

EQUALITY & DIVERSITY POLICY

Youth Legal aims to offer equal opportunities for all, and bases this policy on the Equality Act 2010. Youth Legal encourages equality of opportunity and respect for diversity, and preventing unlawful discrimination, in our relationship with our *clients* and others. The protected characteristics set out by the Act together with the types of discrimination envisaged apply in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and Youth Legal is committed to not discriminating against anyone on these grounds or on the basis of class. This policy is actively applied to all aspects of our working practices.

The policy is reflected in our other procedures. These include:

- Anti-Oppression Policy
- Recruitment Policy
- Appointment guidelines
- Contract of Employment

EQUALITIES AND DIVERSITY POLICY

- ❖ Chapter 2 of the 2011 Solicitors' Code of Conduct deals with requirements in relation to Equality and Diversity and imposes a duty on solicitors not to discriminate in their professional dealings on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It also requires practices to implement a policy to prevent discrimination and promote equality and diversity within the firm.

EQUALITY AND DIVERSITY STRATEGY

Definitions

Equality

Equality is another term for 'Equal Opportunities'. The terminology is based on the legal obligation to comply with anti-discrimination legislation. Equality gives protection to people from being discriminated against and we treat everyone equally and with the same attention, courtesy and respect regardless of:

- (a) age;
- (b) disability;
- (c) gender reassignment;
- (d) race;
- (e) religion or belief;
- (f) sex;
- (g) sexual orientation;
- (h) marriage or civil partnership status;
- (i) pregnancy and maternity or
- (j) caring responsibility

Diversity

As employers, equality legislation places obligation on us to avoid discrimination in employment and business and workplace practices. This obligation covers action by employees, contractors, agents or vocational trainers.

Diversity implies a wide range of conditions and characteristics. In terms of businesses and their workforces it is about valuing and reaping the benefits of a varied workforce that makes the best of people's talents whatever their backgrounds. Diversity encompasses visible and non-visible individual differences. It can be seen in the make up of our workforce in terms of gender, ethnic minorities, disabled people, etc., about where those people are in terms of management positions, job opportunities, terms and conditions in the workplace.

Compliance with Anti-Discrimination legislation

Youth Legal is fully committed to compliance with anti-discrimination legislation in both the spirit and letter of the law. We note, and communicate to our Board of Trustees, staff, volunteers, and other stakeholders, our commitment to acting positively within the legislative framework as noted in the office manual section on "Legislative Framework".

We also understand that, in contracting with Public Authorities, we may be bound by their Equality and Diversity policies and may be legally liable for breaches of the law.

The Case for Equality and Diversity

Youth Legal fully subscribes to and upholds the fundamental principles of equality demonstrated through our work with marginalised and excluded community groups and individuals who would otherwise have no voice. We believe in promoting equality and diversity in our work, our service delivery and in our procurement processes. It not only ensures that as employers we comply with legislation and implement ethically sound principles of workforce management and development; it enables us to avoid litigation on the part of employees and customers. It is also good for our business.

We recognise that the recruitment, retention and development of a skilled and committed workforce are essential to our success. Encouraging diversity in our workforce impacts on our clients, potential for our services to be more accessible to hard to reach communities and groups, and our image and reputation with our clients and other stakeholders.

The case for diversity

skills shortages in the labour market

skills gaps in our workforce

an ageing workforce

a changing labour market with more women and people from ethnic minorities

increasing global economic impacts on UK businesses; and

increasing economic, social and environmental demands for changes in work patterns

The advice sector case

The advice sector in which we operate faces particular challenges and offers particular opportunities for business growth.

Research by employer-led bodies highlights where equality and diversity strategies can:

Raise the skills of our workforce, both existing and future, thereby increasing our competitiveness

Help us access new markets by ensuring that our workforce composition reflects that of the community and customers around us

Help us become employers of choice and give us access to the best talent in the labour market

Our Statement of Intent

Our long term vision

We want Youth Legal to be an organisation where all management committee members, staff, volunteers, clients and other stakeholders:-

- entrench equality and diversity into the heart of our service
- treat people fairly and with respect
- appreciate the benefits of a diverse workforce and client base

Our intent

Youth Legal is committed to promoting equality and diversity in all areas of its service delivery and employment. We will implement and regularly review action to eliminate discrimination and to promote and develop a diverse workforce.

