



Equality and Diversity Policy

1. Policy Statement

NewHeart Learning Limited is committed to promoting equality, diversity, inclusion and respect and to providing an environment in which pupils, staff, parents/carers, visitors and others are treated fairly and with dignity.

NewHeart Learning will not unlawfully discriminate against, harass or victimise any individual because of a protected characteristic or other personal circumstance.

We recognise that equality does not always mean treating everyone in exactly the same way. Pupils attending Alternative Provision may have different starting points, SEND, disabilities, health needs, communication needs, social, emotional or mental health needs, experiences of disrupted education or other individual circumstances. Appropriate support and reasonable adjustments will therefore be considered to remove barriers and enable equitable access to education and the wider provision.

NewHeart Learning seeks to create an inclusive environment in which difference is respected, prejudice and discriminatory behaviour are challenged, and pupils are supported to develop respect for themselves and others.

Equality and safeguarding are closely connected. Some children may experience additional barriers to recognising or reporting harm because of disability, communication needs, discrimination or other vulnerabilities. Any equality concern that also raises a safeguarding concern will be managed in accordance with NewHeart Learning's Safeguarding Policy.

2. Purpose

The purpose of this policy is to:

- Ensure that all individuals are treated fairly and with respect.
- Prevent discrimination, harassment, and victimisation.
- Promote a culture of inclusivity and understanding.
- Meet our legal obligations under the **Equality Act 2010**.
- Provide a framework for implementing and monitoring equality and diversity initiatives.
- Ensure that reasonable adjustments are considered and made for disabled pupils, staff and others where required.
- Identify and reduce barriers that may disadvantage individuals or groups in accessing NewHeart Learning's provision.

3. Scope

This policy applies to all:

- Teaching and support staff
- Students and pupils
- Volunteers and contractors
- Parents/ carers and visitors
- Recruitment, referrals, and placements
- Curriculum, assessment, and pastoral activities

4. Responsibilities

The Directors and senior leadership have overall responsibility for promoting equality, diversity and inclusion and ensuring that appropriate action is taken where discrimination, harassment or victimisation occurs.

The Head of Provision is responsible for supporting the implementation of this policy within the provision and ensuring that equality considerations are reflected appropriately in practice.

The SENDCo will support the identification of barriers affecting pupils with SEND and disabilities and contribute to appropriate support, reasonable adjustments and personalised learning arrangements.

All staff are responsible for:

- treating pupils, colleagues, parents/carers and others fairly and respectfully;
- challenging discriminatory language, prejudice, harassment and bullying;
- reporting and responding appropriately to equality-related concerns;
- considering reasonable adjustments and individual needs;
- promoting inclusive teaching, learning and behaviour-support practices;
- avoiding stereotypes and discriminatory assumptions;
- supporting pupils to understand equality, respect and diversity in an age-appropriate way; and
- working collaboratively with parents/carers, commissioners and other professionals where appropriate.

5. Principles

1. **Fairness and Equality:** We aim to provide equal opportunities for all students and staff.
2. **Diversity and Inclusion:** We celebrate diversity and seek to create an inclusive environment.
3. **Respect:** Everyone's contributions, backgrounds, and perspectives are valued.
4. **Accessibility:** We will ensure that our facilities, resources, and curriculum are accessible to all.
5. **Accountability:** Any breaches of this policy will be taken seriously and addressed promptly.
6. **Reasonable Adjustment:** We will anticipate and consider barriers experienced by disabled individuals and make reasonable adjustments where required.

6. Equality Act 2010 and Types of discrimination

In accordance with the Equality Act 2010, discrimination may occur in the following forms:

Protected Characteristics

The Equality Act 2010 protects individuals from discrimination in relation to protected characteristics. These are:

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

- sexual orientation.

The way in which particular protections apply can vary according to the context, including education, employment and the provision of services.

Direct Discrimination

Treating someone less favourably because of a protected characteristic (race, disability, sex, religion or belief, sexual orientation, gender reassignment, pregnancy/maternity, age or marriage/civil partnership).

Indirect Discrimination

Applying a provision, criterion or practice that appears neutral but disadvantages individuals who share a protected characteristic, unless it can be objectively justified.

Discrimination Arising from Disability

Treating a disabled person unfavourably because of something connected with their disability, without objective justification.

Harassment

Unwanted conduct related to a protected characteristic that violates a person's dignity or creates an intimidating, hostile, degrading or offensive environment.

Victimisation

Treating someone unfairly because they have made or supported a complaint about discrimination.

Failure to Make Reasonable Adjustments

A failure to comply with the duty to make reasonable adjustments for a disabled person may constitute unlawful discrimination. NewHeart Learning will consider reasonable steps to remove or reduce substantial disadvantage experienced by disabled individuals.

7. Implementation

NewHeart Learning will promote equality, diversity and inclusion across its activities, including:

Recruitment and Employment: Recruitment, employment, training and development decisions will be made fairly and without unlawful discrimination. Reasonable adjustments will be considered for disabled applicants and staff.

Referrals and Placements: Placement decisions will be based on identified needs, the suitability of the provision, NewHeart Learning's ability to meet those needs safely and effectively, risk considerations and available capacity. Decisions will not be based on unlawful discrimination.

Curriculum and Learning: Teaching, resources and learning activities will seek to reflect diversity, challenge prejudice and avoid unnecessary stereotypes.

Reasonable Adjustments: NewHeart Learning will consider reasonable adjustments for disabled pupils, staff and others to reduce substantial disadvantage and support equitable access.

