

Policy document control box	
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Purpose

Red Balloon of the Air (RBAir) is committed to provide equality and fairness for all members of the RBAir community, whether student, employee, volunteer or other stakeholder. We will not discriminate or tolerate any discrimination on grounds of gender; marital status; race; ethnic origin; colour; nationality; national origin; disability (including neurological differences); sexual orientation; religion/belief; or age.

We encourage everyone in the organisation to take an active role against any form of harassment or discriminatory behaviour; to deter anyone from participating in any form of harassing or discriminatory behaviour; and to demonstrate to all members of the RBAir community that they can rely upon RBAir's support if they consider they have been subjected to experiences of discrimination, harassment or prejudice of any kind.

Scope

The rights and obligations set out in this policy apply equally to all members of the RBAir community. Everyone at RBAir has a personal responsibility for the application of this policy. All staff, as part of induction, are expected to read and be familiar with this policy and ensure that this policy is properly observed and fully complied with thereafter.

RBAir staff and volunteers working directly with young people should, wherever relevant, ensure that their students understand the expectations laid down in this policy. Staff must always set appropriate expectations of language and behaviour in peer-to-peer interactions and take up any opportunity to model the application of kindness, respect and tolerance of difference amongst all students, in accordance with the spirit and principles of this policy, the Red Balloon of the Air Community Agreement, and Red Balloon philosophy and practice.

Policy statement

RBAir will aim to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- foster good relations between people who share a protected characteristic and people who do not; and
- create a diverse, welcoming and inclusive environment for all members of the RBAir community (staff, volunteers, students, governors and other key stakeholders, such as families).

One of the central tenets of RBAir is that we hold all members of the Red Balloon community

in unconditional positive regard. This means that everyone is valued, respected, accepted and appreciated. We will work to create an environment in which individual differences and the contributions of all our staff, volunteers and students are recognised and valued.

We will create and manage a working and studying environment that promotes dignity and respect to all and where no form of discrimination, intimidation, bullying or harassment is tolerated.

We will ensure that no job applicant, member of staff, volunteer, or young person receives less favourable treatment than anyone else and that, wherever possible, they are given the help they need to regain their self-esteem and sense of self-worth, make academic and social progress, and successfully move on to mainstream or special education, an apprenticeship or a workplace.

The cooperation of all members of the RBAir community is essential for the success of this policy. However, ultimate responsibility for achieving the policy's objectives, and for ensuring compliance with the relevant Acts of Parliament as well as the various Codes of Practice, lies with the Trustees of Red Balloon Educational Trust and/or governing body of Red Balloon of the Air.

Staff behaviour or actions against the spirit and/or the letter of the laws on which this policy is based will be considered grounds for disciplinary action and can in some cases lead to dismissal.

This policy is fully supported by senior management. The policy will be monitored and reviewed annually.

Protected characteristics

Under the Equality Act 2010 the following characteristics are protected from discrimination, i.e. *'protected characteristics'*:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race or ethnic origin
- Religion or belief
- Gender
- Sexual orientation

Staff roles and responsibilities

Staff are expected to read the Equality, Diversity and Inclusion policy for information regarding RBAir's commitment to the fair recruitment and equitable treatment of all

colleagues. Staff are also expected to read, understand and comply with all aspects of this Equality, Diversity and Inclusion policy and seek clarification from their line manager or headteacher or HR whenever there is any doubt.

The designated senior member of staff with overall responsibility for all equality and diversity matters at RBAir is the Headteacher.

The role of the Designated Person is to:

- Create an environment in which all members of the community are expected to treat one another with mutual respect, dignity and tolerance;
- Ensure that RBAir complies with equality legislation;
- Ensure all policies, practices and procedures associated with equality and diversity, including admissions, curriculum, recruitment and selection, are implemented;
- Make effective and reasonable adjustments where appropriate to meet the individual needs of staff, young people and others who may have business with RBAir;
- Ensure that all staff are aware of and follow RBAir's policy; and receive appropriate equality and diversity training, in accordance with their roles and responsibilities;
- Take all reasonable steps to prevent discrimination, harassment and victimisation from taking place;
- Take responsibility for recording, managing and analysing incidents of discrimination, harassment and victimisation in accordance with RBAir's policies, procedures and guidance.

