



Equality, Diversity and Inclusion Policy

Date written: April 2021

Written by: Lucie Kelly Director of Cairn Education

Date agreed and ratified by: [Governing Body/management committee](#): [Month, Year](#)

Date of next review: April 2022

Version: 1

Key Contacts

	Name	Cairn Education contact information
Director of Cairn Education Head of Education	Lucie Kelly	luciekelly@cairneducation.co.uk 07398951241
Director of Cairn Education Head of Therapy	Rachael Thompson	Rachaelthompson@cairneducation.co.uk

1. Introduction

1. Cairn Education is committed to developing, maintaining, and supporting an inclusive culture and environment for the benefit of its students, employees and the community it serves.
2. The principles of equality, diversity and inclusion are at the heart of Cairn Education life, and it is expected all employees, pupils, parents/carers and members of the wider Cairn Education community to be treated equitably and with respect.

2. Purpose

3. The aims of the policy are;
 - to promote equal treatment within Cairn Education's community.
 - to communicate the commitment of Cairn Education to the promotion of equal opportunities.
 - to create and maintain an open and supportive environment which is free from discrimination.
 - to foster mutual tolerance and positive attitudes so that everyone can feel valued within the Cairn Education community.
 - to actively promote and safeguard the welfare of children, staff and others who come into contact with Cairn Education.
4. This policy is closely linked to all policies and ensures that Cairn Education fulfil their obligations under the Equality Act 2010.

3. Scope

5. This policy applies to all;
 - Employees and prospective employees (job applicants and prospective job applicants) of Cairn Education.
 - Former employees with regards to the provision of an employment reference.
 - All workers, contractors and sub-contractors; consultants; agency workers; employees seconded from other organisations; governors and volunteers.
 - Students and their parents/carers.
 - Other members of the community which Cairn Education serves.
6. All of these groups are expected to adhere to the principles set out in this policy.

4. Regulatory Framework

7. This policy has been prepared to meet Cairn Education's responsibilities under:
 - Equality Act 2010
 - Education and Skills Act 2008
 - Children Act 1989
 - Childcare Act 2006
 - Data Protection Act 2018 and General Data Protection Regulation (GDPR)
 - Children and Families Act 2014.

8. This policy has regard to the following guidance and advice:
 - Equality Act 2010: explanatory notes (2010)
 - The Equality Act 2010 and Schools: departmental advice for school leaders, school staff, governing bodies and local authorities (DfE, May 2014)
 - Technical guidance for schools in England (Equality and Human Rights Commission, July 2014)
 - Special educational needs and disability code of practice: 0 to 25 years (DfE, January 2015)
 - Advice and Guidance: How can we stop prejudice-based bullying in schools? (Equality and Human Rights Commission)
 - Keeping children safe in education (DfE, September 2019)
 - Working together to safeguard children (HM Government, February 2019)
 - Relationships education, relationships and sex education (RSE) and health education guidance (DfE, June 2019)
 - Trade Union and Labour Relations (Consolidation) Act 1992

9. The following policies, procedures, documents and resource material are relevant to this policy:
 - Admission Policy and arrangements
 - Behaviour for Learning Policy
 - Anti-Bullying Policy
 - Special Educational Needs and Disability Policy
 - SEN information report
 - Accessibility Plan and Reasonable Adjustments
 - PSHE/Relationship and Sex Education (RSE) and Health education

5. Publication and availability

10. This policy is available on request from: info@cairneducation.co.uk.
11. Staff have access to this policy through the shared staff drive.
12. This policy can be made available in other accessible formats if required.

6. Roles and responsibilities

13. In this document, the term "Proprietor" refers to Cairn Education CIC.

- The Proprietor has overall responsibility for all matters which are the subject of this policy.
- The Proprietor is aware of its duties under the Equality Act 2010 and the requirement to meet the Public Sector Equality Duty. This means in carrying out its functions, the Proprietor is required to have due regard to the need to:
- Eliminate discrimination and other conduct that is prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

14. The Head of Education at Cairn Education is responsible for:

- Ensuring that all employees, pupils and parents/carers are aware of this policy, of its expectations and the reason why this policy is in place.
- Sharing the equality objectives with the governing body and where appropriate including these in Cairn Education's development plan.
- Acting as a role model for the Cairn Education community.
- Ensuring that all employees have access to appropriate training with regards to equality.
- Managing their employees in a way which is consistent with this policy.
- Following agreed procedures in relation to equality and diversity.
- Providing support to employees who are subject to inappropriate conduct or behaviour.

