

# Autism Early Support Equality and Diversity Policy

For internal use only

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## Contents

1. Updates from previous version.....	3
2. Purpose .....	3
3. Scope.....	3
4. Terms and definitions .....	4
5. Responsibility .....	5
6. Aims.....	5
7. Employment Practices .....	5
8. AES as Service Provider .....	6
9. Data Collection.....	6
10. Legislation .....	6
11. Equal Opportunities Policy Implementation.....	7
12. Service User Needs .....	8
13. Training .....	8
14. Review .....	8
15. Complaints and Sanctions.....	8
16. Further Reading .....	9

## 1. Updates from previous version

Policy name change from Equality of Opportunity

## 2. Purpose

This policy defines Autism Early Support's (AES)-commitment to Equality & Diversity and to ensuring equality of opportunity and equal treatment for all stakeholders is respected and adhered to. The policy also serves to provide guidance on anti-discriminatory practice.

In accordance with all relevant legislation in the EYFS 2021 and the SEN Code of Practice 2021, AES ensures equality of opportunity is in place to support children with learning difficulties and disabilities.

AES supports the principles of equality and diversity. We aim to encourage, value and manage diversity and recognise that talent and potential are distributed across the population. There are more social and moral reasons for the promotion of equality of opportunity and we recognise it is in the best interests of this organisation to recruit and develop the best people from as wide and diverse a pool of talent as possible.

Discrimination operates through common stereotypes, stigma and prejudice, by categorising individuals and making assumptions and treating them accordingly (worse or unfavourably) because of it.

We recognise that the promotion of equal opportunities requires more than patient opposition to discrimination. We are therefore committed to taking positive action towards equality of opportunity.

We do recognise that the limited resources and the operational needs of the organisation may restrict our ability to take these actions, however we will undertake regular monitoring to review the effectiveness of this Policy.

This Policy is non-contractual.

## 3. Scope

This policy applies to employees directly employed by AES, workers employed through agencies, contractors in terms of employment, volunteers and service users in terms of service provision.

AES is committed to opposing all forms of discrimination that include, but are not limited to the protective characteristics as defined by the Equality Act 2010:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief

- Sex
- Sexual orientation

AES considers all forms of discrimination to be unacceptable, regardless of intent to discriminate or not. All employees have a duty to cooperate to ensure this policy is effective in making sure there are equal opportunities and to aid the prevention of discrimination.

All employees should draw the attention of their line manager to suspected discriminatory acts, practices or cases of bullying, harassment or any suspected misconduct that falls under the Equalities Act 2010.

AES's commitment to anti-discriminatory practices relates to all types of discrimination as set out below:

- Direct discrimination: when someone is treated worse than another due to a protected characteristic.
- Indirect discrimination: when an individual does something which has/would have a worse impact on themselves and others who share a particular protected characteristic than on those who do not share the protected characteristic. This can include making a decision, applying a rule or a way of carrying things out.
- Associative discrimination: being treated worse or unfavourably due to an individual's association with another person who has a protected characteristic.
- Perceptive discrimination: being treated unfavourably or worse because someone thinks an individual has a protected characteristic, even when they may not.
- Victimisation: when an individual is treated badly or been victimised due to making a complaint under the Equality Law act, or are thought to have done so, or have supported another complaint or advocated their own equality law rights or an others.
- Harassment: unwanted conduct occurs relating to a protected characteristic. The conduct must have the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.
- Discrimination arising from disability: if a disabled person is treated unfavourably because of something connected to their disability and when then the organisation cannot evidence what they are doing is objectively justified. This applies if the organisation knows, or could be justly expected to know that someone is disabled.

The policy applies across the range of employment policies and practices, including those relating to Discipline, Grievance, Harassment and Complaints.

## 4. Terms and definitions

In this Policy, the following capitalised words and expressions shall have the meaning ascribed below:

“AES” means Autism Early Support Trust Limited.

“**AES Employees**” means individuals who have employment with AES, board members of AES, and, to the extent applicable, consultants working for AES.

“**AES Offices**” means Pace House, 15, Little Balmer, Buckingham MK18 1TF.

“**AES Nursery**” means Circle Centre, Middle Claydon, Buckinghamshire MK18 2ET.

“**ED&I**” means Equality Diversity & Inclusion.

## 5. Responsibility

AES values its staff, volunteers, contractors, and service users and expects everyone to be treated in a respectful and courteous manner. All AES staff have a responsibility to treat everyone and each other with dignity and regard.

The COO is responsible for providing advice and guidance on equality and diversity issues and ensuring all documentation is kept up to date, with the help of any HR professional support.

## 6. Aims

AES recognises that certain groups and individuals in society are oppressed and disadvantaged due to discrimination directed against them. We aim to remove barriers, bias or discrimination that prevents individuals or groups from realising their potential and contributing to our organisation’s performance

We aim to develop an organisational culture that positively affirms and values diversity.

AES core values should include ethical behaviour to provide an equal and diverse environment with the purpose of doing the following:

- Promote equality of opportunity
- Celebrate and value diversity
- Eliminate all unlawful, direct and indirect forms of discrimination.

AES will provide equality of opportunity and equal treatment as an integral part of good practice. We are committed to an environment in which the contributions, needs and wellbeing of everyone is fully valued and recognised.

