Equality, Diversity and Inclusion Policy

(including children and young people, families, staff, commissioned services and alternative provision)

ABA Pathways

This policy is reviewed at least annually and sooner where there are statutory, regulatory, commissioning or operational changes.

Approved by:	Last reviewed on:	Next review due by:
Directors of ABA Pathways	September 2026	September 2027

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1. Statement of intent and aims

ABA Pathways is committed to equality, diversity and inclusion (EDI). Everyone who uses, works within or comes into contact with our services should be treated with dignity, fairness and respect, have meaningful opportunities to participate, and be protected from unlawful discrimination, harassment and victimisation.

Our approach goes beyond treating everyone identically. Children, young people, families and staff have different identities, experiences, strengths, needs and barriers. We will seek to understand those differences, remove avoidable barriers and make proportionate adjustments so that people can access opportunities and services equitably.

- Promote an inclusive culture in which difference is respected and diversity is valued.
- Eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct.
- Advance equality of opportunity by identifying and reducing disadvantage and barriers to participation.
- Foster respectful relationships and challenge prejudice, stereotyping and discriminatory language or behaviour.
- Make reasonable adjustments for disabled people and design support around individual access needs.
- Embed EDI within education, respite, community support, employment, commissioning, policy development and everyday decision-making.
- Listen to children, young people, families and staff and use their views to improve accessibility and inclusion.

2. Legal and regulatory framework

This policy has regard to the current legal and statutory framework in England, including:

- Equality Act 2010.
- Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, where applicable.
- Equality and Human Rights Commission Equality Act 2010 Code of Practice for Services, Public Functions and Associations (2026).
- Human Rights Act 1998.
- Children and Families Act 2014 and the SEND Code of Practice: 0 to 25 years.
- Education Act 1996 and relevant education equality duties where they apply to a placement or commissioning body.
- Keeping Children Safe in Education 2026 and Working Together to Safeguard Children 2026.
- Early Years Foundation Stage statutory framework, where applicable.
- UK data protection legislation when collecting, using or sharing equality information.
- Relevant employment legislation and Department for Education workforce equality guidance.

ABA Pathways may deliver services commissioned by public authorities. Where the Public Sector Equality Duty (PSED) applies directly to ABA Pathways because we are exercising a public function, or where equality requirements form part of a commissioning arrangement, we will support the relevant duty holder to meet those obligations and will have due regard to equality considerations in our own decision-making.

3. Scope and principles

This policy applies to directors, employees, self-employed practitioners and subcontractors, agency staff, students, volunteers, children and young people, families, visitors and others working with or on behalf of ABA Pathways. It applies across education, alternative provision, early intervention, respite, community and home-based support, training and consultancy.

- Dignity and respect.
- Person-centred and strengths-based practice.
- Presumption of competence and respect for neurodiversity.
- Fairness and equity rather than a one-size-fits-all approach.
- Accessibility, communication access and reasonable adjustment.
- Intersectionality: recognising that people may experience overlapping barriers or disadvantage.
- Professional curiosity and willingness to examine whether systems, environments or practice create avoidable inequality.

4. Protected characteristics and other forms of disadvantage

The Equality Act 2010 protects people in relation to specified protected characteristics. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The way individual protections apply varies according to the area of law, such as education, services, public functions or employment.

ABA Pathways will also seek to prevent unfair disadvantage that may not itself amount to unlawful discrimination, including barriers associated with socio-economic disadvantage, care experience, being a young carer, communication differences, family circumstances or other aspects of a person's background or lived experience. This does not alter the legal definition of protected characteristics.

Discrimination may include direct discrimination, indirect discrimination, discrimination arising from disability and failure to make reasonable adjustments, where the relevant legal tests apply. Harassment and victimisation are also prohibited in circumstances covered by the Equality Act.

5. Equality duties and decision-making

Equality considerations will be integrated into significant decisions about policies, service design, access, staffing, environments and commissioning. Where the PSED applies, decision-makers will have due regard to the need to eliminate prohibited conduct, advance equality of opportunity and foster good relations.

- Consider who may be affected by a proposed decision and whether particular groups could experience disadvantage.
- Use relevant evidence, including individual information, feedback, complaints, incident themes and participation data.
- Consider reasonable adjustments and less disadvantageous alternatives.
- Record the rationale for significant decisions where equality implications are material.
- Review the actual impact of decisions and change arrangements where unintended barriers become apparent.

