



## **DPN EQUALITY AND DIVERSITY POLICY**

Version	2026 January Final (v2026_01f)
Last Reviewed	January 2026
Reviewer	Janus Howard
Next Review Date	January 2027

# TABLE OF CONTENTS

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<b>CONTEXT</b>	<b>4</b>
<b>IMPLEMENTATION AND ACTIONS</b>	<b>5</b>
<b>CONSIDERING THE DIGNITY OF INDIVIDUALS</b>	<b>6</b>
<b>KEY POLICY AREAS FOR DPN</b>	<b>6</b>
1. Students	6
2. Staff & DPN Board Training	7
3. Relationships with employers	7
4. Trade Union Membership	7
5. Contractors, Sub Contractors and Service Providers	7
6. Dealing with Discrimination	7
7. Dealing with Harassment and Bullying	8
8. Data and Target-setting	8
9. Continued Effectiveness of this Policy	9
<b>APPENDIX A - EQUALITY &amp; DIVERSITY GUIDANCE NOTES</b>	<b>9</b>
Types of Discrimination	10
<b>APPENDIX B - EQUALITY AND DIVERSITY LEGISLATION</b>	<b>11</b>
<b>APPENDIX C - GLOSSARY</b>	<b>12</b>



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# CONTEXT

DPN is committed to equality of opportunity in every aspect of its activities. DPN will ensure equality of opportunity both as an employer and as a provider of education and training.

In accordance with the Equality Act 2010<sup>1</sup>, DPN encourages and supports the development of a society in which:

- people’s ability to achieve their potential is not limited by prejudice or discrimination,
- there is respect for and protection of each individual’s human rights,
- there is respect for the dignity and worth of each individual,
- each individual has an equal opportunity to participate in society, and there is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights.

DPN is also aware of the regional work being undertaken to guide and promote equality and diversity in Cornwall as expressed in the following documents:

- Cornwall Council Equality, Diversity and Inclusion Strategy
- The Cornwall and Isles of Scilly Integrated Territorial Investment Strategy

DPN operates in Cornwall and as such understands the issues around the Council of Europe's Framework Convention for the Protection of National Minorities with regards to the Cornish. The UK Government recognised the Cornish as a national minority in its fourth compliance report (submitted to the Council of Europe on 26 March 2015).

Digital Peninsula Network Ltd (DPN) is the largest network of ICT and Digital businesses in Cornwall. It represents the views of such businesses in this sector, provides support to them plus education, learning and training. It is an employer and also holder of public and private funds. Therefore, DPN has a duty to ensure that people from different sections of the community have equal and fair access to its services.

All students, staff, employers working with DPN, subcontractors and service providers will be made aware of this policy and of their obligations.

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<sup>1</sup> On the legislation.gov.uk website the Equality Act 2010 is up to date with all changes known to be in force on or before 27 September 2018. There are changes that may be brought into force at a future date.

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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This policy places a contractual obligation on staff and students to treat everyone with dignity and respect.

### **Areas we will focus on**

We are committed to promoting equality of opportunity and will eliminate discrimination in service provision and employment for groups of people identified in the legislation. It is DPN's policy to provide equality for all, irrespective of:

- Age
- Sex (male/female)
- Gender, gender reassignment
- Sexual orientation
- Marital and civil partnership status
- Pregnancy, maternity and breastfeeding
- Disability (physical, learning and mental)
- 'Ethnic origin, perceived 'race', skin colour, nationality or national origin including Cornish identity
- Religion or belief, philosophical belief or no belief
- Caring Association
- Working hours
- Membership/non-membership of trade unions
- Or any other cause leading to unfair discrimination

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## **IMPLEMENTATION AND ACTIONS**

DPN is responsible for ensuring that all staff, students, sub-contractors and service providers are aware of their rights and responsibilities with regard to equality. DPN's Lead Professional for Equality and Diversity is Sioban Osborne.

