



# CHATHAM & CLARENDON GRAMMAR SCHOOL

## Policy for Separation by Gender

**Agreed by Governors: December 2024**

### **1. Introduction**

Chatham House Grammar School, a single sex boys' school and Clarendon House Grammar School, a single sex girls' school, operated independently on different sites until 2013 when the two merged to become Chatham & Clarendon Grammar School (CCGS). Before 2013, the two schools had a separate DfE number and operated autonomously from each other.

The process of merging the two schools required students, parents and staff who had elected for single gender education settings to come together within a new, co-educational school setting. The new school structure is popular with parents, and we continue to attract strong student numbers both in Year 7 and at 6<sup>th</sup> Form.

The merger of the two schools reduced the segregation of boys and girls in single-sex schools whilst maintaining a school structure designed to maximise the academic achievement of both girls and boys, their freedom to choose subjects in which they are interested and able (free from gender stereotypes), in the context of the existing sites and historic buildings. CCGS recognises the importance of boys' and girls' ability to interact socially with both their own gender and the other gender.

Since 2013 CCGS has offered a broad, inclusive curriculum model based on single gender KS3 provision, single gender core subject lessons at KS4 with mixed option subject classes, and fully mixed KS5 provision. This allows the curriculum to be equitable and reduces possible gender stereotyping. It also allows teaching and pastoral care to be more focused, sensitive, and meet any gender-specific needs of students.

We believe that students continue to learn better in a single sex environment in KS3 and KS4 as students are better able to articulate themselves and are less nervous of making mistakes than might be the case in a coeducational class. This statement is supported by evidence of the School's performance against national benchmarks and by student views / feedback

### **2. Terminology**

The terms 'sex' and 'gender' are closely connected and are often used interchangeably, both in this Policy and also in the Guidance taken into account in the formulation of this

Policy. For example, although the protected characteristic in the Equality Act 2010 is "sex", the phrase "gender separation" is frequently used to describe the arrangement where boys and girls are taught separately in Year 7 to 11.

In the context of admission to the School, the starting point is a student's sex. However, a person's gender identity can correspond to, or differ from the sex they were assigned at birth, and the School recognises that some members of the School community may be questioning their gender identity, or consider themselves to be gender non-binary or agender.

### 3. Legal Context and Guidance

#### 3.1 Equality Act 2010

3.1.1 All schools are required to meet the requirements of Part 6 of the Equality Act 2010 which states at section 85(2) that "the responsible body of ... a school must not discriminate against a pupil -

- (a) in the way it provides an education for the pupil;
- (b) in the way it affords the pupil access to a benefit, facility or service;
- (d) by not affording the pupil access to a benefit, facility or service;
- (f) by subjecting the pupil to any other detriment.

3.1.2 There are also two relevant provisions of the Equality Act 2010:

- (a) S158 which relates to positive action taken to achieve a legitimate aim; and
- (b) S195 which provides an exemption in relation to single sex participation in "gender-affected activity" in a sport, game or other activity of a competitive nature.

#### 3.2 Case Law

3.2.1 In the case of HM Chief Inspector of Education, Children's Services and Skills v the Interim Executive Board of Al-Hijrah School [2017] EWCA Civ 1426 the Court of Appeal found that the gender separation operated by the school in that case amounted to unlawful discrimination, not because of the mere fact of separation but because the impact that had on the quality of education in that case amounted to detriment.

#### 3.3 Guidance

3.3.1 The School had also taken into account the following guidance:

- 3.2.1 The Equality Act 2010 and Schools - DfE ,2014
- 3.2.2 Gender Separation in Mixed Schools - DfE, 2018
- 3.2.3 Equality and Human Rights Commission Technical Guidance for Schools - EHRC, 2014
- 3.2.4 Separation by sex: implications for inspections of mixed-sex / co-educational schools

3.3.2 None of this asserts that any gender separation is unlawful or requires any gender separation to cease. It provides guidance about relevant factors and the approach to be taken by the School in this regard which includes requiring the School to explain clearly its policy it policy on gender separation and its reasoning in support, which this document does. It takes account of all the above guidance and law.

- 3.4 Having considered the above law and guidance, and having taken appropriate legal advice, the School considers this Gender Separation Policy to be lawful, that it qualifies for the exemptions under Section 158 of the Equality Act 2010, and that it does not result in detriment to, or discrimination against, students of either sex. The Governors and Senior Leaders find that the structure of the School results in better education for students of all sexes/genders, and indeed that it would be detrimental if they were to return to a structure of separate single sex schools for students in Years 7 to 11.

