



## **Forest School Association** **EQUALITY and DIVERSITY Policy and Procedures.**

### **Policy**

The FSA is committed to developing an organisation that is free from all forms of unlawful or unjustifiable discrimination. This Policy applies to all employees, members and elected directors in all of their activities on behalf of the FSA. Our vision is to support Quality Forest School FOR ALL. This includes;

- Aiming to provide for the needs of all groups in society who may wish to access Forest School.
- Treating people with equality and valuing diversity.
- Building strong, cohesive communities of Forest School practise and promoting good community relationships.
- Helping individuals reaching their full potential.
- Listening to FSA members and the wider Forest School community whether they are geographical or communities of interest.

### **The Legal Framework**

The FSA acknowledges its responsibilities as set out in the Equality Act 2010. The Equality Act was introduced on 1<sup>st</sup> October 2010. The Act brings together over a hundred separate pieces of legislation, providing a legal framework to protect the rights of individuals and advance equality of opportunity for all.

The most significant pieces of legislation replaced by the Equality Act are:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995
- The Employment Equality (Religion or Belief) Regulations 2003
- The Employment Equality (Sexual Orientation) Regulations 2003
- The Employment Equality (Age) Regulations 2006
- The Equality Act 2006, Part 2
- The Equality Act (Sexual Orientation) Regulations 2007

We will ensure that our policies and procedures continue to be compliant with any relevant legislation, Codes of Practice, including the FSA code of conduct, and guidance published by National Equalities Bodies and Commissions.

### **Discrimination**

The FSA will not tolerate any form of unlawful discrimination, harassment or victimisation on the grounds of race, sex, gender reassignment, sexual orientation, marital status, pregnancy and maternity, disability, age, religion or belief; or for any other unjustifiable reason. A more detailed explanation of the different types of discrimination is available in appendix 1



## **Equality and Diversity guidance and procedures**

### **Achieving Equality and Diversity**

The FSA will integrate equality of opportunity and respect for diversity into everything it does.

In order to achieve this the FSA will:

- Use our FS community leadership role to promote equality of opportunity and respect for diversity within the Forest School movement;
- Challenge all forms of unfair discrimination, whether intentional, unintentional, institutional or otherwise;
- Endeavour to profile the make-up of the FSA membership and the wider FS community and endeavour to use this information in shaping our priorities;
- Engage with and listen to the views of our members and the wider FS community in identifying inequality and planning how to address it;
- Develop services that are appropriate and accessible to all FSA members and the wider FS community;
- Build equality of opportunity into all policies, plans and strategies;
- Review equality and diversity practises in all key areas and, where possible, take appropriate action to reduce or eliminate any inequality that is identified;
- Work with our partners in the statutory, voluntary and private sectors to ensure the best outcomes for people who engage with Forest School and those who wish to engage with Forest School;
- Provide, where appropriate and feasible, training and development regarding equality and diversity issues in employment, customer service and community engagement for our directors and employees;
- Ensure that we have procedures in place to respond to and address all forms of harassment and victimisation;
- Annually review and evaluate our progress in achieving our Equality and Diversity objectives and report our progress.

### **Delivering projects and services to the FSA membership and FS community**

- The FSA will Plan and commission or provide appropriate, accessible services and facilities to all members of the FSA community;
- Provide clear and accessible information about our services, in a variety of appropriate formats and languages which meet the needs of diverse FSA community members
- Review and monitor our service delivery and uptake to ensure that all sections of the FSA community are receiving fair access to and benefits from our services;
- Engage with and listen to all sections of the FSA and wider community in identifying needs and in making decisions on the way the FSA plans and delivers its services;

### **Equality and Diversity in Procurement, Contracting and signposting services**

The FSA will

- Ensure that contractors, suppliers, volunteers and partners are aware of our  
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equality expectations and understand their obligations to provide services that are free from discrimination, harassment or victimisation. This is in addition to ensuring contractors, suppliers, volunteers are guided, where possible, by the FSA principles and environmental considerations

- Recognise and promote the application of national guidelines and advice, in line with our own contracting procedures;
- Make sure that our selection and tendering processes positively address and include equality considerations that are in line with the procedures mentioned above;
- Provide training for relevant staff in equality and diversity issues during service procurement and commissioning.

