

Title	Equality Diversity and Inclusion Policy
Issue Date	July 2021
Review Date	July 2024
Total Number of Pages	9
Owner	Director of Education
Distribution	Trust Wide

Definition(s)
<ul style="list-style-type: none"> • ED&I - Equality, Diversity and Inclusion • RRA - Race Relations Act • POVA - Protection of Vulnerable Adults • CP - Child Protection • DDA - Disability Discrimination Act • MCA - Mental Capacity Act
Purpose
<p>Purpose and Intended Outcomes of the Policy</p> <p>This policy has been produced to ensure members of staff, children and young people who use short breaks, volunteers, contractors, and visitors are aware of the duties placed upon the charity by equality legislation and regulations. It is a comprehensive policy to explain the background, law, and our intentions together with our commitment to equality, diversity and inclusion.</p> <p>Link to Mission/ Statement of Purpose</p> <p>Seashell helps children and young people with very complex needs, and their families, live their best lives. This policy reflects the values of Seashell.</p> <p>Integrity – Honesty, trust and commitment go to the heart of everything we do at Seashell. We pride ourselves on ethical working and strong leadership. We respect our children and young people, their families and our colleagues and we promise to do our very best, every day, to support the extraordinary people in our care.</p> <p>Innovation – Our children and young people are exceptional, and we are constantly striving for pioneering new approaches, research and advances in both technology and different ways of caring, communicating and educating. We believe that amazing people deserve amazing support.</p> <p>Involvement – We pride ourselves on developing strong partnerships with our children, young people and families to provide the very best support and life outcomes. By working together and harnessing the best care and support, technology and knowledge we can help people live their very best lives.</p> <p>Guiding Principles and Reasons for the Policy</p> <p>The Equality Diversity and Inclusion policy is based on human rights core principles, dignity, fairness, equality, respect and autonomy.</p> <p>These principles are relevant to daily life and protect individual's freedom to control their life, effectively take part in decisions made by public authorities which impact upon rights and get fair and equal services from the service at Seashell.</p> <ul style="list-style-type: none"> • provide equality, fairness and respect for all who come to Seashell to learn, to live, access short break and community services, or are in employment or volunteer whether temporary, part-time or full-time • not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation • oppose and avoid all forms of unlawful discrimination. This includes in fair access to services for those who attend the school/college residential and community services. For employees it includes pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities,

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Policy

Seashell is committed to providing an environment in which all students and employees are treated equally, are able to realise their full potential and in which discrimination is not tolerated. We are committed to promoting equality of opportunity regardless of characteristics defined by the Equality Act 2010 and any other criteria which is relevant to a person's learning, living, engagement or employment within the organisation.

Seashell has developed policies and procedures to promote inclusion, challenge discrimination and value and celebrate the diversity of its staff, students, volunteers and visitors. We aim to promote equality and tackle any form of discrimination and actively promote harmonious relations, support people to express their views and challenge where appropriate in all areas of life within the trust. We seek to remove any barriers to access, participation, progression, attainment and achievement and the best possible quality of life. We take seriously our contribution towards community cohesion.

At Seashell we will treat everyone who works within/ on behalf of the organisation, students, trainees, volunteers and visitors with respect and dignity and establish a culture where diversity is valued. We aim to establish a constructive and positive working and learning environment, free from harassment, discrimination and victimisation. We will celebrate and value diversity in human experience and circumstances.

This policy will apply to all current and potential employees, students, volunteers, contractors and visitors to the organisation. Contractors are required to indicate that they subscribe to this policy or have to produce an equivalent policy of their own.

Age

Adults, young people and children within the organisation should benefit from life at Seashell and we are committed to the provision of a variety of strategies and practices that recognise age and take into account individual circumstances and needs. This includes recognising the rights of the child in line with the United Nations Convention on the Rights of a Child. These rights include:

- **Life, survival and development**
- **Protection from violence, abuse or neglect**
- An **education** that enables children to **fulfil their potential**
- Be **raised by**, or have a **relationship with, their parents**
- **Express their opinions** and be **listened to**

Seashell recognises the changing rights of young people as they progress towards adulthood. We support young people aged 16+ to make routine and significant decisions through the application of the Mental Capacity Act, including supporting young people supported by their advocates to make Best Interest Decisions where required.

As young people turn 18 years, we recognise their adult status and work to appropriate legislation that reflects their status as vulnerable adults. We will provide work and training opportunities for student up to 25 years of age and staff regardless of age, ensuring that literature reflects positive images of people of all ages and the curriculum provides the opportunity for every student to reach their full potential.

