

YOUNGEDUCATION

Equality, Diversity and Inclusion Policy

2026/27

Our inclusion commitment

Never give up on any child. YoungEducation values difference, removes avoidable barriers and treats every person with dignity, fairness and respect so that learners, families and colleagues can participate, belong and achieve.

Document owner	Managing Director
Operational lead	Operations Manager
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Version	2026.1
Status	Organisation-wide policy

This policy must be read with the YoungEducation Safeguarding and Child Protection Policy 2026/27, Safer Recruitment Policy 2026/27, Disciplinary Policy and Procedure 2026/27, Grievance Policy and Procedure 2026/27 and Capability and Performance Management Policy 2026/27.

1. Non-negotiable safeguards

Dignity, safety and access

Unlawful discrimination, harassment, sexual harassment, victimisation and retaliation are prohibited. Equality concerns will be heard without prejudgment, reasonable adjustments will be considered promptly, and no equality process may delay an immediate safeguarding response. YoungEducation will not tolerate discriminatory conduct from colleagues, learners, parents, carers, commissioners, suppliers, visitors or other third parties.

- Safeguarding and children's welfare come first. Discriminatory language or behaviour may also be a safeguarding, child-on-child abuse, staff-conduct or low-level-concern matter and must be reported through the Safeguarding Policy without delay.
- Decisions will be based on relevant evidence, lawful criteria and individual circumstances, not stereotypes, assumptions, bias, association with another person or an incorrect perception about a characteristic.
- YoungEducation will identify and remove avoidable barriers in recruitment, work, learning, communication, premises, digital systems, activities and services and will make reasonable adjustments where the law requires them.
- A person may raise a concern, request an adjustment, support another person, act as a witness or make a protected disclosure without victimisation or retaliation.
- Privacy will be respected, but confidentiality cannot be promised where information must be shared for safeguarding, fair investigation, legal advice, implementation of an adjustment or another lawful duty.
- No policy statement overrides the Equality Act 2010, safeguarding law, contractual rights, statutory guidance or a lawful occupational, safeguarding or service requirement.

2. Purpose, scope and status

This policy explains how YoungEducation Ltd promotes equality, values diversity, builds inclusion and prevents and responds to discrimination across employment and service delivery. It applies throughout alternative provision, tuition centres, home and online tuition, in-school and community work, transport, enrichment, events and all business functions.

The employment provisions apply to applicants, employees, workers, self-employed tutors and mentors who personally perform work, agency personnel, contractors, volunteers, students, trainees and former workers where the law or context applies. The service provisions apply to children and young people, parents and carers, schools, local authorities, commissioners, visitors, suppliers and partners. Legal protection varies by relationship and context; YoungEducation applies the behavioural and dignity standards in this policy more broadly wherever reasonably possible.

This policy is non-contractual unless a contract expressly provides otherwise. It does not create an automatic entitlement to a particular outcome or adjustment, and it does not prevent lawful positive action, objective justification, occupational requirements, single-sex arrangements or safeguarding restrictions where the legal tests are met. YoungEducation will obtain specialist advice before relying on an exception.

3. Legal and guidance framework

This policy has regard to current law and authoritative guidance, including:

- the Equality Act 2010, including its employment, services, public-functions, education, reasonable-adjustment, harassment, victimisation, equal-pay and positive-action provisions;
- the Worker Protection (Amendment of Equality Act 2010) Act 2023 and section 40A of the Equality Act 2010, requiring employers to take reasonable steps to prevent sexual harassment;
- the Employment Rights Act 2025 and the Government's published commencement timetable for stronger harassment and third-party protections;
- the Equality and Human Rights Commission Employment Code of Practice, Services, Public Functions and Associations Code, sexual-harassment technical guidance and Public Sector Equality Duty guidance;
- Acas guidance on discrimination, equality, diversity and inclusion, reasonable adjustments, harassment, sexual harassment and handling workplace complaints;
- the Human Rights Act 1998, Employment Rights Act 1996, Health and Safety at Work etc. Act 1974, Protection from Harassment Act 1997, Data Protection Act 2018, UK GDPR and Data (Use and Access) Act 2025;
- Keeping Children Safe in Education 2026, Working Together to Safeguard Children 2026, the SEND Code of Practice, Prevent duty guidance and Hertfordshire Safeguarding Children Partnership procedures;
- relevant commissioner, local-authority, professional, awarding-body, examination, accessibility and contractual requirements.

Forthcoming legal change

From 30 October 2026, the Employment Rights Act 2025 is scheduled to require employers to take all reasonable steps to prevent sexual harassment and not to permit harassment of employees by third parties. YoungEducation adopts that stronger standard from this policy's effective date. The policy will be legally reviewed in December 2026 and updated sooner if commencement regulations or official guidance change.

