

# Step One:

## Policies and Procedures



Children need to be surrounded by a consistent message: there are no outsiders here; everyone is different; we like being different; we are all equal in our difference; I can get along with you even though we are different: we live in the UK and the law says this.

**Andrew Moffatt, No Outsiders (2016)**



Implementing whole school change begins with having the correct policies and procedures in place. These set the tone for the way that the school as a community promotes gender equality and tackles sexism and sexual harassment. Without these, there can be much confusion about a school's stance and what is expected of staff and students. Use policies and procedures to send a very clear message: sexism and sexual harassment in any form is not tolerated here and everyone is expected to play their part in stamping out gender inequality.

### Barriers to Engaging with this Work



#### **'I don't have time for this'**

Policies do not always need to be completely overhauled to make them more meaningful. It is useful to re-read policies with an eye on where tackling sexism, sexual harassment and gender inequality could fit well. It may be that a few small tweaks are enough to create a far more useful policy. In this section, there are links to sample policies and further guidance that may provide useful starting points and help speed up the process.

#### **'We don't have a problem with sexism or sexual harassment, so we don't need to include it in policies'**

As evidenced in the 'Starting Points' section of this resource, sexism and sexual harassment are commonplace in UK education settings. It is highly unlikely that any school in the UK is free of these. Whilst sexism and sexual harassment might sometimes be hard to spot, it doesn't mean that they aren't there. It is important to take the time to audit a setting and tackle the issues that exist. Whilst schools do not need to have a specific policy on sexism or sexual harassment, reference needs to be included in the school's wider equality, anti-bullying, behaviour and complaints policies. Details of how to respond to incidents need to be explicit, so that if incidents do occur all staff know how to respond effectively. All policies should be assessed for their impact on gender equality.

# Understanding Key Principles, Policies and Procedures

The key principles, policies and procedures that relate to gender equality and sexual harassment, and that therefore need to be considered, are:

## Values and Ethos

Every school must have a values statement, and this is the perfect place to set out the importance of equality and inclusivity in the school. It may be that the statement makes specific reference to gender equality or to a broader recognition of equality. However it is done, referencing equality within the statement sends a very clear message to all stakeholders that everybody is welcome and valued in the school.

An excerpt from a statement might look like this:

**At Little Heath School we believe that all children can grow to be happy, fulfilled adults who can contribute positively to their community. By promoting equality for all, regardless of ethnicity, gender, religion or sexual orientation, we actively seek to create a school in which everybody is represented, included and valued.**

## Developing Equality Objectives and Publishing Sufficient Information (as required by the Public Sector Equality Duty of the Equality Act 2010)

The Equality Act 2010 is a key piece of legislation that sets out the duties placed on schools with regards to tackling inequality. It is important to understand this piece of legislation fully before embarking on the work within this resource.

The Equality Act 2010 establishes nine protected characteristics and included in these is sex. Within this legislation is the Public Sector Equality Duty. This instructs schools that they have a general duty to:

- eliminate discrimination, victimisation and harassment and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Schools are required to fulfil the following specific duties:

- publish sufficient information to demonstrate the school's compliance with the general equality duty across its functions. This should be updated every year;
- publish equality objectives. These should be agreed with governors and reviewed and updated at least every four years.

Examples of how you can provide 'sufficient information' include: analysis of school performance data; a school development plan; examples of student voice; and staff, parents/ carers and governor consultations. In essence, this duty asks schools to demonstrate that they are actively looking for inequality within their setting as well as opportunities to improve. Many schools choose to publish this information on their website.

The second specific duty requires equality objectives to be created, reviewed and updated every four years, in consultation with governors. To create meaningful objectives, it is important to take the following steps:

1. Equality objectives should be evidence-based and specific to the needs of the school. Evaluate the data, set up student voice, send out questionnaires to parents and carers and identify where gender inequality lies within the school and the forms sexism and sexual harassment take.
2. Once the evidence has been reviewed, sit down with the Working Group and decide on the school's priorities. This could be something like 'reducing the gap between boys and girls within STEM subjects in Key Stage 3' or 'raising the participation of girls in extra-curricular sporting activities'. These priorities become the equality objectives.
3. From here, the Working Group should now create a document outlining how these equality objectives are going to be met. Here it will be useful to think about how to make objectives SMART (Specific, Measurable, Achievable, Realistic, Timely). An example may look like:  

Objective: The participation of girls in extra-curricular sporting activities is raised, so that an equal number of boys and girls are participating by July 2021.