6. Children and young people

Every child and young person will be supported to participate in ABA Pathways services without unlawful discrimination. Expectations, support and opportunities will be individualised according to need rather than based on stereotypes or assumptions about a protected characteristic.

- Use the child or young person's preferred name and communication method, subject to safeguarding, legal and commissioning requirements.
- Provide accessible ways for children and young people to express views, choices, discomfort and complaints.
- Ensure activities, resources and environments reflect diversity and do not routinely present one identity, family structure, culture or way of communicating as the default.
- Challenge discriminatory language, bullying and exclusion while taking account of communication, developmental level and SEND.
- Avoid lowering expectations solely because a child is disabled or has SEND; provide support and adjustments that enable meaningful success.

7. SEND, disability and reasonable adjustments

Disability equality is central to ABA Pathways because many of the children and young people we support are disabled and/or have SEND. We will anticipate barriers where reasonably possible and make reasonable adjustments so disabled people are not placed at a substantial disadvantage.

- Adapt environments, routines, teaching, communication, sensory demands, assessment and participation arrangements where appropriate.
- Provide or support auxiliary aids and services where required and within the responsibilities of ABA Pathways or the commissioner.
- Use AAC and other communication supports where needed and ensure staff know how to respond to the individual's communication.
- Consider accessibility when arranging community activities, transport, personal care and overnight respite.
- Review whether apparently neutral rules create disproportionate barriers for disabled people.
- Avoid diagnostic overshadowing: changes in behaviour, distress or participation will not automatically be attributed to disability without considering medical, environmental or safeguarding causes.

8. Neurodiversity, communication and behaviour

ABA Pathways respects neurodiversity and does not seek to make children appear neurotypical for its own sake. Support should focus on meaningful communication, autonomy, access, safety, learning, relationships, independence and quality of life.

- Do not require eye contact as a marker of attention or respect; where relevant, support functional eye gaze or other accessible ways of orienting and engaging.
- Recognise behaviour as potentially communicating pain, distress, sensory need, uncertainty, refusal, fear or unmet need.
- Use Positive Behaviour Support, capable environments and proactive strategies to reduce barriers.
- Seek assent and honour refusal or requests for breaks wherever it is safe and practicable to do so.

- Ensure restrictive intervention is never used to enforce conformity with social norms or because a person communicates or regulates differently.

9. Curriculum, learning and participation

Where ABA Pathways provides education or learning activities, content and delivery will be inclusive, appropriately ambitious and adapted to individual access needs. Diversity should be represented accurately and respectfully in resources, examples and everyday experiences.

- Provide reasonable adjustments and differentiated access without unnecessarily segregating children.
- Teach respect for difference in an age-, development- and communication-appropriate way.
- Avoid stereotyping based on sex, race, disability, religion, family structure or other characteristics.
- Ensure opportunities for play, outdoor learning, community participation, independence and social experiences are not unnecessarily restricted because of disability or perceived risk.
- Work with commissioning schools/local authorities where curriculum or statutory duties remain their responsibility.

10. Alternative provision, respite and community services

Equality and inclusion apply across all ABA Pathways services, not only education. Placement decisions, timetables, peer groupings, activities, transport and community access will consider individual needs and equality implications.

- Commissioned alternative provision will be delivered in a way that supports the commissioner's continuing equality, SEND, safeguarding and educational responsibilities.
- Respite should provide enjoyable, meaningful and inclusive opportunities rather than becoming unnecessarily clinical or restrictive.
- Peer matching may consider communication, interests, support needs and social compatibility, but must not be based on unlawful discriminatory assumptions.
- Community activities will be planned with reasonable adjustments and proportionate risk management.
- Where a venue or activity presents an access barrier, staff will consider adjustments or suitable alternatives rather than automatically excluding the child.

11. Families, carers and partnership working

Families and carers will be treated with dignity and respect. ABA Pathways recognises diverse family structures, cultures, languages, beliefs and approaches to disability and neurodivergence.

- Provide information in accessible formats or communication methods where reasonably required.
- Use interpreters or other communication support where appropriate and practicable.
- Listen to family knowledge while keeping the child or young person's rights, voice and welfare central.
- Explain professional terminology and the rationale for recommendations.

- Address disagreement respectfully and use transparent review and complaints processes where concerns cannot be resolved informally.

