

Equality and Diversity Policy

Whilst you are required to observe and implement all organisational policies and procedures, the various policies are non-contractual and are not incorporated into your contract of employment. They may be amended at any time.

1. Purpose and Scope

1.1. This Equality and Diversity (**this Policy**) applies to Ambitious about Autism (**AaA**) and Ambitious about Autism Schools Trust (**AaAST**) which for the purposes of the Policy we will refer to collectively as “we”.

1.2. We are committed to equality, diversity and inclusion. As a disability organisation, we believe in the social model of disability and are dedicated to providing a working and learning environment in which the rights and dignity of all its members are respected.

1.3. We are committed to implementing the Equality Act 2010, and to proactively making reasonable adjustments to enable everyone we work with to participate fully in all aspects of our organisation.

1.4. One of our core values is supporting young people with autism to learn, thrive and achieve. We believe that embedding the views and voices of young people and adults with autism and their family members across our organisation and wider society is crucial to making this a reality.

1.5. We are proud to be diverse and inclusive organisation where individual differences are valued and where everyone is able to fulfil their potential. Any complaints of discrimination or harassment or bullying will be treated seriously and fully investigated and appropriate action will be taken in our accordance with the relevant policies in place from time to time.

1.6. We strive for high standards both as an employer and as a provider of services. In so doing, we recognise the need for encouraging diversity and we wholeheartedly support a policy of equal opportunities in all areas of our work and responsibilities.

1.7. This Policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

1.8. We will not unlawfully discriminate because of race, colour, nationality, ethnic or national origin, gender, marital status, having or not having caring responsibility or dependents, civil partnership, sexual orientation, gender reassignment, age, physical, sensory or learning disability, mental health, political or religious beliefs or non beliefs, class, HIV status, employment status, unrelated or spent criminal convictions, and trade union activities.

1.9. All staff are responsible for the promotion and advancement of this policy. Behaviour, actions or words that transgress the Policy will not be tolerated and will be dealt with in line with our Disciplinary Policy.

1.10. This Policy is applicable to all members of staff whether permanent or temporary, full-time or part-time or employed on a casual/contract basis. The policy also embraces our service users, their parents or carers, trustees, governors, volunteers, suppliers and partner organisations.

1.11. Our aims and objectives will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise.

1.12. We are committed to reviewing this Policy on an on-going basis to reflect changes in the law, demographics and organisational requirements. An equality and diversity report will be

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presented to the Board of Trustees annually at the end of each Academic Year. Through our services, publications, communications activities, interaction with our stakeholders and other activities, we will ensure that those we work with know our statements of policy.

1.13. We will regularly review the implementation of this Policy. Where evidence is found of ineffectiveness, remedial action will be taken.

1.14. This Policy does not form part of your contract of employment and we may amend it from time to time.

2. Aims and Objectives

2.1. The aims and objectives of this Policy are:

2.2. to encourage, promote and celebrate diversity in all our activities and services;

2.3. to ensure equal access to jobs, volunteering opportunities and services;

2.4. to ensure compliance with legislation on discrimination and equality including Equality Act 2010, Employment Rights Act 1996, Protection from Harassment Act 1997, Employment Relations Act 1999, Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000, Special Educational Needs and Disability Act 2001;

2.5. to promote equal opportunities in other areas not currently covered by legislation;

2.6. to create environments free from harassment and discrimination;

2.7. to maximise the use of resources in the best interests of individuals;

2.8. to confront and challenge discrimination where and whenever it arises whether it is between colleagues, or in any other area relating to our work;

2.9. to make a willingness to accept and implement this Policy a necessary condition for any position working with us;

2.10. to ensure, through positive action and reasonable adjustments, that our premises and services are accessible to all people;

2.11. to ensure that employment and advancement with us is determined by objective criteria and personal merit.

3. Definitions

3.1. **Equal Opportunities ensures** that our policies, procedures and practice do not discriminate against the people within or associated with the organisation or individuals using its services. It is about treating people fairly and equally regardless of who they are, their background or their lifestyle.

3.2. **Equality of Outcome** ensures that our policies, procedures and practices recognise that different individuals and groups face different barriers to achievement. Thus, where possible, we will ensure that we seek to re-dress imbalances by identifying, monitoring and, where necessary actively targeting under-represented employees and service users. We will do this through analysis of equality profile monitoring, and adaptations to our staff and honorary role recruitment processes.

3.3. **Diversity** ensures that all people are valued as individuals and are able to maximise their potential and contribution to AaA and AaAST and to the community. It recognises that people from different backgrounds and lifestyles can bring fresh ideas and a different approach, which can make the way we work and learn more fun, more creative, more efficient and more innovative.

