



EQUALITY, DIVERSITY & INCLUSION POLICY

Version Number:

- 3

Applies To:

- APTCOO Charity Services
- APTCOO Independent Special School
- APTCOO Short Breaks
- APTCOO Out of School Activities

Associated Documents:

- Accessibility Policy
- Admissions Policy
- Concerns and Complaints Policy
- Data Protection Policy
- Relational Policy
- Safer Recruitment Policy
- Safeguarding and Child Protection Policy
- EAL Policy
- SEND Policy
- Dignity at Work Policy

Related Regulations:

- [Human Rights Act 1998](#)
- [The Children Act \(1989; 2004\).](#)
- [Disability Discrimination Act \(1995\)](#)
- [SEND Code of Practice 2014](#)
- [Keeping Children Safe in Education 2024](#)
- [Employment Equality Regulations \(2003\).](#)
- [The Equality Act \(2010\).](#)
- [The Special Educational Needs and Disability Regulations 2014](#)
- [The UK Data Protection Act \(2018\)](#)
- [The Charity Commission for England and Wales](#)
- [The Worker Protection Act 2023](#)

Review Frequency:

- Annually

Date of Implementation:

- Autumn 2024

Review Date:

- Autumn 2025

Chief Executive Officer (CEO)

Date 5/12/24

Chair of Board of Trustees /Governing Board

Date 5/12/24

CONTENTS

- 1) **Statement of Policy**
- 2) **APTCOO Principles**
- 3) **Aims and Objectives**
- 4) **Implementation Strategy**
- 5) **Challenging conversations**
- 6) **Young Person Admission Policy**
- 7) **LGBT and Gender**
- 8) **Recruitment and Selection**
- 9) **Training and Promotion**
- 10) **Monitoring**

STATEMENT OF POLICY

APTCOO recognises that discrimination is unacceptable and outline our approach in this Equality, Diversity & Inclusion Policy.

The aim of the policy is to ensure no job applicant, employee or worker is discriminated against either directly or indirectly on the grounds of age, disability, neurodiversity, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or (non-)belief, sex/gender identity, or sexual orientation.

We will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.

The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.

Breaches of the policy will lead to disciplinary proceedings and, if appropriate, disciplinary action.

The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance, and particularly any relevant Codes of Practice. The statutory guidance we reference includes, but is not limited to, the following:

- Human Rights Act 1998
- The Children Act (1989; 2004),
- Disability Discrimination Act (1995)
- Special Educational Needs and Disability Act (2001),
- Keeping Children Safe in Education 2024
- Employment Equality Regulations (2003).
- The Equality Act (2010),
- The Special Educational Needs and Disability Regulations 2014
- The UK Data Protection Act (2018)

All relevant policies to this document will be available on the APTCOO website. Where requested, we will make these policies available in alternative and accessible formats to meet individual needs.

The ultimate responsibility for this policy's implementation lies with the Board of Trustees/Governing Board. Throughout this document, this body will be referred to as the 'Board'.

APTCOO Principles

1. APTCOO values all members of its community as individuals and aims to facilitate learning and development through the promotion of self-esteem and self-identity.
2. APTCOO recognises the importance of the teaching environment to scaffold learning, facilitate progress and development, but also to provide opportunities for compensatory and remedial education.
3. APTCOO intends to support all young people in their development of autonomy, independence, competency, confidence, and pride irrespective of gender, sex, race/ethnicity, culture or social class.

APTCOO is committed to a policy of equality and aims to ensure that no employee, young person, family member, job applicant or other member of the wider community is treated less favourably on grounds of sex, race, colour, ethnic or national origin, marital status, age, gender identity/sexual orientation, disability, or religious belief. Any behaviour, comments or attitudes that undermine or threaten an individual's self-esteem on these grounds will not be tolerated.

All forms of discrimination by any person within the organisation's responsibility will be considered unacceptable and treated seriously. We will maintain a working environment in which no member of the APTCOO community feels under threat or intimidated due to protected characteristics.

We aim to provide equal access to high quality educational and work opportunities and to ensure that everyone feels that they are a valued member of APTCOO.