Legal rights and exceptions can depend on status, setting and facts. Managers must seek HR or legal advice before a high-risk decision involving discrimination, harassment, equal pay, pregnancy, disability, occupational requirements, single-sex arrangements, positive action or termination.

4. Definitions

Term	Meaning in this policy
Equality	Fair access, treatment and opportunity. Equality does not always mean identical treatment; different support or adjustments may be required to achieve lawful and fair participation.

Term	Meaning in this policy
Diversity	The range of backgrounds, identities, experiences, perspectives, needs and ways of thinking represented within YoungEducation and the communities it serves.
Inclusion	Creating conditions in which people are welcomed, respected, safe, heard and able to participate and contribute without avoidable barriers.
Direct discrimination	Less favourable treatment because of a protected characteristic. Except for limited statutory exceptions, direct discrimination cannot be justified.
Indirect discrimination	A provision, criterion or practice applied to everyone that puts people sharing a protected characteristic at a particular disadvantage and cannot be objectively justified.
Harassment	Unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
Sexual harassment	Unwanted conduct of a sexual nature that has that purpose or effect, including less favourable treatment because a person rejected or submitted to sexual conduct.
Victimisation	Subjecting someone to a detriment because they carried out, intended to carry out, supported or were believed to have carried out a protected act under equality law.
Reasonable adjustment	A reasonable change to remove or reduce substantial disadvantage for a disabled person, including changes to a provision, criterion or practice, physical features or auxiliary aids.
Positive action	Lawful proportionate steps to address disadvantage, different needs or disproportionately low participation. It is not automatic preference or unlawful positive discrimination.

5. Protected characteristics and wider inclusion

The Equality Act 2010 protects nine characteristics. The precise protection and available exceptions vary between employment, services, education and other contexts.

Protected characteristic	Policy application
Age	Age or age group. Age-based treatment requires a lawful basis and, where permitted, objective justification.
Disability	A physical or mental impairment with a substantial and long-term adverse effect on normal day-to-day activities, together with specific protections and adjustment duties.
Gender reassignment	Protection for a person proposing to undergo, undergoing or having undergone a process to reassign sex; medical treatment is not required for protection.
Marriage and civil partnership	Protection against specified discrimination in employment because a person is married or a civil partner.
Pregnancy and maternity	Protection during pregnancy and relevant maternity periods, including protection from unfavourable treatment because of pregnancy or maternity.
Race	Colour, nationality and ethnic or national origins, including protection from race-related discrimination and harassment.
Religion or belief	Religious or philosophical belief, and lack of religion or belief, subject to the legal tests applying to a protected belief.
Sex	Being a woman or a man within the meaning of the Equality Act 2010 and current binding law.
Sexual orientation	Orientation towards people of the same sex, opposite sex or either sex.

YoungEducation also seeks to prevent unfair treatment connected with socio-economic background, care experience, caring responsibilities, neurodivergence, SEND, language, literacy, immigration history, accent, body size, appearance, health, working pattern, employment status, education history or another personal circumstance. These are not automatically protected characteristics, but they may overlap with one and remain relevant to dignity, safeguarding, access and fair decision-making.

No assumptions

A person does not have to disclose a diagnosis, identity, religion, sexual orientation or other private information to deserve dignity and fair treatment. Managers will ask what barrier or support need exists, limit questions to what is relevant and avoid intrusive demands for proof.

6. Principles and commitments

- Leadership will model inclusive behaviour, challenge discriminatory conduct and allocate reasonable resources to prevention, accessibility, adjustments and learning.
- Policies, criteria, targets and decisions will be reviewed for disproportionate impact. A neutral rule will not be retained merely because it applies to everyone.
- People affected by decisions will be heard in an accessible way. Their views will be considered alongside evidence, safeguarding duties and the rights of others.
- Language, imagery, curriculum, resources and communications will aim to represent communities respectfully and avoid stereotypes or tokenism.
- Difference of opinion and lawful expression are permitted. They do not justify harassment, intimidation, personal abuse, dehumanising language or conduct that undermines safety or another person's rights.
- Equality concerns will be addressed early where possible, but informal resolution will never be forced in a serious case or used to avoid safeguarding or formal action.
- YoungEducation will use lawful positive action where evidence shows disadvantage, different needs or under-representation and the action is proportionate.

7. Roles and accountability

Role	Core responsibility
Managing Director	Policy owner; sets culture and resources; oversees high-risk cases, organisational monitoring and lawful decision-making; appoints external advice or independent decision-makers where required.
Education Director / DSL	Ensures equality and inclusion are integrated with safeguarding, curriculum, learner welfare and AP quality; directs the safeguarding response where a child may be at risk.
Operations Manager	Operational lead; embeds accessible systems, recruitment, training, adjustment records, risk assessments, complaint routes and equality monitoring across services.
Line managers	Apply fair criteria, identify barriers, consider adjustments, prevent and challenge harassment, keep appropriate records and escalate concerns promptly.
All workers and representatives	Treat others with dignity; complete required training; follow adjustments and safeguarding controls; report concerns; co-operate with enquiries and do not retaliate.
Learners, families and visitors	Follow behaviour and safety expectations, respect others and report concerns. Support and consequences will reflect age, capacity, SEND, trauma and safeguarding context.