How we will know when this has been achieved: There will be an equal number of girls and boys participating in extra-curricular sporting activities (there is currently a gap of x%). This can be measured by looking at attendance data for clubs. Registers are taken at the beginning of all clubs and recorded in SIMS.

How we will achieve this: Girls in years 7-11 are consulted by the gender equality lead in September to assess why participation is below expectations. Based on this, the team will meet in October to create an action plan. In January, the team will meet again to review impact and make necessary changes. In June next year, SLT will look at the data over the course of the year, assess impact and action plan further steps moving forward.

Who will lead on this: Gender Equality Lead, supported by the Working Group.
4. Once these equality objectives have been created, they can go out for final consultation with governors.
5. Once the objectives have been finalised, they should be published, usually on the school's website or wherever they are accessible to all stakeholders.

For more guidance on creating meaningful equality objectives see:

<http://www.equalitiesaward.co.uk/ideas-hub/monitoring-setting-and-achieving-equality-objectives>

## Equality and Diversity Policy

It is best practice for schools to have a robust Equality and Diversity Policy. This document is important because it outlines what is expected from all stakeholders with regards to gender equality and the procedures that must be followed if a sexist incident or sexual harassment occurs. To create a strong policy, it is important to have sound knowledge of the Equality Act 2010.

Important areas to reference within an Equality and Diversity Policy are:

### **Equality legislation and how it is applicable to schools**

Here, it is important to recognise the legal duties placed upon schools. This will include the Equality Act 2010 and may also include the duty to promote community cohesion as part of the Education and Inspections Act 2006.

### **Who is protected by the Equality and Diversity Policy?**

It is important to outline all nine of the protected characteristics of the Equality Act 2010. These include 'sex', 'sexual orientation' and 'gender reassignment'.

### **What does this policy protect against?**

The Equality Act includes direct discrimination, indirect discrimination, harassment and victimisation as prohibited behaviours. It is useful to reference these behaviours within the policy, although other unacceptable behaviours may also be listed.

### **What procedures are in place when something goes wrong?**

The policy should set out the school's approach to prejudice-related incidents (such as sexism), giving full guidance on how to identify, record and respond to such incidents. More information on how schools should respond to prejudice-related incidents can be found on page 29.

### **The roles and responsibilities of different stakeholders**

Make it clear who the policy applies to within the school (e.g. all pupils, staff, volunteers, governors, etc.) If there are individuals who have specific responsibilities in relation to implementing this policy, list them here.

### **How will the policy be disseminated and shared?**

It is important all relevant stakeholders are aware of the content of the policy and how it applies to them. Explain how the information contained within the policy is going to be disseminated, including any training that may be required.

### **When and how will this policy be monitored and evaluated?**

It is often useful to conclude by explaining how the impact of this document will be assessed, when it is up for review and who will take a lead on reviewing it. For more information about Equality Impact Assessments, please visit the Acas website: [http://www.acas.org.uk/media/pdf/s/n/Acas\\_managers\\_guide\\_to\\_equality\\_assessments.pdf](http://www.acas.org.uk/media/pdf/s/n/Acas_managers_guide_to_equality_assessments.pdf)

Every Equality and Diversity Policy should be personalised to the needs of each school; however, a sample policy can be found here: <http://www.equalitiesaward.co.uk/ideas-hub/sample-equality-diversity-and-cohesion-policy>

## Relationships and Sex Education (RSE) Policy

As of 1st September 2020, teaching Relationships Education will be compulsory in primary schools, and teaching Relationships and Sex Education will be compulsory in secondary schools.

All schools will be required to have in place a policy that outlines:

- the content of their RSE provision;
- how it will be taught and made accessible to all young people;
- who will be teaching it;
- how RSE provision will be monitored;
- what parents and carers should do if they wish to request to withdraw their child from aspects of Sex Education. It is not possible, however, for young people to be withdrawn from Relationships Education, or Sex Education that falls within the Science national curriculum.

An RSE Policy should be published on the school website.

When creating this policy, it is important to consider the school's unique situation. The policy should take into account, and reflect, the views of young people and teachers and the religious background of the community. However, RSE must always be delivered in a balanced way that does not undermine the rights of particular communities, such as LGBT+ communities. This is a requirement of the Equality Act 2010, as explained in 'Need to Know'.