We seek to provide a safe and happy environment where everyone can flourish and where personal & cultural diversity is celebrated.

APTCOO recognises that the role of all staff is crucial in the successful delivery of this policy. Therefore, all APTCOO personnel are responsible for promoting the EDI policy and are obliged to respect and act in accordance with the policy.

APTCOO, in compliance with KCSiE 2024, acknowledges that, under the Human Rights Act, it is unlawful for schools and colleges to act in a way that is incompatible with the Convention.

The specific convention rights applying to schools and colleges are:

- Article 3: the right to freedom from inhuman and degrading treatment (an absolute right)
- Article 8: the right to respect for private and family life (a qualified right) includes a duty to protect individuals' physical and psychological integrity.
- Article 14: requires for all of the rights and freedoms set out in the Act must be protected and applied without discrimination.
- Protocol 1, Article 2: protects the right to education.

Being subjected to harassment, violence and or abuse, including that of a sexual nature, may breach any or all these rights, depending on the nature of the conduct and the circumstances. APTCOO takes into account an individual's human rights when developing our policies, procedures and applying decisions.

APTCOO works in accordance with the Equalities Act and includes, as part of standard practice, reasonable adjustments for disabled children and young people.

Aims and Objectives – Board of Trustees/Governing Board

APTCOO's Board, through the Equality, Diversion & Inclusion Policy, aims to:

- carry out its legal duty regarding legislation.
- reinforce APTCOO's position as a provider of high-quality provision and as a good employer providing development opportunities.
- ensure that equality remains high on APTCOO's strategic agenda.
- establish good people management practice to enforce said strategic agenda.
- achieve a staffing composition that attempts to reflect the composition of both the wider local community and individual child profile.
- ensure all staff work together with a shared sense of purpose to meet the needs of every young person
- ensure that young people and staff contribute towards a happy and caring environment by showing respect for, and appreciation of, one another as individuals.
- ensure that complaints or evidence of failure to comply with APTCOO's equal opportunities policy will be dealt with promptly and fully investigated according to the relevant procedure (e.g., complaints relating to staff may be investigated either under the disciplinary, grievance or anti-bullying policy/procedure as appropriate).

- ensure that APTCOO complies with the appropriate equality legislation and regulations.
- Ensure that APTCOO's Admissions Policy does not discriminate in any way.
- Ensure equal opportunities in its staff recruitment and promotion practices, professional development programmes, and in membership of the governing board.
- Proactively recruit high-quality applicants from under-represented groups.
- Provide information in appropriate and accessible formats.

Aims and Objectives – Staff and Volunteers

Staff will:

- Be mindful of any incidents of harassment or bullying at APTCOO.
- Track and monitor any instances of discrimination and deal with these in a consistent manner, making a report to the headteacher as necessary and following up with learners as required.
- Address any minor issues of harassment or bullying and report any major breaches of the policy to the headteacher.
- Identify and challenge bias and stereotyping within the curriculum and APTCOO's culture.
- Promote equality, diversity and inclusion, and not harass or discriminate in any way.
- Monitor learners' progress and academic needs to ensure the appropriate support is in place.
- Keep up to date with equality legislation and its application by completing the appropriate training.

In the context of the educational environment, the headteacher will:

- Implement this policy and its procedures.
- Ensure that all staff members receive the appropriate equality and diversity training as part of their induction and CPD.

- Ensure that all parents, visitors, and contractors are aware of, and comply with, the provisions of this policy.
- Actively challenge and take appropriate action in any case of discriminatory practice.
- Address any reported incidents of harassment or bullying in line with DfE guidance.
- Produce an annual report on the progress of implementing the provisions of this policy and report it to the governing board.