We shall involve our Trustees, staff, volunteers, clients and other stakeholders in identifying areas for action, to inform our priorities and for monitoring our performance.

We shall regularly evaluate the impact of our actions in this area with a view to integrating good equality and diversity practices within our overall service delivery planning and recruitment processes.

We have a procedure for gathering the characteristics of our staff and continue to monitoring diversity e.g. checking whether individual members of staff have developed any debilitating health conditions which we need to accommodate. This will take place at quarterly supervision meetings and now forms part of the supervision form.

In pursuing these goals we shall develop and implement short and medium term action plans designed to meet the strategic aims below.

Strategic Aims

To eliminate discrimination from the workplace through:

eliminating discriminatory elements in our policies and procedures

involving employees, managers, volunteers and other stakeholders in raising awareness of the negative impacts of discrimination and the positive benefits of good practice

encouraging employees, managers and other stakeholders to suggest and be open to change in workplace practices and cultures to minimise discrimination and promote equality

promote and encourage diversity in our workplace through:

encouraging job applications from people from under-represented groups in our workforce

developing the skills and talents of our existing workforce into management and/or new areas of career development in a positive learning environment developing synergy between equality and diversity action and other business processes and practices

Ensuring Equality in Service Delivery

promote good practice in equality and diversity in our dealings with customers, business partners, within our local communities and industry

Underlying Principles in our approach

We will integrate as far as is practicable, our equality and diversity work with other key business development processes e.g. staff training and development to maximise resources.

We shall also be practical in our implementation schedule, acknowledging that to reach our long term goals our implementation plans must be set to meet achievable timescales and milestones.

Anti-Oppression Policy

Institutional and personal oppression (including discrimination) because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, class and other unjustifiable grounds are major reasons why people need the services of Youth Legal. Such oppression is an injustice in itself and is at the root of much of the injustice that exists in society. It is an essential part of Youth Legal's function to combat such oppression, and the prejudices that cause it and justify it.

If its clients are to have confidence in Youth Legal's ability to solve their problems, Youth Legal itself must be seen and known to combat such oppression and not connive in it, either in its service provision or in its internal structures and procedures.

Policy

Youth Legal will give special attention and resources to confronting such oppression, where it is able to do so, on behalf of its clients.

Youth Legal will ensure that its clients are not subjected to any such oppression arising from its own practices and procedures or from the behaviour of its staff or volunteers.

A Client's affairs will be handled by a member of staff or volunteer with the necessary technical skills. To ensure that it retains the trust of its clients Youth Legal will arrange when possible for a female client who so requests to have her business handled by a female and, similarly, a black client to have his/her business handled by a black adviser. Other requests for service from a particular type of person will be dealt with in accordance with their merits, in the light of this policy.

Youth Legal will not permit its resources to be used to achieve a purpose that is racist, sexist or otherwise oppressive.

Youth Legal will protect its staff and volunteers from any person or organisation who or which is racist, sexist, or otherwise oppressively abusive to them or one of them. Youth Legal will support the right of its staff and volunteers to refuse to act for a client who behaves in such a manner.

If it is learnt that a client (or in the case of a group client one or more of its members) has or may have committed, promoted or condoned an act or attitude which is racist, sexist or otherwise oppressive Youth Legal staff and volunteers will oppose such acts or attitude. Youth Legal will not as a general rule accept instructions to defend allegations of race or sex discrimination or otherwise to act for such a client.

Procedure

Breaches of this policy by staff will be treated as disciplinary matters.

Clients and others who have dealings with Youth Legal will have the right to complain about breaches of this policy under Youth Legal's complaints procedure.

A staff member confronted with an individual who behaves oppressively should confront the behaviour in whatever manner he/she considers appropriate in accordance with this policy. If he/she is uncertain how to deal with the matter and there is time to consult other staff he/she should do so, and they should advise and support. The decision of a staff member about this subject, made in good faith, will be supported by the staff generally. Decisions which can wait should be brought to staff meeting.

A staff member dealing with an enquiry from an individual or group who has or may have behaved oppressively should explain Youth Legal's policy and may offer summary telephone advice or such ad hoc service as s/he considers appropriate.