3.4. **The social model of disability** states that disability is caused by the way society is organised, rather than by a person's impairment or difference. It looks at ways of removing barriers that restrict life choices for people with disabilities. When barriers are removed, people with disabilities can be independent and equal in society, with choice and control over their own lives.

4. Other relevant policies

The policies listed below are either referred to or implied in this Policy. However, all our organisational policies are linked to equality and diversity.

- Dignity at Work Policy and Procedure
- Ex Offenders Policy
- Special leave

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- Recruitment and Selection
- Redundancy Policy
- Safeguarding Children and Adults at Risk
- Learning and Development
- Health & Safety
- Induction
- Flexible working
- Pay & Benefits

5. Diversity

5.1. We aim to be an inclusive organisation where everyone is treated with respect and dignity, and where there is equal opportunity for all. We respect and value the diversity of our staff and service users.

5.2. We will actively encourage diversity to maximise achievement, creativity and good practice and to bring benefit to individuals and communities.

5.3. We encourage all people we work with to contribute to an environment in which individuals feel comfortable expressing how they feel and what they need, knowing they will be treated with fairness and respect and that their contribution will be valued.

5.4. We will tackle barriers to participation and create a culture in which equal opportunities and equitable treatment are a priority for all staff and service users. In the recruitment, training, pay and management of staff, and in all our day-to-day work with both colleagues and service users, we seek to create an environment where attitudes and biases that hinder the progress of individuals and groups are dismantled and where we work together in mutual respect, understanding and tolerance.

5.5. The way we work and learn will reflect our mission, values and objectives and the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.

5.6. We will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to individuals to ensure they are able to take a full and active part in our work.

5.7. We will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access to all.

6. Equal Opportunities

6.1. We are an equal opportunities employer and provider of services. We will not unlawfully discriminate on the grounds of race, colour, nationality, ethnic or national origin, gender, marital status or caring responsibility, civil partnership, sexual orientation, gender reassignment age, physical, sensory or learning disability, mental health, political or religious beliefs or non beliefs, class, responsibility for children or dependents, HIV status, employment status, unrelated criminal convictions, and trade union activities. Nor will such person be disadvantaged by conditions or requirements which cannot be shown to be justifiable.

6.2. This principle applies to recruitment, promotion, transfer, training, benefits, facilities, procedures and all terms and conditions of employment and service provision.

7. Key concepts of discrimination legislation

7.1. Under the Equality Act 2010, protection from unlawful discrimination is provided to the following nine Protected Characteristics:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;

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- pregnancy and maternity;
- race, colour, nationality, ethnic or national origin;
- religion and belief;
- sex;
- sexual orientation.

7.2. **Direct Discrimination** occurs when an individual is dealt with less favourably than another because of a Protected Characteristic.

7.3. **Indirect Discrimination** means applying a provision, criterion or practice which applies to everyone in the workplace, but in reality disadvantages or has an adverse impact on certain groups of people who share a Protected Characteristic. However, indirect discrimination can be objectively justified where it can be shown that the provision, criterion or practice was a proportionate means of achieving a legitimate aim.

7.4. **Harassment** is unwanted conducted that relates to a Protected Characteristic which has the purpose or effect of violating a person’s dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct. Harassment is dealt with in our Dignity at Work Policy and Procedure.

7.5. **Victimisation** occurs when an individual is treated less favourably because he/she has made or supported a discrimination complaint under the Equality Act 2010, or he/she is suspected of doing so.

7.6. **Associative Discrimination** is where an individual is dealt with less favourably for being associated with another person who has a Protected Characteristic.

7.7. **Perceptive Discrimination** is where an individual is dealt with less favourably based on a perception that s/he has a particular Protected Characteristic when s/he does not in fact have that protected characteristic.

7.8. **Occupational Requirement** is where the law recognises that there will be occasions when it is necessary to restrict certain jobs to certain categories or groups of people. This is rare and an employer would have to demonstrate that they have researched the requirement thoroughly before setting it.

7.9. **Failure to make Reasonable Adjustments** is where a physical feature or a provision or practice or measure puts a person with a disability at a substantial disadvantage compared with an individual who is not, and the organisation has failed to make reasonable adjustments to enable the person with a disability to overcome the disadvantage.

7.10. **Positive Action** refers to measures or initiatives taken in order to address under-representation of groups of people who share a protected characteristic. Specific initiatives could include training and development activities or welcome statements in recruitment literature.

8. Responsibilities and expectations

8.1. Responsibility for implementing and developing this Policy rests with our Trustees. The overall co-ordinating responsibility for equal opportunities and management of diversity is delegated to the Chief Executive.

8.2. We believe that all who work with or for the organisation have an individual responsibility: to accept the policy and ensure a personal involvement in its application; and to co-operate actively to ensure that the environment we desire is a reality.