Aims and Objectives – Young People

APTCOO is committed to supporting, understanding, and working with young people to reach their full potential. We will not treat any child or young person differently on account:

1. To provide a rich, accurate, sensitive, and non-stereotypical record of a young person's gender, race, culture, and special needs, for the benefits of themselves and each other.
2. To provide opportunity for young people to become familiar with differences in gender identity, racial characteristics and language of themselves and others.
3. To provide all young people with accurate, developmentally appropriate information about their own and others' special needs, as well as their rights and responsibilities as part of both APTCOO and wider community.
4. To ensure that young people and their families who use English as an additional language (EAL) have their communication needs met in both paper and digital formats. This policy also extends to people who communicate using British Sign Language (BSL).
5. To educate young people with SEND how to handle and challenge name-calling, stereotypical attitudes, and physical, social, emotional, and behavioural barriers, and develop the critical thinking skills to challenge these in themselves and others.
6. To help young people change discomfort and feelings of 'separateness' about differences into respectful, empathetic, and comfortable interaction.
7. To free young people from constraining, stereotyping definitions of gender role, so that no aspects of learning and development will be closed off simply because of a child's sexual orientation or gender identity.
8. To help young people to become aware of decisions that are made about their own body and how they use it, helping them to make their own informed decisions about issues such as forced marriage; female genital mutilation; circumcision etc.

9. To give young people the confidence to identify and resist coercion and exploitation by others with extremist views.
10. To affirm and foster young people's knowledge and pride in their personal & cultural identity and to incorporate democratic British values into their ethos and worldview.
11. To empower young people to make informed choices so that they are better prepared for the opportunities, responsibilities, and experiences of life within their community.
12. To provide an environment in which all young people can succeed.

Aims and Objectives - Parents and Carers

1. To promote parental acceptance and support for the equality, diversity, and inclusion policies and practices employed by APTCOO.
2. To establish ongoing parent-staff dialogue that enables discussion of all points of view and seeks to gain clarity, understanding and solutions agreeable to both staff and parents/carers.
3. To provide information that increases parental awareness of how young people's identities are formed, and how prejudice and discrimination negatively affect personal and emotional growth.
4. To create safe settings for parents and carers to discuss with each other, their young person, or staff, the issues raised by EDI work and to increase their ability to integrate EDI perspectives in their relationships with young people in their home environment.
5. To facilitate development of young people through joint parent/carer-teacher problem solving and mutual support.
6. To involve parents and carers in curriculum development, implementation, and evaluation about their individual young person's needs.

Children, young people, and families will:

- Not discriminate or harass any other learner or staff member.
- Actively encourage equality and diversity at APTCOO by contributing their cultural experiences and values.
- Report any incidences of bullying or harassment, whether to themselves or to others, to a member of staff.
- Abide by all APTCOO's equality and diversity policies, procedures, values, and rules.

Implementation Strategy

APTCOO aims to create and maintain an environment in which the individual is valued regardless of gender, race, culture, age, personal or social disadvantage. We aim to create such an environment through:

1. Individual and small group discussions – both informal and formal, as the need arises and through planned intervention.
2. Avoiding stereotypes. Each young person, regardless of gender or race, can take part in all areas of the curriculum without stereotyping. Activities may be modified to make allowances for individual needs, but access is not denied where safety or wellbeing isn't a legitimate concern.
3. Giving young people the opportunity to observe adults in a variety of non-stereotypical roles. The role of the adult will vary according to the situation and each adult holds authority within and responsibility for certain areas of APTCOO. This will provide a large and diverse selection of role models for young people.
4. APTCOO offers provision to young people who are academically and socially disadvantaged. Individually designed programmes of work, access to therapeutic support, personalised support and frequent experience of success are means of redressing an imbalance of opportunity.
5. Encouraging tolerance of differences and identification of “common ground” by the fostering of community feeling and group identity through activities and friendship opportunities.
6. The provision of frequent opportunities for young people's success and a thoughtful approach to behaviour / discipline and pastoral care policies, promoting in young people the self-confidence and self-esteem to speak out against injustice and to speak out in such a manner that they will have a voice that instigates change without fear of discrimination.
7. Conversing with parents and carers in an open, non-challenging manner with a view to mutual understanding and tolerance.

There will be differential schemes of work designed to meet the abilities and learning styles of all learners.

There will be a clearly defined Relational Policy, which will be consistently reviewed.

APTCOO will ensure fair and equal access to the learning opportunities for all young people.

APTCOO will ensure there is adequate access to its physical environment

APTCOO will ensure the effective delivery of written information to disabled children and young people in the formats they find most accessible.

Challenging conversations – what they are and how to handle them.

