

West Green Playgroup



EQUAL OPPORTUNITIES

Introduction

The Equality Act of October 2010 replaced previous legislation. It replaces previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensures consistency in what you need to do to make your workplace a fair environment and to comply with the law.

The Equality Act covers the same groups that were protected by existing equality legislation - age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity - but extends some protections to groups not previously covered, and also strengthens particular aspects of equality law.

This policy supports West Green Playgroup statement on Equal Opportunities:

At West Green Playgroup we believe that employees are our most important asset, regardless of their age, sex, sexual orientation, race, pregnancy & maternity, gender, religion, or disability. Our aim is to maximise the potential of all employees, and our decisions about employees will be based only on their suitability for the job that needs to be done and their performance within it.

We are committed to a policy of equal opportunities in our employment practices, and we support the right of all employees to work in an environment that is free from discrimination on any grounds not related to performance in the job.

Any kind of direct or indirect discrimination, harassment or victimisation is not acceptable - on the grounds of race, colour, creed, religion, nationality, ethnic origin, gender, sexual orientation, marital/parental status, disability, age or any other protected characteristic - either as employees or as colleagues.

Every employee, and in particular managers and supervisors who have others reporting to them, have a responsibility for ensuring that we live up to our commitment of equal opportunities.

This statement should be read in conjunction with the equal opportunities and harassment and bullying at work policies.

The statement on the previous page conveys the importance of the equal opportunities policy to the Playgroup, and our commitment to ensure that it works in practice. We believe that every individual should be treated fairly and with respect, and without fear of discrimination, harassment or victimisation, and we will respect our legal obligations. There is a separate policy relating to harassment and bullying, and all managers should understand both of these policies.

What is contained within this policy?

- The policy – key principles
- Why we need a policy
- Everyone has a responsibility
- Implementing the Equal Opportunities Policy
- Understanding the policy
- Getting advice
- Dealing with complaints
- Making it work

The Policy

Key principles

- It is everyone's responsibility to ensure that employees are treated with fairness and respect at all times.
- At West Green Playgroup we will not tolerate unwanted conduct and behaviour relating to the characteristics defined in employment law, as protected characteristics. These include: age, disability, gender reassignment, marriage & civil partnerships, pregnancy & maternity, race, religion or belief, sex and sexual orientation.
- The Playgroup will promote employment policies that will ensure employees receive treatment that is fair and equitable and consistent with their aptitudes, potential, behaviour, skills and abilities. These should be the only measures by which employees should be judged.
- We all have a duty to make it work, but none more so than managers and supervisors at all levels within the Playgroup.
- Breaches of the policy will not be tolerated, and serious cases will be dealt with under the disciplinary procedures.
- The Playgroup will monitor the policy and wherever necessary will take positive action if it is not considered to be fully effective.

Why we need a policy

- As a Playgroup we need to ensure we make the most effective use of our employees. We can only do this if our procedures are fair and equitable and remain so. Our aim must be to respect the rights of individuals, to provide a quality working life/environment and not to accept any form of unfair treatment.
- The consequences of unfair discrimination can have a devastating effect on the individual, whether it is through lost opportunities or through harassment or bullying. It is also a loss to the Playgroup and may have costly implications through legal action.
- Equal opportunities are also a safety issue. It is difficult for anyone who feels under undue pressure, or who is worried over fair treatment to concentrate and

work effectively. Not only may it lead to accidents, but also to increased sickness absence or absenteeism, and this will impact on the quality of our service and customer satisfaction.

Everyone has a responsibility

- Every employee has a duty to ensure they conduct themselves in a way which does not discriminate unfairly against any other employee. This policy insists that we treat everyone equally, and that in our behaviour we show respect to everyone we come across.
- Managers at all levels, however, carry a special responsibility. They may recognise that unfair treatment is taking place, or have this brought to their attention. In either case they have a responsibility to ensure that swift and appropriate action is taken.
- It should be remembered that being unaware is not necessarily enough to avoid the Playgroup being held responsible; we have to take active steps to ensure that unfair discrimination does not happen. It is important that as a Playgroup we have in place effective systems to prevent unfair discrimination, and essential to this is to ensure that any causes which arise are dealt with promptly and appropriate follow up action is taken.
- In addition, managing and taking decisions which affect other employee's places managers under an obligation to set a good example and ensure that their own comments, decisions and actions do not condone, contribute to, cause or in themselves constitute unfair discrimination. The failure of any manager to carry out their responsibilities in implementing the Equal Opportunities Policy could result in disciplinary action and possibly carry a legal liability. Therefore, all managers should fully understand the policy and their responsibilities in relation to it.