Role	Core responsibility
Commissioners, partners and suppliers	Meet contractual equality, accessibility, safeguarding and conduct requirements and co-operate with proportionate prevention and response measures.
Case decision-maker / appeal chair	Acts impartially, declares conflicts, considers evidence and equality impacts, gives reasons and is sufficiently independent from disputed conduct wherever practicable.

Actual or perceived conflicts must be declared. Where organisational size limits separation, YoungEducation will record the safeguards used and may appoint an external adviser, investigator or chair.

8. Inclusive recruitment, selection and onboarding

- Roles will be advertised and assessed using objective, role-relevant criteria. Wording, channels and essential requirements will be reviewed for avoidable exclusion or disproportionate impact.
- Applicants will be offered an accessible adjustment route for applications, assessments and interviews. Disability or adjustment information will be shared only with people who need it.
- Selection decisions will be documented against consistent criteria. Personal similarity, cultural fit, accent, school history, age assumptions, family plans or stereotypes must not influence decisions.
- Health or disability questions before an offer will be asked only where lawful, including to arrange adjustments, establish ability to perform an intrinsic function, support lawful positive action or monitor diversity separately from selection.
- Safer recruitment and suitability checks remain mandatory. Adjustments cannot remove an essential safeguarding or legal requirement, but the way a requirement is met will be considered fairly.
- Three professional references are normally required under the Safer Recruitment Policy. Any approved waiver process must be applied consistently, evidence alternatives explored and equality risks recorded.
- Terms, induction, training, work allocation and access to opportunities will be fair and accessible. Employment status will be determined by the real arrangement, not discriminatory preference.

9. Fair treatment throughout work

Equality applies to pay and benefits, work allocation, hours, flexible working, location, training, supervision, appraisal, promotion, development, discipline, grievance, capability, absence, redundancy, termination and references.

- Criteria must be transparent, relevant, consistently applied and supported by evidence. Managers will test whether a criterion disadvantages a group and whether a less discriminatory way can achieve the legitimate aim.

- Equal work and pay decisions will comply with the Equality Act 2010. Differences in pay or contractual treatment must have a lawful, evidence-based reason unrelated to sex or another protected characteristic.
- Part-time, fixed-term, zero-hours, agency and self-employed arrangements will not be used to disguise unlawful discrimination or deny rights that apply to the real working relationship.
- Flexible-working, family-related leave, time off, pregnancy-related needs, religious observance and disability-related support will be considered under the relevant policy without adverse assumptions about commitment or capability.
- Redundancy and restructuring criteria will be equality-assessed. Pregnancy, maternity, disability-related absence, part-time status or protected activity will not be counted unlawfully or unfairly.
- Expired warnings, unsupported allegations and irrelevant personal information will not be used as a proxy for discriminatory decision-making.

10. Reasonable adjustments and accessibility

Adjust the barrier, not the person

YoungEducation will consider reasonable adjustments when it knows, or could reasonably be expected to know, that a disabled person is placed at a substantial disadvantage. Requests may be verbal or written, and a person does not need to use the phrase “reasonable adjustment”.

The person and relevant manager will identify the barrier, functional effect, proposed options, essential requirements and urgency. Medical or occupational-health evidence may be requested only where reasonably needed. Interim measures should be used while information is obtained.

Area	Possible adjustments
Recruitment and meetings	Accessible formats, additional time, rest breaks, interpreter or communication support, alternative assessment method, remote or accessible venue and companion support where permitted.
Work organisation	Adjusted hours, location, breaks, communication, supervision, workload, non-essential duties, sequencing, deadlines, home working or phased return where reasonable.
Equipment and environment	Assistive technology, software, specialist equipment, lighting, seating, quiet space, physical access, parking or workstation changes.
Learning and services	Accessible materials, adaptive teaching, communication aids, sensory adjustments, alternative participation, additional processing time and individual risk planning.

Area	Possible adjustments
Policies and criteria	Modifying a rule, attendance trigger, target, method or process where reasonable while preserving essential safeguarding, safety and service standards.

- YoungEducation will confirm agreed adjustments, responsible persons and review dates in writing where practicable and will monitor whether they work.
- If an adjustment is declined, the reasons, alternatives and any appeal or review route will be explained. Cost alone is not automatically decisive; effectiveness, practicability, resources, disruption, safety and available support are relevant.
- Managers must not reduce opportunity, assume incapability or begin formal action before considering disability-related barriers and adjustments.
- Adjustment information is confidential and will be shared on a need-to-know basis. Colleagues may be told what to do without being given private medical details.