When reviewing a policy with regards to gender equality and tackling sexism and sexual harassment, some key points for consideration are:

- Exploring with young people the 'characteristics of healthy, and unhealthy intimate relationships' ensuring this is 'inclusive to all pupils, whatever their developing sexuality or identity'.
- Educating young people on the concepts of 'sexual consent, sexual exploitation, abuse, grooming, coercion and harassment.' This should also include education on female genital mutilation, forced marriage and rape.
- Teaching all young people about puberty, including menstruation and menstrual health.
- Helping young people develop an 'understanding that some people are LGBT+, that this should be respected in British society, and that the law affords them and their relationships recognition and protections.

To further explore the content of the RSE guidance, and for more information on when such topics should be taught, see: [https://consult.education.gov.uk/pshe/relationships-education-rse-health-education/supporting\\_documents/20170718\\_%20Draft%20guidance%20for%20consultation.pdf](https://consult.education.gov.uk/pshe/relationships-education-rse-health-education/supporting_documents/20170718_%20Draft%20guidance%20for%20consultation.pdf)

Aspects of this updated guidance go much further than previous guidance, for example, by placing a duty on schools to promote the health and wellbeing of girls, to include study around healthy relationships and to recognise LGBT+ relationships and families. Some critics, however, have suggested that the changes do not go far enough, and that the guidance is too vague in its advice on when such topics should be discussed with young people. For more guidance on when to raise certain issues around health, sex and relationships with young people, please see 'Teaching and Learning'.

EqualiTeach recommends the Sex Education Forum who have published a comprehensive guide to updating a school's RSE policy: [https://www.egfl.org.uk/sites/default/files/School\\_effectiveness/Health-improvement/RSE%20policy%20guidance.pdf](https://www.egfl.org.uk/sites/default/files/School_effectiveness/Health-improvement/RSE%20policy%20guidance.pdf)

## Safeguarding Policy

A robust Safeguarding Policy is a statutory duty for all schools and should be informed by a number of governmental guidelines. These include 'Keeping Children Safe in Education' and 'Sexual violence and sexual harassment between children in schools and colleges'.

In the Safeguarding Policy, it is important to include the school's commitment to keeping young people and vulnerable adults safe across all its functions and how this will be achieved. Include in this:

- how the school will protect young people from sexism and sexual harassment from adults and one another;
- the risk of young people of all genders being groomed or drawn into Child Sexual Exploitation (CSE);
- how young females will be protected from Female Genital Mutilation (FGM);
- how young people will be protected from forced marriage.

Link this policy to the Equality Act 2010 and the duty to protect individuals from discrimination, harassment and victimisation based on the nine protected characteristics. These include sex, sexual orientation and gender reassignment.

- For detailed governmental guidance on creating a robust Safeguarding Policy see: <https://www.gov.uk/topic/schools-colleges-childrens-services/safeguarding-children>

There are a number of other policies in which it is important to consider promoting gender equality and tackling sexism and sexual harassment. These are:

Policy/Procedure	Things to Consider
<b>E-safety and Acceptable Internet Usage Policy</b>	Within the school's Acceptable Internet Usage Policy, it is important to outline that sexual harassment, sexist bullying, incidents or language online are unacceptable. Make it clear that such incidents will be treated in the same way as bullying and prejudice-related incidents within school.
<b>Behaviour Policy/ Anti-Bullying Policy</b>	<p>Every school's Behaviour Policy should make specific reference to sexism and sexual harassment as a serious incident and include sexism and sexual harassment in its definition of bullying. It must also acknowledge the Equality Act 2010 and the school's responsibility to safeguard those with a protected characteristic, including sex, sexual orientation and gender reassignment.</p> <p>For sexism and sexual harassment to be tackled, it is important that this policy makes it clear that sexism and sexual harassment of any kind (language and behaviour) is unacceptable. It should also set out how sexual harassment, sexist language and sexist behaviour will be dealt with. For more on this, see 'Responding to Sexist Incidents' on page 29 and Responding to Incidents of Sexual Harassment on page 31.</p> <p>Governmental advice on creating a Behaviour Policy can be found here. <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf</a></p>