In the provision of APTCOO services, we recognise that young people are often curious about the world and different social and ethnic minorities. Many young people have genuine questions about issues relating to minority groups, such as faith teachings or political ideas.

For the most part, this is not the same as hate speech. Hate speech aims to incite violence, hostility, or discrimination against a protected characteristic, whereas acceptable speech aims to discuss or challenge theory, practice, legislation, policy, or religious teachings, without attacking individuals.

Occasionally, the difference between acceptable speech and hate speech is more nuanced; for example, when people from certain social groups make jokes about themselves and ‘reclaim’ slurs to describe one another.

Another example is when someone quotes or repeats hateful or discriminatory comments made by someone else, not in support of those comments, but as context to form part of a conversation, debate, or article.

APTCOO staff and volunteers aim to exercise their best judgement on whether something was communicated to incite hostility or discrimination towards a group, or not. We consider this the simplest measure of whether something is ‘hate’ speech.

Independent School admission policy

APTCOO follows a learner admission policy that does not permit sexual orientation, race, or colour or disability to be used as criteria for admission. For more information, please see or request a copy of the Admissions Policy.

LGBT and gender identity/reassignment in APTCOO’s community.

APTCOO will ensure that, in carrying out its duties, lesbian, gay, bisexual, and transgender people are given equal and unprejudiced treatment. To achieve this objective APTCOO will:

- Ensure that policies, procedures, and practices are not based on the assumption that everyone is, or should be, heterosexual.
- Ensure that the educational and PSHE curricula at APTCOO incorporate sensitively and inclusively, the needs, wants and choices of young people who are members of the LGBT community, and that this is embedded in everyday practice.

- Acknowledge same sex relationships and ensure that, in relation to staff and wherever possible, the partners of same sex or transgender couples have equal access to the services and benefits available to heterosexual couples.
- Encourage a culture in which people feel able to be open about sexual orientation, and ensure that lesbian, gay, bisexual, asexual/aromantic, and transgender members of the APTCOO community have a safe and supportive environment in which to work, learn and develop.
- Ensure that recruitment and selection is carried out in accordance with corporate standards and best practice.
- Provide appropriate development opportunities to assist with the implementation of this policy and ensure that everyone is aware both of their individual responsibilities and APTCOO's commitment to this culture of acceptance.
- Handle allegations of discrimination and harassment sensitively, providing appropriate support to the alleged victim(s), in accordance with organisational policy and procedure.
- Manage employees fairly and appropriately, ensuring there is no discrimination in terms of:
 - attitude,
 - work allocations,
 - consultation,
 - communication,
 - promotion,
 - development and training opportunities,
 - employee appraisals,
 - granting of leave: including maternity/paternity/adoption leave,
 - grievance and disciplinary matters, or other conditions of employment in the work environment,
 - reward,
 - retirement,
 - redundancy,
 - transfer.

Recruitment and Selection

The recruitment and selection process is crucially important to any equal opportunities policy. We will endeavour through appropriate training to ensure that employees making selection and recruitment decisions will not discriminate, whether consciously or unconsciously, in making these decisions.

Promotion and advancement will be made on merit and all decisions relating to this will be made within the overall framework and principles of this policy.

Job descriptions will be revised to ensure that they are in line with our equal opportunities policy. Job requirements will be reflected accurately in any personnel specifications.

We will adopt a consistent, non-discriminatory approach to the advertising of vacancies.

We will not confine our recruitment to areas or media sources which provide only, or mainly, applicants of a particular group.

All applicants who apply for jobs with us will receive fair treatment and will be considered solely on their ability to do the job.

All employees involved in the recruitment process will periodically review their selection criteria to ensure that they are related to the job requirements and do not unlawfully discriminate.

Short listing and interviewing will be carried out by a panel of at least two people, and three where possible.

The recruitment panel should be determined having regard to gender and ethnicity of the panel and will have relevantly trained members in safer recruitment.

Interview questions will be related to the requirements of the job and will not be of a discriminatory nature.

We will not disqualify any applicant because he/she is unable to complete an application form unassisted unless personal completion of the form is a valid test of the standard of English required for the safe and effective performance of the job.

