

EQUALITY,
DIVERSITY &
INCLUSION
POLICY

Next Gen
Alternative
Provision

Approved by: Omar Salahuddin

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STATEMENT OF INTENT

Next Gen Support Services understands that, under the Equality Act 2010, all student services have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality between different groups.
- Foster good relations between different groups.
- Promote mental health and wellbeing.

Our provision's overall values are underpinned by our statutory duties under the Equality Act 2010. We are dedicated to ensuring that every pupil receives an education that offers them the best chance at fulfilling their potential, and to promoting mental wellbeing amongst our young person/adult. We are committed to supporting and celebrating all young person/adult' individual identities. We have developed this policy to provide a clear framework for how we will achieve our student services' aims.

To achieve our aims, we will adopt the following methods:

- Embedding equality within the student services
- Using key data indicators to understand the needs and characteristics of our student services
- Promoting community cohesion
- Promoting parental engagement
- Investing in regular staff training
- Using key data, such as measures of wellbeing, to monitor the progress of young people and adults with protected characteristics
- Regularly reviewing our policy to ensure it reflects current trends and issues

1. LEGAL FRAMEWORK

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Human Rights Act 1998
- The Equality Act 2010
- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018

This policy has due regard to statutory and good practice guidance, including, but not limited to, the following:

- DfE (2014) 'The Equality Act and young people'
- DfE (2018) 'Promoting the education of looked after children and previously looked after children'
- DfE (2018) 'Gender separation in mixed young people'
- DfE (2018) 'Equality Act 2010: advice for young people'
- DfE (2018) 'Mental health and wellbeing provision in young people' This policy operates in conjunction with the following young people policies:
- Special Educational Needs and Disabilities (SEND) Policy

- Supporting Young person/adult with Medical Conditions Policy
- Attendance and Absence Policy
- Relationships and Sex Education Policy
- LAC Policy
- Anti-bullying Policy: Young person/adult
- Child and Adult Protection and Safeguarding Policy
- Complaints Procedures Policy

2. ROLES AND RESPONSIBILITIES

The Governing Body will:

- Be responsible for ensuring the student services complies with the appropriate equality legislation and regulations.
- Take all reasonable steps to ensure young people and adults and potential service level users will not be discriminated against, harassed or victimised in relation to:
 - The way the students service provides support to get into EET status.
 - How young people and adults are provided with access to benefits, facilities and services.
- Ensure all policies are developed and implemented with appropriate equality impact assessments informing future plans in collaboration with the CEO.

The CEO will:

- Implement and champion this policy, ensuring that all staff and service level users apply its guidelines fairly in all situations.
- Conduct regular training sessions to ensure all members of staff are aware of their responsibilities, as well as to develop their skills and knowledge.
- Review and amend this policy, taking into account new legislation and government guidance, and previously reported incidents, in order to improve procedures.
- Ensure that appropriate counselling is made available for service level users who require immediate interventions, parental assistance and personal counselling.

Staff will:

- Be alert to the possible harassment of young person/adult, both inside and outside of the student services, and to deal with incidents of harassment and/or discrimination as the highest priority.
- Carry out their statutory duties relating to equal opportunities and inclusivity, and pertaining to their specific roles.
- Have due regard to the sensitivities of all young person/adult, and not provide material that may cause offence.
- Act as a role model for equality, diversity and inclusion across the whole student services community.

3. PROTECTED CHARACTERISTICS

We will not discriminate against, harass or victimise a pupil, or prospective pupil, because of their:

- Sex.
- Race.
- Disability, which includes mental health, encompassing prejudiced assumptions, attitudes or behaviours related to mental health.
- Religion or belief.
- Sexual orientation.
- Gender reassignment.
- Pregnancy or maternity.

We will not discriminate against a pupil, or prospective pupil, because of a characteristic related to a person, such as a parent, with whom the young person/adult or prospective young person/adult is associated.

We will not discriminate against a pupil, or prospective pupil, because of a characteristic which they are believed to have, even if the belief is mistaken.

4. SEX

For the purpose of this policy, sex refers a pupil's biological assignment at birth depending on their reproductive organs. We understand some young person/adult identify as a gender different to the one they were assigned at birth, and we will support young person/adult through their transitioning phases.

We will ensure that young person/adult of one sex are not singled out for different or less favourable treatment from that given to young person/adult of other sexes.

The student services will only separate young person/adult by sex where there is reasonable justification for doing so, or if one of the following applies:

- Young person/adult will suffer a disadvantage connected to their sex
- One sex has needs that are different from the needs of the other sex
- Participation in an activity by young person/adult of one sex is disproportionately low

The student services will consider non-statutory exceptions on a case-by-case basis, and regularly review the impact of any separation to ascertain whether it remains lawful.

Young person/adult will be offered equal opportunities to undertake any activity in the student services, e.g. in relation to technology lessons, all young person/adult will be allowed to choose which skills they learn.