It is the responsibility of all staff to:

- Treat all colleagues, students and visitors with dignity and respect; and avoid behaving in any manner that may give rise to claims of discrimination, harassment or victimisation;
- Negotiate with students what reasonable adjustments/considerations they might need, rather than making assumptions based on their characteristics;
- Support and participate in any measures introduced to promote equality and diversity;
- Actively challenge discrimination and disadvantage in accordance with their responsibilities;
- Model and support effective communication, conflict resolution and respectful relationships;
- Report any issues arising associated with equality and diversity in accordance with this policy.

It is important to appreciate that an employee is personally responsible for their own acts of discrimination, harassment or victimisation carried out during their employment, whether or not the employer is also liable. Any attempt to instruct, cause or induce another person to discriminate, harass or victimise a third person will also amount to unlawful discrimination

and any employee found doing so will be subject to disciplinary action.

Staff Champions

RBAir presently has a Diversity and Inclusion team chaired by the headteacher and consisting of one LGBTQ+ Champion and two Neurodiversity Champions. The student cohort at RBAir has a larger than typical proportion of young people who identify as LGBTQ+ and many who are diagnosed with ASD and/or other neurodiverse conditions. The Champions work with the headteacher, the SEND department and other staff to ensure the embedding of equitable and representative practice across the organisation, as well as providing signposting for staff, students and parents to appropriate external sources of support.

Students

RBAir is committed to establishing and maintaining a welcoming and inclusive environment where all young people are supported to prioritise and develop their personal wellbeing and to make academic and social progress. This includes the creation of a supportive environment in which all forms of bullying and discrimination are dealt with swiftly and decisively, and students are supported to treat each other with kindness and respect. This expectation is made explicit by RBAir during the admissions phase, when students are asked to sign and adhere to our Community Agreement.

RBAir students may have several protected characteristics, or none. However, our educational provision often supports young people who have been unable to access mainstream education for some time, and this may sometimes have involved unfair and discriminatory treatment because of protected characteristics. Since our young people may have been let down by the system and their peers, it is especially important that we recognise differences and support the inclusion of all within our RBAir community.

The following groups of young people have been identified as people who may need consideration under the provisions of this policy:

- students being looked after or on the edge of Care
- students with Special Educational Needs / Learning Difficulties and Disabilities
- students who are neuroatypical (e.g. on the autistic spectrum)
- students excluded or at risk of exclusion from school
- students from a minority ethnic group, including those from Gypsy, Roma, Traveller background
- students with English as an additional language
- students missing in education

- students who have ill health, including hospitalisation, affecting attendance at school
- students Not in Education, Employment or Training (NEET)
- students experiencing drug or alcohol abuse
- students who are school age / teenage parents
- students who are young carers
- students who might be at risk of offending
- students who have mental health issues
- students who are in receipt of free school meals
- students who live in areas of deprivation
- students who are gifted and talented
- students who are transgender
- students who are questioning their gender or going through transition
- students who are non-binary, intersex, gender fluid, gender queer or gender non-conforming
- students who are lesbian, gay, bisexual, asexual, or another non-hetero sexuality.

Reasonable adjustments

We will actively seek to make reasonable adjustments, taking positive and proactive steps to remove, reduce or prevent the obstacles faced by a disabled individual, as far as is reasonable in all lessons, sessions, meetings, trips, educational visits and other circumstances. This includes negotiating what reasonable adjustments are made. We will support student applications for appropriate formal access arrangements for external national examinations and will support our young people to use these effectively.

Many young people at RBAir live with 'hidden' disabilities or conditions that affect their ability to access sessions, such as chronic anxiety or variable mental health. Whilst this may not technically fit the criteria of a disability, many conditions experienced by our students can mean they would benefit from additional consideration and adaptations to access the curriculum. We aim to work with young people wherever possible to ensure we adjust our provision to provide fair access for all.

Admissions policy

RBAir admissions criteria are defined under the admissions policy and are applied consistently to every young person, irrespective of any protected characteristic.