#### **4. Policy on Gender Separation**

- 4.1 The CCGS model where students in Years 7-9 are taught separately in all academic subjects and students in Years 10-11 are taught separately in core academic subjects provides measurable benefits through positive action to advance equality, in particular in these three areas:
- 4.1.1 Maximising academic outcomes for boys and girls at the end of Year 11 ("positive action")
  - 4.1.2 Widening academic choices for both boys and girls in terms of subjects pursued at KS5, ensuring representation is less biased by gender stereotypes than would otherwise be the case.
  - 4.1.4 Promoting equality of opportunity for boys and girls, in part by ensuring different needs of boys and girls may be met more appropriately.
- 4.2 Although academic lessons may be delivered separately, the school does not fulfil the criteria of "strict segregation", as there are many and varied opportunities and contexts within which girls and boys mix regularly such as:
- 4.2.1 Activities to generate academic curiosity, for example trips, and external speakers
  - 4.2.2 Extra-curricular music and drama
  - 4.2.3 Extra-curricular clubs and societies (although some may be single sex by virtue of uptake but are otherwise open for boys and girls to participate)
  - 4.2.4 Combined Cadet Force, Duke of Edinburgh awards and community service
  - 4.2.5 Assemblies and House events
  - 4.2.6 They are also able to mix freely before and after school, during breaktimes and lunchtimes.
- 4.3 Some small adaptations are made at times, but any variations are based on group needs and teacher expertise.
- 4.04 Every effort is made to ensure equality of opportunity in all aspects of sport. Where appropriate and permitted by national sports' governing bodies, student experience single sex sport in a gender affected activity (eg Rugby and Football) 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). In sports which are not gender affected teams may be mixed (eg Cricket, Athletics).

The taught PE curriculum is similar for girls and boys and supported by a wide range of extra-curricular sporting activities. Student voice is taken into account when formulating option sports or new initiatives and both boys and girls are able to suggest changes or adaptations.

- 4.05 Teachers are expected to challenge gender stereotypes and promote equality through their teaching. The school monitors the equality of provision and the quality of education through its quality assurance framework (eg. SEF, Satchel1, METAL.).
- 4.06 The school ensures that resources are allocated proportionately to both sexes, for example in terms of infrastructure, facilities, staffing, such that neither boys nor girls suffer detriment.

## 5. Rationale for separating pupils by gender in KS3 wholly, and KS4 partially

- 5.1 The School's model of separate academic teaching within the curriculum is to enable girls and boys to overcome any disadvantage in cognitive development accruing from being educated together.
- 5.2 The Leadership notes a difference in the value-added scores of boys and girls. The School therefore monitors carefully differences in performance between genders at GCSE, and where data suggests any positive action may remediate and identified disadvantage, applies gender-specific solutions to underperformance to achieve this.
- 5.3 The School's model allows us to provide differently for different needs. Our approach is also to encourage teaching staff to take different approaches in their KS3 and KS4 classes with girls and boys. The nature of this difference in emphasis in academic lessons forms part of our strategy to maximise academic value added, minimise psychological ill health and improve representation.
- 5.4 Our academic model plays a role in **widening representation** - ensuring subject choices at A Level are not gender stereo-typed and therefore **increasing opportunity to both boys and girls** beyond these stereotypes.
- 5.5 In offering the best of both worlds, we aim to give students a healthy, fair and positive balance between mixed-sex activities in which social skills are developed, and focused academic teaching in single-sex groups which promotes confidence and raises the aspirations of all.
- 5.6 The school is proportionate in its application of gender separation applying it only where there is a clear advantage to doing so, in this case limiting it purely to academic lessons and taught PE.

The School's Gender Separation Risk Assessment document monitors in detail, the risks that may be associated with the Gender Separation Policy and minimise those risks.

## 6. Promoting pupil achievement

- 6.1 This model of education enables pastoral and academic provision to be tailored more sensitively and expertly to the differing education and pastoral needs of boys and girls, resulting in better outcomes when taught separately

than taught in a coeducational setting. The disadvantage overcome in this instance is less favourable exam results of pupils taught in co-ed schools. Our pupils perform well at GCSE following the curriculum being taught separately for KS3/4.

- 6.2 Single sex education within this system allows teaching to be more specific to needs, enabling the attainment gap to be narrowed between girls and boys, maximising outcomes for all pupils.
- 6.3 At termly intervals students' attainment and attitude to learning data is analysed for several different groups including sex, SEND, PP and EAL. Tailored interventions targeted at individuals are agreed by the academic and pastoral teams and pupils are supported.
- 6.4 The data enables analysis by sex, and subject leaders are challenged on the consistency of reporting between different groups and any clear differences are investigated and addressed.
- 6.5 Analysis by the CEM Centre at the University of Durham highlights that girls in single-sex schools have a value-added performance on average 0.1 grades better per GCSE than girls in coeducation; and boys in single-sex schools have a value-added performance on average 0.15 grades better per GCSE than boys in coeducation.

## **7. Proportionality of Gender Separation**

- 7.1 The school has considered whether the means by which the positive action is undertaken is proportionate, and whether other options may achieve these ends which do not require the same level of segregation.
- 7.2 The school has also considered other means of by which it could provide an education with less segregation such as a fully coeducational model between Year 7 – 11. However, this would mean that the positive action benefits in respect of tailoring provision, widening academic choice, promoting better academic outcomes and avoiding gender stereotypes would be significantly reduced or lost.
- 7.3 Therefore, the School's conclusion is that the notional practicable alternatives are:

- 7.3.1 De-amalgamating and the re-registration of CCGS as two separate single sex schools, a boys' school and a girls' school.