Training: Staff will receive appropriate information, guidance and training relating to equality, diversity and inclusion.

Monitoring: Equality-related concerns, incidents, complaints and relevant patterns will be considered to identify potential inequalities and opportunities to improve practice.

8. Curriculum

NewHeart Learning provides a curriculum that is appropriate, engaging and responsive to pupils' individual needs, starting points and placement objectives.

Curriculum planning and delivery will seek to provide equitable opportunities for pupils to participate and make progress. Appropriate adaptations and reasonable adjustments will be considered where required because of SEND, disability, communication needs or other individual circumstances.

The curriculum will seek to:

- reflect and value diversity;
- promote respect for others;
- challenge prejudice, discrimination and stereotypes;
- provide appropriate representation of different backgrounds, experiences and perspectives;
- support pupils to develop an age-appropriate understanding of equality and respectful relationships; and
- ensure that pupils are not unnecessarily disadvantaged in accessing learning because of individual needs or circumstances.

Progress and participation will be considered through NewHeart Learning's assessment, Personalised Learning Plan (PLP), placement-review and reporting arrangements, together with EHCP review processes where applicable.

9. Teaching and Learning

NewHeart Learning will provide an inclusive learning environment in which pupils' contributions, experiences and individual circumstances are respected and valued.

Teaching will take account of pupils' starting points, strengths, needs, communication preferences and barriers to learning. Staff will use appropriate differentiation, adaptations and reasonable adjustments to support participation and progress.

Particular consideration will be given to pupils who may have experienced disrupted education, EBSA, SEND, SEMH needs or other barriers to engagement.

Staff will promote positive relationships, independence, confidence and participation while maintaining appropriate expectations for each pupil.

Discriminatory assumptions, stereotypes and prejudicial language will be challenged appropriately. Pupils will be supported to develop an understanding of fairness, equality, diversity and respectful relationships in ways appropriate to their age, understanding and individual needs.

Pupil voice will be encouraged and pupils will be supported to express views about their learning, support and experience of the provision.

10. Referrals and Placements

NewHeart Learning will apply its referral and placement procedures fairly, consistently and without unlawful discrimination.

Placement decisions will consider the pupil's identified needs, NewHeart Learning's ability to meet those needs safely and effectively, available capacity, risk considerations and the suitability of the proposed placement.

A pupil will not be declined solely because they have SEND, a disability, an EHCP or another protected characteristic.

NewHeart Learning recognises that some pupils may require reasonable adjustments, additional support or a phased transition in order to access the provision successfully. These will be considered as part of referral, risk assessment, induction and placement planning.

Relevant information will be sought from the commissioning organisation, parent/carers and other professionals as appropriate to enable NewHeart Learning to understand the pupil's needs and make an informed placement decision.

Further details are contained within NewHeart Learning's Admission Policy and referral and placement procedures.

11. Attendance and Participation

NewHeart Learning will monitor pupil attendance against each pupil's agreed commissioned timetable and will seek to identify and understand barriers to attendance and participation.

Attendance concerns will be approached sensitively and with consideration of individual circumstances, including SEND, disability, SEMH needs, EBSA, health needs, religious observance, cultural considerations and other relevant factors.

Reasonable adjustments and appropriate support will be considered where a disabled pupil experiences barriers to accessing the provision.

NewHeart Learning will consider attendance information for potential disparities or patterns affecting particular pupils or groups and will take appropriate action where this indicates a barrier, inequality or safeguarding concern.

NewHeart Learning will communicate relevant attendance information to the commissioning school, academy or local authority in accordance with agreed arrangements.

Further details are contained within NewHeart Learning's Attendance Policy.

12. Reporting Equality Concerns and Complaints

NewHeart Learning takes concerns relating to discrimination, harassment, victimisation, prejudice or other equality matters seriously.

Pupils will be encouraged and supported to report concerns to a member of staff they trust. Parents/carers, staff and other individuals may raise concerns with the Head of Provision or another appropriate senior member of staff.

Equality-related concerns will be considered promptly, fairly and sensitively. Appropriate action will be taken having regard to the nature and seriousness of the concern.

Where an incident involves bullying, child-on-child abuse, sexual harassment, safeguarding or another potential risk of harm, the matter will also be considered under NewHeart Learning's Safeguarding Policy, Anti-Bullying Policy and/or other relevant procedures.

Formal complaints relating to equality, discrimination, harassment or victimisation will be managed in accordance with NewHeart Learning's Complaints Policy.

Concerns relating to staff conduct may also be considered under relevant staff conduct, disciplinary, safeguarding or allegations procedures.

No individual will be treated unfairly because they have raised a genuine equality concern, supported another person in doing so or participated in an investigation.

13. Monitoring and Review

The Head of Provision has overall responsibility for monitoring the implementation and effectiveness of this policy, supported by senior leadership.

NewHeart Learning will consider relevant information, including equality-related incidents, complaints, placement decisions, attendance and participation information, reasonable-adjustment arrangements and feedback from pupils, parents/carers and staff, to identify potential inequalities or areas for improvement.

This policy will be reviewed at least annually and sooner where there are significant changes to legislation, statutory guidance, Department for Education guidance, commissioning or quality-assurance requirements, or NewHeart Learning's operating arrangements.

The policy may also be reviewed following significant equality or safeguarding incidents, complaints, identified patterns of disadvantage or where experience indicates that procedures or practice require amendment.

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