We commit to supporting our staff, and volunteers in not tolerating any inappropriate, violent or abusive behaviour from either in-house (colleagues) or third party sources (external organisations or service users)

## 7. Employment Practices

AES aims to promote equality and diversity as an employer and to ensure that no job applicant or employee receives less favourable treatment or is at a disadvantage by conditions or requirements

that cannot be shown to be justifiable in the context of the policy. The following areas will be subject to regular review to ensure that they comply with the Diversity and Equalities Policy:

- Selection
- Recruitment
- Induction and training
- Promotion
- Employment Practices

All training opportunities will be published widely to all appropriate employees and not in such a way to exclude any groups. AES regards discrimination, abuse, victimisation, harassment or bullying or staff, service users or others in the course of work as disciplinary offences that could be regarded as gross misconduct.

## 8. AES as Service Provider

In the development of its services, AES will seek to ensure accessibility for all service users and include making specific and necessary adaptations and adjustments for service users with disabilities, learning difficulties or any other protected characteristic which may be applicable. AES will aim to ensure that none of its policies discriminate directly or indirectly against any group or individual. All children will be valued and supported and reasonable adjustments made to meet their needs – see The Equality Act 2010/SEN Code of Conduct/EYFS 2021.

## 9. Data Collection

AES complies with the requirements of the Data Protection Act.

All data, both quantitative and qualitative, required to monitor the requirements or the impact of the Equalities Act 2010, will be collected where appropriate, proportionate and practical to do so. Any requirements will be notified to AES service users and will follow a common data format.

This policy will be reviewed on an on-going basis and amended in line with new developments in Equality and Diversity best practice.

## 10. Legislation

We will take all reasonable steps to ensure that AES does not unlawfully discriminate under the following legislations:

- the Rehabilitation of Offenders Act 1974;
- the Employment Rights Act 1996;
- the Human Rights Act 1998;
- the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002;
- the Civil Partnership Act 2004
- the Work and Families Act 2006;
- the Equality Act 2010;
- Race Relations act 1976;

- Disability Equality Duty
- Gender Equality Duty
- Racial equality code of practice for employment
- Sex discrimination act 1975
- Equal Pay act 1970
- SEN Code of Practice 2021
- Disability Discrimination Act (DDA) 1995 and;

And any other relevant legislation in force from time to time relating to discrimination in employment and the provision of goods, facilities or services.

## 11. Equal Opportunities Policy Implementation

AES is committed to the promotion of equal opportunities in all aspects of our work including management, employment practices for both paid workers and volunteers, access to services and service provision.

- 1) The Directors/Trustees shall ensure that it acts in such a way that no individual or group referred to in this policy is discriminated against, in particular;
  - Making the necessary arrangements to accommodate the needs of the Trustee Board and volunteers including travel and care costs, as needed;
  - To provide information in a way that is accessible;
  - By meeting in premises with facilities which are physically accessible to those participating;
  - Making training in discrimination awareness and equal opportunities available to all members of the Trustee Board, paid workers and volunteers.
- 2) The recruitment of employees and volunteers shall be undertaken in adherence to this policy, in particular;
  - By ensuring advertisements of roles are done in such a way to lessen those groups experiencing discrimination;
  - Preparing job descriptions that clearly set out what the worker is to do and person specifications that recognise that relevant experience can be as valuable as qualifications or previous employment;
  - Ensuring that in all selection processes, only factors relevant to the job requirements are taken into account and the spirit of the policy statement is adhered to;
  - A copy of this policy is to be sent to prospective applicants for all posts.

- 3) The employment of paid workers and volunteers shall be undertaken in accordance with this policy, in particular;
- Providing training relevant to the needs of the staff and designed to enable them to do their jobs accordingly;
  - Ensuring that any staff member who, in their line of work, displays attitudes opposing this policy to any person whether by word, behaviour or other manner shall be liable to disciplinary action;
  - To recognise and respond to the individual needs of the staff, especially those who are carers or who have disabilities, and making sure that, within available resources, the necessary support is provided to enable them to work effectively.

## 12. Service User Needs

In all aspects of planning, management, access, provision and monitoring of services, AES will seek to promote equality of opportunity in accordance with this policy, in particular;

- Seeking to identify and respond to the needs of those groups experiencing discrimination, altering priorities and methods of service where necessary;
- By seeking the views of service users through forms of feedback tools;
- Liaising and consulting with relevant groups and regularly analysing of service user profiles – in compliance with GDPR regulations – so as to monitor the extent to which services are being taken up by those groups experiencing discrimination;
- Dealing with Third Parties;

AES will not unlawfully discriminate when dealing with third parties.

## 13. Training

AES will ensure that all new employees/staff, volunteers and trustees will receive induction on this policy and will provide and support on-going ED&I training for all staff and volunteers.

## 14. Review

The Directors/Trustees will regularly monitor and evaluate the effectiveness of this policy in achieving the stated aims. This process should strive to be undertaken annually at the least. It will include the review of each component and aim to seek the views of the organisations representing the interests of those groups referred to in this policy.

## 15. Complaints and Sanctions

AES will treat any complaints of unlawful discrimination on any stated grounds seriously, made by employees, volunteers, service users or other third parties and will take action where appropriate.



All complaints made by external parties will be investigated in accordance with AES's procedure and the complainant will be informed of the outcome.

In the event of an investigation following a complaint against an employee, AES's procedures will be adhered to and any action will be appropriately dealt with.

Complaints will be monitored and any outcomes/actions recorded.

## 16. Further Reading

- Whistleblowing Policy - Ref 17
- [SEN Code of Practise 2021](#)
- [EYFS 2021](#)