



Equality and Diversity Policy (England)

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1. Outcome

- Looked-after children/young people have ongoing opportunities to explore and make sense of their identity and relationships.
- Each child/young person's background, gender, religion, racial origin, cultural background, linguistic background, nationality, disability, sexual orientation, abilities, and interests are promoted so that children/young people have the chance to maximise their potential.
- To ensure that young people are helped to overcome social, educational, physical, and economic inequalities and are accepted as part of the community in which they live and learn. (SHANNARI: Included)

2. Difference between equality and diversity

- Equality is about ensuring everybody has an equal opportunity and is not treated differently or discriminated against because of their characteristics.
- Diversity is about taking account of the differences between people and groups of people and placing a positive value on those differences.

3. Overview of the Equality Act

- The Equality Act is now the primary source of UK equality law. The values underpinning it are those reflected in many human rights instruments, including respect for the dignity and worth of people.
- Respect for human dignity is a core theme running through equality guarantees, and equality is an essential prerequisite to respecting dignity. In this way, equality and human rights are intimately linked.
- This can be seen in the United Nations Convention on the Rights of the Child (CRC) which contains its equality guarantee, requiring states to respect and ensure the rights in the treaty to each child/young person without discrimination, irrespective of the child/young person's or their parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or another status.
- The CRC is founded on respect for the inherent dignity of each child/young person as to its preamble, and its substantive provisions make clear. The Equality Act gives concrete realisation to some rights in the CRC and should be viewed as a tool for securing respect for the inherent dignity of children/young people.
- The Equality Act brings together discrete legislative measures addressing discrimination connected to sex, race, disability, religion and belief, sexual orientation, and age.

4. Protected characteristics

The Equality Act prohibits discrimination, harassment and victimisation connected to certain "protected characteristics." The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

5. Prohibited conduct

The Equality Act prohibits direct discrimination (including pregnancy and maternity discrimination); indirect discrimination; discrimination arising from disability; a failure to comply with the duty to make reasonable adjustments; and harassment and victimisation. Ultimately, this means that people should have access to the same rights and services regardless of their characteristics and should not be discriminated against as a result of their specific characteristics.

6. Scope of Equality Act protection and provision

The Equality Act covers a wide range of activities. These are:

- the provision of goods, facilities, and services
- the exercising of public functions
- the provision, letting and management of accommodation
- clubs
- work
- education, including in schools and further education institutions and community services
- activities closely connected to the above but where the relationships have come to an end

It is unlawful for children's services in relation to the services that they provide to the public (or a section of the public) to discriminate, harass, or victimise a child/young person or their families, or to fail to make reasonable adjustments when providing those services, or by refusing to provide those services. Sometimes a service provider will not be directly discriminating against a child/young person or their family in providing a service by treating them differently because they have a particular protected characteristic but will still be acting unlawfully. Where a service provider applies criteria which disadvantage a child/young person or their family, because they, or one of them, have a protected characteristic this may amount to indirect discrimination (and sometimes discrimination arising from a disability or a failure to make reasonable adjustments).

7. Public sector equality duty and children's services

- The public sector equality duty (PSED) is important. Complying with the PSED will help children's services avoid unlawful discrimination, harassment and victimisation and ensure that they meet the duty to make reasonable adjustments. It will also help children's services promote equality for children/young people by meeting their needs. The duty is compulsory and compliance with it, or any element of it, is not discretionary. Children's services must comply with the PSED irrespective of how busy they are, or what resources they have. However, the size of the organisation may affect what they are expected to do to meet the PSED.
- The PSED replaces the race, gender, and disability equality duties, but there are differences. The duty applies to public authorities, including local authorities and therefore, children's services. It also applies to any person exercising public functions. This includes voluntary organisations that are performing public functions for a local authority, including for children's services departments. The PSED applies in respect of the protected characteristics, except that the duties to advance equality and foster good relations do not apply to marriage or civil partnership. Otherwise, it applies to the protected characteristics, including age, and so will promote and protect children/young people's rights, whatever their characteristics.

8. Policy

- We support looked-after children/young people to be given the opportunity to develop their own identity, rather than assumptions being made by those working with and caring for them based on particular characteristics, such as ethnicity, faith, or gender.
- It is our commitment to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by, or under, the Equality Act.
- Through and support we ensure that the team of adults has the capacity and expertise to work sensitively with looked-after children/young people on the impact of discrimination, racism, bullying and isolation on self-esteem and personal identity.
- We are fully committed to providing inclusive and equal services to a diverse range of children/young people.
- We support children/young people to have a positive identity of themselves and to receive care which is personalised to meet their needs.
- We encourage children/young people to develop respect for themselves and others.
- We deliver services that recognise and build on the strengths of children/young people from all cultures, religions, gender, age, sexual orientation, ability, and backgrounds; in ways that meet their needs and help them to achieve their full potential.

- We make every effort to ensure that the home is welcoming to children/young people and others significant in their care and well-being. Resources used to develop work with children/young people are chosen for their suitability and anti-oppressive nature.
- We offer children/young people in our care every opportunity to try out new experiences, which are not restricted by traditional gender options.
- Any incidents of abuse or conduct towards a child/young person who is looked after as a result of their race, religion, gender, sexuality, or disability will be reported to the police.
- We ensure our adults have training on Equality and Diversity & Therapeutic Parenting, and our person centred Care Plans ensure individuality is promoted.

9. Expectations from adults and managers

We will ensure adults know that they are expected to:

- Challenge attitudes, behaviour and language that are non-inclusive and discriminatory in a positive way.
- Monitor the range of children/young people placed within the home in terms of ethnicity, gender, and disability. This will ensure the service is reaching all and not creating barriers to certain groups.
- Ensure steps are taken to provide and promote an inclusive environment for children/young people where they feel valued and can participate fully in the activities of the home. If necessary, seek additional support to do this.
- Identify local community resources that contribute to meeting the needs of individuals. These are highlighted and promoted, and where they do not meet the required needs, alternatives are sought and suitably identified.
- Explore with children/young people as to how diversity can be valued, and activities adapted to meet children/young people's needs. This would include choice and participation in the day-to-day running of the home.

10. Inclusion for children/young people

- We will ensure children/young people are supported by adults who are suitably trained in equality and diversity, including their duties and responsibilities.
- Children/young people will be supported and encouraged to understand their rights and be well-informed about appropriate ways in which to challenge discrimination.
- We will be sensitive to the needs of children/young people and ensure that where necessary, we seek additional support for children/young people who are finding difficulty in understanding diverse or complex situations.

11. Disability discrimination

We believe in providing a welcoming, comfortable, and accessible environment that is safe and easy to use for children/young people, parents, relatives, adults in the team, visitors, and other users of the premises. We will endeavour to achieve equality of opportunity for all to ensure equal access to its facilities. Where possible, we will avoid physical features that make it difficult for people with a disability and make reasonable adjustments to improve the environment.

12. Legislative framework and guidance

- [The Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#)
- [Health and Social Care Standards: Standard 4: I have confidence in the organisation providing my care and support.](#)
- [Equality and Human Rights Commission Government Equalities Office](#)
- [Equality and Human Rights Commission Scotland](#)
- [Office for Disability Issues](#)
- [The Inter Faith Network for the UK](#)
- [Stonewall](#)
- [British Federation of Racial Equality Councils](#)
- [Council for Disabled Children](#)
- [Gender Identity and Research Society \(GIRES\)](#)
- [United Nations Convention on the Rights of the Child](#)

13. Revision history

Name	Document Owner:	Reviewed by	Version:	Review Date:
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