Equality, Diversity and Inclusion Policy

Peopleton Brook Care Farm

Policy owner: Jake Payne, Business Manager

Approval date: 06/08/2026

Effective date: 01/09/2026

Next review: August 2027, or sooner if law, guidance, commissioning arrangements or provision changes

> **Guidance status:** The updated EHRC Services Code of Practice became statutory on 5 August 2026. KCSIE 2025 remains in force until 31 August 2026 and KCSIE 2026 takes effect on 1 September 2026. The EHRC's proposed replacement schools technical guidance is still under consultation and is not treated here as final guidance.

1. Purpose and commitment

Peopleton Brook Care Farm (PBCF) is committed to a safe, fair and welcoming environment in which children, young people, adult participants, staff, volunteers, families, visitors, contractors and partners are treated with dignity and can participate meaningfully. Difference is respected; discrimination, harassment and victimisation are not tolerated.

Equality does not always mean treating everyone identically. PBCF will remove avoidable barriers, make reasonable adjustments, respond to individual needs, use lawful positive action where justified and balance the rights, safety, privacy and dignity of everyone affected. Decisions will be evidence-based, proportionate and recorded where material.

> **Safeguarding first:** Equality and safeguarding duties work together. Inclusion must never be used to minimise abuse, neglect, discriminatory bullying, sexual harassment or another risk of harm. Staff must follow the child or adult safeguarding policy immediately where a concern arises.

2. Status, scope and responsibility boundary

PBCF is a non-school alternative learning provider and supports both commissioned children and adult participants. It is not assumed to be a maintained school, academy or public authority merely because it provides education-related services. The Equality Act 2010 duties that apply depend on the relationship and activity, including employment under Part 5, services and public functions under Part 3, and contractual arrangements with a commissioning school or local authority.

Commissioning schools and local authorities retain their own statutory duties, including duties arising under the schools provisions, the Public Sector Equality Duty (PSED), SEND law and safeguarding law. PBCF will provide information and cooperation to support those duties, implement agreed adjustments and

placement plans, and alert the commissioner where its action or decision is required. A contract cannot remove PBCF's own legal responsibilities.

Where PBCF is exercising a public function or acting on behalf of a public authority, the applicable public-law and human-rights duties will be identified and followed. PBCF voluntarily uses the three PSED aims as good practice: eliminating unlawful conduct, advancing equality of opportunity and fostering good relations, without claiming that the specific public-authority publication duties automatically apply to it.

3. Legal and guidance framework

- Equality Act 2010, including employment, services, public functions, reasonable adjustments, harassment, victimisation and positive action;
- EHRC Code of Practice for Services, Public Functions and Associations, statutory from 5 August 2026, and applicable EHRC employment guidance;
- Human Rights Act 1998 where PBCF or a commissioner is carrying out a public function;
- Children and Families Act 2014 and SEND Code of Practice: 0 to 25 years, as applicable to commissioners and partner bodies;
- Keeping Children Safe in Education 2025 until 31 August 2026 and KCSIE 2026 from 1 September 2026;
- Working Together to Safeguard Children 2026 and the Care Act 2014 adult-safeguarding framework;
- DfE non-school alternative provision voluntary national standards (2025) and alternative-provision guidance (2025); and
- UK GDPR and Data Protection Act 2018 for equality monitoring and sensitive personal information.

4. Protected characteristics and wider inclusion

The Equality Act lists nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. The exact protection and exceptions vary by context. For example, age and marriage/civil partnership do not operate in every pupil-education situation, but remain relevant to employment and other activities.

For Equality Act purposes, following the Supreme Court judgment in For Women Scotland, sex means biological sex recorded at birth. Gender reassignment remains a separate protected characteristic. Protection does not require medical treatment or a Gender Recognition Certificate. PBCF will protect people from unlawful discrimination while respecting lawful sex-based provisions and safeguarding requirements.

PBCF's inclusion commitment also covers characteristics or circumstances that may not independently be protected in every context, including neurodiversity, socio-economic disadvantage, care experience, caring responsibilities, language, literacy, menopause, physical or mental health, body appearance, family circumstances and gender identity or expression. This wider commitment does not alter the statutory list or prevent lawful distinctions.

Protection includes discrimination because a person is perceived to have a characteristic or is associated with someone who has one, where the law provides. Religion or belief includes protected religious and philosophical beliefs and lack of belief. Staff must not compel agreement with a belief, but everyone must communicate and behave lawfully and respectfully.

