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LEAD PERSON: Head of HR		
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1. 22.03.17	ALET board	New Policy
2. 07.11.18	ALET board	Review
3. 01.04.20	ALET board	Review
4. 13.07.20	ALET board	Review
5. 03.02.22	ALET board	Compliance Update
6. 31.03.22	ALET board	Full Review by Head of HR and AET

EQUALITY, DIVERSITY, AND INCLUSION POLICY

Policy Statement

The Activate Learning Education Trust (ALET) is on an ambitious mission to transform lives through learning by enabling opportunities, creating life chances and generating prosperity for individuals and communities. In achieving this mission, Activate Learning Education Trust is committed to advancing equality of opportunity, respecting and celebrating difference, eliminating discrimination, harassment, victimisation and fostering good relations in both employment and education provision.

The Learning Philosophy and our Values underpin equality, diversity and inclusion. We believe that everyone has the capacity and ability to learn and develop and we aim to promote a culture of equitable opportunity for staff and students across the Trust where all parties are treated fairly and with dignity and respect. We strive to provide a safe, professional, accessible environment; delivering services, education and progression opportunities that are inclusive and allow individuals from all walks of life to access free from prejudice and/or discrimination.

Background

This policy provides the overarching Activate Learning Education Trust vision, values, and commitments in relation to equality, diversity and inclusion. It has been updated to reflect changes in equality legislation including the Equality Act 2010.

Our Learning Philosophy recognises that people learn and develop best when they feel emotionally secure and when they work in a safe environment. We acknowledge this for all our students and staff and pay particular attention to those groups who may be marginalised due to protected characteristics. For example, we know that the experiences of a person in transition from one gender identity to another or identifying as non-binary may impact on their learning experience, their learning and progression outcomes and their overall health and wellbeing and therefore take appropriate measure to minimise risk.

Purpose

We are committed to advancing equality of opportunity, respecting and celebrating difference, eliminating discrimination, harassment and victimisation and fostering good relations between all who work or learn at, or use the services of Activate Learning Education Trust. We aim to create and maintain a working and learning environment in which all people have the opportunity to participate fully, give of their best and achieve their full potential in a climate free from discrimination or harassment. We recognise that all have a right to equality of opportunity irrespective of race, disability, gender, gender reassignment, age, nationality, sexual orientation, religion or belief, marital or civil partnership status, pregnancy or maternity status, or socio-economic status, background, or class. For instance, Activate Learning Education Trust aims to support gender diverse students and give support and understanding to those individuals who wish to take, or have taken steps, to present themselves in a gender different assigned to them at birth. Equality, diversity and inclusion is central to all that we do, and fundamental to our mission and values.

Definitions

The Equality Act 2010 introduces the term 'protected characteristic' to refer to aspects of a person's identity explicitly protected from unlawful discrimination. These are included below

- Race
- Disability
- Gender
- Age
- Sexual orientation
- Religion and belief
- Gender reassignment
- Pregnancy/maternity
- Marriage/civil partnership

Under the Equality Act 2010, menopause discrimination is largely covered under three protected characteristics: **age, sex and disability discrimination**. The Health and Safety at Work Act 1974 provides for safe working, which extends to the working conditions when experiencing menopausal symptoms.

In addition, other aspects of a person's identity, background or circumstance can cause them to experience discrimination, for example a person's socio-economic status, class or background. The group is committed to advancing equality and eliminating discrimination on these and other grounds, including but not limited to:

- Carer responsibilities
- Domestic circumstances
- Trade Union affiliation

The Equality Act 2010 identifies the following types of discrimination:

- Direct discrimination, including associative and perception discrimination
- Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from a disability
- Disability discrimination

The Equality Act 2010 introduced a Public Sector Equality Duty which requires the Trust to give due regard to:

- Eliminating discrimination, harassment and victimisation - advancing equality of opportunity - fostering good relations.

The PSE Duty covers eight of the nine protected characteristics (only the first 'arm' of the new duty, to eliminate discrimination, harassment and victimisation, applies to the protected characteristic of marriage and civil partnerships). For further definitions see Appendix 1 and Appendix 2 on Gender Identity Definitions.

Scope

Our commitment to staff

We will:

- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.

This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.