15. All employees are responsible for:

- Complying with this policy at all times when dealing with each other, managing other employees, and in their relationships with young people, parents, carers, governors and other stakeholders.
- Treating colleagues, governors, students, volunteers, visitors, and members of the public with dignity and respect.
- Embracing a culture that provides supportive and positive working relationships and behaviour.
- Being alert to discrimination and taking action to avoid becoming involved in any form of discrimination.
- Making colleagues aware if their conduct or behaviour is inappropriate and/or reporting this to the Head of Education.
- Acting as positive role models in their approach to all issues relating to equality of opportunity.

- Promoting good community and workplace relations to foster and encourage an atmosphere of tolerance and support so that there is no place for behaviours which would negatively impact upon the Cairn Education community.

7. Discrimination under the Equality Act 2010

16. Cairn Education recognises the benefits of having a diverse community, with individuals who value one another, and the different contributions everyone can make. Young people will be taught to value and respect others. Cairn Education is committed to be an equal opportunities education and therapy provider and is committed to equality of opportunity for all members of the Cairn Education community.
17. The Equality Act 2010 brings together previous legislation to protect people from discrimination in the workplace and in wider society. The act covers nine 'protected characteristics' which qualify for protection from discrimination under the act. These are as follows:
 - Age¹
 - Disability
 - Gender reassignment
 - Marriage and civil partnership²
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
18. Whilst not a protected characteristic under the Act, Cairn Education will not discriminate on the grounds of trade union membership or activities as set out in the Trade Union and Labour Relations (Consolidation) Act 1992.
19. Cairn Education also opposes all bullying and unlawful discrimination on the basis that a person has special educational needs or learning difficulties, or because English is an additional language.
20. Under the Act, there are three main types of discrimination, as set out below. Discrimination may be direct, indirect, or arising from disability and may occur intentionally or unintentionally.
 - Direct discrimination (including direct discrimination by association and direct discrimination by perception) occurs when a person is treated less favourably than another person because of a Protected Characteristic. For example, rejecting an applicant of one race because it is considered they would not "fit in" because of their race. This would be a decision based on grounds of their race and would be direct discrimination. Direct discrimination also occurs

when a person is treated less favourably because of their association with another person who has a protected characteristic (other than pregnancy or maternity). For example, if a student is harassed or victimised because a sibling is disabled, this would be direct discrimination against that student.

- Indirect discrimination occurs where an individual is subject to an unjustified provision, criterion or practice which is applied to all but puts them at a particular disadvantage because of, for example, their sex or race. For example, a minimum height requirement would be likely to eliminate proportionately more women than men. If these criteria cannot be objectively justified for a reason unconnected with sex, they would be indirectly discriminatory on the grounds of sex.
- Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim. For example, where a student with cerebral palsy who is a wheelchair user is told they are unable to attend a school trip because there is no wheelchair access available and other options are not investigated.

21. Under the Act, it is also unlawful to subject students or staff to harassment, or victimisation.

8. The learning environment

22. Equality and diversity principles will be embedded in Cairn Education's practices, policies and the processes of decision-making.

23. Admissions and induction:

24. Cairn Education will specialise in providing places for those who will meet at least one of the following criteria:

- A diagnosis of autism
- Significant levels of social isolation
- Moderate to severe anxiety
- The need for autism specific strategies
- Sensory processing difficulties or differences which impact on their access to education and or wellbeing.
- Difficulties with social interaction and communication
- Individuals who have been out of education
- A statement of SEN
- Recognition from professionals working with the individual that they would benefit from an approach tailored to individuals with Autism