12. Recruitment, employment and workforce inclusion

ABA Pathways will not unlawfully discriminate in recruitment, selection, pay, training, supervision, promotion, allocation of work, disciplinary action, redundancy or termination. Employment decisions will be based on legitimate role requirements, competence, conduct and organisational need.

- Use fair and proportionate recruitment criteria and processes.
- Make reasonable adjustments for disabled applicants and staff.
- Consider flexible or alternative arrangements where appropriate for disability, pregnancy, maternity, religion or belief, caring responsibilities or other relevant circumstances.
- Provide equal access to development and supervision.
- Address harassment, bullying and discriminatory behaviour between colleagues or by third parties.
- Ensure complaints or protected acts do not result in victimisation.
- Monitor workforce practices where proportionate and lawful to identify patterns of disadvantage.

13. Harassment, bullying, victimisation and prejudice-based incidents

ABA Pathways will not tolerate prejudice-based bullying, harassment, victimisation or discriminatory conduct. Concerns will be taken seriously whether they occur face-to-face, online, between children, between adults, or across child/adult relationships.

- Respond promptly and proportionately to racist, disablist, sexist, homophobic, biphobic, transphobic, faith-based or other prejudice-related incidents.
- Consider the needs and safety of the person affected as well as appropriate education, support and accountability for the person responsible.
- Record significant incidents and review patterns rather than dismissing repeated behaviour as isolated.
- Consider safeguarding referral where conduct indicates abuse, exploitation, hate-related harm or a wider risk.
- Take developmental level, SEND and communication needs into account without minimising the impact on others.

14. Safeguarding and equality

Equality and safeguarding are closely connected. Children who experience discrimination, social isolation or communication barriers may be less able to seek help or may be more vulnerable to abuse and exploitation. Staff will follow the Safeguarding and Child Protection Policy and maintain professional curiosity.

- Do not attribute injuries, distress or behaviour changes to disability, culture or family background without appropriate exploration.
- Recognise prejudice-based harm and online abuse as potential safeguarding concerns.

- Ensure safeguarding responses are accessible to non-speaking or minimally speaking children and those using AAC.
- Avoid discriminatory assumptions about who can be a victim or who may pose a risk.
- Share information where necessary to safeguard a child, while respecting privacy and data protection requirements.

15. Religion, belief and cultural inclusion

ABA Pathways will respect religion, belief and cultural identity while maintaining safeguarding, health and safety and legal requirements. Reasonable requests relating to diet, clothing, prayer, religious observance or cultural practice will be considered fairly and individually.

No child, family member or staff member will be pressured by ABA Pathways to adopt a religion or belief. Staff will distinguish respectful discussion and education from stereotyping, proselytising or discriminatory treatment.

16. Sex, sexual orientation and gender reassignment

ABA Pathways will treat people fairly and respectfully in relation to sex, sexual orientation and gender reassignment and will not tolerate harassment or prejudice. Decisions will be made in accordance with the Equality Act 2010, current statutory guidance, safeguarding duties and the specific context of the service.

Where privacy, personal/intimate care, sleeping arrangements, toilets/changing, sport or other sex-related considerations arise, ABA Pathways will undertake a careful, lawful and person-centred assessment rather than applying informal blanket rules. The dignity, privacy, safety and rights of all affected people will be considered. Where necessary, current legal or commissioning advice will be sought.

17. Pregnancy, maternity, marriage and civil partnership

Pregnancy and maternity will not be a reason for less favourable treatment where protection applies. Appropriate health and safety risk assessment and reasonable workplace/service arrangements will be considered. Marriage and civil partnership protections will be respected in the contexts in which they apply, particularly employment.

18. Accessibility, information and communication

- Use plain language and accessible formats where appropriate.
- Offer reasonable communication adjustments for disabled people.
- Ensure key information can be accessed by people using AAC or with literacy, language, sensory or cognitive differences.
- Consider physical accessibility, signage, sensory environment and navigation.
- Avoid relying solely on verbal disclosure or written forms where an individual communicates differently.

- Design digital information and systems with accessibility in mind and provide alternatives where a platform creates a barrier.

19. Contractors, subcontractors, visitors and partners

People and organisations working on behalf of ABA Pathways are expected to act consistently with this policy. Equality expectations may be reflected in commissioning, contracting, induction, supervision and quality assurance arrangements.