11. Inclusive education and service delivery

YoungEducation will provide child-centred, trauma-informed and SEND-responsive education while maintaining clear expectations, safety and meaningful challenge. Inclusion does not mean lowering aspirations or ignoring behaviour that harms others.

- Referrals, suitability assessments, timetables, curriculum pathways, teaching, mentoring, enrichment, examinations and progression will use individual need and objective evidence rather than stereotypes or blanket exclusion.
- Learners will be supported to access English, mathematics, qualifications, life skills and enrichment in ways that recognise starting points, communication, disability, SEND, culture, faith, trauma, attendance and prior educational disruption.
- Reasonable adjustments and special educational provision will be implemented consistently with EHCPs, individual plans, commissioner agreements and safeguarding requirements.
- Learning resources will represent diverse people and experiences accurately and respectfully. Content will be age-appropriate, evidence-informed and delivered with political impartiality and safeguarding awareness.
- Families will receive accessible information and reasonable communication support. Limited English, literacy, disability or digital access must not prevent meaningful participation.
- Complaints, behaviour concerns, attendance or progress data will be interpreted in context. Disproportionate patterns will be investigated rather than attributed automatically to individuals or communities.
- Any restriction, exclusion from an activity or termination of provision must be necessary, proportionate, documented and consistent with contract, safeguarding, equality and commissioning duties.

12. Religion, belief, culture and expression

- Reasonable requests concerning religious observance, dress, food, prayer, leave, timetable or cultural practice will be considered individually alongside safety, safeguarding, service delivery and the rights of others.
- No person will be pressured to participate in religious observance or treated unfavourably for having, changing or not having a religion or protected belief.
- Lawful philosophical and religious beliefs may be expressed respectfully. Protection of a belief does not give permission to harass, discriminate against or deny the dignity of another person.
- Dress or appearance requirements must have a legitimate purpose, be proportionate and consider religion, disability, sex, gender reassignment, culture and safety.
- Dietary, fasting and religious needs will be planned safely where reasonably practicable, especially for children, medication, physical activity and food preparation.

13. Pregnancy, maternity, menopause and caring responsibilities

- Pregnancy and maternity-related health and safety risks will be assessed promptly, with working conditions, hours or duties adjusted where required by law and suitable alternative work considered where applicable.
- Pregnancy-related absence and maternity leave will be recorded and treated lawfully. Pregnancy, intended pregnancy, fertility treatment, maternity leave or assumptions about childcare will not influence recruitment, work allocation, development, redundancy or termination.
- Breastfeeding and expressing needs will be handled with dignity, privacy, suitable facilities and reasonable planning.
- Menopause and menstrual-health effects will be discussed sensitively. Adjustments may involve temperature, uniform, breaks, facilities, hours, workload, location or communication, depending on individual need.
- Carers and parents will be informed of relevant flexible-working and leave routes. Caring responsibility is not itself a protected characteristic, but discrimination by association or indirect sex or disability discrimination may arise.

14. Sex, gender reassignment, privacy and facilities

YoungEducation will treat questions concerning sex, gender reassignment, names, records, pronouns, privacy, facilities, sport, intimate or personal care and single-sex arrangements sensitively and in accordance with current law, safeguarding duties and the individual facts.

- A person protected because of gender reassignment will not be discriminated against, harassed or victimised. Unauthorised disclosure of private status or history may be unlawful and will be treated seriously.
- Records will use accurate lawful information and chosen day-to-day names where appropriate. Access to sensitive information will be strictly limited.

- No manager or worker should promise a particular outcome on a single-sex space, service, role or activity without considering the Equality Act 2010, current binding law, privacy, dignity, safeguarding and proportionality.
- Where children are involved, decisions will be child-centred, age-appropriate and safeguarding-led, with parental involvement and professional advice considered in accordance with law and statutory guidance.
- Respectful disagreement will be managed without compelled personal disclosure, harassment or discriminatory treatment. Specialist advice will be obtained for contested or high-risk decisions.

15. Preventing harassment, sexual harassment and bullying

Prevention is an active duty

YoungEducation will not wait for a complaint. It will assess foreseeable risks, take all reasonable preventive steps, provide safe reporting routes, act promptly on warning signs and review controls after incidents. This includes risks from colleagues, learners, parents, carers, visitors, commissioners, suppliers, online contacts and other third parties.