Selection decisions will not be influenced by any perceived prejudices of other staff.

APTCOO commits to this by vowing to:

- Give full consideration to all job applicants.
- Ensure that all people with a disability are interviewed for any employment vacancy for which they meet the essential criteria of that position.
- Follow the government's voluntary code of practice for age diversity in employment.
- Create an environment which is free from racial harassment and racist behaviour.
- Recognise and respecting individuals' religious beliefs and that they are free from discrimination.
- Create an environment free from sexual harassment and sexist language and behaviour.
- Create a flexible working environment where work and home life balance requirements are recognized and supported in all areas and levels.

- Ensure that our policies and procedures do not discriminate against employees or their protected characteristics.
- Within business constraints, to modify equipment or facilities to make full use of a person's ability.
- Continue employment, whenever practicable, for those who become disabled during their employment.
- Create an environment whereby the needs of employees with HIV are understood and free from ignorance and harassment.

TRAINING AND PROMOTION

Staff will receive, by right and obligation, quality training in the application of this policy to ensure that they are aware of its contents and provisions. We will aim to help all employees realise their potential for growth through support and appraisal.

All promotion will be in line with this policy.

COMPLAINTS AND CONCERNS

Individuals who consider they have been discriminated against should in the first instance discuss the situation with the person concerned, the member of staff most directly concerned, or their allocated tutors. If the informal approach does not resolve the situation, or it is felt this is not the most appropriate method, a formal approach should be conducted as set out in the APTCOO Concerns & Complaints Procedure.

APTCOO will ensure that all forms of prejudice-motivated bullying is taken seriously and dealt with equally and firmly. If you feel you have not been treated fairly under the terms of this policy and statutory legislation, please refer to the Concerns & Compliments Policy.

MONITORING

We will maintain and review data and kept records to monitor the progress of this policy.

Monitoring may involve: -

- the collection and classification of information regarding the race in terms of ethnic/national origin and sex of all applicants and current employees.
- the examination by ethnic/national origin and sex/gender of the distribution of employees and the success rate of the applicants; and
- recording recruitment, training and promotional records of all employees, the decisions reached and the reason for those decisions.

The results of any monitoring procedure will be reviewed at regular intervals to assess the effectiveness of the implementation of this policy. Consideration will be given, if necessary, to adjusting this policy to afford greater equality of opportunities to all members of the APTCOO community.

- Maintain records of recruitment to identify any areas of inequality.
- Review recruitment and selection processes regularly
- Wherever possible, modify employment practice and procedures to reduce barriers to members of disadvantaged social groups within their employment.
- Enforce and monitor our internal harassment policy to ensure employees work in a safe environment.

APTCOO's liability to not discriminate, harass or victimise does not end when a learner or service user has left APTCOO services, but will apply to subsequent actions connected to the previous relationship between APTCOO and young people, such as the provision of references on former learners or access to former learners communications and activities.

Equal opportunities implications will be considered and recorded whenever organisational policies and curricula are developed or reviewed. All policies and curricula will be regularly reviewed to provide a comprehensive and consistent process of monitoring and evaluation.

Other policies that are relevant to this document include:

- Accessibility Policy
- Admissions Policy
- Concerns and Complaints Policy
- Data Protection Policy
- Relational Policy
- Safer Recruitment Policy
- Safeguarding and Child Protection Policy

APPENDICES

Appendix 1: Terminology

Appendix 2: Protected Characteristics

Appendix 3: Record of Changes

Terminology

Disability: a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

- Substantial is defined as being more than minor or trivial.
- long-term is defined as a year or more.

Prohibited conduct: Four main forms of disallowed conduct against those with protected characteristics. They are:

- direct discrimination.
- indirect discrimination.
- harassment; and
- victimisation.

Discrimination:

Direct discrimination: when someone is treated unfairly because of a protected characteristic, such as sex or race. For example, someone is not offered a promotion because they're a woman and the job goes to a less qualified man.

One type of direct discrimination is when someone is treated unfairly because of the protected characteristic of either:

- someone they know
- someone they're associated with

The legal term is '**discrimination by association**', also known as '**associative discrimination**'.