Seashell is committed to challenging stereotyping and marginalisation based on age. We recognise that people of all ages can make a positive contribution to the Trust based on their own experiences and skills.

Convictions

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The Charity complies with The Rehabilitation of Offenders Act 1974 in respect of employment and student admissions and seeks to ensure that, where appropriate, unrelated criminal convictions do not interfere with individuals' life at the organisation. However there are circumstances which are exempt from the Act and students and staff will be provided with the appropriate guidance accordingly.

When employing staff Seashell will endeavour not to discriminate. However some convictions will be relevant when making appointments. We follow a safer recruitment process including requiring an enhanced DBS certificate.

Disability and long term health conditions

Seashell is committed to promoting access to people with disabilities as employees, visitors, volunteers and community users. A further commitment is to work towards supporting and enabling students and staff with physical disabilities, sensory impairments, learning difficulties, special psychological needs and long term health conditions including menopause, which may have an impact on day-to-day activities, to take part in all aspects of the organisation's academic, care, working and social programmes. An easy read copy of the policy is available to support those who need it.

Gender

Seashell is committed to ensuring that those who identify as female, male or non- binary staff, children and young people and adults who learn, live with us as well as those who use our community services are given equal access to all services across Seashell; appropriate non-sexist language is used and stereotypical views are challenged. Seashell will not enquire about a person's marital status.

Transgender

Seashell is committed to upholding equal rights of transgendered people and will support anyone in the organisation who intends to, is undergoing, has undergone gender re-assignment or who identifies as transgender. The Trust will be pro-active in promoting a safe and positive environment where people feel able to choose whether or not to be open about their transgendered status and that their choice will be respected. Seashell will respect the privacy of transgender people and take care not to disclose information about the gender history of a trans person without their consent.

Race

Seashell values cultural diversity and aims to recognise and counter racism and cultural stereotyping in all its forms. The organisation recognises that institutional racism can affect the quality of the lives of children, young people and adults who learn and live with us, staff, contractors, volunteers and visitors. The Trust undertakes to examine its structures to ensure that they are offering equality of opportunity to all staff and students whatever their ethnic origin or heritage. We will encourage an ethos of understanding and respect for all cultures and commit to challenging discrimination where it occurs.

Religion and Belief

Seashell respects the right of individuals to hold their own religious and philosophical beliefs. Individuals are expected to respect the views and beliefs of others. The expression of intolerant beliefs and opinions that infringe the rights of others is not acceptable.

Sexual Orientation

Seashell is committed to welcoming individuals of all sexual orientations, both employees and students. The Trust will respond sensitively and supportively whenever individuals raise the issue of their sexuality. The Trust

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will be pro-active in promoting a safe and positive environment where people feel able to choose whether or not to be open about their sexuality and know that their choice will be respected.

Pregnancy and maternity

The Act lists pregnancy and maternity as a protected characteristic. Seashell is committed to the principle that people should, so far as is possible, not be disadvantaged by their pregnancy or maternity. Seashell will consider and apply “different treatment” if it is necessary to ensure the health and safety legislation where these laws are designed to protect people who are pregnant or who have recently given birth or to guard against risks specific to them.

Marriage and Civil Partnerships

At Seashell we value all people. We recognise and respect marriage and civil partnerships.

Membership of Representative Professional Bodies

Seashell will not discriminate against staff who belong or do not belong to a professional body and we will adhere to the concept of anti-discriminatory practice and freedom of speech.

Risk Assessment

Individual people within Seashell and the organisation as a whole are in breach of the law, if they fail to act within the policy.

Positive Action

In certain circumstances the law allows Positive Action as a way of overcoming inequality. Positive Action allows the organisation to:

- Provide facilities and services, in training education and welfare to meet the special needs of people from particular equality groups
- Target services at particular equality target groups that are underrepresented
- Encourage applications from particular equality target groups that are under represented
- Positive action strategies are intended to be temporary measures only. They must be kept under regular review and cannot be used once the under representation no longer exists. The Trust will ensure that when using positive action as a strategy it falls within the law

Breaches of policy

- Acts of discrimination, harassment, abuse or victimisation will be treated as a serious disciplinary offence.
- Disciplinary action could include dismissal in the case of staff
- Staff and students/advocates of students who feel they are being discriminated against should seek resolution through the Harassment Complaints procedure.
- Staff or students who feel that they have experienced discrimination from members of the public will receive support from the charity and the charity will take appropriate action against the individual.
- Prospective students/their advocates who consider that they have been unfairly treated with respect to their application or are dissatisfied with some aspect of the recruitment and selection procedure should write giving details to the Principal/Chief Executive. All complaints will be investigated and the prospective student informed of any action taken.
- Applicants for employment who feel that they have been unfairly treated with regard to their application or are dissatisfied with some aspect of the recruitment and selection procedure should write giving details to the

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Director of Human Resources. All complaints will be investigated and the applicant informed of any action taken in line with Seashell's complaints procedure.