There may be occasions where we deem it necessary to teach some subjects in single-sex classes, but we will ensure that such classes do not give young person/adult a disadvantage when compared to young person/adult of the other sex in other classes. Occasions where young person/adult are separated to be taught in single-sex classes will be documented and the separation justified to ensure parents, LA/Ofsted and, where necessary, the wider community can understand the reasons behind separation. Where a subject is taught in a single sex class, trans young person/adult will be allowed to attend the single-sex class that corresponds with the gender they identify with.

Young person/adult' age and stage of development will be taken into consideration before segregating sports teams. Both sexes will have equal opportunities to participate in comparable sporting activities; where separation is deemed necessary, the single-sex sports teams will receive the same quality and number of resources.

5. RACE AND ETHNICITY

We will ensure that young person/adult of all races and ethnicities are not singled out for different and less favourable treatment from that given to other young person/adult, regularly reviewing our student services practices to ensure that they are fair.

We will ensure young person/adult with EAL are treated equally and fairly, while ensuring they are supported at all times.

We will not segregate young person/adult on the basis of their race or ethnicity, understanding that claims of 'separate but equal' will not be tolerated, and that such actions will always be viewed as direct discrimination.

We may, however, take positive action, e.g. organising open days for young person/adult and families of a specific race that is under-represented, to address the particular challenges affecting young person/adult of one racial or ethnic group, where this can be shown to be a proportionate way of dealing with such issues.

6. DISABILITY

We will ensure that young person/adult with disabilities are not singled out or treated less favourably than other young person/adult simply because they have a disability, which includes any mental health issue, regularly reviewing our student services practices to ensure they are fair.

We will avoid implementing rules that could have an adverse effect on young person/adult with disabilities (e.g. by making physical fitness a basis for admission, or asking all young person/adult to deliver a presentation, as this could be unfair towards young person/adult with anxiety), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.

We will ensure that we do not discriminate against young person/adult with disabilities because of something which is a consequence of their disability (for

example, by not allowing a pupil on crutches outside at break time because it would take too long for them to get in and out), unless it is for a legitimate reason and is a proportionate way of achieving that legitimate aim.

We will make any reasonable adjustments, and provide any auxiliary aids, necessary to ensure the full inclusion of young person/adult with disabilities, especially where the pupil also has SEND but does not have a SEND statement or EHC plan.

We will meet our duty to undertake accessibility planning for young person/adult with disabilities and ensure that an Accessibility Plan is implemented and reviewed where necessary.

The provision adheres to our Special Educational Needs and Disabilities (SEND) Policy containing further information addressing equal opportunities for young person/adult with SEND.

We will ensure that any medical conditions related to a pupil with a protected characteristic is fully supported in line with our Supporting Young person/adult with Medical Conditions Policy.

7. RELIGION AND BELIEF

We will ensure that young person/adult are not singled out or treated less favourably because of their religion or belief, regularly reviewing our student services practices to ensure that they are fair.

We will ensure that young person/adult are provided with the appropriate space in which they can practice their faith, e.g. to perform their daily prayers.

Absences in relation to religious observances will be handled in accordance with the student services's Attendance and Absence Policy.

The provision will liaise with local religious leaders of all faiths to inform the amount of leave young person/adult will be granted in relation to religious observance.

8. SEXUAL ORIENTATION

We will ensure that all gay, lesbian and bisexual young person/adult, or the children of gay, lesbian or bisexual parents, are not singled out for different or less favourable treatment from that given to other young person/adult, regularly reviewing our student services practices to ensure that they are fair.

We will ensure that young person/adult are taught about the nature of marriage, including same-sex marriage, by presenting the facts of English and Welsh law – teachers will not offer personal opinions when discussing marriage in RSHE. We will educate young person/adult on positive relationships, families and gender identities within the LGBTQ+ community. RSHE lessons will be taught in accordance with our Relationships and Sex Education Policy.

We will ensure that any religious beliefs with regards to sexual orientation are taught to young person/adult in an educational context, in a manner that is not prejudicial or discriminatory.

We will support LGBTQ+ young person/adult to feel comfortable and ensure they can celebrate their identity.

We will ensure that there is a designated safe space within our student services where young person/adult can discuss issues of sexual orientation without fear of discrimination.

9. GENDER REASSIGNMENT

We will ensure that young person/adult are not singled out or treated less favourably in relation to gender reassignment, i.e. because they are trans or have trans parents, siblings or other family members. We will regularly check our student services practices to ensure that they are fair in this regard. We recognise that gender reassignment does not necessarily involve physical change, and can be solely social and emotional.

We will make reasonable adjustments to accommodate absence requests for treatment and support of trans young person/adult by external sources, e.g. charities such as Stonewall. Any such absences will be recorded accurately and sensitively by the SENCO to ensure the privacy of the pupil.

Young person/adult have the right to dress in accordance with their true gender identity within the constraints of our dress code.