- Work towards recognising and eliminating unconscious bias.
- Strive to recruit, employ, retain and develop a diverse workforce which reflects the local community and the Student population.
- Make clear our expectations and commitments to equality, diversity and inclusion during the recruitment and selection process and throughout employment.
- Provide ongoing continuous professional development in equality, diversity and inclusion to equip staff to recognise and embed diversity and inclusion and to challenge any form of discrimination.
- Provide reasonable adjustments for staff who are or who become disabled.
- Embed equality and diversity and inclusion throughout workforce practice, for example providing good customer care embedding equality and diversity and inclusion in teaching and learning and providing a high-quality service for all.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, students, partners, visitors, the public and any others in the course of the Trust / school's work activities.

Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.

Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

- Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

- Make decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

Our commitment to Students

We will:

- Make clear our expectations and commitments to equality and diversity and inclusion in our marketing and recruitment materials and events, during the Student and staff admissions processes and again during induction.
- Celebrate equality and diversity and inclusion for example via Activate Learning Education Trust and local school posters, tutorial activities and celebratory events.
- Strive to provide an inclusive teaching and learning environment that is personalised to the individual and which takes account of individual need and cultural backgrounds.
- Embed equality and diversity and inclusion within all aspects of the Student journey from curriculum planning through to marketing our provision, recruiting Students, on course teaching, learning, assessment tutorial and enrichment activities.
 - Strive to provide support services for Students that meet diverse needs, including additional learning support (ALS) tailored to individual needs for Students who require ALS to support their learning and progression.
 - Provide multiple Student voice opportunities for all Students to feed into the development of all aspects of the Student experience, Trust wide and at school level.

Our commitment to service users

We will:

- Ensure all our services are accessible
- Actively challenge and tackle all forms of prejudice, discrimination and stereotypical attitudes
- Deal with all allegations of discrimination, harassment, and victimisation sensitively and investigate fairly and thoroughly (see Complaints Policy)
- Treat any form of discrimination, harassment or victimisation carried out by an individual as a matter for possible disciplinary action (see Staff Standards and Conduct Policy).

Roles and Responsibilities

All staff, Students and service users, including contractors and volunteers, are responsible for following and supporting this policy. Any person can raise, either informally or formally, complaints of unfair and/or discriminatory treatment. Breaches of this policy will be taken seriously and may lead to disciplinary proceedings.

The Trustees and Local Governing Body will:

- Ensure that the Trust's strategic plan has a commitment to equality, diversity and inclusion
- Receive and respond to staff feedback and to student/staff monitoring reports - agree relevant equality targets and monitor progress towards these

The senior management team will:

- Take an active and visible lead in driving forward equality, diversity, and inclusion
- Oversee implementation of this policy
- Ensure equality and diversity and inclusion data is embedded within self-assessment reports and development plans
- Agree equality targets with relevant managers
- Monitor success in achieving the objectives and report back to governors
- Make training available on discrimination, harassment, understanding unconscious bias, equality, diversity, and inclusion.
- Regularly seek out and respond to feedback from key stakeholder groups e.g., BAME, Wellbeing, LGBTQ, Transgender.
- Convene thematic groups to address issues relating to EDI, set clear objectives, drive actions and report back through the ALET Exec Team meetings and Pillar group meetings
- Review the policy annually
- Monitor its effectiveness and measure its impact
- Oversee the implementation of any required developments

All staff will:

- Attend regular training opportunities to ensure they understand the principles of this policy and the implications for their job role and responsibilities
- Implement the policy in the course of their duties

All students will:

- Treat everyone with respect and consideration, making them feel welcome
- Behave carefully, avoiding swearing, using inappropriate language or saying hurtful or disrespectful things about other people (see Behaviour Policy) - report any concerns they have for themselves or others.

Fostering good relations

ALET aims to foster good relations between those who share a protected characteristic and those who do not share it by:

- Promoting tolerance, friendship and understanding of a range of religions and cultures through different aspects of our curriculum. This includes teaching in RE, citizenship and personal, social, health and economic (PSHE) education, but also activities in other curriculum areas. For example, as part of teaching and learning in English/reading, pupils will be introduced to literature from a range of cultures
- Holding assemblies dealing with relevant issues. Pupils will be encouraged to take a lead in such assemblies and we will also invite external speakers to contribute
- Working with our local community. This includes inviting leaders of local faith groups to speak at assemblies, and organising school trips and activities based around the local community
- Encouraging and implementing initiatives to deal with tensions between different groups of pupils within the school. For example, encourage school councils to ensure they have representatives from different year groups and is formed of pupils from a range of backgrounds. All pupils are encouraged to participate in the school's activities, such as sports clubs. We also work with parents to promote knowledge and understanding of different cultures
- We have developed links with people and groups who have specialist knowledge about particular characteristics, which helps inform and develop our approach