Risk area	Required prevention
One-to-one, home and community work	Clear professional boundaries, lone-working controls, check-ins, safe locations, reporting routes, supervision and action where a client or household member behaves inappropriately.
Online and digital communication	Approved platforms, professional accounts, moderation, recording and retention rules, privacy controls, escalation of messages or images and prohibition of sexualised or discriminatory content.
Social events, travel and overnight activity	Specific risk assessment, alcohol and conduct expectations, safe transport, responsible leads, reporting access and prompt action involving third parties or venues.
Learner and family contact	Age-appropriate behaviour standards, staff training, de-escalation, support for affected staff or learners and proportionate restrictions or contractual action where necessary.
Recruitment, supervision and management	Training, consistent boundaries, avoidance of power misuse, private but accountable meetings, accessible complaints routes and monitoring for patterns or retaliation.

Prohibited conduct may include sexual comments or jokes, intrusive questions, unwanted touching, sexual images, propositions, repeated invitations after refusal, stalking, gestures,

sexualised gossip, exposure, threats, online conduct, discriminatory jokes, slurs, mimicry, outing, deliberate exclusion or humiliating treatment. A person's stated intention is not decisive; context, purpose, effect, reasonableness and all circumstances will be considered.

- Consent to one interaction does not mean consent to another. Silence, discomfort, previous participation in banter or a power imbalance must not be treated as consent.
- Managers receiving information about harassment must record it, assess immediate safety, preserve evidence, offer support, consider safeguarding and prevent retaliation.
- Third-party behaviour may lead to warnings, boundaries, changed contact, removal from premises, reassignment of staff, suspension or termination of service or contract, commissioner escalation or police referral, subject to safeguarding and proportionality.
- YoungEducation will review the sexual-harassment risk assessment at least annually and after a complaint, near miss, organisational change, new site, new service or emerging pattern.

16. Raising an equality concern

A concern may be raised verbally or in writing with a line manager, the Operations Manager, Managing Director or another appropriate senior manager. A safeguarding concern about a child must be reported immediately to the DSL or a DDSL. A person may also use the Grievance, Whistleblowing, Complaints, Safeguarding or Staff Code of Conduct route according to the issue.

- The person should explain what happened, when and where, who was involved, any witnesses or evidence, the impact, immediate safety or adjustment needs and the outcome sought, so far as they are able.
- A concern will not be rejected because it is informal, delayed, anonymous, raised by a witness, lacks documents or does not use legal terminology. These matters may affect what can be established, not whether the concern is heard.
- Managers will offer accessible formats, communication support, reasonable adjustments and, for formal employee meetings, the accompaniment rights provided by the relevant procedure.
- Emergency danger, assault, stalking, hate crime or sexual offence may be reported to police. YoungEducation will not discourage external reporting or require internal resolution first.
- External advice may be available from Acas, the Equality Advisory and Support Service, a trade union, professional body, commissioner, local authority or legal adviser. Statutory time limits continue to run during an internal process.

17. Initial response and choice of procedure

The receiving manager will acknowledge the concern, assess immediate risk and decide the correct route with appropriate advice. The decision will reflect the people involved, seriousness, safeguarding, employment status, desired resolution, evidence, potential criminality and need for independence.

Issue	Primary route
Employee complaint about own treatment	Grievance Policy, with this policy's equality safeguards and any necessary disciplinary investigation.
Possible misconduct by a worker	Disciplinary Policy or contractual/agency process, with safeguarding referral where relevant.
Child or learner concern	Safeguarding and Child Protection Policy, Behaviour Policy and/or Complaints procedure according to risk and facts.
Public-interest wrongdoing or concealment	Whistleblowing Policy, without removing safeguarding or police reporting duties.
Service complaint by parent, commissioner or visitor	Complaints or contract-management route, with immediate safeguarding escalation where required.
Adjustment or accessibility request	Prompt adjustment process; disagreement may be reviewed or raised as a grievance/complaint.
Performance or absence concern with equality factors	Capability or Attendance process only after barriers, disability, pregnancy and adjustments are considered.

No procedural disadvantage

A concern may involve more than one route. YoungEducation may pause, co-ordinate or separate processes, but will explain the approach, avoid duplicate findings and preserve the safeguards of each applicable policy. A wrong initial label will not remove rights or excuse delay.

18. Informal resolution

Where the person raising the concern agrees and the matter is suitable, informal action may include clarification, facilitated discussion, an apology, restored boundaries, training, supervision, adjustment, changed working arrangements or an agreed behaviour plan.

- Informal resolution is voluntary and will not normally be used for serious harassment, violence, coercion, safeguarding concerns, repeated conduct, significant power imbalance or where facts must be established for safety.
- The manager will record agreed actions, owners, timescales and review arrangements. An informal response does not prevent later formal action if risk continues, new evidence emerges or the agreement fails.
- Mediation is not a substitute for investigation and will not be used to pressure a person into contact with someone they reasonably fear or to bargain away statutory rights.