Implementing the Equal Opportunities policy

- There are a number of actions all managers can take in implementing this policy, and through these actions, create a non-discriminatory approach to work throughout the Playgroup.
- Ensure employees and job applicants are treated in a non-discriminatory way. In our recruitment procedure, we ask managers to ensure that job specifications are not written in a way which could exclude any particular group of employees, and to apply non-discriminatory judgements.
- Challenge any behaviour which could be interpreted as unfair discrimination.
- Encourage all employees to maximise their potential, and their contribution to the Playgroup.
- Understand what is expected of you in the performance of your duties, and in turn the standards you seek to achieve, and your conduct and behaviour towards other employees.
- Ensure those who work with you understand the performance that is expected of them in the workplace, the standards they are expected to achieve, and the behaviour that is expected of them towards other employees and customers.
- Ensure all operating systems and procedures do not discriminate unfairly against individuals or groups, directly or indirectly.

You can help to achieve this by:

- Setting a good example in everything you do or say.
- Listening to and respecting other employees, and not casually dismissing their concerns or problems.
- Discouraging discriminatory words, actions, speculation or rumours.
- Taking note of employees' attitudes and actions towards each other and stopping inappropriate behaviour.
- Encouraging open and honest communication between yourself and those who work with you.
- Constantly reminding yourself, and others, of the importance of this policy so that as a Playgroup we will continue to strive to eliminate unfair discrimination in all its forms.

Understanding the policy

- Managers must ensure they fully understand this policy, and make the policy work effectively through their actions, and be able to explain it to those for whom they are responsible.

Getting advice

- If you need advice or support in relation to any aspect of the equal opportunities policy you should approach either your manager, or a director.

Dealing with complaints

- A manager receiving a complaint from an individual or group relating to a breach of this policy has a duty to treat the complaint seriously, and is responsible for ensuring that it is dealt with promptly and correctly through the Playgroup's grievance procedure.

The following steps are to be applied when a complaint arises, the manager is responsible for:

- Accepting the complaint.
- Treating it seriously and confidentially.
- Carrying out the necessary investigations and ensuring these are carried out quickly and correctly.
- Ensuring that appropriate remedial action is taken if unfair discrimination or treatment has taken place.
- Communicating the results of the investigations to those who made the complaint, and if appropriate to those against whom the complaint was made.

When a complaint proves to be founded the manager is responsible for taking the necessary action to stop the unfair discrimination or treatment from continuing or being repeated.

- If the complaint is of a serious nature, the manager should invoke the Disciplinary Procedure immediately.
- If the manager is satisfied that whilst a breach of this policy did take place, it was not serious or intentional then he/she may choose to take remedial action and discuss the breach directly with those responsible.
- The manager must impress upon those concerned the seriousness with which breaches of this policy are taken, the effect this had on others, and warn them of the consequences of any repetition.

When a complaint proves to be unfounded:

- The manager still has a responsibility to advise the individual or group of the result of their investigations and why the matter was found not to be a breach of this policy.
- Where an individual or group makes a complaint which is proven to be malicious they should be dealt with under the Disciplinary Procedure.

Invoking the Disciplinary Procedure:

- The full range of disciplinary sanctions is available for breaches of the Equal Opportunities Policy, from written warnings to dismissal with notice, or summary dismissal for the most serious breaches.
- Both complainants and those against whom disciplinary action is taken have the right to progress their grievance/appeal further under the Disciplinary and Grievance Procedures. Timescales are set out for dealing with grievances or disciplinary matters in these procedures.

Making it work

- Listed below is a brief checklist of those areas where we can all make a difference in achieving the Playgroup objective in eliminating unfair discrimination.

What the Playgroup will do:

- There is a commitment from the top of the organisation, which managers have a duty to translate into action.
- Equal opportunities should remain an active agenda item for discussion between management and employees.
- Where appropriate, the manager will produce briefing statements to assist in this process.
- In addition, the manager will continue to monitor policies, practices and procedures to ensure they are, and remain, in line with this policy.
- Communication policies will ensure equal opportunities remains prominent on the Playgroup's agenda.
- The manager will be responsible for regular monitoring of the policy. Positive action will be taken to introducing measures if it appears this policy is not fully effective. These may be aimed at the recruitment stage, induction phase, or by further training and development of employees at appropriate levels.

What managers can do

- Ensure that you set an example, in your comments, discussions and actions.
- When recruiting ensure the job requirements are not discriminatory. You must be objective and not include a requirement or condition which precludes someone who has a protected characteristic from being able to compete for the vacancy. If in doubt, seek advice from a manager.
- There are situations where there is a genuine occupational qualification which may for example preclude one sex, racial group or disabled person from applying. Where necessary the Playgroup will make reasonable adjustments

to the workplace and to working arrangements where current conditions are disadvantageous to disabled applicants or employees who become disabled.

- Equal care must also be taken over selection for promotion, training or other benefits, as the same criteria will apply as for initial recruitment. This policy means the same criteria for training; development and promotion will be used and will be purely on the basis of merit and ability.
- You should retain notes from interviews for a period of six months, in support of the selection or rejection of candidates at the recruitment stage or thereafter when considering employees for promotion etc.

What employees can do

- Ensure you understand the driving force behind this policy and the genuine reasons for it.
- Ensure that through words or deeds you do not knowingly, or unintentionally, discriminate against another employee, or customer.
- Discourage discriminatory comments from others.
- Report any incidents of discriminatory or unfair treatment to which you, or your work group are exposed.