Policy/Procedure	Things to Consider
<b>Staff Code of Conduct</b>	<p>This policy should make it clear to staff that sexism and sexual harassment between staff is unacceptable. Stereotypical language about men and women such as 'man up' or 'girls in admin' should be included as examples of sexism.</p> <p>Staff are also responsible for safeguarding their young people. This means everyone within a school should be actively working toward an environment free of sexual harassment and sexism. Make it clear in the policy that staff are expected to treat young people in such a way that avoids making stereotypical assumptions about sex and/or gender. This might include choosing boys to help with heavy lifting or not discussing football with girls.</p>
<b>Uniform Policy</b>	<p>Uniform policies should not prescribe particular clothing to young people based on their gender.</p> <p>When writing this policy, however, be mindful of how people may choose to represent their religion or ethnicity and account for this. For example, prohibiting all headwear may create an environment in which some young people do not feel able to express their religious beliefs. Policies should take into account girls who choose to wear a hijab or boys who wear a kippah, for example. It can be useful to consult with parents, carers and staff to ensure the Uniform Policy is inclusive.</p>
<b>Whistleblowing Policy</b>	<p>Make it clear here that all complaints of sexism or sexual harassment made anonymously via the Whistleblowing Policy will be treated sensitively and seriously. Outline the procedures that will be in place should an incident of discrimination, harassment, victimisation because of sex or sexual harassment be reported anonymously.</p>
<b>Home-School Agreement</b>	<p>A Home-School Agreement is a great place to set out the school's expectations in relation to equality in general, including gender equality. This can include the school ethos and/or values statement. In this policy, explain to parents and carers what the school expects from them and what they can expect, in return, from the school.</p> <p>For a sample Home-School Agreement see: <a href="http://www.equalitiesaward.co.uk/ideas-hub/sample-primary-home-school-agreement">http://www.equalitiesaward.co.uk/ideas-hub/sample-primary-home-school-agreement</a>.</p>



# Important Things to Consider When Updating or Creating Policies

When reviewing and updating any school policy, it is important to give due regard to several important factors, including:

- **How will these policies answer the school's needs?**

There are many example policies that can be used to provide guidance for a school. These can be a very useful tool to get a school started, however, it is vital that schools fully personalise these policies, taking into consideration the demographic and particular needs of young people, staff, and parents and carers. Take the time to gather and assess evidence before deciding on the priorities of the school in relation to gender equality, sexism and sexual harassment.

- **Do the school's policies demonstrate an awareness of intersecting vulnerabilities with regards to gender?**

Whilst it is necessary to consider policies from the point of view of different genders, it is also important to recognise that many individuals may be at greater risk of discrimination due to more than one element of their identity. For instance, when considering the needs of women, ensure the needs of Black, Asian and other Minority Ethnic (BAME) women; lesbian, gay, bisexual and transgender (LGBT+) women; disabled women; and women of different religions are included.

- **Who needs to be consulted in advance?**

When changes need to be made that might heavily impact a specific group of people, it is important to consult with a variety of representatives of that group. This could include young people, parents/carers or other staff. This will ensure all policies are bespoke to the setting and will help ensure people are on board with the proposed changes.

- **How will these policies be disseminated to all staff?**

Inert policies listed on a website and never viewed by relevant stakeholders will not create meaningful and lasting change. Consider how staff will be made aware of the policies that have been created. This could be as part of whole-staff training and/or induction processes for new staff.





- **What do young people need to be told?**

Think of a way of informing young people about the changes that are being made. Some schools have adapted some of their key policies, such as their Anti-Bullying Policy, to child-friendly versions and placed these in prominent places around the school.

- **Are the policies accessible to all stakeholders?**

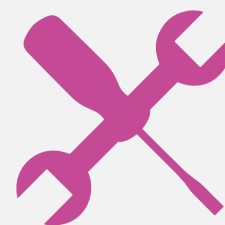
Policies should be published so that they can be viewed by the public. School websites are a useful place to begin, but how does the school ensure that those with accessibility issues are still able to access them? Think about individuals with visual impairments or those who do not have access to a computer.

- **Is terminology clearly defined?**

It is likely that school policies will include phrases such as 'sexist incident' and 'harassment'. Using correct terminology is essential; however, it is also vital that technical terms are fully explained to those using these policies.



# Recognising and Responding to Sexist Incidents



## How to Recognise a Sexist Incident

Schools should adopt the following working definition of a sexist incident:

**A sexist incident is any incident which is perceived to be sexist by the victim or any other person**

This definition is rooted in the legal definition of a hate incident: A hate incident is any incident which is perceived by the victim or any other person as being motivated by prejudice or hate. (Metropolitan Police, 2019)

This definition is purposefully broad and dictates that any complaint of sexism needs to be taken seriously and investigated and avoids situations in which a target or witness fears they won't be believed or the person an incident has been reported to is unsure whether an incident requires further investigation.

