

GENDER EQUALITY POLICY

Date Policy Reviewed: 17 February 2021

Date of Next Review: 17 February 2023

Person(s) Responsible for Review: SLT and HR

At The Manor we aim to ensure equality of education and opportunity for all pupils, irrespective of race, sex, disability, age, religion or belief, sexual orientation or gender reassignment.

We aim to ensure that all those connected with the school – pupils, staff, parents and visitors - are treated equably, regardless of race, sex, disability, age, religion or belief, sexual orientation, gender reassignment, marriage or civil partnership or pregnancy or maternity.

This policy takes due regard to the Government non-statutory guidance document: [‘Gender Separation in Mixed Schools’](#) (2018).

LEGISLATIVE CONTEXT

The Equality Act (2010) brings together Acts relating to equal pay, sex discrimination, race relations, disability discrimination and employment equality for religion, belief, sexual orientation, and age.

PUPILS

Under the ‘Every Child Matters’ headings, our aims are as follows:

Be Healthy

We aim to promote similar attitudes to sport and exercise in children.

Stay Safe

We analyse incidents of bullying and the ways children bully or are bullied to see how we can promote more consistently considerate behaviour.

Enjoy and Achieve

We aim to track pupils’ attainment and develop strategies to address any significant disparity.

Make a Positive Contribution

We aim to ensure that children actively participate in school and community life.

Achieve Economic Well Being

By developing each child's full potential regardless of race, sex, disability, age, religion or belief, sexual orientation or gender reassignment. We aim for every child to attain and achieve in future life.

Separation

The Manor recognises that schools should not generally separate pupils by reference to protected characteristics such as sex as any separation by reference to a protected characteristic is likely to give rise to unlawful discrimination.

As The Manor has extended its co-educational offering since September 2018 from Year 2 through into Year 3 and beyond, there may sometimes be significantly greater numbers of one sex in a given year group than another. In these instances, The Manor may have one single-sex form class within a year group, to allow for more even ratios in the other form classes. In these instances, separation will never deny children the choice or opportunity to interact socially with pupils of the other sex.

Children are not separated by sex for assemblies or extra-curricular activities and the curriculum is the same for all children at The Manor.

Positive Action and Single-Sex Activities

The Manor recognises that there will be instances where separating by sex is appropriate and lawful, such as for some sex education lessons in our Learning for Life (PSHEE/PSED) curriculum. The Government non-statutory guidance document, 'Gender Separation in Mixed Schools' (2018), states:

'In certain circumstances, schools may be able to provide activities or lessons which are confined to one sex, or in which boys and girls are separated, by reference to justifications based on positive action.'

Positive action, as a general exception to discrimination under the Act, is set out in section 158 of the Equality Act 2010. Under that section, separation of pupils by sex may be justified if the school reasonably thinks that:

- a) Girls or boys suffer a disadvantage connected to their sex;*
- b) Girls or boys have needs that are different from the needs of the other sex; or*
- c) Participation in an activity by girls or boys is disproportionately low.*

In those circumstances, schools may take action designed to action designed to achieve the aim of enabling or encouraging girl or boy pupils to overcome or minimise the disadvantage, to meet the sex-specific needs or to enable or encourage participation in the activity (as relevant), but only if the action taken is a proportionate means of achieving the aim.

For example, it would be lawful to teach sex education and elements of Personal, Social, Health and Economic (PSHE) education to single-sex classes because boys and girls may have different needs in this context. But it would be necessary to ensure that appropriate classes were provided to both boys and girls. If a positive action initiative in the curriculum was designed specifically to help one sex it would not necessarily be unlawful (for example, if boys were doing disproportionately badly in maths) but the school would need to be able to show that this was a proportionate way of dealing with a specific identified disadvantage experienced by and connected

to their sex. It would not be proportionate simply to refuse help to girls with similar difficulties in order to help boys as a group catch up with the higher average attainment of girls. Another example is if schools might want to do more to encourage the participation of girls in STEM subjects (where there is clear evidence to suggest that girls' participation in STEM subjects is lower than it should be). Any measure to encourage girls would have to be a proportionate way of dealing with the participation issue.'

Single-Sex Sport

The Manor recognises that Section 195 of the Act contains an exception, which permits single-sex sports. It applies to participation in a "gender-affected activity". 'Gender Separation in Mixed Schools' (2018) states:

'A "gender-affected activity" is a sport, game or other activity of a competitive nature in circumstances where the physical strength, stamina or physique of the average girl (or boy) would put her (or him) at a disadvantage in competition with the average boy (or girl). So, for example, this exception might permit a mixed school to have a boys-only football team, or a girls-only hockey team. However, the school would still have to allow girls, or boys as the case may be, equal opportunities to participate in comparable sporting activities. The judgement on whether girls would be at a physical disadvantage needs to take into account the particular group in question, so it is much less likely to justify separation in relation to sports for younger children. It is appropriate for schools to take account of the age and stage of development of children who are likely to be competitors in considering whether an activity is gender-affected.'

Where separate teams exist for different sexes, it would be unlawful discrimination for a school to treat one group less favourably – for example by providing the boys' hockey or cricket team with better resources than the girls' team.'

As an IAPS member school, The Manor follows the Association's guidance and culture for school sport. Girls and boys take part in mixed and single sex team games for hockey, football, rugby and cricket. The culture of netball in preparatory schools remains predominantly girls, and this is the only team game at The Manor that we teach girls only during curriculum lessons. However, extra-curriculum clubs are open to all abilities and gender, including netball clubs. In addition, all PE lessons are taught per class and regardless of gender. Therefore, PE lessons could be mixed or single sex, depending on how many girls or boys are in a particular class.

Negligible and Exceptional Separation

'Gender Separation in Mixed Schools' (2018) states:

'Apart from the statutory exceptions, there may be occasions where a mixed school can lawfully separate boys and girls if the separation can be considered negligible in its effect on the ability of pupils of both sexes to mix, socialise or learn from and with each other. Schools will have to consider any such sex separation on a case-by-

case basis and should regularly evaluate whether the separation could be said to give rise to any detriment to any pupil or either sex.

It is permissible for toilet and boarding accommodation facilities to be separate as they are captured under existing statutory exceptions. Separate toilet and washing facilities must be provided for boys and girls aged 8 years and over pursuant to Regulation 4 of the School Premises (England) Regulations 2012, which falls within the exemption provided for in Schedule 22 of the Equality Act 2010. ‘

ADULTS

- Ensuring that everybody is equally treated in the recruitment process for teaching and support staff roles.
- Providing sufficient opportunities for both working mothers and working fathers to have access to teaching staff with regard to their child's educational development.
- Steps are taken to identify, support and provide opportunities for the professional development of staff and governors, irrespective of race, sex, disability, age, religion or belief, sexual orientation, gender reassignment, marriage or civil partnership, pregnancy or maternity.

This means that we will build on our existing practice by:

- aiming to encourage equitable and discrimination free attitudes in children and throughout the school community.
- aiming to challenge gender stereotyping in any context.
- investigating and addressing any complaints of sexual and sexist bullying, from staff, pupils or parents in the manner described in the School's Anti-Bullying Policy and/or Safeguarding Policy, as appropriate.
- continuing to ensure as much as possible that the times that teaching staff are available to meet parents do indeed suit the needs of parents, regardless of their race, sex, disability, age, religion or belief, sexual orientation, gender reassignment, marriage or civil partnership, pregnancy or maternity and work/family commitments.