

# MIRES BECK NURSERY EQUALITY POLICY

## 1. PURPOSE

The purpose of this policy is to promote fair and equal treatment for all employees, job applicants, trainees, volunteers, customers, suppliers and visitors, irrespective of any protected characteristics such as sex, race, disability, sexual orientation, religion or belief, age, transgender status, pregnancy and maternity and marriage or civil partnership (this list is not exhaustive).

## 2. SCOPE

This policy relates to all aspects of employment, including individual standards of behaviour, the advertisement of jobs, recruitment and selection, training and development, appraisal, pay, promotion and leaving the Company. The principles apply equally to all dealings with trainees, volunteers, customers, suppliers and visitors.

## 3. STATEMENT OF POLICY

The Company is committed to providing fair and equal treatment for all staff, trainees, volunteers, customers, suppliers and visitors. All people involved at Mires Beck are expected to treat everyone with whom they come into contact with dignity and respect and they should be aware of the importance the Company attaches to this policy. Breaches of this policy will be classed as a disciplinary offence and dealt with accordingly.

## 4. LEGAL OBLIGATIONS

In applying this policy the Company will take account of current and future equality legislation (and associated codes of practice) including, but not limited to the provisions of The Equality Act 2010.

The above legislation protects individuals against direct discrimination, indirect discrimination, harassment (which can include bullying) and victimisation because of their personal characteristics (i.e. gender, race, disability, sexual orientation, religion or belief and age).

- **Direct discrimination** is treating a person less favourably because of a protected characteristic (this also applies to discrimination by association or perception).
- **Indirect discrimination** is applying criteria or practices equally to all people but which have the effect of disadvantaging one group of people.
- **Harassment** is unwanted behaviour based on a protected characteristic which affects the dignity of others.
- **Victimisation** is treating a person less favourably because they have asserted their rights under this policy or equality legislation (i.e. made, or assisted with, a complaint).
- **Bullying** is unwanted behaviour, normally related to an abuse of power, which is intended to injure the recipient. Bullying is only prohibited by law where it takes place on one of the grounds listed above – in which case it is legally defined as harassment. However, the Company treats all bullying as a disciplinary issue.

The above legislation also allows an employer to undertake **positive action** initiatives where they can show their workforce is under-represented by people from certain groups. Such initiatives could include attracting and preparing particular types of candidates for vacancies – but would not extend to offering them a position purely because of their personal characteristics (as this would be positive discrimination, which is unlawful except

as a potential reasonable adjustment on the grounds of disability). The Company commits to use positive action initiatives if appropriate.

Other legislation which affects the implementation of this policy and with which we will comply includes:

- Rehabilitation of Offenders Act 1974 (as amended)
- Health and Safety at Work Act 1974
- Employment Rights Act 1996 (as amended)
- Protection From Harassment Act 1997
- Human Rights Act 1998
- Working Time Regulations 1998 (as amended)
- Employment Act 2002
- Flexible Working Regulations 2002 (as amended)

## 5. RESPONSIBILITIES

**Everyone** involved at the nursery is expected to have read and understood this equality policy, ensure they behave in accordance with its principles and immediately report any breaches witnessed.

**The Manager** is responsible for ensuring this equality policy is understood and complied with by everyone involved at the nursery and for dealing with breaches and complaints (whether reported or not) seriously, speedily, sensitively and confidentially.

**The Management Team** is responsible for implementing, reviewing, monitoring the effectiveness of and providing advice on this equality policy, developing appropriate action plans and ensuring complaints are adequately investigated.

**The Trustees** have overall responsibility for this equality policy.

Any breach of this policy will be treated as a disciplinary issue. Additionally, if legal requirements are contravened, both the Company and the employee concerned may be liable to legal proceedings and risk having unlimited damages awarded against them.

## 6. IMPLEMENTING THIS POLICY

Below are some examples to illustrate how this policy impacts on all work policies and practices. This list is not exhaustive as each situation must be considered on its merits.

### General standards of behaviour

The Company expects staff to conduct themselves in a professional and considerate manner at all times. The Company will not tolerate behaviour such as:

- Physical violence
- Shouting or swearing
- Rudeness
- Isolating, ignoring or refusing to work with certain people
- Telling offensive jokes or name calling
- The display of offensive material such as pornography or inappropriate cartoons
- Lewd gestures or remarks
- Distribution of offensive material via email / sms message

It is no defence for staff to say they did not intend their behaviour to cause offence, or to blame individuals for being over-sensitive. It is for the recipient of the behaviour to decide what they consider to be offensive. Provided it is reasonable that the recipient is offended, it is the impact of the behaviour rather than the intent which is important.

### **Recruitment and Selection**

Please refer to the separate Recruitment and Selection policy.

### **Training, Development and Promotion**

A separate policy is to be developed.

### **Meeting Individual needs**

As far as possible the Company will try to meet the needs of individuals at work. For example:

- Caring and domestic responsibilities – time off may be appropriate to allow staff to care for children or sick or elderly relatives to help them balance their work and home responsibilities
- Working patterns – wherever possible training courses and meetings should be planned to allow attendance by part time staff
- Disability – disabled staff, trainees, volunteers and customers should be consulted about any reasonable adjustments which could be made to allow them to better perform their functions
- Religious practices – it may be necessary to provide time off for prayer or religious festivals or relax dress standards to meet religious needs

## **7. COMPLAINTS**

If staff feel this policy has been breached they should speak to the General Manager in the first instance, who will ensure all issues are investigated and dealt with appropriately.

Formal complaints about breaches of this policy can be made using the Company's grievance procedure.

## **8. MONITORING, REVIEW AND CONSULTATION**

The effectiveness of this policy will be monitored by the Management Team. Reports will also be made to the Trustees whenever appropriate

This policy will be reviewed annually to ensure it remains current and links appropriately with other policies.

The principles of this policy will also be considered when developing other new Company policies and procedures.

A copy of this policy will be provided to all employees and the contents discussed with them.

*Approved : October 2011  
Reviewed: February 2018*