By including the term 'any other person', this definition ensures the burden of reporting does not always fall on the target and that incidents can be reported even if there isn't a direct victim.

It is also important to note that there is no mention of intention within this definition. It is the impact of sexist incidents that is important, not the intention behind them. Intention is only important when considering the repercussions on the perpetrator. If there was no intention, the perpetrator will not need punishment, but just education.

After an investigation has taken place it may, of course, be concluded that no sexist incident did occur, however working to this definition ensures that all parties are given a fair hearing and that no incidents go undealt with.

## Responding to Sexist Incidents

The school should have a clear procedure for dealing with sexist incidents, which works alongside the Equality and Diversity Policy, Anti-Bullying Policy, Behaviour Policy and Safeguarding Policy. It is essential that all sexist incidents that occur within a school are reported and recorded as such, even if they are one-off incidents. Thorough records are the only way to fully understand the nature, frequency, and patterns of sexist incidents in the setting. The following pathway can be used as a template for putting together an effective procedure for responding to sexist incidents:

### Immediate Action

- Treat the issue seriously—never dismiss a person's claim
- Offer support for the target and any bystanders who may have been harmed
- When speaking with the perpetrator, focus on their behaviour as opposed to their character, and make it clear that such behaviour is unacceptable
- Ensure any witnesses are aware that this behaviour is unacceptable and explain why
- Ensure that the incident is recorded as soon as possible

## Investigation

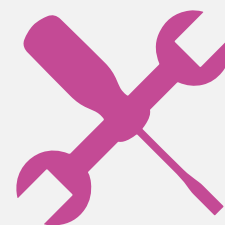
- Led by relevant members of SLT
- Inform parents and carers
- Ensure everyone involved is individually given a fair hearing and an opportunity to share their version of events in a calm and non-confrontational environment
- Approach witnesses for written statements to inform the investigation
- Bring all parties together for conflict resolution
- Ensure all parties are made aware of the outcome of the investigation and the reason behind any actions taken

## Long Term

- Give the perpetrator the opportunity to repair the harm they have caused
- If this incident has highlighted the need for further training or education on sexism, ensure this is organised
- Targets and their parents or carers have a right to refer cases to the police and all parties have a right to appeal to the school's Governing Body.



# Recognising and Responding to Incidents of Sexual Harassment



Advice for dealing with incidents of sexual harassment should be provided in the school's Safeguarding Policy and be consistent with the advice in Working Together to Safeguard Children and Keeping Children Safe in Education. Any member of staff may receive a disclosure and so all staff should be trained in how to respond in such instances.

## Initial Response

The person receiving the disclosure should take the report seriously – often young people, particularly those who are disabled or have special educational needs, feel that they are not listened to or believed. It is important to make sure that the young person feels supported and is not made to feel ashamed or given the impression that they are causing a problem. It is important the young person is not asked leading questions which may bias a subsequent investigation. The young person can be encouraged to 'Tell', 'Explain' and 'Describe' the concern. If it is necessary to seek further clarification, it is important to keep to open questions such as What? When? Who? How? Where?

## Record and Report

A record of the young person's words should be made as soon as possible. Best practice is to wait until the end of the report and immediately write up a thorough summary. This allows the staff member to devote their full attention to the child and to listen to what they are saying. The report should only record the facts as the young person stated them, not the opinions of the person receiving the disclosure. The report should then be passed to the school's Safeguarding Lead.

## Next Steps

The designated Safeguarding Lead should make an immediate risk and needs assessment, which considers:

- the victim, especially their protection and support;
- the alleged perpetrator;
- all the other young people at the school, especially any actions that are appropriate to protect them (Department for Education, 2018).

Where a child has been harmed, is at risk of harm, or is in immediate danger, schools should make a referral to local children's social care. Where a crime may have been committed the incident should be referred to the police. The stated age of criminal responsibility is ten. If the perpetrator is under ten, the police will take a welfare, rather than a criminal justice, response.

For incidents which do not constitute sexual abuse, the school may be able to handle the incident through their internal Behaviour and Anti-Bullying Policies. Whilst there may be sanctions involved for the perpetrator(s), incidents should also be used as an opportunity to educate the young people as to the appropriate way to behave and used as a basis for further work throughout the school.

For further information please see:

Department for Education (2018). Sexual violence and sexual harassment between children in schools and colleges.

Anti-Bullying Alliance (2017). Sexual bullying: developing effective anti-bullying practice