### **Equality and Diversity at Work**

We recognise that a representative workforce can provide greater sensitivity to an awareness of the needs of our community. We will;

- Ensure that our employment, training and development policies, procedures and practices comply with this Policy and do not discriminate intentionally or unintentionally against any group or individual;
- Monitor our employment processes by age, disability, gender and racial group and take action to address any inequalities that are apparent;
- Recruit employees in a manner which is fair and open, (see recruitment policy and procedures);
- Ensure employees are aware of their personal responsibility to apply this Policy in all areas of their work;
- Provide opportunities for training and career development which enable all our employees to realise their full potential and contribute to the development of the FSA. We will ensure line managers' decisions relating to career development are based on objective job-related criteria, which do not give rise to unlawful or otherwise unjustifiable discrimination;
- Promote a culture of fairness and respect through our employment policies, procedures and practices;
- Ensure pay structures fairly reward all employees;
- Recognise that employees have the right to work in a supportive, safe and harassment-free environment where complaints are dealt with robustly;
- Make reasonable adjustments to facilitate the employment and redeployment of staff with disabilities;

### **Accessible Information and Communications**

Accessible information and communications are essential in enabling equal access to services and other opportunities. Appropriate communication and information will be developed through the website, other electronic forms of communication, paper based and verbal communication channels

### **Equality and Diversity Reviews**

Where inequality is identified we can then consider whether anything can be done to reduce any negative impact we have identified. This policy and its procedures will be reviewed annually.



Within the FSA, all directors, members and employees have a part to play in challenging discrimination and in implementing this Policy. **If anyone witnesses a discriminatory incident while on FSA business, they have a duty of care to others to challenge any such behaviour and practice.**

#### **Feedback and complaints**

The FSA welcomes feedback (comments, compliments and complaints) on how well we are implementing this Policy in the services we deliver.

For general comments and compliments, or in circumstances where individuals believe that they have been the subject of unlawful discrimination, harassment or victimisation by the Council, they should contact us.

All complaints will be handled in accordance with the FSA Complaints Procedure.

Where a member of staff feels that they have been discriminated against, victimised or harassed, they should initially speak with their Line Manager, or if not appropriate, then to the board of directors.

All allegations will be taken seriously and investigated; appropriate action will then be taken

This policy was written on October 11<sup>th</sup> 2013

Signed by

A handwritten signature in black ink, appearing to read 'J. Cur', is written on a light-colored background. The signature is cursive and somewhat stylized.

Chair of the Forest School Association

Review date; September 2014



## Appendix 1

### Discrimination

#### 1. What is discrimination?

Discrimination occurs when a person or group of people are treated less favourably than other people because they have one or more of the following Protected Characteristics:

- Age
- Disability
- Gender re-assignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

It must be remembered that there are instances when the law allows for people to be treated differently. This is the case when a particular requirement or condition is objectively justifiable e.g. where the holder of the job provides individuals with personal services and those services can only be provided by a person of the same sex or the same racial group.

#### 2. Types of discrimination

Discrimination can be direct, indirect or arising from a disability.

##### **Direct discrimination**

*Direct discrimination occurs when:*

A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

*Indirect discrimination occurs when:*

A working condition or rule disadvantages people who have one or more of the Protected Characteristics and Reasonable Adjustments are not put in place to minimise that disadvantage. Indirect discrimination is unlawful, whether or not it is deliberate. It is only permitted where the rule or condition is necessary for a business to function safely and effectively and there is no other reasonable way of achieving this.

Indirect discrimination may also include communication and/or bullying which denigrates people with protected characteristics, as outlined above.

##### **Disability Discrimination occurs when:**

A person (A) discriminates against a disabled person (B) if – (a) A treats B unfavourably because of something arising in consequence of B's disability, and (b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim.

##### **Positive discrimination**

Treating someone with a protected characteristic more favourably to counteract  
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the effects of past disadvantage. It is not generally lawful although the duty to make reasonable adjustments for a disabled person is an exception to this rule. This is because the law may require a disabled person to be treated more favourably so that they are able to enjoy the same levels of access to premises or opportunities as people who do not have a disability.

### **Reasonable adjustments**

Equalities legislation imposes a duty on employers and service providers to make 'reasonable adjustments' to enable a person who has a disability to access facilities, opportunities and services.

### **3. Institutional racism**

Institutional racism occurs when:

The culture, policies, systems and procedures in an organisation inherently discriminate against a group or groups of people. This can happen because the systems and processes may have been designed without taking the diverse needs of some parts of the community into account.

Institutional racism is defined in the Stephen Lawrence Inquiry Report as 'the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping.'

At an individual level, a person may hold negative attitudes and use language that could result in unacceptable discriminatory behaviour or outcomes.

For further information please visit the Equality and Human Rights Commission at <http://www.equalityhumanrights.com/>