8.3. We expect individuals:

8.3.1. to work proactively to make reasonable adjustments to support the full inclusion of a diverse group of staff and service users in all aspects of our organisation;

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- 8.3.2. to co-operate with any measures introduced by us to ensure equality of opportunity, diversity and non-discrimination;
- 8.3.3. not to unlawfully discriminate, harass, abuse or intimidate any other individual because of race, colour, nationality, ethnic or national origin, gender, marital status, having or not having caring responsibility or dependents, civil partnership, sexual orientation, gender reassignment, age, physical, sensory or learning disability, mental health, political or religious beliefs or non-beliefs, class, HIV status, employment status, unrelated or spent criminal convictions, and trade union activities;
- 8.3.4. to feel sufficiently confident and empowered to inform our management and staff if they suspect discrimination is taking place.
- 8.4. We urge our staff and volunteers to be aware of the less obvious types of discrimination which result from general assumptions and preconceptions about the capabilities, interests and characteristics of individuals or groups of individuals.
- 8.5. We expect our Executive Leaders and Managers to:
- 8.5.1. ensure that proper records of employment decisions are maintained, and regular reviews of employment practices are carried out;
- 8.5.2. ensure that grievances are dealt with in a fair and consistent manner and in line with our Grievance Policy;
- 8.5.3. ensure that individuals within their teams are aware of their legal responsibilities, and of this Policy; and
- 8.5.4. promote actively the benefits of employee and other stakeholder diversity, in employment, services and training.
- 9. Policy Implementation: Recruitment and Promotion**
- 9.1. We strive to ensure that individuals within our organisation reflect the wider community. We are particularly keen to ensure the views and voices of individuals with direct experience of autism are embedded at every level of the organisation. This means we will explicitly welcome applications from these individuals when seeking to recruit new staff or honorary roles. We will ensure that recruitment and promotion will be conducted on the basis of merit and suitability for the role, against objective criteria that avoid discrimination.
- 9.2. Clear and accurate information on vacant posts should be available through advertisement, job descriptions, person specifications and interview. Vacancies should be advertised sufficiently widely to reach the widest possible range of candidates, either internal and/or external. We will explicitly state that we will use our best endeavours to make recruitment materials available in a range of formats where requested, to ensure our posts are accessible to a diverse range of applicants. We will also offer to make reasonable adjustments to the interview and application process for the same reason.
- 9.3. All recruitment material should not imply any preferred group, unless an occupational requirement exists limiting a post to a particular group.
- 9.4. Applicants will be informed, through all recruitment advertising of our commitment to equality and diversity and the existence of this policy.
- 9.5. Person specifications may include 'essential' and 'desirable' requirements that are necessary and justifiable. Advice from the People Team where necessary, will be provided to ensure these are not discriminatory.
- 9.6. Individuals should be encouraged to discuss their development and training needs through a process of regular support and annual appraisals.
- 9.7. Job titles that are discriminatory should not be used.

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10. Policy Implementation: Interviews and Selection

10.1. Wherever practicable, shortlisting and interview panels will aim to reflect the diversity of the candidates and the wider community.

10.2. The short-listing panel will not discriminate unlawfully against individuals when selecting candidates for interview or appointment.

10.3. The interview panel must take extreme care not to ask question which might suggest an intention to discriminate on grounds of a Protected Characteristic. All interview questions must be directly related to the job profile and requirements of the person specification.

11. Policy Implementation: Learning and Development

11.1. We will not discriminate in the provision of training courses/ development opportunities.

11.2. Appropriate training will be provided to enable individuals to perform their jobs effectively. The training offered will take into account the needs of all individuals.

11.3. Briefing on this Policy will form part of the Induction process for new staff and other stakeholders.

11.4. We will provide a training programme in equality and diversity to all line and recruiting managers. The organisation will provide information to all existing and new staff to help them understand their rights and responsibilities under this Policy.

12. Policy Implementation: Harassment

12.1. We are opposed to harassment in any form and is committed to providing a working and learning environment which is free from harassment and in which the dignity of all individuals within AaA and AaAST is respected.

12.2. The Dignity at Work Policy and Procedure applies to harassment on any grounds, we particularly condemn harassment which relates to any of the Protected Characteristics listed in this Policy.

12.3. We are committed to providing effective mechanisms for dealing with complaints of breaches of its equality and diversity and Dignity at Work Policies, so that individuals within AaA and AaAST can feel confident in the knowledge that the organisation will deal with complaints seriously, promptly and impartially. Making a genuine complaint will not adversely affect a service user or a member of staff's prospects at AaA and AaAST. Mechanisms are in place to bring forward and address complaints at both formal and informal levels.

13. Policy Enforcement: Grievance Policy

13.1. We recognise the need for a continuing commitment to genuine equality and diversity within the organisation. The effectiveness of the Policy's aims and objectives can only be judged by how the policy operates in practice.