Monitoring and Evaluation

The Charity will monitor and review on an annual basis the progress that has been made towards achieving its targets using Equality, Diversity and Inclusion Impact Measures. Results from monitoring and an associated action plan shall be published and made available to staff and students/their advocates.

Roles and responsibilities

Directors of the Charity and through the delegation of their powers the Governors of the school and college are responsible for:

- Having ultimate responsibility to ensure that the organisation complies with Equality legislation and the codes of practice supporting it.
- Ensuring that the Equality, Diversity and Inclusion policy is followed and this will be achieved through the consideration of an annual report.
- Ensuring that the membership of the Directors and Governors reflects the diversity of the communities served by the organisation.
- Ensuring that the organisation's strategic plan includes a commitment to equality, diversity and inclusion.
- Ensuring that equality training is part of the organisation's strategic plan.
- Being aware of the organisation's statutory duties in relation to equality legislation as an employer and service provider.
- Receiving and responding to the monitoring information on equality target groups provide information in appropriate, accessible formats;
- Be involved in dealing with serious breaches of the policy;
- Be pro-active in recruiting high-quality applicants from under-represented groups.

The Equality and Diversity Steering Group is responsible for:

- Overseeing the continuing application and development of the Equality, Diversity and Inclusion Policy.
- Monitoring the performance of the organisation in terms of Equality, Diversity and Inclusion
- Preparing, monitoring and reviewing the Equality Action Plan.
- Reporting annually to the Governors on Equality issues.
- Advising on the formulation of policies, procedures and resources.

The CEO/ Principal is responsible for:

- Giving a consistent high profile lead on equality issues and promoting equality both internally and externally
- Working with the Trustees and Executive Leadership Team to ensure that the equality, diversity and inclusion Policy and Action Plan are implemented effectively and providing training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy.
- Ensuring that appropriate action is taken against individuals on site and working on behalf of the charity who do not act in accordance with the policy.

Managers are responsible for ensuring that:

- They take the lead in creating a positive, inclusive ethos that challenges inappropriate language and behaviour.
- They are aware of the charity's statutory duties in relation to equality legislation.
- They complete training that enables them to carry out their duties
- All aspects of the charity's policy, procedures and activities are sensitive to matters of equality.

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- Equality, diversity and inclusion monitoring data is collected and analysed.
- Targets on recruitment retention and achievement of students are set based on the analysis of monitoring data.
- Teaching observation reports include criteria on equality, diversity and inclusion issues where appropriate.
- Internal verification procedures include scrutiny of equality, diversity and inclusion issues.
- Curriculum areas assess performance in relation to equality issues and action taken if appropriate.
- The procedures for recruitment and promotion of staff model best practice in equality.
- Targets are set on the recruitment and promotion of staff based on the analysis of monitoring data.
- The charity's publicity materials present appropriate and positive messages about minority groups.
- Student induction programmes and tutorials reflect the organisation's commitment to promote equality, celebrate diversity and promote inclusion.
- Appropriate training and development is provided for both staff and students to support the appreciation and understanding of diversity.

All staff are responsible for ensuring that:

- They are aware of the organisation's statutory duties in relation to equality legislation.
- Schemes of work, lesson content, teaching resources, care plans, planned and unplanned activities demonstrate sensitivity to issues of diversity.
- They challenge witting and unwitting discrimination and inappropriate language and behaviour by staff, learners, placement providers other partners and users of Seashell services

The Equality, Diversity and Inclusion Champions Group is responsible for:

- Working with a coordinated cross sector approach
- Supporting colleagues, students and others in their approach to Equality, Diversity and Inclusion
- Supporting the ambitions of the Trust in the development of outstanding practice around equality, diversity and inclusion
- Signposting, gaining knowledge and passing on in an appropriate and effective way.

Partners, Contractors and Service Providers

- All partners, contractors and service providers will be responsible for adhering to any equality guidelines in agreements or contracts.
- The Charity is committed to ensuring that those organisations with which it works and employs will demonstrate their commitment to Equality, Diversity and Inclusion and have policies and procedures in place to achieve this.

