

Equality Policy

Last Review: June 2024
Next Review: By end of Summer Term 2026
Committee: Inclusion

1. Introduction

This policy is to be considered alongside the following documents:

- Equality Act 2010
- Keeping Children Safe in Education 2024
- [Non-statutory government guidance on gender questioning children](#)
- JCoSS Anti-bullying Policy

The JCoSS community comprises a wide range of people, with varied backgrounds, lifestyles and cultures, both within and beyond the Jewish community. It is a diversity which enriches our lives and the educational process.

Central to our ethos is the phrase ‘*elu v’elu divrei elokim chaim*’ – *these, and these, are the words of the living God*. In practice, this means that every member of our community is equally valued, their beliefs and choices are equally valid, and their happiness, safety and security are equally important.

If any members of our community experience discrimination or harassment, whether inside or outside school, it is the duty of everyone in school to challenge such prejudiced behaviour.

The agreed aims of the school cannot be carried out without a commitment to equal opportunities. The purpose of this document is to make that commitment explicit, in relation to all aspects of school life.

2. Statement of Principle

We recognise, value and welcome the diversity of our school community. This is reflected in our intake, our stakeholders, our curriculum and our values. We are committed to the pursuit of equal opportunities for all members of the school community, and are opposed to all forms of unfair discrimination which may hurt or disadvantage individuals or groups in school.

The school recognises its responsibilities under the Equality Act 2010, in particular with reference to the nine protected characteristics highlighted within it, which are shown in bold below. In line with this Act, we are opposed to direct or indirect discrimination on the grounds of the following:

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| <ul style="list-style-type: none"> • Disability and health • Ethnicity • Religion or belief • Marriage and civil partnership • Physical appearance • Neurodiversity • Pregnancy, maternity, paternity and adoption | <ul style="list-style-type: none"> • Sex and gender, incl. gender reassignment • Jewish status as a result of descent or conversion • Socio-economic status • Trade union membership • Age • Sexual orientation and identity • Race, as defined by race, colour and nationality (including citizenship) ethnic or national origins |
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As a school we aim to achieve an environment in which:

Every student

- is respected and respects others (based on inherent respect for difference as well as informed understanding of difference);
- has access to a full curriculum;
- is helped to achieve their full potential;
- is not subject to unfair discrimination on any of the grounds mentioned above.

Every member of staff and Governor

- is respected and respects others;
- is enabled to work and develop without discrimination on any of the grounds mentioned above.

Every parent and visitor to the school

- is respected and respects others;
- is treated with courtesy and is not subjected to unfair discrimination on any of the grounds mentioned above.

3. Implementation

In all areas of school life, JCoSS aims to create an inclusive culture, free from discrimination, harassment or victimisation on whatever grounds. All students, staff and parents are encouraged to value and respect others and to challenge inappropriate attitudes, behaviour and practices. No bullying or harassment will be tolerated, and will be dealt with in the first instance under the Anti-Bullying Policy or staff Disciplinary Policy as appropriate. Equally, we will be mindful of inappropriate or malicious accusations of bullying.

All incidents of discrimination in school on the basis of identified characteristics will be taken seriously and dealt with through the school's established disciplinary procedures (for students) or the Governing Body's approved Grievance and Disciplinary procedures (for staff).

Under the Equality Act, schools have a duty to make "reasonable adjustments" for people with a disability. The DfE summarises the duty as:

- Where something a school does places a disabled student at a disadvantage compared to other students then the school must take reasonable steps to try and avoid that disadvantage.
- Schools will be expected to provide an auxiliary aid or service for a disabled student when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the student faces in comparison to non-disabled students.

The school acknowledges that, following Equality & Human Rights Commission guidance, it may (but is not required) to take proportionate action to address the disadvantage faced by particular groups of pupils.

This is not the same as positive discrimination, where preferential treatment for a particularly disadvantaged pupil group is given. For example, in the situation of boys having lower reading skills than girls, a positive action or initiative specifically to help boys in such a position would not necessarily be unlawful but the school would need to be able to show that this was a proportionate way of dealing with a specific disadvantage experienced by boys and connected to their gender. It would not be proportionate simply to refuse help to girls with reading difficulties in order to help boys as a group catch up with the higher average attainment of girls.

