

SIEVEMK GATEWAY

Equality and Diversity Policy

*Approved by Trustees September 2024
Due for review in September 2025*

SIEVEMK GATEWAY

Creating Opportunities • Delivering Excellence • Changing Lives

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Introduction

SMK Gateway is committed to delivering an education service that will work to ensure that no child, individual (staff member, volunteer or Trustee) or family will be unlawfully discriminated against on the grounds of age, sex, sexuality, family status, means, disability, race ethnic origin, culture, religion or belief.

Legal framework

We welcome our duties under the *Equality Act 2010 (Amendment) Regulations 2023 (Amendment Regulations)* to eliminate discrimination, advance equality of opportunity and foster good relations in relation to age (as appropriate), disability, ethnicity, gender (including issues of transgender, and of maternity and pregnancy), religion and belief, and sexual identity.

We welcome our duty under the *Education and Inspections Act 2006* to promote community cohesion.

We recognise that these duties reflect international human rights standards as expressed in the *UN Convention on the Rights of the Child*, the *UN Convention on the Rights of People with Disabilities*, and the *Human Rights Act 1998*.

Admissions

SMK Gateway works with learners and young people and will not discriminate against those who wish to attend.

Section 193 of the *Equalities Act 2010* allows the provision of facilities and services to members of a particular protected characteristic in line with the objects of our Charity. In alignment with this, any recruitment of pupils will be targeted at the particular community, racial/ethnic and/or religious group that the Centre is working with and seeking to further educate and will encourage pupils from that group to consider attending.

Recruitment and Employment

SMK Gateway will recruit and employ people on an equal basis and aim to ensure that no applicant or employee is excluded or unfairly treated on the grounds of age, sex, sexuality, family status, means, disability, race, ethnic origin, culture, religion or belief. The Centre wholeheartedly accepts the *Equality Act 2010* (see *Appendix A*).

Section 159 of the Equality Act 2010, allows an employer to treat an applicant or employee with a protected characteristic (for example, race, sex or age) more favourably in connection with recruitment or promotion than someone without that characteristic who is as qualified for the role. Therefore a job may be restricted to members of a particular racial group in limited circumstances e.g., where the job provides people of that racial group with personal services that promote their welfare, and those services can best be provided by a person of that racial group. In alignment with this, some jobs will be determined to be most appropriately held by those of the same racial/ethnic/religious/community group that the Centre aims to provide services for recruitment and appointment of volunteers might follow the same criteria.

Management

The Centre recognises that the Board of Trustees should reflect the makeup of the community that it serves, and every effort will be made to redress any imbalance or exclusion.

It is a condition of membership of the Trustees and employees (both paid and voluntary) to follow the principles outlined in this policy.

Information

General information on the activities and aims and purposes of SMK Gateway will be given to all potential users and interested parties. Where appropriate, translations into relevant languages, large print or Braille will be undertaken. Jargon or unnecessary complicated language will be avoided. Where appropriate, the skills of a translator will be sought. All advertising in relation to recruitment of staff or management will not be limited to a single method and where appropriate, positions will be advertised in minority as well as mainstream press.

Curriculum and Activities

Whilst recognising that one key purpose of the Centre is to work with learners and young people, efforts will be made to offer positive images of all people and life styles. SMK Gateway will promote race equality and will implement strategies to prevent and address racism and other forms of discrimination (this is in alignment with the *Equality Act 2010*). This will be done in how the Centre is managed and run and in the curriculum that is delivered.

Each area of the curriculum is planned to incorporate the principles of equality and to promote positive attitudes to diversity. All subjects contribute to the spiritual, moral, social, and cultural development of all learners. The content of the curriculum reflects and values diversity. It encourages learners to explore bias and to challenge prejudice and stereotypes. All learners will be encouraged to take part in all activities on offer.

Disability

SMK Gateway accepts the social model of disability and will strive to redress the disabling elements within our society and within its own organisation and practise.

Every effort will be made to meet the needs of disabled learners, young people and parents and to ensure they feel welcomed and valued. The Centre recognises that this will be achieved not only through the provision of physical access and reasonable adjustments to make the curriculum more accessible, but also by the attitude of management, staff, volunteers and users of the Centre.

Harassment

SMK Gateway will not tolerate incidents of harassment or abuse and will address any complaint or occurrence of harassment or abuse promptly.

Such incidents will be dealt sensitivity with a view to supporting the victim and working with the perpetrators to help them overcome their prejudice and understand the effect of their behaviour. Any persistence in harassment through behaviour or language will not be tolerated and will invoke disciplinary measures for staff, management and learners. In the case of parents – persistent behaviour of this nature will result in the individuals concerned being removed from the premises and prevented from returning until the Management Committee has received written assurance that they will comply with this policy.