Where in the course of handling a client's affairs a staff member fears that Youth Legal's resources are being used to achieve a purpose that is racist, sexist or otherwise oppressive, he/she should take the matter to a staff meeting. If those fears are considered well-founded, Youth Legal will cease to assist the client in a manner that is consistent with professional obligations.

Where a staff member believes there are grounds on which to depart from this policy, he/she should raise the matter for discussion at a staff meeting before any further action is taken. In all but minor instances, staff should refer any proposed departure to the Board of Trustees, or in the case of an emergency to the Officers, for approval.

It is the duty of all staff to help and support other staff members in the implementation of this policy.

Youth Legal and Equality in Recruitment

Youth Legal is determined to eliminate discrimination from its employment practices.

Youth Legal recognises that such discrimination arises in society from many causes. The most widespread and deep-rooted types are race, gender and class.

Youth Legal, therefore, endeavours in its recruitment and employment policies and practices to guarantee equality of opportunity, particularly for Black and ethnic minority people, for women and for working class people.

It aims to redress disadvantages suffered by people as a result of disabilities.

It aims to remove disadvantages arising out of other factors such as marital status, family responsibility, age, gay and lesbian sexual orientation or trade union activity.

Selection criteria and procedures will be kept under review to ensure that individuals are selected, promoted and treated on the basis of their relevant merits and abilities. Only factors relevant to the job will be taken into account when recruiting.

All employees will be provided with access to a positive programme of professional training so as to enhance their development. Youth Legal is committed to a programme of positive action to make this fully effective and to monitor progress.

Youth Legal accepts that improved recruitment and selection procedures will not, by themselves, achieve the objective of a Centre which reflects and represents the community it serves; good procedures and practices can, however, provide a sound basis for positive action, and attract to Youth Legal those groups who are currently under-represented in its staff and Board of Trustees.

Procedure for Appointment

Once a decision to appoint has been made by the Board of Trustees having regard to Centres' resources and requirements, the selection procedure is as follows:

The Board of Trustees select 1/2 of them to be members of the panel. 1 of Board of Trustees panel members will be a reserve.

The staff appoints 1/2 of them to be members of the panel. The two staff members are then responsible for ensuring that the following procedure is complied with, that it is in accordance with our equality and diversity policy and for ensuring that all the administrative tasks are carried out within the agreed time scale.

The members of the panel agree the job description, the personal specification, the advert, the application form, and the document describing Youth Legal. They should also agree dates when applicants will be shortlisted and when interviews will be carried out.

Reviewed due September 2020

The advert should give a brief description of the post and core requirements of potential applicants and a closing date by which all applications must be received. It is normally placed in the following publications (subject to finances):

Legal Action Group, Nearly Legal, the Guardian and one local paper. It is also sent out in the LLST mailings and HIG googlemail group.

A pack containing: a covering letter, the application form, the description of Youth Legal, our Equality and Diversity Policy, our last annual report and the job description should be sent to all who request it.

After the closing date for applications, a sufficient number of photocopies of the application forms with the personal specification should be made. In addition, a chart recording the applicants' names should be made. All staff members should be given an opportunity to select those they think comply with the job specification by ticking against the applicants' names.

The panel will meet thereafter to select those applicants who in their opinion meet the personal specification.

Our equal opportunity policy must be complied with and only those candidates who appear to meet the essential and important requirements of the job specification must be short-listed.

The Panel will also at this stage agree a list of matters to discuss with candidates at interviews to elucidate whether s/he meets the criteria in the personal specification. The Panel will devise a points system to measure the extent to which each of these matters incorporates the criteria in the personal specification and the extent to which each candidate meets the criteria. In the case of a lawyer's post, the two staff members will devise a written question and an oral question to elucidate a candidate's legal skills and the Panel will agree the maximum number of points for the legal questions. The Panel members will then agree who between them will ask relevant questions in respect of each matter.

The short-listed candidates will then be contacted and a time for an interview will be arranged with them. Candidates who are not selected will also be informed.

The candidate with the most points will be selected subject to satisfactory references. These will be requested straight away after a decision to select, and the appointment of the candidate will only be confirmed once satisfactory references have been obtained by the staff panel members.

The two staff members appointed to carry out the appointment procedure will ensure that the notes and documentation for all short-listed candidates are retained for at least twelve months for the purposes of review and any potential employment tribunals arising from the recruitment process, and after twelve months all documents relating to the recruitment process shall be shredded.