



Merchant Taylors' Schools, Crosby

Gender Separation Policy

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Related Policies:	Curriculum Policy Equal Opportunities Policy Risk Assessment Policy
Regulatory Body (if applicable)	Department for Education Independent Schools Inspectorate
Relevant legislation/guidelines	Equality Act 2010 Education (Independent School Standards) Regulations 2014 (as amended) (Please see within the Policy for details of relevant guidance)

Contents

Section		Page No
1	Introduction and Background	3
2	Terminology "sex" and "gender"	3
3	Legal Context and Guidance – Revised for Coeducational Model	3
4	General Policy Statement	5
5	Physical Accommodation	5
6	Culture and ethos	5
7	Monitoring and Evaluation	6

1. Introduction and Background

- 1.1. Following a formal announcement in January 2024, Merchant Taylors' School, Crosby will transition to a fully coeducational model on a single campus from September 2025, bringing to completion the structural changes that began in 2019. This decision reflects the School's commitment to equality of access, educational opportunity, and preparation for life in a modern, inclusive society.
- 1.2. As of September 2025, all pupils from Year 7 to Year 13 will be educated coeducationally and on the same site, supported by a unified timetable, staff body, and curriculum. This evolution builds on the School's success in integrating the preparatory school and sixth form, and it represents a natural progression of the values underpinning the previous Diamond Model structure.
- 1.3. The only exceptions to full coeducation from September 2025 are:
 - Year 11 for the academic year 2025/26 only, which will operate under a legacy model due to timetabling continuity and curriculum planning already underway prior to the announcement.
 - In certain PE lessons, where physical contact or regulatory requirements dictate, boys and girls may continue to receive instruction in separate groups for pedagogical and safeguarding reasons.
- 1.4. The School will continue to monitor and assess all aspects of provision to ensure that any temporary or partial separation remains justified, proportionate, and aligned with the School's duty under the Equality Act 2010.

2. Terminology: "sex" and "gender"

- 2.1. 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 a situation such as the diamond model arrangement at the School whereby girls and boys are taught separately in Years 7 to 11.
- 2.2. In the context of admission to the Senior Schools, the starting point is a pupil'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 – Revised for Coeducational Model

3.1. Equality Act 2010

- 3.1.1 From September 2025, Merchant Taylors' School will operate as a fully coeducational institution. As such, the School remains fully subject to the **Equality Act 2010**,

particularly **Part 6**, which governs schools and prohibits discrimination against pupils based on any **protected characteristics**, including sex, gender reassignment, disability, race, religion or belief, and sexual orientation.

3.1.2. Relevant legal provisions include:

- **Section 85** – It is unlawful for a school to discriminate against a pupil in:
 - the way it provides education or access to benefits, facilities, or services;
 - exclusions or other forms of detriment.
- **Section 158** – Allows for **positive action** where pupils with a particular protected characteristic are at a disadvantage, have different needs, or have low participation in an activity. This remains relevant for tailored support programmes or interventions.
- **Section 195** – Permits **separation by sex for competitive sports** where the physical strength, stamina, or physique of one sex would place them at a disadvantage.
- This has been recently interpreted by the Supreme Court in *For Women Scotland Ltd v The Scottish Ministers*, which clarified the legal definitions of "woman," "man," and "sex" under the Equality Act 2010.

3.2 Education (Independent School Standards) Regulations 2014 (as amended)

3.2.1. The School continues to comply with the **Independent School Standards (ISSRs)**, notably:

- **Paragraph 3(j)**: Schools must ensure that teaching does not discriminate against pupils, directly or indirectly, contrary to the Equality Act 2010.
- **Paragraph 2(i)**: Schools must prepare pupils for life in modern Britain, promoting respect for others, including respect for those with protected characteristics.

3.3 Guidance and Interpretation

3.3.1. The School has taken into account:

- *Equality Act 2010 and Schools* (DfE, 2014)
- *Gender Separation in Mixed Schools* (DfE, 2018)
- *Independent School Standards Guidance* (DfE, 2019)
- *ISI Guidance on Inspecting Paragraph 3(j)* (May 2022)
- *EHRC Technical Guidance for Schools* (2014)

3.3.2. These documents reaffirm that separation by sex is only lawful when:

- Justified under **Section 158** or **Section 195**; and
- Not resulting in detriment to either group or in a reduction of quality or access to provision.

3.3.3. With coeducation in place from September 2025, the School does not anticipate regular use of gender-based separation, except:

- In **Year 11 (2025/26 only)** under a legacy timetable structure; and
- In specific **PE lessons**, where separate provision is allowed and pedagogically appropriate.

4. General Policy Statement

- 4.1 From September 2025, Merchant Taylors' will operate as a coeducational school throughout all year groups, delivering academic and pastoral provision to boys and girls together. This structure is rooted in evidence and experience that show coeducation enriches social development, supports inclusion, and better prepares pupils for higher education and modern life.
- 4.2 All curricular and co-curricular activities will be open to both boys and girls, with full integration across lessons, enrichment, and house life. Provisions for physical education will remain sensitive to sport-specific guidance and student welfare.
- 4.3 The School acknowledges the transitional legacy arrangements for Year 11 in 2025/26, which reflect pragmatic planning constraints rather than policy preference. These pupils will continue under the academic organisation previously in place until they complete their GCSE year.
- 4.4 The School remains committed to reviewing this policy annually, ensuring compliance with Equality Act provisions, and responding to the needs of all pupils, including those relating to gender identity and safeguarding.

Optional Note for Inspectors / Policy Readers

From 2025, Merchant Taylors' School will no longer operate a Diamond Model or gender-separated academic structure (with the exception of Year 11 in 2025/26). This policy reflects the School's new status as a coeducational institution across all age groups, with ongoing monitoring to ensure the highest standards of equality, inclusion, and academic excellence.

5. Physical accommodation

At the Harrison site, several adaptations have been made to ensure equal and appropriate facilities for both sexes. Separate, clearly marked toilets and changing areas have been provided to guarantee privacy, with each facility maintained to the same high standard, including cleanliness, accessibility, and hygiene provisions.

Specific areas have been designated for the exclusive use of each sex during breaktimes and lunch, while combined-use areas have also been established to encourage inclusivity and flexibility, depending on individual preference.

6. Culture and ethos

The culture and ethos of School are rooted in mutual respect, inclusivity, and equal opportunity, fostering an environment where individuals of all sexes feel equally at ease whether interacting with the same or opposite sex, and are supported in contributing fully within a positive and professional setting.

7. Monitoring and evaluation

To ensure the continued effectiveness and fairness of these provisions, the Senior Leadership Team (SLT) will regularly monitor and evaluate the gender separation arrangements at the Harrison site. This process will include gathering feedback from teachers, governors, and pupils—specifically through the use of the Student Council as a representative voice for the student body. Feedback will be collected through surveys, meetings, and open discussions, allowing for a wide range of perspectives to be considered. Any concerns or suggestions raised will inform future adjustments, ensuring the environment remains inclusive, respectful, and supportive of equal access for all. The SLT remains committed to transparency, responsiveness, and ongoing improvement in line with the school's ethos.