All staff and volunteers will be familiar with this policy and this will be included in their induction training. All incidents of harassment or abuse of this nature will be recorded in the incident book.

Monitoring

In accepting the principle of Equal Opportunity and recognising that they apply throughout all aspects of its work, **SMK Gateway** will implement monitoring systems to highlight shortcomings and review its procedures and practise accordingly on an annual basis (as a minimum). Plans will be made on how equalities issues will be promoted in the upcoming year. This monitoring will also include reviewing recruitment processes (for staff, volunteers and Trustees) and the curriculum (including lessons and activities).

Appendices

Appendix A - Acts and Legislation

The *Equality Act 2010* came into force on 1 October 2010. It brings together over 116 separate pieces of legislation into one single Act so that it is easier to use. It sets out the personal characteristics that are protected by the law and the behaviour that is unlawful. Simplifying legislation and harmonising protection for all of the characteristics covered will help Britain become a fairer society, improve public services, and help business perform well.

The nine main pieces of legislation that have merged are:

- the *Equal Pay Act 1970*
- the *Sex Discrimination Act 1975*
- the *Race Relations Act 1976*
- the *Disability Discrimination Act 1995*
- the *Employment Equality (Religion or Belief) Regulations 2003*
- the *Employment Equality (Sexual Orientation) Regulations 2003*
- the *Employment Equality (Age) Regulations 2006*
- the *Equality Act 2006, Part 2*
- the *Equality Act (Sexual Orientation) Regulations 2007*

Everyone in Britain is protected by the *Equality Act*. The 9 protected characteristics under the Act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Discrimination under Act includes direct and indirect discrimination, harassment and victimisation. Here we outline a few of the definitions used within the Act.

Sex discrimination

In the *Equality Act 2010*, sex is understood as binary being either male or female. It can mean a group of people like men or boys, or women or girls.

Under the Act, a person's legal sex is the sex recorded on their birth certificate or their Gender Recognition Certificate. A trans person can change their legal sex by obtaining a Gender Recognition Certificate.

Race discrimination

In the *Equality Act*, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may have Chinese national origins and be living in Britain with a British passport. Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

A racial group can be made up of two or more distinct racial groups, for example black Britons, British Asians, British Sikhs, British Jews, Romany Gypsies and Irish Travellers.

You may be discriminated against because of one or more aspects of your race, for example people born in Britain to Jamaican parents could be discriminated against because they are British citizens, or because of their Jamaican national origins.

Disability discrimination

The *Equality Act 2010* sets out when someone is considered to be disabled.

The law says someone is disabled if both of these apply:

- they have a 'physical or mental impairment'
- the impairment 'has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'

A small number of conditions and impairments are automatically classed as a disability.

Sexual Orientation

The *Equality Act 2010* says you must not be discriminated against because:

- you are heterosexual, gay, lesbian or bisexual
- someone thinks you have a particular sexual orientation (this is known as discrimination by perception)
- you are connected to someone who has a particular sexual orientation (this is known as discrimination by association)

In the *Equality Act*, sexual orientation includes how you choose to express your sexual orientation, such as through your appearance or the places you visit.

Religion or Belief

The *Equality Act 2010* says you must not be discriminated against because:

- you are (or are not) of a particular religion
- you hold (or do not hold) a particular philosophical belief
- someone thinks you are of a particular religion or hold a particular belief (this is known as discrimination by perception)
- you are connected to someone who has a religion or belief (this is known as discrimination by association)

In the *Equality Act* religion or belief can mean any religion, for example an organised religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system. The *Equality Act* also covers non-belief or a lack of religion or belief.

Age

The *Equality Act 2010* says that you must not be discriminated against because:

- you are (or are not) a certain age or in a certain age group
- someone thinks you are (or are not) a specific age or age group, this is known as discrimination by perception
- you are connected to someone of a specific age or age group, this is known as discrimination by association

Age groups can be quite wide (for example, 'people under 50' or 'under 18s'). They can also be quite specific (for example, 'people in their mid-40s'). Terms such as 'young person' and 'youthful' or 'elderly' and 'pensioner' can also indicate an age group

Appendix B – Employment Policy and Recruitment

Equal opportunities are vital in staff recruitment. It is essential that all posts are advertised openly and widely and that agreed selection procedures are followed at all times. All staff, volunteers and Trustees involved in the recruitment process need to follow an agreed recruitment procedure that includes the process for:

- Job descriptions
- Application forms
- Adverts
- Selection
- Induction
- Conditions of service

Premises, working conditions and terms and conditions should strive to promote equality of opportunity and ensure that certain groups are not discriminated against.

Staff training needs, in issues of equal opportunities, need to be reviewed regularly and arranged as appropriate. Staff induction should cover the Centre's commitment to equal opportunities thoroughly.