19. Formal investigation and decision-making

- The allegation, applicable policy, investigator, scope, support, confidentiality expectations and likely timescale will be confirmed so far as appropriate.
- The investigator will be impartial, trained or advised, free from material conflict and sufficiently independent. External support may be used.
- Relevant witnesses and records will be considered, including emails, messages, documents, CCTV where lawfully available, patterns, previous reports and equality or safeguarding context.
- The person raising the concern and the person responding will have a fair opportunity to give evidence, identify witnesses, correct material inaccuracies and comment on significant adverse material, subject to safeguarding and privacy protections.
- Findings will use the applicable civil or employment standard, normally the balance of probabilities, unless a policy or external process requires otherwise. Seriousness does not alter the standard but requires careful evidence assessment.
- The written outcome will state the issues considered, findings, reasons, actions, review or appeal route and any information that cannot lawfully be disclosed. Privacy may limit details of another person's sanction.
- Interim measures are neutral, proportionate, regularly reviewed and not proof of wrongdoing. They may include changed contact, supervision, duties, location, reporting lines, system access or temporary removal from an activity.

20. Safeguarding and external reporting

Safeguarding route must be used

Discrimination, harassment, sexual harassment, sexual violence, hate incidents, coercion, abuse, exploitation, grooming, harmful sexual behaviour or discriminatory bullying involving a child may be a safeguarding concern. Report immediately to the DSL under the Safeguarding and Child Protection Policy. Do not investigate the child or notify an alleged adult without DSL direction.

- The DSL will consider early help, children's social care, LADO, police, Prevent, commissioner and parent or carer involvement in accordance with law and statutory guidance.
- Allegations or low-level concerns about adults working with children will follow the Safeguarding Policy and KCSIE procedures. Employment action may run alongside but must not compromise the external process.
- Child-on-child discriminatory or sexual behaviour will be taken seriously and not dismissed as banter. The response will protect the affected child, assess the needs and risks of all children involved and remain proportionate and trauma-informed.
- A hate crime, sexual offence, stalking, assault or other criminal matter may be reported to police. Evidence must be preserved and no internal process should obstruct a lawful investigation.

21. Outcomes, remedies and consequences

Action will reflect findings, risk, impact, intent where relevant, repetition, insight, power imbalance, safeguarding, mitigation, consistency and the need to prevent recurrence.

Possible outcomes include:

- no further action where the concern is not substantiated, while still addressing identified support, communication or system issues;
- an apology, restored boundaries, facilitated resolution, coaching, training, supervision, monitoring or a written behaviour expectation;
- a reasonable adjustment, accessibility improvement, policy or process change, correction of records, restored opportunity or reconsideration of a decision;
- formal disciplinary action, capability or attendance correction, change of duties or reporting lines, subject to the correct policy and contractual rights;
- restrictions, removal from premises, changed contact, contract action, service review or termination involving a learner, parent, visitor, supplier or third party, with safeguarding and commissioner involvement where needed;
- referral to the DSL, LADO, police, regulator, professional body, local authority, commissioner or other external authority;
- organisational learning, risk-control changes and monitoring even where individual misconduct is not established.

A complaint that is not substantiated is not automatically malicious. Deliberately false evidence or bad-faith allegations may be considered under the appropriate policy, but honest reports made in good faith will not attract action merely because evidence is inconclusive.

22. Victimisation, retaliation and support

- Retaliation is prohibited against a person who raises or supports an equality concern, requests an adjustment, acts as a witness, reports safeguarding, makes a protected disclosure, contacts an adviser or participates in a lawful process.
- Possible retaliation includes threats, isolation, ridicule, reduced work, poor references, blocked development, scrutiny without cause, changed treatment, online abuse or pressure to withdraw. Concerns will be assessed promptly.
- Reasonable steps will be taken to protect wellbeing and participation, including changed contact, named support, supervision, communication agreements, time away from duties, adjustments or signposting to external support.
- Support is available to all affected people and does not imply a finding. Managers must avoid forced reconciliation and ensure protective measures do not disadvantage the person who raised the concern unnecessarily.
- Whistleblowing protections may apply where information is disclosed in the public interest, including qualifying concerns about sexual harassment under the Employment Rights Act 2025 commencement framework.

23. Confidentiality, records and data protection

- Equality, adjustment, health and complaint records will be accurate, relevant, access-controlled and retained under YoungEducation's retention schedule, privacy notices, UK GDPR and legal duties.
- Special-category data will be collected and used only with an identified lawful basis and additional condition. Consent will not be relied on where it is not freely given or another basis is appropriate.
- Diversity-monitoring information will be separated from individual selection or case decisions wherever practicable and reported in anonymised or aggregated form.
- People may request correction of factual inaccuracies and exercise applicable data rights. These rights do not require deletion of accurate records that must lawfully be retained.
- Safeguarding records remain separate under the Safeguarding Policy and KCSIE. Equality records must cross-reference, not replace, safeguarding records.
- Unauthorised disclosure, gossip, outing or misuse of identity, health, religion, sexual orientation, pregnancy or complaint information may be treated as misconduct and a data breach.