13.2. Any staff member or volunteer who feels they have been a victim of unlawful discrimination or unfairly treated in a way contrary to the intention of this policy should raise the issue through our Grievance Procedure.

13.3. Any service user who feels he/she has been unfairly treated in a way contrary to the intention of this Policy should make a complaint. If the complaint is about the Chief Executive, this should be made to the Chair of the Board of Trustees.

13.4. Any job applicant who believes that he/she has been treated unfairly and contrary to the intention of this policy should raise the issue with the People Team.

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14. Policy Enforcement: Disciplinary Policy

14.1. We take a strict approach to breaches of this Policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

14.2. Incidents of victimisation or harassment will be dealt with in accordance with our Dignity at Work Policy and Procedure. Where incidents of victimisation and harassment are proven, the issue will be dealt with under our Disciplinary Procedure.

14.3. Any member of staff found to be in breach of this Policy will be counselled on his/her actions and will be subject to disciplinary action in line with the Standard Terms of Employment. Any volunteer found to be in breach of this Policy will be counselled on his/her actions and may, where necessary, be removed from our volunteer register.

14.4. Any member of any Committee or working group of AaA and AaAST found in breach of this Policy will be counselled on his/her actions and may, where necessary, be asked to sever their relationship with AaA and AaAST.

Any service user found in breach of this policy will, where appropriate, be counselled on his/her actions and may, where necessary, may be refused access to our services in the future.

15. Policy Implementation: Service Delivery

15.1. We will strive to ensure that all of our services are accessible to diverse users and comply with good practice guidance for accessibility standards and well-being of staff.

15.2. All the services which are provided by us such as TreeHouse School and Ambitious Support will be designed and delivered in line with the guiding principles of equality and diversity.

15.3. Where it is possible, we should ensure that the service providers used by the organisation adhere to legislative requirements and promote equality best practice.

16. Policy Implementation: Awareness Raising Activities

16.1. We will promote our services and activities to diverse groups and will work to reach those that struggle to access this information. Our materials will endeavour to represent and appeal to the full range of potential service users.

16.2. We will seek to involve young people with autism in its awareness raising activities, enabling their voices to be heard by key decision makers, influencers and the public.

16.3. We will ensure all our events, activities and publications are autism-friendly.

16.4. We will consistently seek feedback from stakeholders about how to become a more accessible organisation, and take action following this feedback.

16.5. We will embed our participation strategy across all areas of our work.

17. Policy Implementation: Participation

17.1. We will seek to involve service users in all aspects of its governance and operations through direct involvement, research and service users' views will be taken into account in the review of plans and services.

18. Equality in Teaching and Learning

18.1. We will assess all referrals for admission who have a diagnosis of autism and a statement of special educational needs. We will monitor the diversity of all referrals and not discriminate in any way.

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19. Disability Confident Scheme

19.1. AaA is a Disability Confident Leader under a government scheme which aims to support equality and diversity in the workplace.

19.2. As a Disability Confident Leader AaA will:

- have undertaken the Disability Confident self-assessment;
- undertake all of the core actions to be a Disability Confident Leader; and
- offer at least one activity to get the right people for our business and at least one activity to keep and develop our people.

20. Monitoring and Review

20.1. We view the collection/analysis of data to be vital in informing change and improving performance. Where appropriate, statistics on our services will be collected and analysed in relation to equality and diversity matters. We will review employee turnover and seek information on reasons for leaving. Local and national data or statistics will be used to benchmark our performance. Any personal data of employees or other individuals will be handled in accordance with the Data Protection Act 1998 and our Confidentiality Policy.

20.2. Our Board of Trustees will review annually equality of opportunity and diversity relating to AaA and AaAST's services.

20.3. Recruitment and selection procedures will be monitored and reviewed annually by the Director of People who will report to the Trustees. All aspects of personnel policies and procedures shall be kept under review to ensure that they do not operate contrary to this Policy.

20.4. In order to determine the impact of this policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness. This Policy will be monitored and reviewed as follows:

20.4.1. the Policy will be an agenda item at AaA and AaAST Executive Leadership Team meetings at least annually;

20.4.2. the Trustees will undertake an annual policy review; and

20.4.3. the review recommendations will be presented to the next Trustee meeting for their comments and ratification.

20.5. A part of the monitoring report should include the action plan for the following year to be agreed by the Board of Trustees.

20.6. Where it appears that there may have been or there is a breach of the Policy, the Executive Leadership Team will investigate the circumstances and action will be taken to counter any proven breach of Policy.

20.7. If it is found that this Policy is excluding or discouraging the development of individuals or restricting service users, the Trustees should take positive action to amend the policy accordingly.

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