All procedures for the recruitment, appointment and retention of staff will be in accordance with the principles set out in this policy. The CPL (Continuing Professional Learning) programme for all staff will continue to address equal opportunities issues. All subject teachers will be aware of and follow the principles of the Equality Policy, the checklist for use by Heads of Faculty (Appendix A) and the school's Special Educational Needs Policy.

4. Issues relating to gender identity

JCoSS aims to anticipate and respond to the needs of trans and non-binary students and staff, providing a professional and consistent approach so that all feel welcome, safe, valued and supported. This will include the following practical provisions:

a) Education & Staff Training

Issues of gender, sex, identity, equality, sexual orientation and other related topics will form part of the curriculum and will be addressed by various subjects as appropriate to the age and stage of students. This is likely to include lessons in PSHCE (Kvutzah), Science, English and Jewish Education but will not be restricted to these subjects.

These issues will also form part of the programme of staff training, so that all staff are aware of the potential presentation and needs of students and colleagues, and appropriate strategies including vocabulary.

b) Organisation and Environment

Our aim is to remove gender from areas where it is not relevant, and to create an environment where gender identity need not be an issue. We recognise, however, the variety of needs and perceptions in this area, and have to respond to external constraints and requirements e.g. to report separately on the progress of students by sex or to record a legal name.

For example:

- We will ensure there is provision of both gender-neutral and single-sex toilet facilities, and that these will be signposted accordingly
- Dress codes will be gender-neutral
- Organisational groupings will not usually be made on the basis of gender or sex
- If, exceptionally, students are taught in single-sex or gendered groups we will explain the reasons for this and offer options with tact and discretion
- As far as possible, within legal requirements and within the constraints of software, lists and records of students will not record gender or sex
- Openness and sensitivity will be used in planning any school trips that might involve or require single sex or single gendered spaces (e.g. rooms on residential trips, visits to cultural sites). For sleeping, changing or personal hygiene arrangements, students will be allocated to a space in line with their sex, or will be allocated their own, private space.
- We will refer to our own policies, statutory guidance and professional discretion in responding to the needs of individuals for whom the environment poses difficulties on gender identity grounds.

c) Pastoral Support

JCoSS aims to support the health and wellbeing of trans and non-binary students in their affirmed gender, and in particular through gender transition. Pastoral staff will discuss the needs of trans and non-binary students with them and their family in order to agree any actions and individual strategies, interventions or reasonable adjustments that may be necessary.

Where the need arises, the school will apply the principles of 'Gillick Competence' (a standard based on the 1985 decision of the House of Lords in *Gillick v West Norfolk and Wisbech Area Health Authority*) to establish how far a student is able to make a decision to transition. This process would be undertaken in collaboration with parents and/or other professionals, with the student's best interests firmly at heart. We will always act in accordance with our Safeguarding guidelines.

d) Language

If a student transitions before joining or while at JCoSS, our approach will be guided by our safeguarding obligations first and foremost. Once a 'formal request' (see appendices B & C) to socially transition has been confirmed and acknowledged, staff are encouraged to be led by the language that the student uses about themselves. All staff are advised of the name and pronoun change if applicable, including non-binary pronouns (such as 'they'.) Legal names will not be changed although the option of recording a 'preferred name' may be considered. We will sensitively discuss and agree with the student how to share this information. Where old/original names or pronouns are used in error, the matter should be addressed with respect and reflection, rather than sanctions.

e) Confidentiality and Records

JCoSS respects the confidentiality of all students and will not reveal sensitive personal information without the prior agreement of the individual except to protect their vital interests. Students and staff have the right to be addressed by a name and pronoun that corresponds to their preferred gender identity. Please refer to Appendix B for more detail regarding gender identity and record keeping.

5. Monitoring and Evaluation

The Governors will review this policy regularly and may request from the Headteacher a report on its implementation. Faculties and departments will review their practice as part of the SEF process.