- The ability to progress academically given the appropriate autism specific support and strategies and working at Entry level 2 to GCSE level
 - Have been out of education for more than one month or recognition from professionals that mainstream education providers cannot meet need
25. Cairn Education accepts applications from, and admits students irrespective of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, or religion or belief or special educational needs (SEN) and will not discriminate on these grounds in the terms on which a place is offered. Cairn Education will treat every application in a fair, open-minded way.
 26. Cairn Education ensures admissions arrangements reflects Cairn Education's approach towards equal opportunities for prospective students and is consistent with this policy.
 27. Student' progress and achievement.
 28. Equal access: Cairn Education will afford all students equal access to all benefits, services, facilities, classes and subjects including all sports, irrespective of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, religion, belief or special educational needs, subject to overriding considerations of safety and welfare.
 29. Positive action: Cairn Education may afford pupils of a particular racial group, or pupils with a disability or special educational needs, access to additional education or training to meet the special needs of the pupils in that group, for example, special language training for groups whose first language is not English
 30. Exclusions: Cairn Education will not discriminate against any student by excluding them from school, or by subjecting them to any other detriment, on the grounds of their sex, gender reassignment, race, disability, sexual orientation, pregnancy and maternity, religion, belief, or special educational needs.
 31. Teaching and educational materials: Efforts are made to recognise and be aware of the possibility of bias (for example, on the grounds of sex or race), so that this can be eliminated in Cairn Education's teaching and learning materials and teaching styles. Materials are carefully selected for all areas of the curriculum so as to avoid stereotypes and bias.
 32. Student interaction: All students are encouraged to work and play freely with, and have respect for, all other students, irrespective of their sex, gender reassignment, race, disability, sexual orientation, religion, belief, pregnancy and maternity or special educational needs, subject to considerations of safety and welfare. Positive attitudes are fostered towards all groups in society through the curriculum and ethos of Cairn Education, and students will be encouraged to question assumptions and stereotypes.

33. Bullying: Cairn Education will not tolerate bullying or cyberbullying for any reason. See Cairn Education's Anti-Bullying Policy.

34. Specific types of bullying include:

- Bullying relating to race, religion, belief or culture
- Bullying related to SEN, learning difficulties or disabilities
- Bullying related to appearance or health conditions
- Bullying relating to sexual orientation
- Bullying of young carers or looked after children or otherwise related to home circumstances
- Sexist or sexual bullying or bullying related to gender reassignment.

35. Religion: Cairn Education respects the right and freedom of individuals to worship in accordance with other faiths, or no faith, subject always to their respecting the rights and freedoms of the Cairn Education's community as a whole and considerations of safety and welfare.

9. Disability and special educational needs

36. Our approach: Cairn Education is inclusive and we welcome members of the Cairn Education's community with disabilities and special educational needs. We maintain and drive a positive culture towards inclusion of disabled people and those with special educational needs in all the activities of the Trust and we will not treat a member of Cairn Education's community less favourably on these grounds without justification.

37. At present, our facilities for physical disabilities are limited. However, we will do all that is reasonable to ensure that Cairn Education's therapy services, curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. Our Special educational needs and disability policy is consistent with this policy. A copy of this policy is available from info@cairneducation.co.uk.

38. Reasonable adjustments: Cairn Education has an on-going duty to make reasonable adjustments for disabled pupils and pupils with special educational needs in respect of the education and associated services provided. This is a broad expression that covers all aspects of Cairn Education life, for example:

- The curriculum
- Organisation and timetabling
- Access to the Cairn Education's facilities
- Clubs and visits
- Sports

