

SIEVEMK GATEWAY

Equality and Diversity Policy

*Approved by Trustees July 2023
Due for review in July 2024*

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* 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 35 of the *Race Relations Act 1976* allows the provision of facilities and services to members of a particular racial group to meet the special needs of that group in education, training or welfare. 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 *Sex Discrimination Act 1975 (section 29)*, the *Equality Act 2006*, the *1976 Race Relations Act (section 20)* and the *Race Relations (Amendment) Act 2000*, the *Disability Discrimination Act 1995 (section 19)*, the *Employment Equality (Sexual Orientation) Regulations 2003*, the *Employment Equality (Religion or Belief) Regulations 2003* and the *Employment Equality (Age) Regulations 2006* (see Appendix A).

The *Genuine Occupational Qualification Section 5(2)(d) of the Race Relations Act 1976* allows a job to 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 *Race Relations (Amendment) Act 2000*). 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

Sex discrimination

The *Sex Discrimination Act 1975 (section 29)* generally prohibits discrimination against men or women in the supply of goods or services.

The *Equality Act 2006* generally makes it unlawful for a public authority to do anything that amounts to gender discrimination. Public authorities also have to consider how to achieve the need to eliminate unlawful gender discrimination and harassment and the need to promote equality of opportunity between men and women. Each public authority has to publish a gender equality scheme to show how it will make sure it meets these, and other, duties.

Race discrimination

The *Race Relations Act 1976 (section 20)* generally prohibits discrimination – directly or indirectly - in the provision of goods or services on the basis of someone’s colour, race, nationality (including citizenship), or ethnic or national origin. If an organisation has more than 25 members, the Act also prohibits discrimination against an applicant for membership unless the organisation’s main object is to enable the members of a particular racial group, defined without reference to colour, to enjoy the benefits of membership (*sections 25 and 26*). *Sections 37 and 38* allow employers to take positive action regarding employment where that racial group is underrepresented in a particular type of work to provide training to that racial group to help fit them for that work or to encourage them to apply for jobs.

The *Race Relations (amendment) Act 2000* generally says that public authorities must consider how to get rid of unlawful racial discrimination, promote equal opportunities, and promote good relations between people of different racial group in relation to everything they do. Each public authority also must publish a race equality scheme setting out what action it will take to make sure they meet these, and other, duties under the RRA.

Disability discrimination

The *Disability Discrimination Act 1995 (section 19)* generally prohibits discrimination in the provision of goods, facilities and services on the basis of disability. Service providers must treat disabled people the same way they would treat others when providing a service or facility. Removal of physical barriers will be required from October 2004, where reasonable and practicable. A service provider needs to take “reasonable steps” to ensure that disabled people can use the service.

Factors that might be taken into account when considering what “reasonable” adjustments include:

- effectiveness of the adjustment in removing the barrier
- how practicable it is to make the adjustment
- the extent of disruption
- time and effort needed to make the adjustment
- the cost – but also the extent of the service provider’s financial or other resources
- the amount already spent on adjustments
- the availability of financial or other assistance

The Code of Practice to the “goods and services section” of the Act advises service providers to:

- provide information for staff on the requirements of this section of the Act
- develop and implement positive policies to ensure inclusion of disabled people in services they deliver
- provide staff training
- have an accessible complaints procedure in place
- undertake consultation with disabled people
- have procedures for monitoring and review of any adjustments, which are in place, to ensure they continue to be effective and can be updated as necessary

Sexual Orientation

The *Employment Equality (Sexual Orientation) Regulations 2003* outlaw discrimination and harassment on grounds of sexual orientation in workplaces. They cover all aspects of the employment relationship, including recruitment, pay, working conditions, training, promotion, dismissal and references. It outlaws, direct discrimination, indirect discrimination and harassment.

Religion or Belief

The *Employment Equality (Religion or Belief) Regulations 2003* outlaw discrimination and harassment on grounds of religion or belief in workplaces. They cover all aspects of the employment relationship, including recruitment, pay, working conditions, training, promotion, dismissal and references. It outlaws, direct discrimination, indirect discrimination, harassment and victimisation.

Age

The *Employment Equality (Age) Regulations* make it illegal for employers to discriminate against employees, trainees or job seekers because of their age and ensure that all workers, regardless of age, have the same rights in terms of training and promotions.

The Regulations cover direct discrimination, indirect discrimination, harassment and victimisation; and include all workers and those taking part in, or applying for, employment related training including further and higher education.

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.