DPN is committed to the following actions in order to fulfil this policy:

- Promoting an organisation where people are treated with respect and dignity and where no form of intimidation or harassment is or will be tolerated;
- Taking reasonable steps to prevent any form of harassment and bullying, direct or indirect discrimination or victimisation;

- Taking reasonable steps to make sure that no student, staff member or job applicant is placed at a disadvantage by stipulated requirements or conditions;
- Consulting with staff, students, DPN Board and the local community on issues relating to Equality and Diversity and its advancement;
- Keeping records about the protected characteristics (subject to the next bullet point) of all those seeking education, training, employment or other services. Furthermore, staff will be required to complete Disclosure and Barring Service<sup>2</sup> processes to ensure their suitability for post.
- Consultation with staff as to the most appropriate mechanism and approach for seeking to gather information relating to the protected characteristics of sexual orientation and religion/belief for current and future employees.
- Confidential and anonymous profiling of all staff to monitor inclusion of all groups represented by the Single Equality Duty : (subject to agreement of effective mechanisms with staff union representatives)
- Meeting the requirements of the Equality Act 2010 by producing an approach to single equality encompassing all protected characteristics no less than every 3 years from April 2011, and ensuring that associated data and annual reporting of our progress in meeting the outcomes meets requirements set out by law.
- DPN's Equality & Diversity Policy is issued to new staff at Induction. Existing staff are issued the policy which is available on the shared drive and printed hardcopies. The Policy is discussed with students as part of their induction to DPN and learners and new staff are directed to the location of electronic and hard copies.
- Induction programmes for staff & students contain Equality & Diversity principles and responsibilities, this element of induction is delivered by the Lead Professional and contains specific reference to the complaints procedure and details of who to contact.
- Equality & Diversity is a topic on DPN's quarterly meeting agenda, albeit any issues (regardless of urgent/non urgent) may be brought to the attention of the Lead Professional, Managing Director or DPN Board at anytime.

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<sup>2</sup> The Disclosure and Barring Service (DBS) was established in 2012 and carries out the functions previously undertaken by the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) to help to prevent unsuitable people from working with vulnerable groups, including children.

The public sector equality duty was created by the Equality Act 2010 and replaces the race, disability and gender equality duties. It came into force in April 2011 that those subject to the general equality duty must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

- DPN’s Equality and Diversity Lead attends external training at least once every three years, more often if there has been a significant change to legislation. All staff undertake external Equality and Diversity training at least once every three years. Internal staff training takes place annually and is delivered by the Lead Professional.
- Equality and Diversity forms part of the Annual Appraisal process. Each year individuals are set at least one equality objective relating to their job role. The objective is assigned a timescale and progress towards the objective are reviewed according to the timeframe set. Targets and progress are reviewed at monthly individual meetings. If that is not effective, we shall continue to monitor and support the staff member to improve their performance in line with DPN’s Performance Management Process.
- This policy must be followed along with the guidance provided in our Safeguarding Policies and Procedures.

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## **CONSIDERING THE DIGNITY OF INDIVIDUALS**

Equal opportunities is about treating everyone fairly and ensuring that services and facilities are accessible to all.

It encompasses the methods of work, attitude and behaviour of all individuals within DPN and on Company activities whether they are students, staff, employers, sub-contractors or visitors.

DPN will operate a ‘zero tolerance’ to any infringement of its equality and diversity policy and procedures.

If proven, any infringement of this policy would be considered gross misconduct and dealt with through either the staff or student disciplinary procedure as appropriate.

Detailed guidance is attached to this policy in Appendix A, which is aimed at assisting everyone to understand the issues and legislation relating to equality and diversity. A glossary of terms is also provided. Please see Appendix C.

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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# KEY POLICY AREAS FOR DPN

## 1. Students

Where possible and appropriate, course structures will be designed in a flexible way in relation to the life circumstances and learning needs of the students. DPN will treat all students with dignity, respect and as individuals in the provision of access to facilities, learning opportunities and support. Curriculum will be devised to positively promote all aspect of Equality and Diversity.

## 2. Staff & DPN Board Training

All Company staff and the Board's Equality and Diversity representative are required to undertake appropriate external training for equality & diversity once every three years Internal staff training takes place annually and is delivered by the Lead Professional.

## 3. Relationships with employers

DPN will ensure that all employers and work experience providers have, and implement, an up-to-date and valid equality policy or are willing to accept DPN policy.

## 4. Trade Union Membership

Employees may join a relevant union of their choice provided they are eligible to do so under the union's rules.

## 5. Contractors, Sub Contractors and Service Providers

DPN has contracts with many organisations and individuals other than staff or students. Examples include: suppliers, contractors engaged to carry out work for DPN and employers offering work experience to students. This list is neither exclusive nor exhaustive.

DPN will ensure those suppliers, contractors, employers or others who provide a service to DPN receive a copy of this policy and acknowledge the receipt.

All contractors are required to comply, in full, with this policy. Failure to do so will result in an investigation which could result in the termination of their contract or service provision.

## **6. Dealing with Discrimination**

DPN ensures that support and assistance is provided to students, staff, contractors or other users who consider they have been a victim of discrimination, or victimisation.

All acts of unlawful discrimination or victimisation by staff or students shall be treated as disciplinary offences. Individuals can be held personally liable for acts of discrimination and/or victimisation which they commit, authorise, contribute to or condone. In serious cases, this may lead to dismissal with or without notice or payment in lieu of notice.

## **7. Dealing with Harassment and Bullying**

Harassment and bullying can make the working and learning environment for students, staff, contractors and visitors intolerable.

7.1 All visitors, students and staff have the right to enjoy their visits, studies, work and leisure time free from any form of bullying or harassment. DPN will not tolerate bullying or harassment even if it was not intended.

7.2 DPN has a separate harassment policy which defines the procedures to be used in the case of conciliation or redress. Staff experiencing any form of harassment should use the harassment procedure and students should refer to the student bullying and harassment procedure.

7.3 All staff and students should be aware that they may bring a friend or mentor or trade union representative to any interview, as a result of a complaint being made.

## 8. Data and Target-setting

The DPN Board are responsible for ensuring the development, implementation and monitoring of this policy. In doing so, they will ensure that DPN will collect student data relating to their protected characteristics including age, gender, nationality, ethnicity, disability and learning difficulty, in the following areas:

### Relating to Students

- Applications
- Enrolments
- Student distribution by course
- Student progress rates
- Satisfaction via surveys focus groups, and Student Voice
- Achievement levels
- Retention rates
- Success rates

### Relating to Staff

- Applications for employment
- Successful and rejected candidates
- Staff surveys
- Exit interviews
- Disciplinary, Grievance and Complaints
- Annual confidential and anonymous profiling of staff with respect to analysis of our profile of people across protected characteristics groups
- Gender Pay Gap reporting requirements of current UK Equalities Law.

### Relating to DPN Board

- Applications to become a member
- Successful and rejected candidates
- Member profile
- Exit interviews

All personal information collected for the purpose of equality and diversity monitoring will be treated as confidential and not misused, in accordance with the Data Protection Act 2018. On 23 May 2018, the Data Protection Act 2018 (DPA) received royal assent and became UK law. The DPA implements the EU's General Data Protection Regulation (GDPR), while providing for certain permitted derogations, additions and UK-specific provisions.

DPN, on a 3-year basis, reviews and refreshes its approach to single equality in line with the timetable for setting the overall company strategic plan.

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f
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Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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On an annual basis, progress against specific planned actions and the impact that they have had will be reported.

Within DPN’s approach to single equality, we highlight specific impact measures that we wish to pursue to seek to tackle specific outcomes for people with specific protected characteristics. (EDIMS ). These measures with the corresponding action plans are monitored through DPN quality assurance process and by the company.

Relating to employers and contractors

- Regular surveys
- Policy monitoring

## 9. Continued Effectiveness of this Policy

Formal monitoring of our progress in relation to equality and diversity will occur as follows:

- Equality & Diversity is reviewed at quarterly staff meetings.
- Action plans and statistics relating to staff and students is collated (or sooner if required) by Self-Assessment Reporting. DPN Board reviews any actions changes required.
- The DPN Board reviews the Equality & Diversity policy on an annual basis.

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# APPENDIX A - EQUALITY & DIVERSITY GUIDANCE NOTES

This document is prepared as a guide for all members of staff, students and contractors to assist them in understanding what is meant by the term “equality and diversity” and in making DPN’s commitment to equal opportunities a reality. The document includes the following:

- What is discrimination?
- What is the law relating to equal opportunities?
- What are the responsibilities of all parties concerned?

It is hoped that this document will give all concerned a greater understanding of equal opportunities and encourage everyone to participate actively in

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f
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Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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implementing and monitoring the success or otherwise of DPN’s equality and diversity policy.

## **Types of Discrimination**

### **Direct discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

### **Associative discrimination**

Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

### **Perceptive discrimination**

Already applies to age, race, religion or belief and sexual orientation. Now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

### **Indirect discrimination**

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your organisation that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your organisation, i.e. that it is ‘a proportionate means of achieving a legitimate aim’. A legitimate aim might be any lawful decision you make in running your organisation, but if there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful. Being proportionate really means being fair and reasonable, including showing that you’ve looked at ‘less discriminatory’ alternatives to any decision you make.

### **Harassment**

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an

intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

### **Third party harassment**

The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

### **Victimisation**

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint. There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

### **Bullying**

Bullying is often associated with the workplace or learning environment. Anyone can be a bully. The essence of bullying is taking advantage of weakness. Bullying is unacceptable; it devalues individuals and as such is completely against the ethos of equal opportunities.

### **Positive Action**

The Equality Act enables employers/service providers to encourage applications/participation from persons from particular protected characteristic groups if they are - represented in specific occupations or activity. Legislation also enables organisations to seek or establish training courses exclusively for existing employees from underrepresented groups. These measures are known as ‘Positive Action’. However, it would be unlawful for applicants to receive favourable treatment during the recruitment process.

### **Genuine Occupational Qualification**

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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When recruiting, an employer can discriminate in favour of a person with a particular protected characteristic where a person's protected characteristic is a genuine occupational qualification (GOQ) for a particular job. GOQ's can be claimed in very limited circumstances, for example where considerations of privacy and decency or authenticity are involved. (For example, a woman working in the female changing facilities of a company)

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## **APPENDIX B - EQUALITY AND DIVERSITY LEGISLATION**

### **Introduction**

The introduction of the Equality Act 2010 meant that a large number of pieces of previous statute were repealed, but the following legislation is also considered:

- Copyright, Designs and Patents Act 1988
- Children Act 1989
- Children Act 2004
- Equality and Human Rights Act
- Race and Religious Hatred Act 2006

What are the responsibilities of all parties concerned?

- Personal Liability - If a member of staff, in the course of their employment, discriminates unlawfully against any individual on the grounds of race, gender or disability they may be personally liable.
- Vicarious Liability - DPN, as an employer, is liable for any discriminatory act carried out, with or without its knowledge or approval, by an employee in the course of his or her work unless it can demonstrate that all practicable steps were taken to prevent the employee discriminating.

All full-time and part-time employees and job applicants (actual or potential) will be treated fairly and selection for employment, promotion, training or any other benefit will be on the basis of his or her relevant merits, aptitude and ability. All positions (except those subject to legal exemption) will be equally open to all members of the community.

### **Complaints and Grievances**

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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Any student, member of staff, sub-contractor or visitor who believes they have been treated less fairly than others, discriminated against or victimised should make a formal written complaint to the Managing Director. Whilst complaints will be dealt with under the published Complaints Procedure, those considered to relate to equality of opportunity will be reported to the DPN Board at the first opportunity for monitoring purposes. There is a separate more confidential procedure for sexual harassment.

All members of staff, students or company visitors are also able to complete Diversity Incident reporting forms that form part of DPN complaints procedure.

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## APPENDIX C - GLOSSARY

Glossary of Terms Associated with the Equalities Act 2010

**Advancing equality:** The Equality Act 2010 states that this involves having due regard to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic
- meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- encourage persons who share a relevant protected characteristic to participate in public or in any other activity in which participation by such persons is disproportionately low.

**Age:** This refers to a person having a particular age (e.g. 32 year-olds) or being within an age group (e.g. 18-30 year-olds).

**Caring Association:** The Equality Act will protect people who are, for example, caring for a disabled child or relative. They will be protected by virtue of their association to that person.

**Civil partnership:** Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters. We note the Supreme Court ruling in October 2018 giving mixed-sex couples the opportunity to have a civil partnership rather than get married and will monitor the progress towards legislation accordingly.

**Compliance notice:** The Equality and Human Rights Commission can, if a public authority does not comply with its general or specific duties, serve a compliance notice on that authority under section 32 of the Equality Act 2006. The notice will state that the authority must meet its duty and inform the Commission within 28 days what it has done or is doing to meet its duty.

**Direct discrimination:** This refers to less favourable treatment because of a person's protected characteristic.

**Disability:** A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

**Engagement:** A broad term, intended to cover the whole range of ways in which public authorities interact with their service users and their employees, over and above what they do in providing services or within a formal employment relationship.

**Equality Act 2010:** This brings together the majority of existing equality legislation into one place so that it is easier to use. It also strengthens the legislation in some areas. It sets out the protected characteristics that are protected by the law and the behaviour that is unlawful.