24. Equality monitoring and impact assessment

YoungEducation will use proportionate data and qualitative evidence to identify barriers and patterns while protecting privacy. Small numbers will not be reported in a way that makes individuals identifiable.

- Workforce monitoring may include recruitment stages, appointment, pay, hours, training, promotion, adjustments, flexible working, grievances, discipline, capability, absence, turnover and exit, where lawful and useful.
- Service monitoring may include referrals, suitability decisions, attendance, timetables, adjustments, curriculum access, progress, incidents, complaints, exclusions from activities, placement endings and outcomes.
- Leaders will examine differences by protected characteristic and relevant inclusion factors, consider data quality and context, identify root causes and assign proportionate actions.
- A material new policy, site, service, technology, criterion, restructure or change will receive an equality impact assessment proportionate to foreseeable risk.
- Monitoring is not a quota and will not expose confidential information. Positive action will be used only where evidence and legal conditions support it.

25. Public functions and commissioned services

YoungEducation is not automatically a public authority for all purposes. Where it exercises a public function, section 149(2) of the Equality Act 2010 may require due regard, in exercising that function, to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. Contractual commissioner duties may also apply.

- Commissioned decisions will identify which organisation holds each statutory function and what equality evidence or assurance must be provided.

- YoungEducation will co-operate with lawful equality objectives, impact assessments, accessibility requirements, information requests and monitoring clauses while protecting personal data.
- Due regard is an active, evidence-based consideration at the time of decision, not a retrospective form. It does not dictate a particular outcome but must be genuine and proportionate.
- Safeguarding, suitability and individual need remain central. Equality duties do not require unsafe placement, but risks and less restrictive alternatives must be considered without stereotypes or blanket exclusions.

26. Training, communication and review

- All workers will receive equality, diversity, inclusion and anti-harassment information at induction and periodic refresher training appropriate to role. Managers and investigators require additional training on adjustments, evidence, bias, harassment prevention and fair decisions.
- Safeguarding training will address discriminatory abuse, child-on-child abuse, sexual harassment, harmful sexual behaviour, SEND vulnerability, online risk, Prevent and reporting routes.
- The sexual-harassment and third-party risk assessment, reporting routes and expected standards will be communicated to workers and relevant third parties and tested through supervision and audit.
- The Managing Director, Operations Manager and Education Director/DSL will review complaints, themes, adjustment delivery, monitoring data, safeguarding overlap, third-party incidents, training completion and action-plan progress.
- This policy will be reviewed in December 2026 following the scheduled 30 October 2026 legal changes, then at least annually and sooner after material law or guidance, a serious incident, tribunal or regulator learning, audit finding, new service or organisational change.

27. Related YoungEducation policies

- Safeguarding and Child Protection Policy 2026/27.
- Safer Recruitment Policy 2026/27 and reference-waiver controls.
- Disciplinary Policy and Procedure 2026/27.
- Grievance Policy and Procedure 2026/27.
- Capability and Performance Management Policy 2026/27.
- Staff Code of Conduct, Low-Level Concerns, Whistleblowing and Complaints policies.
- Behaviour, Anti-Bullying, SEND, Curriculum, Admissions/Referrals and Accessibility policies.
- Attendance, Sickness Absence, Flexible Working, Family Leave and Menopause policies.
- Data Protection, Confidentiality, Records Retention, Health and Safety, Lone Working and Social Media policies.

Appendix A: Examples and correct response

Example	Required response
A disabled applicant asks for extra assessment time	Acknowledge promptly, identify the barrier and effective adjustment, keep information separate from selection and assess against unchanged essential criteria.
A parent makes racist remarks to a tutor	Support the tutor, record and assess risk, set boundaries, notify management, consider commissioner or contract action and prevent recurrence; do not require continued unsafe contact.
A learner uses discriminatory language	Challenge safely and promptly, support the affected person, assess safeguarding and SEND/trauma context, teach expected behaviour and use proportionate consequences.
A colleague reports sexualised messages	Preserve evidence, assess safety and safeguarding, prevent contact or retaliation where needed, offer support and use an impartial formal route; do not force mediation.
A neutral attendance rule disadvantages disability-related absence	Consider disability, adjustments and objective justification before action; record a fair modified approach where reasonable.
Religious observance conflicts with a timetable	Discuss needs and service impact, consider swaps, breaks or schedule changes and explain a proportionate decision without judging the belief.
A commissioner requests equality monitoring data	Confirm lawful purpose, contractual basis, minimisation and anonymisation; share only necessary information through an approved secure route.
An equality complaint also concerns a child	Report immediately to the DSL, follow safeguarding direction and co-ordinate employment or complaint processes without investigating the child independently.