39. Reasonable adjustments may typically include:
- Making arrangements for a student in a wheelchair to attend education of therapy services in an accessible ground floor room
 - Allowing extra time for a dyslexic child to complete an exam;
 - Providing examination papers in larger print for a pupil with a visual impairment;
 - Rearranging the timetable to allow a pupil to attend a class in an accessible part of the building;
 - Arranging a variety of accessible sports activities;
 - Providing a pupil with a behavioural disability with a time-out card, access to a time-out room or agreeing that they sit in a particular place.
40. In making reasonable adjustments, the Trust is required to provide auxiliary aids and services for disabled pupils where to do so would be reasonable (for example, a 1 to 1 support worker, a fiddle toy or a wobble cushion). The Trust will carefully consider any proposal made by parents and will not unreasonably refuse any requests for such aids and services.
41. When providing wider community services, for example, open days, support groups, sporting activities, Cairn Education will make reasonable adjustments to ensure that disabled people are able to use Cairn Education's services as far as is reasonable to the same extent and standard as non-disabled people.
42. Informing Cairn Education: Parents/commissioning bodies of students are required to notify Cairn Education in writing if they are aware or suspect that a student (or prospective student) has a disability or needs beyond the admissions criteria. Parents/commissioning bodies must provide copies of all written reports and other relevant information upon request. Providing Cairn Education with such information will enable it to support students as much as possible. Confidential information of this kind will only be communicated on a "need to know" basis. Cairn Education will have due regard to any request made by a parent or student (who has sufficient understanding of the nature and effect of the request) to treat the nature or existence of the person's disability as confidential.
43. Access: Cairn Education will monitor the physical features of its premises to consider whether disabled users of the premises are placed at a substantial disadvantage compared to other users. Cairn Education has an accessibility plan and reasonable adjustments policy available on request from info@cairneducation.co.uk.
44. Students attending Cairn Education are likely to have a EHC plan. Cairn Education's Special educational needs and disability policy includes details about the welfare and educational provision for pupils with EHC Plans.
45. Students with English as an additional language

46. Students with English as an additional language will receive additional learning support if necessary. Cairn Education will consult with the student and the parents as appropriate.

47. Cairn Education will ensure that:

- Home-school links are made to involve parents directly in the work of Cairn Education.
- Interpretation and translation services are made available.
- Links are established within the local community.
- Staff work effectively with other local services.
- Provision is made for spiritual, moral, social and cultural education, supported by appropriate resources and information.

48. Provision for students with particular religious, dietary, language or cultural needs

49. Students bring packed lunches in the main. As part of the curriculum however there are opportunities for students to cook and there may be special catering for events. Cairn Education will ensure catering therefore is safe for:

- Ethnic minority groups
- Vegetarians
- Food intolerance
- Food allergy
- Food aversion
- Medical conditions

10. Equality, diversity and inclusion in employment

50. Recruitment

51. All job descriptions and advertisements will be written to ensure that they do not discriminate or exclude any potential candidates due to any protected characteristics and that the vacancy is open to all suitable candidates that meet the criteria for the role.

52. A decision to recruit will be based solely on the merits of the individual and how they performed during the selection process.

53. Reasonable adjustments during recruitment process that have been requested by candidates who have declared that they have a disability will be considered. This is to ensure that no candidate suffers any disadvantages during the selection process.

54. Employee Development

55. All staff will receive training to equip them with an understanding of equalities, diversity and inclusion.
56. All staff will receive appropriate training and opportunities for professional development, both as individuals and as groups or teams.
57. Reasonable Adjustments
58. Where a member of staff has declared a disability, reasonable adjustments will be considered, following advice from a medical professional and/or Occupational Health.
59. In circumstances where reasonable adjustments are agreed, these will be documented in a staff's disability passport.
60. Managing complaints of discrimination
61. Cairn Education takes any complaint of discrimination extremely seriously. Where an employee considers that they have been unlawfully discriminated against they may use the complaints policy and procedures to make a complaint.
62. Where employees commit an act of unjustified or unlawful discrimination, or allow discrimination to occur without taking appropriate action, then action under the terms of the disciplinary policy and procedure will be considered.

11. Monitoring and review

63. Head of Education-Annually seeking input from interested groups (such as students, staff, parents and governors) to consider improvements to Cairn Education's processes under the policy.
64. The success of this policy will be assessed through consideration of (though not limited to):
 - Records of individual students progress
 - Staff appraisals and exit questionnaires
 - Student and parent comments
 - Feedback from staff
 - Ofsted inspection reports
 - Profile of candidates in the recruitment process

12. Training

65. Cairn Education ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
66. Cairn Education maintains written records of all staff training.

13. Record Keeping

67. All records created in accordance with this policy are managed in accordance with Cairn Education's data protection policy.
68. All reported breaches of this policy will be recorded, and this record will be reviewed annually by Directors of Cairn Education.
69. The information created in connection with this policy may contain personal data. Cairn Education's use of this personal data will be in accordance with data protection law. Cairn Education has published privacy notices on its website which explain how Cairn Education will use personal data.