5. Conduct prohibited by this policy

Conduct	Meaning and PBCF response
Direct discrimination	Less favourable treatment because of a protected characteristic, including relevant perception or association. This is generally unlawful unless a specific statutory exception applies.
Indirect discrimination	A rule or practice applied to everyone that disadvantages a protected group and the individual, unless it is a proportionate means of achieving a legitimate aim.
Disability discrimination	Unfavourable treatment arising from disability without objective justification, or failure to make a reasonable adjustment where the duty applies.
Harassment	Unwanted conduct related to a relevant characteristic, or conduct of a sexual nature, that violates dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment, subject to the statutory context.
Victimisation	Detriment because a person has raised, supported or is believed to have raised an Equality Act concern or done another protected act.
Bullying and hate incidents	Prejudice-based or discriminatory bullying, hostility, slurs, sexual harassment, misogyny or misandry, homophobia, biphobia, racism, ableism and faith-based abuse will be challenged and routed to behaviour, safeguarding, employment or complaints procedures as appropriate.

A single serious incident may breach this policy even where it does not meet a repeated-behaviour definition of bullying. 'Banter', intent, custom or a person's silence does not make harmful conduct acceptable. Retaliation, pressuring someone to withdraw a concern or disadvantaging a witness is prohibited.

6. Inclusive access, reasonable adjustments and SEND

PBCF will anticipate common barriers and respond promptly to individual needs. The reasonable-adjustment duty is separate from, and may go beyond, SEND provision or an Education, Health and Care plan. A person does not need a diagnosis or plan before PBCF considers support. PBCF will not charge a disabled person for a reasonable adjustment.

- ask the person, family or advocate what enables safe participation and use accessible, age-appropriate communication;
- consider changes to timing, routines, instructions, communication, sensory environment, equipment, physical access, supervision, rest breaks and assessment of progress;
- provide or permit appropriate auxiliary aids or services where the legal duty applies, while agreeing commissioner funding and ownership without delaying urgent low-cost support;
- complete individual risk assessment where genuinely needed; avoid blanket exclusions based on a label, diagnosis, pregnancy, religion or other characteristic;
- record agreed adjustments, responsible people and review dates in the placement or support plan, and tell relevant staff on a need-to-know basis; and
- escalate structural, specialist or commissioner-dependent changes promptly and document interim arrangements.

> **Farm activities:** Risk controls must address the actual activity, animal, machinery, terrain, allergy, infection, pregnancy, mobility, sensory or communication risk. Staff must adapt tasks or provide an equivalent meaningful activity where reasonable, rather than automatically excluding a person because of a protected characteristic.

7. Children, adult participants and commissioned placements

Referral, admission, timetabling, participation, reward, discipline, assessment, transport and exit decisions must be fair, transparent and based on relevant evidence. PBCF will not accept a placement it cannot deliver safely or suitably, but any refusal or restriction must be based on assessed need, capacity and risk rather than stereotype. The reason and possible adjustments or alternatives should be recorded and communicated to the commissioner.

Children and adults will have accessible ways to express their views, request an adjustment, report discrimination and obtain support from a parent, carer, advocate or trusted person where appropriate. Capacity, competence, confidentiality and safeguarding will be considered separately; disability or communication difficulty must not be mistaken for lack of capacity or credibility.

PBCF will work with commissioners to review equality-related attendance, engagement, progress, incidents, restrictions and placement suitability. The commissioning body remains responsible for statutory registration, education decisions and its own equality objectives. Significant discriminatory incidents, unmet needs or barriers to attendance will be reported promptly in line with the placement agreement and safeguarding requirements.

8. Sex, gender reassignment and gender-questioning children

Every person must be treated with dignity and protected from bullying or harassment. Questions involving sex, gender reassignment, social transition, facilities, sport, privacy or records can engage distinct and sometimes interacting equality, safeguarding, human-rights and data-protection considerations. Staff must not make informal individual arrangements outside the agreed safeguarding process.

For children, PBCF will follow its Safeguarding and Child Protection Policy and the KCSIE 2026 approach from 1 September 2026. PBCF will not initiate social transition. Requests will be referred to the designated safeguarding lead and commissioner, parents or carers will ordinarily be involved in line with KCSIE, and decisions will consider the child's welfare and the rights, safety, privacy and dignity of all affected. Decisions and reviews must be documented.

Child toilets designated for boys or girls will be used according to biological sex. From age 8, separate provision will be maintained, except for a self-contained room intended for one child at a time and lockable from the inside. Where a gender-questioning child does not wish to use the facility for their biological sex, an appropriate individual alternative will be considered without compromising single-sex provision. Arrangements must be risk assessed, communicated only as necessary, recorded and reviewed.