- Self-employed practitioners and subcontractors must not discriminate against children, families, colleagues or others in delivering ABA Pathways services.
- Concerns about discriminatory conduct by a contractor or partner will be escalated and may affect future work or contractual arrangements.
- ABA Pathways will challenge discriminatory requests from families, commissioners or other partners where complying would be unlawful or inconsistent with safeguarding and professional standards.

20. Raising concerns and complaints

Children, young people, families, staff and professionals are encouraged to raise equality concerns early. Concerns may be raised with a practitioner, consultant or director and, where unresolved, through the Complaints Policy or relevant staff procedure.

- No person will be disadvantaged for raising an equality concern in good faith or for doing another protected act.
- Safeguarding allegations or concerns about adults will be managed under safeguarding procedures rather than through an ordinary complaint alone.
- Employment grievances or allegations of discrimination will be managed through appropriate employment procedures.
- ABA Pathways will provide reasonable adjustments to enable a person to use complaints or grievance processes.

21. Equality information, objectives and monitoring

ABA Pathways will use proportionate information to understand whether its services and employment practices are inclusive and whether particular groups experience avoidable barriers or poorer outcomes. We will only collect equality information where there is a clear and lawful purpose and will handle it in accordance with data protection requirements.

- Review complaints, safeguarding themes and prejudice-based incidents.
- Consider access, attendance, participation, progress and service feedback where relevant.
- Review reasonable adjustments and accessibility issues.
- Consider workforce recruitment, retention, development and concerns where proportionate.
- Set improvement objectives where evidence identifies a meaningful equality priority.
- Support commissioning public authorities with proportionate equality information where this is lawful and required.

Where ABA Pathways is itself subject to a specific legal duty to publish equality information or objectives, it will comply with that duty. The organisation will not represent duties that belong to a commissioning school or local authority as though they automatically apply to ABA Pathways in every context.

22. Training, leadership and quality assurance

Directors are responsible for promoting an inclusive culture and ensuring that equality considerations are embedded within governance, policy, recruitment, supervision and service quality. All staff will receive information and training proportionate to their role.

- Induction will cover expected standards of respectful and non-discriminatory conduct.
- Training may include disability equality, neurodiversity, reasonable adjustments, communication access, cultural competence, prejudice-based harm and inclusive practice.
- Supervision will provide opportunities to reflect on assumptions, bias, barriers and the impact of practice.
- Policies and significant service changes will be reviewed for equality implications.
- Directors will act promptly where monitoring identifies weaknesses or repeated concerns.
- This policy will be reviewed at least annually and sooner following relevant legal, statutory, commissioning or operational change.

23. Links with other policies

- SEND Policy
- Safeguarding and Child Protection Policy
- Behaviour Policy
- Health and Safety Policy
- Complaints and Compliments Policy
- Safer Recruitment procedures
- Staff Code of Conduct
- Attendance Policy
- Medication Administration Policy
- Positive Handling / Restrictive Physical Intervention Policy
- Personal and Intimate Care procedures
- Data Protection / Confidentiality procedures
- Online Safety / Acceptable Use procedures

Appendix 1: Equality impact and inclusive decision-making checklist

- What is the purpose of the decision, policy or change?
- Who is likely to be affected, including children, families and staff?
- Could a person or group with a protected characteristic experience a particular disadvantage?
- Are disabled people likely to require reasonable adjustments or accessible information?
- What evidence, feedback or lived experience is available?
- Could the same aim be achieved in a less restrictive or more inclusive way?
- Have safeguarding, SEND, health and safety and equality implications been considered together?
- Is the rationale for a significant decision clear and recorded?
- How will the actual impact be monitored and reviewed?

Appendix 2: Responding to an equality or prejudice-based incident

- Ensure immediate safety and provide support to anyone affected.
- Listen and communicate in a way that is accessible to the child, young person or adult.
- Record what happened factually, including the words or behaviour used and relevant context.
- Inform the appropriate manager/director and consider whether the DSL must be notified.
- Respond proportionately to the person responsible, taking account of intent, impact, developmental level, SEND and any pattern of behaviour.
- Communicate with families, commissioners or employers where appropriate and lawful.
- Consider whether external referral, safeguarding action, disciplinary action or a complaint/grievance process is required.
- Review whether environmental, educational, staffing or policy changes could reduce recurrence.
- Monitor for retaliation or victimisation after a concern has been raised.