Equality considerations in decision-making

ALET ensures it has due regard to equality considerations whenever significant decisions are made. ALET always considers the impact of significant decisions on particular groups. For example, when a school trip or activity is being planned, the school considers whether the trip:

- Cuts across any religious holidays
 - Is accessible to pupils with disabilities
 - Has equivalent facilities for men, women, accessible for all facilities.
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- Particular diets are catered for, taking into consideration religious beliefs around food and drink being respected and considered.

Equality objectives

Objective 1: Undertake an analysis of recruitment data and trends with regard to race, gender and disability for both staff and students.

Objective 2: Have in place a reasonable adjustment agreement for all staff and students with disabilities, to meet their needs better and ensure that any disadvantages they experience are addressed.

Objective 3: Increase the representation of teachers from local black and minority ethnic communities over by July 2023, so that this group increases from 10% to 25% of the teaching workforce.

Objective 4: Train all members of staff and governors involved in recruitment and selection on equal opportunities and non-discrimination. Training evaluation data will show that 100% of those attending have a good understanding of the legal requirements.

Objective 5 Sign up to the Disability Confident employer scheme, ensuring there are a sufficient number of senior management who are trained to help address the under-representation of people with disabilities in the workforce.

Monitoring arrangements

The Trust Board will update the equality information we publish, described above, at least every year.

This document will be reviewed by Trust Board at least every 4 years.

This document will be approved by the ALET Board.

The equality, diversity and inclusion policy is fully supported by senior management and has been agreed with trade unions and/or employee representatives.

References

- Complaints Policy
- Disciplinary Policy
- Staff standards of conduct Policy
- Grievance procedure
- Child protection and Safeguarding Policy
- Behaviour Policy
- Menopause policy

Appendices

- Appendix 1 - Definitions of Discrimination
- Appendix 2 - Gender Identity Definitions

Appendix 1 - Definitions of Discrimination

The Equality Act 2010 recognises the following types of discrimination:

- Direct discrimination, including associative and perception discrimination - Indirect discrimination
- Harassment
- Victimisation
- Discrimination arising from a disability
- Failure to make reasonable adjustments

Direct discrimination occurs when someone is treated unfairly, or less favourably than another person, because they have a protected characteristic. This often arises because of assumptions, stereotyping or prejudice. The Equality Act 2010 (the Act) extends the definition of direct discrimination to cover association discrimination. This is direct discrimination against someone because they associate with another person who has the protected characteristic. The Act also extends the definition of direct discrimination to cover perception discrimination. This is direct discrimination against someone because they are perceived to have a protected characteristic.

Indirect discrimination happens when a 'provision, criterion or practice' is applied that appears to affect everyone equally but which in fact puts people who share a protected characteristic at a disadvantage. The Act harmonises the definition of indirect discrimination across protected characteristics (with the exception of pregnancy/maternity). Although pregnancy and maternity are not covered by indirect discrimination, policy and practice that disadvantages pregnant women and new mothers could constitute indirect gender discrimination.

Harassment occurs when someone behaves in such a way that a person's dignity is violated, or behaves in such a way that they create an environment that is offensive, hostile, degrading, humiliating or intimidating for a person, where this is

- related to a protected characteristic (except pregnancy/maternity or marriage/civil partnerships), or of a sexual nature (sexual harassment), or
- where a person is treated less favourably because they have either submitted to or rejected sexual harassment, or harassment related to sex or to gender reassignment (this is known as 'consequential harassment')

The Act does not specifically cover harassment on the grounds of pregnancy/maternity or marriage/civil partnerships. However, direct discrimination prohibits treatment such as bullying or harassment which results in a person being treated less favourably. The Act changes the definition of harassment from unwanted conduct 'on the grounds of to' unwanted conduct 'related to'. This subtle change has two benefits. Firstly it will protect people who are offended by conduct even if it is not specifically directed at them. Explanatory notes to the Act provide the following examples:

- A white worker sees a person from a black and minority ethnic background being subjected to racially abusive language, and complains that this has caused her environment to be offensive, even though she is white and not the subject of the abuse.
- An employer displays a topless calendar in the workplace. A male worker complains that he finds this offensive.