Established procedures are in place for monitoring the home languages, ethnicity and special educational needs of students.

Additional Guidance: Department for Education - Equality Act 2010: advice for schools

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

Appendix A – Sample practices and guidance to embed our Equality ethos

Racist, sexist, homophobic, supremacist, and other offensive comments and incidents, however small, including graffiti, must never go unchallenged or ignored. They will be dealt with quickly.

1. Complaints by students of racist, sexist, homophobic or supremacist behaviour will be taken seriously and acted on.
2. All incidents of racist, sexist, homophobic or supremacist behaviour must be reported through the usual channels.
3. We encourage the parents of all students to meet staff and to visit school. In the absence of interpreters, we are glad to accept the help of students or family members.
4. Our dress code is gender neutral and designed to allow alternatives. Kippot are optional; skirts or trousers may be worn by any student.
5. Bilingualism is a positive asset and is seen and used as such.
6. Displays in the school reflect the diversity of the world community, as well as that of our local community.
7. The curriculum, as delivered through faculties will acknowledge, value and, where appropriate, use the diversity of students' backgrounds.
8. In selecting materials for use in lessons, we use positive racial, gender and cultural images. Wherever possible we avoid negative images, unless the purpose is to educate to the contrary.
9. PSHCE programmes include opportunities to explore the cultural backgrounds and practices of students.
10. Jewish Education reflects the religious and cultural diversity of the world community.
11. In assemblies we use positive role models and acknowledge festivals from a variety of cultures, and encourage the inviting of visitors from a wide range of backgrounds.

Sample guidance on anti-racist and anti-sexist material selection

Visual Material

1. Does the material realistically reflect the distinctive features of different groups within and beyond the Jewish community?
2. Is the material free from stereotyping and tokenism?
3. Are women and black people portrayed positively and seen in a full variety of roles?
4. When students are shown, do girls play key roles?
5. Does the material, taken as a whole, provide a balanced picture and not focus on the extremes in other societies? It should not, for example, show only the picturesque and the exotic, or only a way of life which is rural and technologically unsophisticated.
6. Does the material avoid setting up a past way of life as if it were the norm? (For example, very few Inuit (Eskimos) now live in igloos).

Texts

1. Does this book avoid encouraging racist and sexist stereotypes and feelings of superiority based on race and sex? Is the language free from patronising and insulting terminology? (Some books are littered with references to backward nations).
2. Does the book select its examples of excellence, innovation, etc., from various parts of the world, including non-western societies?
3. Is a Euro-centric approach avoided?
4. Are the histories of countries and the role of the people, including national leaders, in developing their own societies accurately presented from their own viewpoint?
5. Are the customs, life-styles and traditions of different cultures presented in a manner which explains their value, meaning and role in the life of the people rather than as quaint, peculiar, or exotic?
6. Is the complexity and variety of life shown without simplistic generalisations about Regional and national characteristics?
7. Does the book avoid setting up a past way of life as if it were still the norm for that society or culture?
8. Is the role of women in the life and development of all societies and their place in history and present-day life adequately presented?
9. Does the book avoid using 'he' and 'man' as all-purpose expressions?

Appendix B: Receiving notification of a student's intention to socially transition

B.1 Prior to notification:

It is important that gender-questioning students are seen as *potentially* vulnerable and as such are supported by trusted staff (as advised in KCSIE) well in advance of any formal decision, notification or request is made to socially transition.

Such support should be led by the following principles:

1. If a member of staff believes or hears that a student might be exploring ideas around gender identity or social transitioning, then they should inform a relevant pastoral leader so that appropriate monitoring and ongoing supportive conversations can be implemented
2. Once staff are aware, they **should not** proactively initiate action towards a child's social transition
3. If no change is explicitly requested, teachers can listen respectfully about a child's feelings without automatically alerting parents but can't promise confidentiality.
4. Staff will make clear to the child that these conversations **will not** be interpreted as a 'formal notification'.
5. The student must be made aware of the school's obligations, once they receive a formal notification. This includes a duty to inform and consult with parents if this hasn't already happened (unless this might incur a significant risk of harm). Indeed, open and honest dialogue between Home, School and the Child is always recommended unless there are clear safeguarding reasons the contrary.
6. Requests to 'informally' change the way a student wishes to be addressed regarding their gender identity are not possible (e.g changes to name or pronouns). Such news may be upsetting to the young person and so care must be taken to talk to them about this sensitively.

