

Elmfield Rudolf Steiner School

Equal Opportunities Policy

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Equal opportunities policy

Through recognising and addressing the unique spirit of each child, we aim to inspire in our pupils a capacity

and enthusiasm to work arising out of respect and care for the many wonders of the world, for fellow human

beings and for oneself

Rudolf Steiner

(This policy was written with reference to the Equality Act 2010)

Elmfield is committed to equal treatment for all pupils, employees and members of the school community regardless of race, sex, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity, age or marriage or civil partnership status; the protected characteristics.

General aims of the policy

- Steiner education seeks to nurture the individual potential in each child and places a high value on respect for the value of each individual
- The fundamental British values of democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs are at the heart of Steiner education
- Elmfield School is a co-educational school which positively welcomes pupils and applicants from diverse backgrounds, cultures and orientations
- The school recognises the protected characteristics as detailed in the Equality Act 2010 and is opposed to all forms of discrimination both direct and indirect against any person or group or people on the grounds of sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity
- All employees, job applicants, pupils and pupil applicants, must be treated fairly and impartially
- All eligible people have equal opportunity for employment and advancement on the basis of their ability, qualifications, fitness and willingness to work (see Recruitment Policy)
- Elmfield staff will not accept behaviour, slogans or clothing which are likely to condone discrimination or hatred

- Elmfield School is a Steiner Waldorf School and therefore depends upon a willingness on the part of parents, staff and pupils, to support the Waldorf pedagogy
- Elmfield School will educate, develop and prepare our pupils for life whatever their gender, colour, origin, culture, religion, sexual orientation gender identity or ability
- Elmfield School will not condone stereotyping in any form and will address such behaviour among pupils and staff seriously. At all times we aim to fulfil the terms of the Equality Act 2010
- Elmfield School has a disability access policy. In addition, where physical disability would be the only factor deterring a person from employment or admission as a pupil, Elmfield School will pursue every possible and reasonable avenue to address limiting physical features in the School, so far as resources permit
- If there was a candidate entered for an exam with a physical disability, then the exam would take place in a suitable classroom where a portable ramp would be placed outside the side door to enable access to exam room.
- All members of the school community are expected to comply with this policy.

Employment

- Elmfield School have a recruitment policy which aims to appoint a person without any direct or indirect discrimination
- No employee or job applicant should receive less favourable treatment on grounds of personal characteristics, such as race, sex, religion, marital status, age, sexual orientation, appearance or disability, or be disadvantaged by conditions or requirements which cannot be shown to be justifiable
- Elmfield School will have regard to Sex Discrimination (Gender Reassignment) regulations which prevent discrimination against transsexual people in employment.
- Staff who become disabled while in employment will be given positive help to retain their jobs or to be considered for redeployment if that is necessary and feasible.

Pupils

- No applications from potential pupils should receive less favourable treatment on grounds of race, sex, religion, orientation, appearance or disability in the context of the School's resources and the needs of the class that they are applying for
- In considering pupils the College of Teachers will take into account the implications of admission for the existing class and its needs as well as those of the pupil applying. The School will also consider the application in the context of the level of resources available, including assistance provided by the Local Authority
- Derogatory remarks to or about others, whether pupils, employees, applicants or members of the public are actively discouraged. Such remarks may be deemed to be harassment, and therefore considered misconduct
- It is a fundamental principle of Waldorf education that all lessons, including sports, crafts, knitting, cookery, religion and science are delivered to pupils regardless of gender, race, creed or religion

Breach of this policy

All cases of discrimination or prejudice are taken seriously and dealt with, as appropriate, in accordance with the

School's policies, including the Behaviour Policy, the Anti-bullying Policy and staff disciplinary procedures.

Complaints

If a pupil considers that they have been subjected to discrimination which is in conflict with this policy, they, their parent, or guardian should follow the School's complaints procedure, a copy of which is available on the School's website. If a member of staff considers they have been subjected to discrimination which is in conflict with this policy, they should follow the Grievance Procedure. All reported breaches of this policy will be recorded, and this record will be reviewed annually by the Operations Manager.