Appendix B: Reasonable adjustment record

Field	Record
Person / role / service	[Name, role or learner reference and location/service]
Date and requester	[Date raised and by whom]
Barrier and functional effect	[Describe the disadvantage without unnecessary diagnosis detail]

Field	Record
Essential requirement	[What outcome, duty or safeguarding standard must still be achieved]
Options considered	[Requested adjustment, alternatives, effectiveness, practicality and interim measure]
Information used	[Person's views, occupational/medical advice, EHCP or specialist input where relevant]
Decision and reasons	[Agreed / partly agreed / declined, evidence-based reasons and alternatives]
Implementation	[Action, responsible person, funding/equipment and completion date]
Information sharing	[Who needs to know what; privacy controls]
Review	[Review date, effectiveness, changes and next steps]
Review or appeal route	[Named manager and deadline, if disputed]

Appendix C: Harassment prevention action plan

Control	Minimum evidence
Risk assessment	Role and setting risks, one-to-one work, third parties, online contact, home visits, events, travel, power imbalance and previous incidents considered.
Standards	Policy, Staff Code of Conduct, professional boundaries and third-party expectations communicated and accessible.
Reporting routes	Multiple named and accessible routes, including alternatives where a manager is involved; emergency and safeguarding routes clear.
Training	Induction and refreshers completed; managers understand response, confidentiality, evidence, retaliation and third-party action.
Immediate response	Safety, support, evidence preservation, safeguarding, interim controls and conflict-free case ownership documented.
Third-party controls	Contracts, notices, staff authority, commissioner escalation, removal or contact restrictions available and used proportionately.

Control	Minimum evidence
Monitoring	Complaints, informal reports, near misses, themes, locations, online channels, repeat people and control effectiveness reviewed.
Review	At least annual and after an incident, near miss, new site/service, legal change or evidence that controls are ineffective.

Appendix D: Equality impact assessment template

Assessment field	Required consideration
Decision or change	Purpose, owner, timing, affected people, alternatives and evidence base.
Protected groups	Potential positive and negative effects for each protected characteristic and relevant wider inclusion factors.
Evidence and engagement	Data, complaints, learner/worker voice, expert advice, commissioner information and evidence gaps.
Barriers and risk	Direct or indirect discrimination, accessibility, harassment, safeguarding, privacy and cumulative disadvantage.
Mitigation	Adjust design, provide support, remove criterion, use an alternative, phase change or strengthen monitoring.
Justification	Legitimate aim, necessity, proportionality, less discriminatory alternatives and specialist advice where required.
Decision	Proceed / amend / pause / stop, reasons, approver and date.
Monitoring and review	Measures, responsible person, review date, feedback route and trigger for reassessment.

Appendix E: Authoritative sources and policy links

- Equality Act 2010, including sections 20, 26, 40A, 109 and 149 and relevant schedules.
- Worker Protection (Amendment of Equality Act 2010) Act 2023.
- Employment Rights Act 2025 and the Government implementation timeline updated 7 August 2026.
- Equality and Human Rights Commission: Employment Code of Practice; Services, Public Functions and Associations Code; sexual-harassment technical guidance; prevention checklist; Public Sector Equality Duty guidance.

- Acas: discrimination and the Equality Act; equality policy template; improving equality, diversity and inclusion; reasonable adjustments; sexual-harassment prevention guidance.
- Human Rights Act 1998; Employment Rights Act 1996; Protection from Harassment Act 1997; Health and Safety at Work etc. Act 1974.
- Data Protection Act 2018; UK GDPR; Data (Use and Access) Act 2025.
- Department for Education: Keeping Children Safe in Education 2026; Working Together to Safeguard Children 2026; SEND Code of Practice and Prevent duty guidance.
- Hertfordshire Safeguarding Children Partnership procedures and applicable commissioner, professional and awarding-body requirements.

Authoritative sources must be checked in their current form before a high-risk decision. A saved copy of guidance does not override later legislation, commencement regulations, binding case law or official updates.

Appendix F: Approval and revision record

Version	Date	Approved by	Summary
2026.1	August 2026	Kevin Orral / Alex Young	New organisation-wide equality, diversity and inclusion policy aligned with the Equality Act 2010, current harassment prevention duty, scheduled October 2026 reforms, EHRC and Acas guidance, KCSIE 2026 and the YoungEducation safeguarding policy format. Covers employment, learners, services, adjustments, harassment prevention, reporting, safeguarding, monitoring and equality impact assessment.

Approval confirmation

Approver	Role	Signature	Date
Kevin Orral	Managing Director	_____	_____ —
Alex Young	Education Director	_____	_____ —