B.2 Upon being formally notified:

Staff should clarify any specific requests (for example around pronoun/name changes). **Unless significant safeguarding risks are identified** (it is expected that these would be rare), parents are to be informed and consulted. School can point parents to external support (such as support groups or medical organisations) if they request more information. Such external agents might include:

- Government guidance: <https://www.gov.uk/government/news/parent-first-approach-at-the-core-of-new-guidance-on-gender-questioning-children>
- The family's GP
- Keshet -for LGBTQ equality in Jewish Life (<https://www.keshetonline.org>)
- NSPCC
- Young Minds (www.youngminds.org)

A period of 'watchful waiting' is to be adopted before agreeing a request to socially transition, to ensure that the decision is a sustained and properly considered one.

Prior to finally agreeing or declining any request to socially transition, the following factors must be considered:

1. The views of parents: It is important that the views of parents should carry great weight and be properly considered. **In the vast majority of cases, parental consent/agreement would be required.**
2. The age of the child: younger children may be less able to articulate their thoughts and feelings and will have a less mature understanding of this complex issue.
3. The seriousness of the request and the child's own wider context. The Cass Review (commissioned by NHS England) notes that "research suggests gender expression is likely determined by a variable mix of factors such as biological predisposition, early childhood experiences, sexuality and expectations of puberty".
 - a) Has the child been influenced by peers or social media?
 - b) Does the child simply feel pressured because they do not align with gender stereotypes associated with their sex?
 - c) Is SEN a possible factor? Should further input from Learning Support or the PSRP be sought?
 - d) Is sexual orientation a factor? For example, research suggests that a young lesbian might feel pressure to identify as a transgender male. It must be acknowledged that this is a highly complex issue and there is no pressure to reach any definitive conclusion.
4. What might the short or long-term impacts be on the child? Consideration must be given to how a young person might socially manage such a decision. It is also important to discuss the implications of 'changing one's mind' later in life and how these might also be managed.
5. Are there any possible impacts on other students? Do any friendships or other social dynamics need managing/supporting? School must always bear in mind its obligation to address bullying.

Appendix C: Gender Identity and Record Keeping

If JCoSS is made aware of a student's intention to socially transition (noting the provisions in 4c above), and the school agrees to support this, the school will agree with them the date from which their details are changed on records, as far as is possible. A change of name by deed poll is not required to make a change to school records, which should reflect the student's current name and affirmed gender. Any material that needs to be kept related to the person's trans status would be stored confidentially. No records are changed without the permission of the student concerned.

A Gender Recognition Certificate can only be issued to someone aged 18 or over and so the following guidance may only be required very rarely within JCoSS. When a trans person receives a Gender Recognition Certificate, they have the right to request that all references to their former name and gender are removed and replaced with their current name and gender. However, schools are required to hold accurate records of students' birth sex, regardless of a transition for safety reasons and as part of GDPR and DPA. Currently it is the case that the gender has to remain the one that was registered at the time of the Unique Pupil Number assignment, unless the birth certificate/legal gender is changed by way of a Gender Recognition Certificate. This is because all of the DfE analysis for that school would be based on the individual's biological sex

In relation to formal examinations, the Joint Council for Qualifications paper work states that "the centre agrees to enter candidates under names that can be verified against suitable identification such as a birth certificate, passport or driver's licence. You may need to check that the name the candidate is using within the centre is his/her legal name rather than a 'known as' name." In instances where there is a mismatch between the student's legal and preferred names, school staff, including exam invigilators, are proactive in ensuring that appropriate steps are taken to maintain a student's confidentiality and dignity.