This policy is implemented within the context of the following legislation:

- Equality Act 2010
- Equal Pay Act 1970
- Health & Safety at Work Act 1974
- The Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Disability Discrimination Act 1995/2005
- Employment Rights Act 1996
- Protection for Harassment Act 1997
- Human Rights Act 1998
- Race Relations (Amendment) Act (2000)

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<p>Racial and Religious Hatred Act (2006)</p> <ul style="list-style-type: none"> • Employment Act 2002 • Sexual Orientation (employment regulations) 2003 • Gender Recognition Act 2004 • The Children and Families Act 2014 • Age Discrimination (employment regulations) 2006 • Religious Belief (employment regulations) 2003 • Gender Equality Duty 2007 • Mental Capacity Act Including Deprivation of Liberty Safeguards 2005 • Data Protection Act 1998 • UK General Data Protection Rights 2018 • Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges 2021
<p>Related Document(s)</p> <p>Related information is contained in the charity's procedures:</p> <ul style="list-style-type: none"> • Compliments and complaints Procedure • Harassment Policy and Procedure • Dignity at work Policy • Staff Discipline, Capability and Grievance Procedures • Disclosures and Disclosure Information Policy • Attendance Policy • Safeguarding Policy and Procedures • Mental Capacity Policy • Curriculum Policy • Admissions and Assessment Policy • Transgender Policy • Maternity and Paternity Leave Policy • Menopause Policy

Equality Impact Screening

<p>Stage 1: Initial Screening</p> <p>1. Briefly describe the aims and objectives:</p> <p>To ensure members of staff, students, volunteers, contractors, and visitors are aware of the duties placed upon the charity by equality legislation and regulations. To inform all stakeholders of our commitment to promoting Equality, Diversity and Inclusion at Seashell</p>
<p>2. Who is intended to benefit from it and in what way?</p> <p>Students, residents and their supporters, families, carers and professionals working on behalf of children and young people and young adults attending the Trust. Staff and volunteers working at Seashell</p>
<p>3. Are other departments involved, what will be their involvement and responsibilities?</p> <p>All departments have responsibility to follow the policy – responsibilities for senior leaders to departmental staff are listed within the policy.</p> <ul style="list-style-type: none"> • HR support recruitment and staff support • Education and Care services work directly with children, young people and families • Family Services work with Seashell and wider families of children and young people with SEND

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- Volunteers
- Community Services Volunteering- inclusive sports activities within the Trust and the wider community
- Marketing and Fundraising
- IT – accessibility of information
- Finance – internal and external customers
- Outreach- work with external partners in delivery of support services and training
- L&D – work with internal and external trainees to increase skills and knowledge within the workforce
- Governors – oversee the efficient and appropriate running of the residential school and college
- Directors – oversee the efficient and appropriate running of the charity

4. What outcomes are expected?
 All will understand the key aspects of legislation relating to equality and how it applies to the work of the Trust. They will understand their individual roles and responsibility for advancing Equality, Diversity and Inclusion and tackling discrimination.

STAGE 2: Gathering data and analysis

5. Have you consulted on this **policy** / service / strategy / procedure / guidance document / function in the last 12 months?

Yes / No (delete as appropriate)

Details of consultation:
 Staff and families at Seashell have been consulted about the policy and easy read policy- supported by Champions

6. What evidence has been used for this assessment?
 Achievement data for students in school and college
 Student profile- Education Dashboard of student profile
 Staff profile- HR Dashboard of staff profile
 Consultation with staff – including staff who may wish to access information in a specific format

Assessment of Potential Impact

7. Could a particular group be differently affected in a negative way?

Protected Characteristic	Negatively affected (Yes / No)	Evidence
Age	No	
Disability	No	Policy has easier read versions with and without illustrations
Gender Reassignment	No	
Marriage and Civil Partnership	No	
Pregnancy and Maternity	No	
Race	No	
Religion or Belief	No	

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Sex	No	
Sexual Orientation	No	
8. If you have entered YES against any of the protected characteristics above please complete section 10. If not, please proceed to full impact assessment		
Are there any other policies / services / strategies / procedures / guidance documents / functions that need to be assessed alongside this screening?		
Yes / No (delete as appropriate)		
If yes, please identify which groups are affected:		
Should this policy / service / strategy / procedure / guidance document / function proceed to a full Equality Analysis?		
Yes / No (delete as appropriate)		
If the answer is no please give reasons for this decision: Managers and the E&D steering group will use data from services to inform the E&D priorities		
Date by which the full Equality Analysis is to be completed		

Declaration

9. I / We are satisfied that an initial screening has been carried out on this policy / service / strategy / procedure / function (delete those which do not apply) and a full Equality Impact Assessment is / is not required.

Completed by	B White	Date	2/7/21
Role	Director of Education	Date for Review	2/7/24

Please forward an electronic copy to the relevant Head of Department and to Sian Hustler. The original signed hard copy should be kept with your team for audit purposes.

Contributions from / checks by: