



Underley Garden

Equal opportunity and diversity Policy

Created:	September 2011
Reviewed:	September 2018
To be reviewed:	September 2019

1 POLICY STATEMENT OF COMMITMENT

This policy applies to: *Underley Garden which includes the school and all its associated residential homes.*

Underley Garden is committed to providing an environment in which diversity is valued and encouraged, and strives towards achieving equality of opportunity in all of its service provision and employment practices. This is especially important for us given the discrimination and difficulties that the majority of the children, young people and their families will have experienced. Underley Garden is committed to ensure that everyone that comes into contact with us is treated fairly, consistently and with mutual respect.

Underley Garden is committed to providing high quality education and care for young people with special educational needs, where the qualities and needs of the individual are valued.

Underley Garden aims to provide an appropriate, professional and non-discriminatory service and working environment regardless of colour, race, national origins, religion or belief, ethnic origin, sexual orientation, gender reassignment, disability, age, gender or marital status.

Underley Garden aims to eliminate inadvertent and unlawful discrimination practices in order to enable all our employees to have access to opportunities to realise their own potential. Underley Garden aims to build a diverse and socially inclusive workforce that is responsive and appropriate to all our service

1.1 Underley Garden accepts its responsibilities under the:

Disability Discrimination Act 1995
Disability Discrimination Act 2005
Race Relations (Amendment) Act 2000
Race Relations Act 1976
Sex Discrimination Act 1975
Civil Partnership Act 2004
Equality Act 2006
Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005 (SI 2005/2114)
Disability Discrimination Act 1995 (Amendment) Regulations 2003 (SI 2003/1673)
Employment Equality (Religion or Belief) Regulations 2003 (SI 2003/1660)
Employment Equality (Sexual Orientation) Regulations 2003 (SI 2003/1661)
Employment Equality (Age) Regulations 2006 (SI 2006/1031)
Race Relations Act 1976 (Amendment) Regulations 2003 (SI 2003/1626)
Race Relations Act 1976 (Statutory Duties) Order 2001 (SI 2001/3458)
Employment Equal Treatment Framework Directive (2000/78/EC)
Equal Treatment Directive (2006/54/EC)

1.2 Underley Garden supports the need to implement flexible working practices and family fair policies where operationally practical.

1.3 Underley Garden recognises the need to combat unlawful direct and indirect discrimination.

1.4 Underley Garden also recognises the benefits that can be gained by the broadening of the skills base through the adoption of a diverse workforce.

2 POLICY APPLICATION

- 2.1 This Policy applies to all staff of **employed by** Underley Schools Ltd.
- 2.2 Proven unlawful discrimination against children, their families, other employees, job applicants, staff from other agencies and visitors will be considered an act of gross misconduct.
- 2.3 The policy applies to all areas including:
- Provision of education and care services
 - Job advertising.
 - Treatment during the recruitment and selection process.
 - Terms and conditions of employment.
 - Training and development.
 - Promotion and transfers.
 - Treatment during disciplinary, grievance and redundancy procedures.
- 2.4 The policy does not form part of the contract of employment.

3 RESPONSIBILITIES

- 3.1 Overall responsibility for implementing this Policy rests with the Senior Leadership Team of Underley Garden
- 3.2 Managers and supervisory staff are responsible for ensuring the Policy is upheld.
- 3.3 All employees have a responsibility to uphold the Policy during the course of their work.

4 POLICY IMPLEMENTATION

Underley Garden is committed to ensuring equality is achieved by:

- 4.1 Seeking to identify practices and systems, which may inadvertently restrict equality of opportunity for particular individuals or groups.
- 4.2 Taking remedial action to eliminate direct and indirect discrimination on unlawful or unjustifiable grounds.
- 4.3 Encouraging managers to take a positive approach towards equality of opportunity in employment.
- 4.4 Ensuring staff respect and operate within the principle of equal opportunity and do not impede implementation of the Policy.
- 4.5 Introducing an effective equal opportunities monitoring system.

5 FORMAL REMEDY

- 5.1 Any child, young person, family member, advocate or other person who has grounds to believe that they have been the victim of unlawful direct or indirect discrimination may submit a complaint in accordance with the relevant Complaints Procedure.

- 5.2 Any employee who has grounds to believe that they have been the victim of unlawful direct or indirect discrimination may submit a grievance in accordance with the Grievance Procedure.
- 5.3 If the complaint is against the employee's own immediate superior, confidential application should be made to the Principal or if the complaint is against the Principal, to a Director of Acorn Care and Education Limited who may authorise immediate reference to the next tier of management if this seems appropriate in the circumstances.
- 5.4 Complaints of any form of discrimination, unfair treatment or victimisation should provide in writing:
- Details of what, when, and where the occurrence took place.
 - Any witness names or statements.
 - Names of any others who have been treated in a similar way.
 - Details of any former complaint made about the incident (informal or otherwise), date, where and to who made.
 - Where appropriate, a preference for a solution to the complaint.
- 5.5 Until the grievance is heard, complainants should keep the matter confidential other possibly than arranging for details of witnesses to be given to the persons involved in the investigation. Breach of confidentiality by any party involved in both the investigation and subsequent hearing will be considered a disciplinary offence.
- 5.6 A thorough investigation will be carried out as quickly as possible co-ordinated by the service head or by Acorn if concerning the service heads.
- 5.7 All parties will be given the opportunity to explain events and actions.
- 5.8 The alleged victim may be accompanied by a recognised advocate or Trade Union Representative or fellow employee at this formal stage of the procedure.
- 5.9 Witnesses will be consulted where necessary and if requested by either party.
- 5.10 Where appropriate, proven unlawful discrimination by employees will be dealt with under the disciplinary procedure.
- 5.11 Where practices and systems are proven to inadvertently discriminate unlawfully, remedial action will be taken to eliminate it.
- 5.12 The results of the investigation will be communicated in writing to all parties involved and the wider workforce where appropriate.
- 5.13 Appeals against any decision will follow the relevant Complaints or Grievance Procedure accordingly.

6. VICTIMISATION

No person will be victimised or discriminated against for taking action under this policy or for supporting such action by another.