Indirect discrimination: Indirect discrimination can happen when there are rules or arrangements that apply to a group of employees or job applicants, but in practice are less fair to a certain protected characteristic.

The employee or applicant must be able to prove both of the following about the rule or arrangement:

- it's unfair to them and to others with the same protected characteristic; for example, a woman believes she's experiencing sex-based discrimination

- it's unfair compared with those who do not have the protected characteristic; for example, the rule/arrangement is unfair to employees who are women, but not to men.

Positive discrimination: Preferential treatment given to someone purely because they have a protected characteristic, rather than based on merit.

Stereotype: a generalised belief that is held by someone against a group of people, expecting them to embody certain traits or behaviours. A stereotype is slightly different from a prejudice, as it is a thought whereas prejudice involves feelings and attitudes. Stereotypes can be 'positive' or 'negative' but both have harmful results.

Prejudice: a preconceived opinion that is not based on reason or actual experience. Prejudices are always negative opinions or beliefs.

Protected Characteristics

The Equality Act 2010 defines nine protected characteristics. These are:

- | | |
|--|------------------------------|
| 1. Age | 6. Race |
| 2. Disability | 7. Religion or belief |
| 3. Gender reassignment | 8. Sex |
| 4. Marriage and civil partnership | 9. Sexual orientation |
| 5. Pregnancy and maternity | |

Age

Age discrimination is either direct or indirect. It involves unfair or unfavourable treatment of staff members due to how old they are, or the peer they are associated with. It is important to remember that in situations where people fall into the same age range, they share the “age” protected characteristic.

Disability

The Equality Act 2010 defines a disabled person as someone with a physical or mental injury. It must be substantial or long-term (likely to last more than 12 months) and affect their ability to conduct day-to-day activities. The Act outlines APTCOO’s duty of care towards disabled employees. Under the legislation, APTCOO must make reasonable adjustments to remove barriers caused by a disability.

Although the regulation provides a definition of disability, the issue is more complex than the Act initially clarifies. While some impairments are immediate and identifiable, it can be difficult to work out if some disabilities qualify.

The level of support or adjustments an affected employee needs depends on where they sit on the spectrum (of their individual needs). APTCOO will make every attempt to meet people’s additional needs where it can be reasonably done.

Examples of impairments considered as disabilities from diagnoses include:

- Cancer.
- Multiple sclerosis (MS).
- HIV/AIDS.

Under section 15 of the Equality Act, there is a special provision for disability which protects employees against discrimination for something arising because of their disability.

Gender reassignment: This is the process of changing from one gender category to another. The Equality Act 2010, it is illegal to discriminate against a member of staff if it is thought they are transgender (or know someone who is).

Individuals are not required to undergo surgery or treatment to change their gender. They will still receive discrimination protection if they have reassigned their identity without any medical processes.

In some circumstances, treating a transgender employee differently is not necessarily unlawful. An example would be taking constructive steps to include transgender employees in organisational activities in which they are not represented. The key is that they do not experience a detriment because of the decision to treat them differently.

Examples of gender reassignment discrimination include:

- Reassigning an employee to an alternate role to remove them from public view.
- Unfair treatment of sick days compared to other employees.
- Having policies in place that put your transgender employees at a disadvantage.
- Comments that offend or degrade.

Marriage or civil partnership: This is treating an employee differently on account of their relationship status. This can be either between a man and a woman or between members of the same sex/gender. Employees are not protected under this characteristic if they are:

- Living with their partner but not married or in a civil relationship.
- Engaged but not married yet.
- Divorced or if they have dissolved their civil partnership.

Examples of discrimination under this characteristic include:

- Having policies in place that put married employees (or those in a civil relationship) at a disadvantage— this may be different if you can show a good reason otherwise.
- Dismissing or reducing the working hours of an employee after marriage as you think they will need to spend more time with their family (unless requested by the employee in question).
- Treating an employee differently for supporting a colleague facing discrimination for their marriage or civil partnership. This type of discrimination is ‘victimisation.’