**Equality analysis:** Equality analysis involves looking at your equality information and the outcome of your engagement in order to understand the effect or potential effect of your decisions on different protected groups. The general equality duty does not specify how public authorities should analyse the effect of their policies and practices on equality.

**Equality information:** The information that you have (or that you will collect) about people with protected characteristics that will help you to show compliance with the equality duty. This will include the findings of engagement with protected groups and others and the effect of your policies on protected groups. It includes both qualitative and quantitative information, as well as evidence of analysis you have undertaken.

**Equality objectives:** A requirement to prepare, set and publish objectives is one of the specific duties set out under the equality duty. An organisation's objectives should aim to further one or more aims of the equality duty.

**Equality outcome:** The results that individuals or groups actually achieve and are able to benefit from. For example, equal pay between men and women.

**Fostering good relations:** The Equality Act 2010 states that having due regard to the need to fostering good relations involves having due regard, in particular,

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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to the need to tackle prejudice and promote understanding between people who share a protected characteristic and those who do not.

**Function:** The full range of a public authority’s activities, duties and powers.

**General duty:** The requirement to show due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and those who do not; and to foster good relations between people who share a protected characteristic and those who do not.

**Harassment:** Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may also involve unwanted conduct of a sexual nature or be related to gender reassignment or sex.

**Indirect discrimination:** This is when a provision, criterion or practice is applied in a way that creates disproportionate disadvantage for a person with a protected characteristic as compared to those who do not share that characteristic, and is not a proportionate means of achieving a legitimate aim.

**Marriage:** Marriage in England and Wales is available to both opposite-sex and same-sex couples and is legally recognised in the forms of both civil and religious marriage. The Marriage (Same Sex Couples) Act 2013 (c. 30) is an Act of the Parliament of the United Kingdom which legalised same-sex marriage in England and Wales.

**Maternity:** The period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including discrimination as a result of breastfeeding.

**Mitigation:** This is when measures are put in place that lessen the negative effects of a policy or policies on protected groups. For example, delivering a service by telephone alone may cause problems for those with a language barrier. Rather than changing the way the service is delivered, this could be mitigated by using telephone interpreting services.

**Positive action:** Lawful actions that seeks to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs (e.g. providing mentoring to encourage staff from under-represented groups to apply for promotion).

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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**Pregnancy:** The condition of being pregnant.

**Proportionality:** The weight given to equality should be proportionate to its relevance to a particular function. This may mean giving greater consideration and resources to functions or policies that have the most effect on the public or on employees.

**Protected characteristics:** The equality duty covers the following characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These are also referred to as protected groups. The duty also covers marriage and civil partnerships, but not for all aspects of the duty.

**Public authority:** The general equality duty applies to public authorities. For this purpose, a public authority is a body that is named (listed) or described in Schedule 19 of the Equality Act. It also applies to other organisations who exercise public functions. This includes private bodies or voluntary organisations which are carrying out public functions on behalf of a public authority.

**Public functions:** The Equality Act 2010 defines a public function as a function that is of a public nature for the purposes of the Human Rights Act 1998.

**Race:** This is the protected characteristic of race. It refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins.

**Reasonable adjustment:** Organisations making adjustments to the way in which they carry out their functions so that disabled people are not disadvantaged by the way in which those functions are carried out. This is with regard to policies, practices or procedures, premises, and the provision of auxiliary aids or services.

**Relevance:** How far a function or policy affects people, as members of the public, and as employees of an organisation. Some functions may be more relevant to some protected groups than to others, and to one or more of the three elements of the general equality duty. The function or policy may still be relevant if the numbers affected by it are very small.

**Religion or belief:** Religion means any religion, including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included.

**Safeguarding:** helping young people and vulnerable adults keep themselves safe, to prevent harm happening in the first place. Responding to concerns

about alleged and suspected harm and putting in place plans to help protect those young people and vulnerable adults cannot protect themselves.

**Sex:** Someone being a man or a woman.

**Sexual orientation:** This is whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**Stakeholders:** People with an interest in a subject or an issue who are likely to be affected by any decision relating to it and/or have responsibilities relating to it.

**Statutory Code of Practice:** A document which offers practical guidance on the law, has been approved by parliament and is admissible as evidence in a Court of law.

**Trans:** The terms 'trans people' and 'transgender people' are both often used as umbrella terms for people whose gender identity and/or gender expression differs from their birth sex, including transsexual people (those who propose to undergo, are undergoing or have undergone a process of gender reassignment to live permanently in their acquired gender), transvestite/cross-dressing people (those who wear clothing traditionally associated with the other gender either occasionally or more regularly), androgyne/polygender people (those who have non-binary gender identities and do not identify as male or female), and others who define as gender variant.