We will ensure that there are suitable toilet and changing facilities for young person/adult to use, including:

- Unisex/gender-neutral toilets and changing facilities.
- Gender-specific toilets and changing facilities. □
Private changing facilities.

The facilities will be made available to all young person/adult and young person/adult can use the facility they feel most comfortable in, e.g. if a trans pupil wished to use a private changing room.

We will support trans young person/adult to feel comfortable and ensure they can celebrate their identity.

We will ensure that there is a designated safe space within our student services where trans young person/adult can discuss issues of gender without fear of discrimination.

10. PREGNANCY AND MATERNITY

We will ensure that young person/adult are not singled out or treated less favourably because they become pregnant, have recently given birth, have children or are breastfeeding.

We will make reasonable adjustments to accommodate absence requests for the treatment and support of young person/adult who are pregnant or have just given birth.

To ensure all student services-age parents and pregnant young person/adult are properly supported and the student services can fulfil its duty of care.

11. LOOKED-AFTER CHILDREN (LAC)

LAC and previously LAC (PLAC) will be given the highest priority for admissions, as per the requirements of our Admissions Policy.

We will ensure that young person/adult are not singled out or treated less favourably because they are looked after, or have previously been looked after, by the state.

A personal education plan will be created and implemented for all LAC and PLAC, to ensure that their education and development needs are fully covered, including appropriate transition and catch-up support to ensure that they do not fall behind.

We will ensure that any SEND that LAC or PLAC have are duly taken into account and addressed, whether this is with or without a SEND statement or EHC plan.

The student services adheres to our LAC Policy containing further information addressing equal opportunities for LAC.

12. PROMOTING INCLUSION

We will promote inclusion and equality at our student services through:

- Ensuring that young person/adult are called by their preferred names, which may be different from their legal names, taking into account the correct spelling, structure and pronunciation.
- Ensuring, as far as possible, that our Governing Body and staff reflect the full diversity of our local community.
- Providing an environment where prejudiced assumptions, attitudes and behaviours are continually challenged.
- Instilling in young person/adult an awareness of prejudice, giving them confidence that it can, and must, be eradicated.
- Providing a variety of educational and residential visits that expose young person/adult to a wide range of cultural experiences.
- Ensuring equal access to opportunities, such as extracurricular activities and the curriculum through 3rd party referrals
- Valuing the cultural experiences and contributions of all young person/adult, regardless of any protected characteristic that they may have.
- Communicating our policy to parents to gain their understanding, agreement and support for its provisions.
- Discussing equality issues as an agenda item for the student services council.
- Promoting equality of opportunity within the wider society.

14. YOUNG PERSON/ADULT THAT HAVE LEFT STUDENT SERVICES

Our responsibility to not discriminate, harass or victimise does not end when a pupil has left student services. It will continue to apply with regard to subsequent actions related to our previous relationship with the pupil, such as the provision of references.

15. THE PUBLIC SECTOR EQUALITY DUTY

We will meet our duty to publish:

- Annual information to demonstrate how the student services is complying with the Public Sector Equality Duty, taking into account the specific circumstances surrounding young person/adult who have any of the protected characteristics outlined in section 3.
- Equality objectives (at least every four years) outlining how we may further equality in our student services.

There are some protected characteristics where statistical data is less likely to be readily available, and young person/adult will not be pressured into providing information related to any characteristic which they may identify with.

16. BULLYING AND DISCRIMINATION

Our Anti-bullying Policy: Young person/adult will be used in conjunction with this policy in order to prevent, and effectively deal with, any discriminatory incidents.

Any incidents of a child protection or safeguarding nature will be reported, recorded and dealt with in line with the process in our Child Protection and Safeguarding Policy.

It the responsibility of the Headteacher to decide whether it is appropriate to notify social services and/or the police of any incident.

Concerns with regards to the handling of bullying and discrimination incidents will be dealt with via the procedures outlined in our Complaints Procedures Policy.

17. STAFF TRAINING

New staff will receive relevant training on the provisions of this policy during their induction.

Whole-student services staff training for will be delivered in-house.

Staff will receive the appropriate equalities training that will:

- Focus on staff specialisms in relation to equality, for example, a focus on homophobic bullying to address a planned approach towards inclusion.

- Ensure all staff are aware of, and comply with, current equalities legislation and government recommendations.
- Ensure all staff are aware of their responsibilities and how they can support young person/adult with protected characteristics.
- Provide support for teachers to effectively manage any discrimination towards young person/adult with protected characteristics.
- Provide up-to-date information on the terms, concepts and current understandings relating to each of the protected characteristics.
- Develop appropriate strategies for communication between parents, educators and young person/adult about any issues related to a protected characteristic.
- Ensure that the student services is aware of, and participates in, relevant awareness days, such as Black History Month, World Disability Day, Transgender Day of Remembrance, Pride, and International Women's Day.

18. MONITORING AND REVIEW

This policy will be reviewed by the Headteacher and Governing Body annually and updated where appropriate – any amendments will be duly communicated to staff.