benefits this brings to enriching the life of the school. Pupils are taught and encouraged to value each other, respect individuality and treat people fairly. The School is committed to being an equal opportunities education provider, delivering equality of opportunity for all members of the School Community.

The Equality Act 2010 has sets out the protected characteristics that qualify for protection from discrimination and the School recognises and accepts its responsibilities under the law and opposes discrimination on the basis of:

- Age
- Disability
- Gender
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or belief
- Sexual orientation

The School also opposes all bullying and unlawful discrimination on the basis that a person has a Special Education Need or Disability (SEND) 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 staff will lead by example and also implement a Life Skills programme in the school to support young people develop positives attitudes and practices towards others.

1.3 Related Policies

The Equal Opportunities Policy is consistent with the School's other policies and procedures:

- Learning Support and Special Educational Needs and Disability Policy
- Accessibility Plan
- Curriculum Policy
- Admissions Policy
- Whistleblowing Policy
- Staff Code of Conduct
- Behaviour Policy
- Anti-bullying strategy
- Complaints Procedure
- Independent Listener
- Equal Opportunities (Staff)

2. Policy Statement

This policy applies to all members of the current and prospective School Community.

2.1 The policy aims to achieve the following:

- Share the commitment of the School as a place that promotes equal opportunities
- Promote equal treatment within the School of members of the School Community
- Create and maintain an open environment where individuality is celebrated and members of the School Community feel valued and free from discrimination
- Where reasonable the School will remove, or help to overcome, barriers for pupils where they already exist
- To make reasonable adjustments to avoid putting disabled people at a substantial disadvantage
- To ensure that there is no unlawful discrimination against any person or group listed in paragraph 1.2
- To clarify and monitor that all discriminatory words, behaviour and images are treated as unacceptable

3. Forms of Discrimination

3.1 Types: Discrimination may be direct or indirect, or arising from disability and it may occur intentionally or unintentionally.

3.1.1 Direct discrimination: Direct discrimination occurs when a person is treated less favourably than another person because of a protected characteristic as set out in paragraph 1.1 above. 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.

3.1.2 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.

3.2 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 deaf pupil is told they will be unable to attend a school trip because there is no suitable fire alarm and other options are not investigated.

4 Harassment

4.1 There are three types of harassment that are unlawful under the Equality Act 2010.

4.1.1 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:

(a) violating a pupil's dignity; or

(b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the pupil.

4.1.2 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:

(a) violating a pupil's dignity; or

(b) creating an intimidating, hostile, degrading, humiliating or offensive environment for the pupil.

4.1.3 Less favourable treatment of a pupil because they submit to or reject sexual harassment or harassment related to sex.

5 Victimisation

5.1 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.

5.2 A "protected act" is:

5.2.1 Making a claim or complaint of discrimination (under the Equality Act 2010 as set out above)

5.2.2 Helping someone else to make such a claim by giving evidence or information

5.2.3 Making an allegation that the School or someone else has breached the Equality Act 2010

5.2.4 Doing anything else in connection with the Equality Act 2010.

6 Admission

6.1 Applicants: The School accepts applications and admits pupils irrespective of their Protected Characteristics (although subject to their age) and will not discriminate on these grounds in the terms on which a place is offered, subject to section 10, below. The School will treat every application in a fair, open-minded way.

6.2 Selection: Every application will be considered on its merits but this will not be done as a way of excluding pupils with a disability or special educational needs, subject to section 10 below.

6.3 Admissions Policy: The School's Admissions Policy reflects the School's approach towards equal opportunities and is consistent with this policy.

7 Education and associated services

7.1 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 (although subject to their age), subject to considerations of safety and welfare, paragraph 7.2 and section 10, below.

7.2 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.

7.3 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, gender reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief, or special educational needs, subject to section 10 of this Policy.

7.4 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. The School's Life Skills curriculum encourages respect for other people.

7.5 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.