Related Policies

- Recruitment Policy
- Admissions Policy
- Curriculum Statement
- Anti-Bullying Policy
- Behaviour and Discipline Policy
- Exclusion Policy

We should not be asking: what does a person need to know or be able to do in order to fit into the existing social order? Instead, we should ask: what lives in each human being and how can this be developed? Only then will it be possible to direct the new qualities of each emerging generation into society. Society will then become what young people, as whole human beings, make out of existing social conditions. The new generation should not simply be made to become what present society wants it to be.

Rudolf Steiner

Addendum: Trans Pupils: Summary of Legal Rights

Introduction

This is a complex and evolving topic, and our understanding is moving on all the time.

'Trans' is an umbrella term describing people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth.

'Non-binary' is an umbrella term for people whose gender identity does not sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely.

These definitions are those used in Stonewall's [glossary of terms](#).

Understanding our Legal Responsibilities

Equality Act 2010

Gender reassignment is a 'protected characteristic'. This means you must not discriminate (directly or indirectly) against trans individuals, no matter what age they are.

In order to be covered by the Equality Act, a pupil does not need to be undertaking a medical procedure to change their sex. They can be at any stage in a full or partial process of reassigning their sex by "changing physiological or other gender attributes" – whether proposing to undergo that process, undergoing it, or having completed it.

This information is provided by the [Equalities and Human Rights Commission](#).

Public Sector Equality Duty (PSED)

You must have 'due regard' to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity (between those who share a certain protected characteristic and those who don't)
- Foster good relations (between those who share a certain protected characteristic and those who don't)

Learn more about the PSED from the [Equalities and Human Rights Commission](#).

UK General Data Protection Regulation (UK GDPR)

Under the UK GDPR, gender is not considered '[special category](#)' data. However, information about someone's gender identity could reveal or concern other special category data (such as data relating to health, sex life or sexual orientation). As a result, we need to treat data about someone's transgender history with extra care.

United Nations Convention on the Rights of the Child (UNCRC)

You must ensure pupils under 18 are given the right to:

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- Express their own views freely in all matters affecting them (Article 12)
- Freedom of expression through any media of the pupil's choice and freedom of thought, conscience and religion (Article 13 and 14)

Get further details on the [UNCRC](#) from UNICEF.

What this means in practice

Names and Pronouns

All pupils and staff will need to use the pupil's preferred name and pronoun. Initially, mistakes may be made and the wrong name/pronoun may be used unintentionally.

However, you'll need to watch out for and respond to any staff or pupils that deliberately use the wrong name/pronoun - this could be considered harassment under the Equality Act 2010, or a hate crime.

Toilets

Understandably, this is a complex issue - the need to balance the individual pupil's preferences and safety with the layout of the school and the facilities available.

As a school, we are required to provide a separate toilet and washing facilities for boys and girls aged 8 years and over, except where the toilet facility is provided in a room that can be secured from the inside and that is intended for use by one person at a time. This requirement is outlined in Regulation 4 of [The School Premises \(England\) Regulations 2012](#). See also page 5 of the DfE's guidance on the [school premises regulations](#).

Therefore, as well as separate toilets for boys and girls, the school has 'unisex accessible toilets' in Parkhill.

Recording names and gender on your MIS

We can record a preferred name on school management systems (MIS) without a legal change of name. There's usually a 'preferred to be known as' option.

From a legal standpoint, we can change the recorded gender on our MIS at any time, so do this at the request of pupils/parents.

Recording names and gender on the census

On the census, we need to record the pupil's legal name in full.

However, we can record the pupil's gender according to the wishes of the pupil and/or parent. We must assign the pupils as male or female – there is no other option for non-binary pupils.

See the DfE's [guide to the school census](#) under 'gender.'

Recording names on exam entries

The Joint Council for Qualifications' [general regulations](#) advise entering candidates under names that can be verified against identification such as passports, birth certificates or driver's licences (see page 16). However, it adds that your school is best placed to understand the candidate's circumstances and make an informed decision.