This would not be an option as we could not register a new Grammar School with a new DFE number. De-amalgamation would have an economic impact through the loss of economy of scale (resources, more middle and senior managers) and potentially the loss of equality of subject offering as budgets for each school are run separately. This would impact negatively on students and in the opinion of the school have a detrimental impact.

- 7.32 A mixed grammar school with mixed classes between year 7 -11. This would reduce the Education offer and choice for parents and children in Thanet. Within the local area there is a mixed grammar school with new buildings.

The school believes that its current structure results in a better education for student of both sexes, and that to revert to separate single sex schools would be detrimental to the education, wellbeing, and development of students of both sexes.

## **8. Steps taken to ensure equality of provision:**

- 8.01 The School recognises that utilising Section 158 of the Equality Act 2010 to improve equality by taking positive action does not allow inequality of provision. Schools are required to ensure that provision is equal in quantity and nature such that remediation of disadvantage does not result in inequality of provision. The School acknowledges this risk, and actively takes steps to assess and monitor to ensure that equality of provision is maintained.

### **8.02 Leadership and Management**

The Senior Leadership Team meets twice weekly to discuss with day-to-day business, and to scrutinise the quality and equitability of all school processes.

The school's academic structure and the impact of the single sex class policy is regularly discussed by Governors and SLT annually, or as a pertinent issue is raised.

Boys' and girls' results, reports and assessments are scrutinised in identical fashion.

Where necessary, action is taken promptly to ensure equality of opportunity and experience amongst students. (Monitored by Satchel1)

All arrangements for lesson observations, department budgeting and resourcing are equal.

### **8.03 Curriculum**

There is an identical curriculum for boys and girls (with the exception of competitive sports where there is a specific exception in section 195 of the Equality Act 2010).

All academic options are available to both girls and boys.

Academic competitions are open to both boys and girls.

### **8.04 Teaching and teaching resources**

There is an equal allocation of teachers and quality of teaching and feedback.

All teachers have the same training, professional development and induction,

Almost all staff teach both girls and boys.

Each department works across the 11-18 range.

The Library has ~~common reading schemes~~ mixed attendance for boys and girls in Years 7-9.

### **8.05 Physical accommodation**

The School occupies a range of buildings and facilities across five sites. Each site accommodates both boys and girls. There is no separation by gender in relation to the use of the School sites.

- 8.06 **Listening to students and parents**  
The school offer a variety of opportunities for students to raise concerns about their education. Such discussions have enabled the school to find that students enjoy learning in single sex environments but equally enjoy the opportunities to socialise and enjoy extracurricular activities together.

Lower and Upper School Councils have mixed attendance and meet regularly. The Lower School Council is chaired by the Headteacher, the Upper School Council is chaired by a Senior Tutor.

The school surveys parents regularly on how they feel the school is being run and led: an overwhelming number endorse the status quo.

- 8.07 **Culture and Ethos**  
CCGS has the same high educational expectations for girls and boys and maintains active tracking and monitoring.

## **9 Other contributory factors**

The School takes steps in relation to other factors which are relevant to evaluating provision in mixed schools which separate students by gender.

- 9.01 The School's Careers Programme provides accurate, up-to-date careers guidance for all students in Years 7-11, presented in an impartial manner enabling them to make informed choices about a broad range of career options and helping to encourage them to fulfil their potential.
- 9.02 Through the broad-based curriculum in general terms, and specifically through the Religion Health and Sex Education programmes as well as through various extra-curricular activities, the School prepares all pupils for the opportunities, responsibilities and experiences of life in British society and actively promotes principles that encourage respect for other people, paying particular regard to the protected characteristics in the Equalities Act 2010.

## **10 Transgender issues**

- 10.01 If a transgender student expresses a desire to transfer to a Boys'/Girls' class, the School will initiate a discussion with the student and their Parents, about a possible transfer. All individual requests will be dealt with on a case-by-case basis. The School will take a student-centred approach and work to enable the student to transfer at a moment that is in the student's best interests: the student's needs and desires will be taken into account. The student will be able to move to identical schemes of work and programmes of study with no interruption in learning.

## **11 Risk assessment and monitoring**

- 11.01 The school maintains and keeps under regular review, the risk assessment accompanying this policy to identify and record the measures that need to be taken to mitigate the risk of unintended consequences which may arise through gender separation.



11.02 Where necessary, appropriate action is taken promptly to ensure equality of experience.

11.03 This policy is reviewed annually by the Senior Leadership Team and the Board of Governors. Where necessary, appropriate action is taken promptly.

## **12 Wider School Policies**

The Policy for Separation by Gender 2024 should be read in conjunction with school policies on Careers, Curriculum, Equal Opportunities, Relationships, Sex and Health Education and Transgender and our Gender Separation Equality of Teaching Risk Assessment.