Adult and staff facilities, and any separate- or single-sex service, will be managed in accordance with the Equality Act and the EHRC Services Code. A lawful sex-based provision will be operated on the biological-sex basis required by current law; gender reassignment protection remains in force, so alternatives and

treatment must avoid unlawful discrimination and protect privacy and dignity. Specialist advice will be obtained for complex cases.

9. Recruitment, employment and volunteering

- use objective, role-related criteria and accessible recruitment information; make reasonable adjustments to recruitment and work;
- avoid irrelevant health, age, family, pregnancy or other protected-characteristic questions and decisions, except where lawfully necessary;
- offer equal access to induction, training, supervision, development, pay and opportunities, subject to objective role needs;
- support pregnancy, maternity, disability, religion or belief and menopause-related needs through individual assessment and lawful adjustments;
- use occupational requirements, positive action or sex-based exceptions only where the legal test is met, proportionate and documented; and
- handle grievances, disciplinary matters, flexible-working requests, sickness, redundancy and termination consistently and without retaliation.

Staff and volunteers are expected to model respectful conduct, challenge inappropriate behaviour safely, follow agreed adjustments and report barriers or incidents. A belief does not excuse harassment, and respectful disagreement does not by itself amount to harassment; context, effect, freedom of expression and the rights of others must all be considered.

10. Curriculum, communication and everyday practice

Activities, examples, displays, resources and communication should reflect a diverse society, avoid stereotypes and remain suitable for the learner's age and development. PBCF will create opportunities to build respectful relationships and challenge racism, sexism, misogyny, misandry, ableism, homophobia, biphobia, faith-based prejudice and other discriminatory attitudes.

- use a person's agreed name and respectful forms of address while following safeguarding, records and social-transition decisions for children;
- offer accessible formats or communication support where reasonably required;
- consider dietary, religious-observance, uniform or clothing needs individually, subject to safety and animal-welfare controls;
- avoid unnecessary sex stereotypes and provide equivalent opportunities, while retaining lawful single-sex arrangements where justified; and
- ensure photographs, publicity and online material are consented or otherwise lawful, representative and do not disclose sensitive information unnecessarily.

11. Raising, recording and responding to concerns

A concern may be raised verbally or in writing to any member of staff, Jake Payne, the designated safeguarding lead or an uninvolved Business Owner. Reasonable adjustments, interpretation, advocacy and a

child-friendly route will be provided. Anonymous concerns will be considered on the information available. Nobody should investigate their own conduct or a complaint in which they have a material conflict.

- Listen without argument, thank the person, record their words and immediate needs, and preserve relevant evidence.
- Make the situation safe. Refer immediately under child or adult safeguarding procedures where harm, exploitation, hate crime, sexual harassment or another safeguarding risk may be present.
- Notify the appropriate manager promptly. A staff matter may require grievance, disciplinary, whistleblowing or allegation procedures; a participant matter may require behaviour, anti-bullying or safeguarding action.
- Assess what happened, the protected characteristic or wider vulnerability, impact, risk, adjustments, witnesses, previous pattern and commissioner responsibilities. Keep parties informed without promising secrecy.
- Take proportionate protective, restorative, disciplinary, support, training or service-improvement action and record the decision, reasons, communications and review.
- Offer the Complaints and Concerns Procedure where unresolved. Data-protection, safeguarding, police, local-authority, commissioner or regulator routes remain available and must not be delayed by the internal process.

> **Immediate danger or crime:** Call 999 where there is immediate danger or a crime in progress. Use 101 for non-emergency police contact. Staff do not need managerial permission to seek emergency help.

12. Responsibilities

Role	Core responsibility
Business Owners	Approve the policy and resources; oversee culture, serious issues and conflicts; ensure independent handling where a senior leader is involved.
Jake Payne - Business Manager	Coordinate implementation, adjustments, equality review, workforce practice, records, training, complaints and commissioner liaison.
Designated safeguarding lead	Lead safeguarding decisions, including discriminatory harm and requests concerning a gender-questioning child; liaise with families, commissioners and agencies.
Managers	Apply fair decisions, implement adjustments, review risk controls, challenge poor practice and escalate unmet needs or incidents.
All staff and volunteers	Treat people with dignity, follow adjustments, challenge and report discriminatory conduct, keep information confidential and complete training.
Children and adult participants	Be supported to understand expectations, respect others, report concerns and contribute to plans and reviews.
Commissioners and partners	Retain their statutory decisions and oversight, share necessary information, agree support and review placement equality and suitability.

