

NEW FOREST SCHOOL

New Forest School Equal Opportunities Policy

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1. Introduction

Nationally, there is clear evidence of inequality in the life chances, including the inequality of opportunity in care, education, or therapy on the basis of colour, sex, ethnic origin, age, social class, special educational need and/or disability. Such inequalities are, in part the consequence of direct and indirect discrimination within many organisations, including schools.

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

2. Rational and Scope

The purpose of this policy is:

- To provide a framework of non-discriminatory practice for Directors, employees, commissioned services and visiting professionals to work to
- To ensure that all employees, students and visitors to the school are treated fairly and with respect
- To ensure that in the event of any claim of discriminatory practice, there is an easily identified process to follow

Key objectives for this policy are:

- There shall be no discrimination in respect of race, sex, sexual orientation, religion, special educational need and/or disability, age, gender reassignment, marital status or ethnic group.
- Recruitment, promotion, training, development and redundancy shall be determined on capability and merit only.
- All employees have personal responsibility for the practical application of this policy, which applies to the treatment of students, stakeholders, fellow employees and the general public.
- Any employee, manager, supervisor and director that is involved in recruitment, promotion or training has specific responsibility for the practical application of this policy.
- In the event that an employee considers that he/she has been the subject of unfair discrimination, any form of harassment or victimisation, then employee should refer to the Grievance Procedure.
- In the event that any student considers that he/she has been the subject of unfair discrimination, any form of harassment or victimisation, then the student/parent/carer/placing authority should refer to the schools Complaints Procedure.
- Any employee or director who has been determined to have committed an act of unlawful discrimination shall be subject to disciplinary action according to the Disciplinary Rules and Procedures.
- If there is any doubt about the terms of the Policy or the application there of an employee should consult their line manager or a director.

3. Legislative Framework

The last 30 years or so have seen the introduction of a number of different pieces of equality, and equality related legislation, see below. You are not expected to become an expert on any, or all of them. This section summarises the key legislation and principal concepts, which you are most likely to encounter and find useful on a day-to-day basis.

- Equal Pay Act 1970, 1975, Amendment 1984
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975 Amendment 1982
- Race Relations Act 1976 Amendment 2000. Amendment Regulations 2003
- Employment Act 1989
- Disability Living Allowance and Disability Working Allowance 1991
- Management of Health and Safety at Work Regulations 1992
- Asylum and Immigration Appeals Act 1993
- Race Relations Remedies Act 1994
- Disability Discrimination Act 1995 Amendment in force from October 2004
- Employment Rights Act 1996
- Asylum and Immigration Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- National Minimum Wage 1998
- Employment Relations Act 1999
- Immigration and Asylum Act 1999
- Sex Discrimination (Sex Reassignment) Regulations 1999
- Race Relations Amendment Act 2000 -
- Disability Rights Commission Act 2000
- Special Educational Needs and Disability Act 2001
- Equality Act 2010

3. Anti-Discrimination Regulations

In response to European Directives (which themselves arose from powers given to the Council of the European Union by Article 13 of the Treaty of Amsterdam), Britain has put in place regulations to combat discrimination. The following Regulations have therefore been incorporated into British Law.

- 19 July 2003 Race Relations Act (Amendment) Regulations
- 1 December 2003 Employment Equality (Sexual Orientation) Regulations
- 2 December 2003 Employment Equality (Religion or Belief) Regulations
- 1 October 2004 Disability Discrimination Act 1995 (Amendment) Regulations
- 2006 Legislation outlawing Age Discrimination will be introduced
- Gender Recognition Act 2004
- Equality Act 2006 (Established for Equality & Human Rights Commission. Includes aspects of sex discrimination including general duty to promote sex equality)

On April 7 2005 the Disability Discrimination Act 2005 (which amends the 1995 DDA) received Royal Assent. This Act has several important amendments to the DDA 1995. Notably it creates a new duty to promote disability equality for the public sector this is similar to the duty in the RRAA.

From 1st October 2010 The Equality Act 2010 replaced most of the Disability Discrimination Act, however the Disability Equality Duty in the DDA continues to apply.

4. Statement of Intent

New Forest School is committed to equal opportunities in the provision of services to our stakeholders and students and as an employer we are aiming to be put these principles into practice. New Forest School is committed to creating an inclusive environment for students and staff alike where everyone feels welcome, and no one is marginalised. New Forest School is also a strong patron of equity and believe in the importance of accommodating adaptations that are needed to provide an equal starting point for students and staff. Everyone who works for the school is expected to carry out and implement all equal opportunities initiatives. All staff will be given guidance in this respect.

New Forest School intends to ensure that in all aspects of our organisation no stakeholder, employee, job applicant or student should receive less favourable treatment than another on the grounds of their gender, marital status, age, race, ethnic origin, colour, special educational need and/or disability, sexuality, political or religious beliefs or any other reason. (With the exceptions specified in the Rehabilitation of Offenders Act 1974)

Policy and practice will be concerned with the prevention of both direct and indirect, covert and overt discrimination and the promotion of justice and equality. This necessitates both the removal of existing organisational barriers and positive attempts to create new opportunities.

The school is committed to working towards the creation of additional employment opportunities for groups currently under-represented amongst staff and to ensure that access to these opportunities is not obstructed by conditions or requirements that cannot be justified. It is the aim that the staff composition reflects more closely that of the student's composition.

New Forest School requires all staff and directors to behave in a non-discriminatory manner and to support the development and implementation transparent practices which promote and reinforce equality of opportunity treatment for all.

New Forest School firmly believes in the rights of the child under Article 12 UN Convention on the Rights of the Child; "Children and young people have a right to have a say on all issues that affect them and for these views to be taken seriously". It is imperative that those who use our services are empowered to have access to those services we deliver, which are evolving, responsive and focused on their needs. Thereby reducing inequalities and overcoming barriers they face in accessing these. This ethos is the foundation on which New Forest School is built. All projects operated are bespoke, focusing purely on the assessed needs of the students, their views, wishes and feelings, rather than the assumed need.

By encouraging student's voices to be heard and ensuring active participation is integral and at the heart of every aspect of New Forest School's life, displays the commitment it holds to ensuring social inclusion for the students we care for. It is not a tokenistic gesture; it is real, live and constantly challenging the adults within the organisation to be creative, to ensure students are fully involved. By working closely with, parents/carers and other professionals, New Forest School, aims to lead to a better distribution of power, for those otherwise discriminated and disadvantaged by society.

5. Standards and Expectations

In working with students and their families we acknowledge the experience of discrimination to be a fact of life for many. Employees of the Company will be expected to recognise and challenge all forms of discrimination either direct or indirect.

All staff are expected to respect the people we come into contact with as individuals and to meet the particular needs of each individual. Due regard will be given to the student's religious persuasion, racial origin, cultural and linguistic background, sexuality and special educational need and/or disability when making any decision in accordance with the Children Act 1989 Section 22 (5).

All staff will be made aware of the power of language and ensure that they communicate in a way that is not discriminatory, racist or ableist.

A monitoring and feedback process is in operation which assists with the identification of inequalities where these are occurring. Alongside this, the use of the Staff Grievance procedure and Whistle Blowing Policy, empowers the staff to be able to challenge discrimination, should it occur.

The active involvement of staff, through regular consultation and the participation of students in key decisions which affect their lives are integral to ensuring the implementation of this policy and development of an open, supportive culture and environment.

6. Linked Documents

1. Staff Grievance Procedure
2. Whistle Blowing Policy

7. References

1. Sex Discrimination Act 1975,
2. The Race Relations Act
3. The Disability Discrimination Act 1995