**Transgender:** An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with trans.

**Transsexual:** A person who intends to undergo, is undergoing or has undergone gender reassignment (which may or may not involve hormone therapy or surgery). Transsexual people feel the deep conviction to present themselves in the appearance of the opposite sex. They may change their name and identity to live in the preferred gender. Some take hormones and have cosmetic treatments to alter their appearance and physical characteristics. Some undergo surgery to change their bodies to approximate more closely to their preferred gender. Transsexual people have the protected characteristic of gender reassignment under the Equality Act 2010. Under the Act, gender reassignment is a personal process rather than a medical one and it does not require someone to undergo medical treatment in order to be protected.

**Victimisation:** Subjecting a person to a detriment because they have made a complaint of discrimination, or are thought to have done so; or because they

have supported someone else who has made a complaint of discrimination. Victimisation is unlawful under the Equality Act 2010.

Glossary from Cornwall Equality & Diversity Framework 2017

- **Culture** For example naming systems, social norms and courtesy (eye contact, handshaking, men mixing with women) food, dress, music, humour and language. In Deaf culture for example, communication is direct and physical. Stamping feet or tapping on the shoulder to get attention is quite acceptable.
- **Direct discrimination** Treating someone less favourably.
- **Discrimination** Can be - direct, indirect, positive, harassment, victimisation and institutional.
- **Diversity** We are all different and this must be recognised when dealing with individuals
- **Equality** Treating people fairly and according to their needs. Providing equality of opportunity by using an anti-discriminatory approach. Ensuring equality of access. It's not about 'treating everyone the same'.
- **Harassment** Unwanted conduct which has the purpose or effect of violating dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- **Inclusive** Making sure that all people can participate, whatever their background or circumstances.
- **Indirect discrimination** A provision, criteria or practice which puts someone at a disadvantage and cannot be reasonably justified.
- **Institutional discrimination** The collective failure of an organisation to provide an appropriate and professional service to different people. It can be detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping which disadvantages people.
- **Intolerance** Not accepting or allowing people from minority communities, circumstances, beliefs or values as part of our whole society.
- **Lesbian, gay, bisexual, heterosexual** Sexual orientation is 'who you are attracted to'. Heterosexual people are attracted to people of the opposite sex. Homosexual people (lesbian women and gay men or women are preferred terms) are attracted to people of the same sex. Bisexual people are attracted to people

of both sexes. Your sex is your biological make-up which defines if you are physically male or female.

- **Negative stereotyping** Using common traits or caricatures to describe someone in a way which leads to prejudice and discrimination. Assuming that ‘all people are that way’ if they have that appearance, nationality or gender etc.
- **Positive action** Providing people opportunities to compete or contribute on an equal basis. Raising awareness. Making reasonable adjustments.
- **Positive discrimination** Offering opportunities to someone because of their race, gender etc. Usually unlawful but can be allowed in limited circumstances (for example, a black actor).
- **Prejudice** Making a negative judgement based upon little or no facts. Making assumptions. Pre-judging someone.
- **Prejudice/hate crime** Criminal acts which are motivated by, for example, someone’s hatred of another’s race, religion, sexual orientation or disability
- **Reasonable adjustments** An adjustment that is needed to help overcome a barrier. For an adjustment to be considered ‘unreasonable’ and therefore not carried out, the cost or inconvenience would have to far outweigh the benefit.
- **Transsexual/ transgender** Your gender is defined by which sex you ‘feel you are’ which is a result of how the brain is structured: people who are transgendered are born with the body of the opposite sex. People who are transsexual are transgendered people who may have undergone a sex change so that their sex and gender match. People who are transgendered or transsexual may be heterosexual, lesbian, gay or bisexual which is determined by their sexual orientation (not their gender or sex). Transvestites dress in the normal style of the opposite gender. How someone dresses does not determine sexual orientation or gender. For example, a male transvestite may still identify as a heterosexual man.
- **Victimisation** Treating someone less favourably because they have made a complaint or allegation of discrimination, or given evidence in good faith.

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Document: DPN EQUALITY AND DIVERSITY POLICY Version: 2026_01f	Last review: January 2026 Reviewed by Janus Howard Next review: January 2027
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