13. Equality analysis, information and monitoring

PBCF will consider equality implications before material changes to policies, facilities, activities, timetables, recruitment, technology, contracts or service delivery. The record should identify evidence, affected groups, potential advantage or disadvantage, safeguarding and privacy issues, alternatives, mitigation, decision owner and review date. Equality analysis supports judgment; it is not a tick-box exercise.

Monitoring may include access, referrals, attendance, participation, progress, adjustments, incidents, complaints, workforce processes and training. Data will be collected only where necessary and lawful, explained clearly, secured, minimised and reported in aggregated or anonymised form where possible. People will not be required to disclose sensitive information merely to demonstrate inclusion.

PBCF will share proportionate information with commissioners so they can fulfil oversight and PSED responsibilities. PBCF will publish equality information or objectives only where legally required or voluntarily approved; the former policy's automatic promise of an annual public summary is not retained as a statutory duty.

14. Training, review and non-compliance

Staff and volunteers will receive proportionate equality, reasonable-adjustment, safeguarding and respectful-conduct training at induction and refreshers at least annually or when law, guidance or role changes. Training will use practical scenarios relevant to alternative provision, disability, farm safety, prejudice-based incidents and speaking up.

Deliberate, reckless or repeated breach may lead to additional supervision, removal from duties, disciplinary or contractual action, safeguarding referral, commissioner notification or police/regulator involvement as appropriate. Good-faith reporting and lawful participation in a complaint will be protected from retaliation.

This policy will be reviewed annually and sooner after a serious incident, material change, relevant judgment or new statutory guidance. A specific review must be completed when the EHRC finalises its replacement schools technical guidance and if DfE changes the KCSIE 2026 provisions before or after 1 September 2026.

Appendix A - Staff quick response

Situation	Immediate staff action
Someone reports discrimination or harassment	Listen; record their own words and immediate needs; make them safe; preserve evidence; report promptly. Screen for safeguarding and do not promise secrecy.
A person needs an adjustment	Ask what would help; provide safe low-risk support within your authority; record and refer promptly for a formal decision. Do not demand a diagnosis before considering need.
A rule appears to disadvantage a group	Pause its application if safe; tell the manager; identify the aim, evidence, impact, alternatives and possible adjustments before continuing.
A child raises a gender-related request	Be calm and respectful; do not agree changes yourself; record accurately and refer to the DSL under the safeguarding policy. Do not disclose more widely than necessary.

Situation	Immediate staff action
A participant cannot safely do a farm task	Assess the actual hazard and adjustments; offer an equivalent meaningful task where appropriate; record and review rather than applying a blanket exclusion.
A concern involves Jake Payne or an owner	Send it to an uninvolved Business Owner or use safeguarding, whistleblowing, commissioner or external routes as appropriate. The person concerned must not decide their own case.

Appendix B - Minimum equality decision record

- date, decision-maker and people consulted, including the child's or adult participant's views;
- decision or request, relevant context and evidence rather than assumptions or stereotypes;
- protected characteristic, wider vulnerability, safeguarding issue and legal or contractual duties considered;
- disadvantage, risk and likely effect on the person and others;
- reasonable adjustments, less discriminatory alternatives and positive action considered;
- decision, objective justification where relied upon, responsible person and communication plan; and
- review date, outcome measures, commissioner action and any confidentiality or data-protection controls.

Sources and related guidance

Equality Act 2010 — UK Parliament.

Code of Practice for Services, Public Functions and Associations - statutory from 5 August 2026 — Equality and Human Rights Commission.

Equality Act 2010: Advice for Schools — Department for Education.

Technical Guidance for Schools in England (current guidance; replacement consultation open in 2026) — Equality and Human Rights Commission.

Keeping Children Safe in Education 2025 and KCSIE 2026 from 1 September 2026 — Department for Education.

SEND Code of Practice: 0 to 25 years — Department for Education and Department of Health and Social Care.

Non-school Alternative Provision: Voluntary National Standards — Department for Education.

Alternative Provision: Statutory Guidance for Local Authorities and Schools — Department for Education.

UK Supreme Court judgment: For Women Scotland Ltd v The Scottish Ministers [2025] UKSC 16 — UK Supreme Court.

Approval record

Approving authority	Name	Signature	Date
Business Owner / authorised approver	Jake Payne	Jake Payne	06/08/2026