Curriculum delivery

The curriculum is crucial to tackling inequalities for students, including gender stereotyping, preventing bullying and raising attainment for certain groups. RBAir's ethos wholly espouses the principles of equality and diversity, and we ensure these are embedded in our academic and social curriculum. PSHEE in particular examines diversity and difference, promoting mutual respect of difference as a Fundamental British Value. Students also examine how a

range of perspectives and experiences are enriching for all. In RSE sessions, students take part in student-led inclusive discussions to ensure all students feel seen, heard and respected.

Positive and proactive steps will be taken to prevent discrimination against, or victimisation of, any young person in the provision of education or access to any benefit, facility or service including educational trips, work experience and leisure activities.

Exclusion policy: The decision to exclude a student for a fixed period or permanently is a last resort. Our exclusion criteria are defined under the exclusion policy and are applied consistently to every young person, irrespective of any protected characteristic.

Monitoring and continual improvement

RBAir is committed to its vision of equality, diversity and inclusion. Part of this involves the monitoring of discriminatory incidents.

Record-keeping

At each RBAir Centre's reception area, there is a book in which to record any incidents involving discrimination observed in the student RBAir community, including an LGBT-phobic incident log - this is in addition to the recording of bullying incidents also logged, although it is likely incidents may be recorded in both books. Discriminatory incidents may be verbal, written or physical behaviours, or involve noises, gestures or facial expressions and they may be directed at an individual or a group.

Investigation

We aim to investigate any discriminatory behaviours rigorously and sensitively whilst supporting the victim and dealing firmly and fairly with the perpetrator. We will take into account the levels of understanding of each individual and seek to expand their understanding where appropriate.

Actions

We will challenge incidents and aim to respond rapidly, making clear what behaviour or language is not acceptable and why. Holding our young people in unconditional positive regard means we believe that everyone has the capacity to change for the better and we will act to support this change in the most appropriate way for each individual.

When dealing with any discriminatory incident, RBAir will make it clear to all parties that it will be taken seriously and dealt with appropriately. This may involve communication with the perpetrator's parents/carers, meetings with the student and family, further specific education and/or the use of fixed-term exclusion from RBAir. We will use a restorative justice approach to engage in dialogue whenever possible; however, victims and their parents have the right to contact the police if they believe a criminal offence has been committed.

We may seek specialist advice and support depending upon the nature of the incident as RBAir always seeks to support the holistic development of each person. Our aim will always be to increase understanding and empathy between members of the RBAir community, but exclusion remains a final consequence if all other approaches have failed.

Monitoring and Annual Equalities Statements

Monitoring of the implementation and impact of our policies will take place at least annually, alongside the review of this policy, and is shared in the annual report to trustees.

The RBAir Annual Equalities Statement – data/monitoring, comment included:

- Staffing - Numbers, Gender Profile, Age Profile, Ethnicity, Declared Disability
- Students - Gender, Ethnicity, SEN Need, English as an Additional Language, CLA, Religion, FSM, Attendance and Achievement trends

Data is benchmarked against national standards and includes parent feedback (from questionnaires, ad hoc communications and/or complaints).

We gain detailed annual feedback from the RBAir community via anonymous parent, student and staff questionnaires. The response to the questionnaires will be examined along with the log of incidents and any follow-up actions and monitoring resulting from recorded incidents. SLT will evaluate annually whether there are any discernible trends, reasons for these, and if there is a need for further training, student support or staff action in order to deal with any recorded or self-reported incidents.

The intention of RBAir is to learn from incidents, actions and interventions, both how best to deal with discrimination but also what pre-emptive actions might help to prevent any acts of discrimination within the RBAir community. Our goal remains the creation of a kind, respectful community of diverse individuals, in which everyone feels safe, valued and accepted; and, of course, to prepare our young people for a successful and happy life beyond RBAir in a diverse modern Britain.

Related legislation and documents

Equality Act 2010

Other policies to be read alongside this one

Anti-Bullying policy

Disability and Discrimination policy

Equality and Diversity policy - staff

Safer recruitment policy

SEND policy

Complaints policy

Disciplinary policy

Whistleblowing policy