7.6 Bullying:

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

8 School uniform

8.1 The School Uniform Policy is consistent with this policy. The same School Uniform Policy applies equally to all pupils, irrespective of their gender, gender reassignment, race, disability, sexual orientation, pregnancy or maternity, religion or belief or special educational needs, subject to considerations of safety and welfare. However, the School will consider reasonable requests to alter the School Uniform, for example, for genuine religious requirements and reasonable adjustments for disabled children.

8.2 Symbols of faith: Certain items of jewellery, such as the cross or Kara bangle, and certain items of headwear, such as the turban and headscarves, may be worn by pupils when doing so is genuinely based on manifesting religious or racial beliefs or identity. This is subject to considerations of safety and welfare and the School's existing School Uniform Policy principles (in regards to, for example, the school colours). Where there is uncertainty as to whether an item may be worn under this section, the issue must be referred by the pupil or his or her parents to the Head, whose decision will be final, subject to the Complaints procedure.

8.3 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 Head to ensure all reasonable adjustments are made to accommodate the pupil.

9 Religious belief

9.1 Religion: The School respects the right and freedom of individuals to worship in accordance with their faith, or no faith.

10 Disability and special educational needs

10.1 Our approach: We are an inclusive School which welcomes members of the School Community with 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 Learning Support and Special Educational Needs and Disability Policy are consistent with this policy.

10.2 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 (Equality Act 2010). For further clarification, please refer to the policies mentioned in paragraph 10.1 above.

10.3 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
- arranging a variety of accessible sports activities.

10.4 The School is not legally required to make adjustments which include physical alterations such as the provision of a stair-lift or new ground floor facilities, or a new library.

In making 'reasonable adjustments' the School is required to provide auxiliary aids and services for disabled pupils. The School will carefully consider any proposals made by parents and will not unreasonably refuse any requests for such aids and services.

10.5 Informing the School: In accordance with the School's admissions procedures, parents of pupils must notify the Head 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. The registration form enables prospective parents to give details of their child's disability when applying for a place at the School. 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.

10.6 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.

10.7 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, 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.

10.8 Access: The School will monitor the physical features of its premises, and challenging school site, 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. The School has an Accessibility Plan, which is kept under review and revised as necessary, appendix 1 includes an up to date Occupational Health Report on the challenges of the site for those with a disability.

10.9 SENCo: The School has a Special Educational Needs Co-ordinator who is the Head of Learning Support.

11 Pupils with an Educational Health Care Plan

11.1 The School's Policy on Special Educational Needs and Disability Policy provides more detailed information.

12 Pupils with English as an additional language

12.1 Pupils with English as an Additional Language (EAL) will be offered additional learning support if it is deemed necessary. The School will consult with the pupil and the parents as appropriate. The School has appropriate welfare support for all such pupils through the tutoring system and academically through the Learning Support Department.

13 Provision for pupils with particular religious, dietary, language or cultural needs

13.1 The School will make individual provision for such pupils where necessary and in accordance with this policy. Vegetarian meals are available at every meal.

14 Responsibilities

14.1 All members of the School Community are expected to comply with this policy.

14.2 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.

15 Monitoring and review

15.1 Monitoring: To ensure that this policy is operating effectively with respect to admission, 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.

15.2 Review: The Head is responsible for the ongoing monitoring and regular analysis of the data monitored under paragraph 15.1 above and under paragraph 16.4 below and will arrange for the taking of appropriate positive steps to eliminate unlawful direct and indirect discrimination where necessary. The Head 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 and recommendations for any amendments are reported to the Governing Body.

16 Reporting and recording incidents of discrimination

16.1 Questions about this policy: If you have any questions about the content or application of this policy, you should contact the Head.

16.2 Complaints: If you believe that you have received less favourable treatment on any of the unlawful grounds listed 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. Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the complaints procedure.

16.3 Reports: If you would like to report a breach of this policy that does not constitute a complaint under paragraph 16.2 above, please contact the Head.

16.4 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.

16.5 Record: All reported breaches of this policy will be recorded and this record will be reviewed annually by the Pastoral Deputy Head.

17 Publication

17.1 This policy will be available on the School's website and on request from the Head.