Secondly, the definition protects in relation to association or perception. For example protection for someone who experiences harassment because their partner or their son is a disabled person, or because they are perceived to be gay.

Victimisation happens when someone is treated unfairly or less favourably because they have supported someone in making a complaint or an allegation of discrimination, or because they personally have made an allegation of discrimination.

Previous equality legislation recognised disability-related discrimination. The Act replaces this with two new causes of action in relation to disability – indirect discrimination (see below) and discrimination arising from a disability. The latter occurs when a disabled person is treated less favourably because of something connected to their impairment, medical condition or specific learning difficulty. Failure to make reasonable adjustments happens when an organisation fails to make reasonable adjustments for a disabled person, to avoid the disabled person being placed at a substantial disadvantage when compared to a non-disabled person. Direct discrimination (with the exception of age), harassment, victimisation and failure to make reasonable adjustments can never be justified. Indirect discrimination and discrimination arising from a disability may be permissible if an organisation can ‘objectively justify’ that their actions are a proportionate means of achieving a legitimate aim.

Unconscious bias: Unconscious (or implicit) bias is a term that describes the associations we hold, outside our conscious awareness and control. Unconscious bias **affects everyone**. Unconscious bias is triggered by our brain automatically making quick judgments and assessments.



Appendix 2 - Gender Identity Definitions

Agender

Having no gender in terms of presentation, identity, etc.

Acquired gender

The new gender of a person who has socially transitioned and had their gender reassigned and/or legally recognised. It is possible for an individual to transition and receive legal recognition of their acquired gender without medical assistance.

Bigender

Identifying as both male and female, possibly moving between these.

Binary gender identity

The classification of sex and gender into two distinct, opposite and disconnected forms of masculine and feminine.

Cisgender (Cis)

An individual who identifies with the gender they were assigned at birth.

Gender

Gender consists of two related aspects: gender identity, which is a person's internal perception and experience of their gender (their sense of themselves as a woman, man or non-binary person) and gender role or expression (the way a person lives in society and interacts with others – how they express themselves in terms of voice, clothing, etc.).

Gender fluid

Denoting or relating to a person who does not identify themselves as having a fixed gender, rather experiencing oneself as different genders over time.

Gender questioning

Someone exploring their gender identity.

Intersex

Possessing any of several variations in sex characteristics including chromosomes, gonads, sex hormones or genitals that, according to the UN Office of the High Commissioner for Human Rights, "do not fit the typical definitions for male or female bodies".

Non-binary gender identity

Identifying as either having a gender which is in-between or beyond the two categories 'man' and 'woman, as fluctuating between 'man' and woman', or as having no gender, either permanently or some of the time.

Queer

Term used by those wanting to reject specific labels of romantic orientation, sexual orientation and/or gender identity. It can also be a way of rejecting the perceived norms of the LGBT community. Some LGBT people view the word as a slur, it was reclaimed in the late 80's by the queer community who have now embraced it.

Sexual orientation

Sexual orientation is different from gender identity, and the two are not related. Trans people, like any other people, can be heterosexual, lesbian, gay or bisexual.

Trans

An inclusive term for those who identify themselves as transgender, transsexual or transvestite. The term 'trans' can be used without offence but should only be used as an adjective, for example 'a trans student'.

Transgender

Transgender refers to individuals who have a gender identity or gender expression that differs from their assigned sex.

Transitioning

Transitioning is the term used to describe someone changing from one gender to another, with or without medical intervention.

Transphobia

Negative attitudes, emotions, behaviours, and structures relating to people based on their being trans in some way, or otherwise not conforming to conventional gender roles.

Transsexual

This was used in the past as a more medical term (similarly to homosexual) to refer to someone whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. This term is still used by some although many people prefer the term trans or transgender.

Transvestite or cross-dresser

The terms transvestite and cross-dresser refer to someone who dresses in the clothing typically worn by the opposite sex. Generally, people who are transvestites/cross-dressers do not wish to alter their body and do not necessarily experience gender dysphoria.

LGBT and LGBTQI+

The acronym for lesbian, gay, bisexual and trans, if superseded with Q, I and +, it stands for Queer, Questioning, and Intersex, with the '+' representing and embracing other identities.