Pregnancy and maternity: This spans from the period of pregnancy through to birth and the period of maternity leave which follows (the protected period). Discrimination in this regard involves treating a woman differently for being pregnant or on maternity leave. The Act defines two types of pregnancy and maternity discrimination:

Unfavourable treatment: This is putting employees or job applicants at a disadvantage because of pregnancy or maternity. Employers cannot subject them to unfair treatment. Policies and procedures should not put them at a disadvantage, and employees should not experience unwanted behaviour because of their pregnancy or maternity leave requirements.

Victimisation: This involves treating an employee unfairly because they have made, or supported, an allegation (or complaint) of discrimination related to pregnancy/maternity. It also relates to employees giving evidence relating to a complaint from another staff member.

When deciding on an employee's position in the organisation, it is unlawful to take into account periods where they were off sick due to pregnancy-related illnesses.

Race: The Act protects groups of employees defined by their race, colour or nationality. Discrimination occurs when they are treated differently because of these characteristics.

Examples include:

Direct: For example, rejecting a job application from a candidate of a different nationality not based on skills but because it is thought they will not fit in with existing staff.

Indirect: Having policies or procedures that while it applies to all workers, only puts a person or group of people of the same race at a disadvantage.

For example, during the recruitment process, it is unlawful to require all applicants to have a certain qualification that is only available to people in the UK, as this discriminates against applicants from other countries.

Religion or belief: This characteristic covers individuals or groups with certain religious or philosophical beliefs. Employees have a legal protection from discrimination because of their religion or belief (or the lack thereof).

According to the Act, a religion must have a clear structure and belief system. This belief must be genuine and not simply an opinion. To consider a belief genuine, it must be a weighty and substantial aspect of human life.

Examples of religion or belief discrimination include:

- Refusing to hire an individual or a particular group of people because of their religion or philosophical beliefs.
- Dismissing a member of staff because of their belief or religion.
- A form of indirect discrimination could be enforcing inconvenient working hours. For example, setting a meeting at 3 pm on Fridays when it is known some employees attend religious meetings.

It is not discrimination if there is an objective and justifiable reason for scheduling the meeting for that time. It is important to be consistent when dealing with religious holiday requests to avoid allegations of discrimination.

Sex: This involves the unfair treatment of an employee based on being either a man or woman. The Equality Act 2010 protects individuals from prejudice based on their sex.

Discrimination in the following categories against an employee include:

- Against a particular sex.
- That is thought baselessly to be of the opposite sex (discrimination by perception).
- Or that is associated with someone of a specific sex.

APTCOO also recognises that the law does not allow for **positive discrimination** in favour of either sex as it does in other instances such as disability.

Examples of prejudice at work include:

- Asking female job applicants questions that would not be asked of male applicants.
- Promoting only women (or men) for specific roles due to previous discrimination when applying for that role.
- Rejecting a male candidate's application for a particular role because it is thought that he would not fit in with female staff.
- Not promoting women due to concerns about their plans for motherhood.

Sexual orientation: The Equality Act protects individuals from discrimination on the grounds of their sexual orientation. This includes, but is not limited to – heterosexuality, being gay, bisexual or asexual.

Examples of sexual orientation discrimination include:

- Not promoting a staff member solely based on their sexual preference.
- Maintaining policies or business practices that put an employee of the same sexual identity at a disadvantage.
- Harassing, degrading, intimidating, offending or general unwanted conduct relating to their sexual identity.

Policy/ procedure for: Equality, Diversity & Inclusion Policy

RECORD OF CHANGES

DATE	AUTHOR	PROCEDURE	DETAILS OF CHANGE
May 2022	M. Holmes	Review & Update	Merging of Equal Opportunities and Equality & Diversity into one policy called Equality, Diversity & Inclusion. Adding separate and distinct, but interrelated statements of intent for young people and staff including specific aims and objectives in fulfilling these goals
May 2022	M. Holmes	Review & Update	Added an appendix outlining the nine protected characteristics
June 2022	Compliance Lead	Update	Addition in relation to ESOL and BSL offer
August 2023	M. Holmes & Compliance Lead	Review & Update	V2 Update in line with NCSP in relation to HRA and KCSiE 23 updates.
August 2024	M. Holmes & Compliance Lead	Review & Update	V3 update – cosmetic changes and rewording for ease of reading.

