



## Equality & Diversity Policy

### **Introduction**

Zodiac Arts is committed to equality in its provision of services and in all its employment practices, policies and procedures. This includes recruitment, training, remuneration and promotion and equal terms and conditions of employment. It is committed to the creation of a non-discriminatory working environment.

This policy applies to employees whether part-time, full-time, fixed term or temporary, contractors, volunteers and trustees.

### **Statement of values**

Zodiac Arts aims to be committed to social justice and working with those who are most excluded and disadvantaged

Zodiac Arts celebrates our society as diverse in race, culture, faith and other beliefs, sexuality, abilities, gender and age.

Zodiac Arts is committed to challenging disadvantage and inequality, and aims to promote diversity and equality in all areas of its work and structures.

### **Zodiac Arts believes:**

- In working towards a just and participatory society
- That all people have equal rights to work towards social justice and to participate in decision-making processes and local action
- That priority should be given to working with communities and groups whose full participation in society is limited by economic disadvantage or discrimination
- That the role of Zodiac Arts is to affirm and enable all public, employees, organisations working with or in partnership that we have a clear goal to be non-bias, understanding and fair in all that we do.

## **Discrimination**

Direct Discrimination is when you treat someone less favourably than others for unlawful means, for example not employing someone because of their gender or disability.

Zodiac Arts will treat direct discrimination as a disciplinary matter.

Indirect Discrimination is when a policy, practice or procedure that applies to everyone might disadvantage a particular group, and which cannot be justified in relation to the job.

Zodiac Arts will monitor and regularly review its policies, practices and procedures in order to ensure that they do not disadvantage any particular group.

Discrimination by association is direct discrimination against someone because they associate with another person who possesses one of the applicable protected characteristics (age, disability, gender reassignment, sex, race, religion or belief and sexual orientation). It is unlawful, and Zodiac Arts will treat it as a disciplinary manner.

Perception discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not possess that characteristic. It is unlawful, and Zodiac Arts will treat it as a disciplinary matter in relation to age, race, religion or belief, sexual orientation, disability, gender reassignment and sex harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment.

Zodiac Arts will treat harassment as a disciplinary matter.

Victimisation is when you treat someone less favourably or discriminate against them because they have pursued or intend to pursue their rights relating to alleged discrimination.

Zodiac Arts will treat victimisation as a disciplinary matter.

## **Positive discrimination is unlawful.**

Positive action to address imbalances in the workforce is allowed in particular circumstances. Examples would include setting equality targets (but not quotas which are unlawful); encouraging people from particular groups to apply where they are underrepresented; training for promotion or skill training for employees from under-represented groups who show potential.

Zodiac Arts will use positive action to address imbalances that are apparent from monitoring data.

## **Statement of intent**

Our intention is to ensure that no user of Zodiac Arts services, job applicant or employee receives less favourable treatment due to a protected characteristic (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation), unrelated criminal convictions, or membership or non membership of a trade union.

All employees have a responsibility to co-operate with measures to ensure equal opportunity and non-discrimination.

We aim to create a culture that respects and values each other's' differences, that promotes dignity, equality and diversity, and that encourages individuals to develop and maximise their true potential.

We aim to remove any barriers, bias or discrimination that prevent individuals or groups from realising their potential and contributing fully to Zodiac Arts performance and to develop an organisational culture that positively values diversity.

We are committed wherever practicable, to achieving and maintaining a workforce that broadly reflects the local community in which we operate.

Every possible step will be taken to ensure that individuals are treated fairly as users of Zodiac Arts services and in all aspects of their employment at Zodiac Arts.

## **Legislation**

You should be aware that whilst an employer can be held liable in law for acts of discrimination committed by employees, individual employees can also be held personally liable in law for acts of discrimination that they commit, authorise, contribute to or condone.

You should therefore be aware that the following acts are unlawful and would constitute misconduct or gross misconduct liable to disciplinary action, which may include summary dismissal:

- Discriminating in the course of employment or prospective employment against fellow or future employees in job, transfer or promotion applications on the grounds established in this Equality Policy
- Inducing or attempting to induce employees to practise unlawful discrimination
- Indulging in verbal or physical, sexual or racial harassment of a nature that is known, or should be known, to be offensive to the victim

- Victimising individuals who have made allegations or complaints of any discrimination or harassment or provided information about such discrimination or harassment every employee is responsible for ensuring Zodiac Arts Equality Policy is applied to our dealings with our clients and suppliers and should, in addition, be aware that it is unlawful to commit, authorise, contribute to or condone acts of discrimination on the grounds of a protected characteristic (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation), in the provision of goods and services.

Breaches of the policy by suppliers could result in termination of contracts for services.

Full details of relevant legislation that Zodiac Arts will apply can be found in Appendix "A" of this document

## **Implementation**

The Operations Manager is responsible for the policy's day-to-day implementation. Consultation will take place with all staff about the implementation and development of this policy.

Zodiac Arts will collect monitoring information about the implementation of this policy and from this information will produce an action plan detailing how it will promote equality through its work.

To achieve a workforce that is truly representative of all sections of society selection for employment or promotion or any other benefit will be on the basis of merit and ability only.

Selection for training will be on the basis of job requirements only. Intimidation, harassment and bullying will not be tolerated and may lead to disciplinary action.

If you perceive a problem in recruitment, selection, training, promotion or the application of terms and conditions of employment you should raise it in the first instance with your line manager or another appropriate manager.

All cases of such behaviour will be investigated and we will treat all complaints fairly, quickly and with confidentiality. Any grievance arising from the Equality Policy will be dealt with using the existing Grievance Procedure.

Any employee who has taken action, in good faith, over allegations of discrimination or harassment, will not be victimised by being treated any less favourably than any other employee as a consequence of taking such action.

Zodiac Arts will monitor the practical effects of the policy by regularly collecting and reviewing relevant information.

You are expected to co-operate in work being undertaken to monitor, review and implement this policy.

We will use our induction, supervision, appraisal and learning and development policies to ensure that staff and trustees have the skills to support good practice on equality and diversity.

We will use the supervision and appraisal process to encourage staff to make suggestions and contribute to the ways in which we promote equality as an organisation and with the users of our services.

We will ensure that venues that we use for meetings, workshops and training events are accessible and will make reasonable adjustments where necessary.

We will aim to ensure that our communications are accessible, including our web site.

When necessary we will make specific provision, such as the engaging a British Sign Language interpreter, to ensure that our communication is accessible.

We will bring this policy to the attention of our trustees, staff, volunteers, suppliers and service users when they join Zodiac Arts and by making use of our communications.

We will monitor the use of our services and make use of this monitoring information when planning future developments.

## **Review**

The Trustee Board will keep this policy under review, with input from the Operations Manager and staff. This review and our action plan will be included as part of our annual Report.

## **Appendix A**

In its employment practices and service provision Zodiac Arts will take full account of the following legislation:

The Equality Act 2010 & in guidance with Specific Duties Regulation 2011 section 149(HMRC), in relation to public sector equality and diversity policy.

- Consolidates previous legislation. It is unlawful to treat somebody less favourably than another person because of a protected characteristic i.e. Race; age; disability; gender reassignment; religion or belief; sex; sexual orientation; marriage and civil partnership; and pregnancy and maternity
- It is unlawful to discriminate against somebody because they associate with another person on grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation
- It is unlawful to discriminate against somebody because others think they possess one of these protected characteristics: Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation

- It is unlawful to have a rule or policy that applies to everyone but disadvantages people with the following protected characteristics: Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation; marriage and civil partnership
- Employees can complain about behaviour that they find offensive even if it is not directed at them on the basis of the following protected characteristics: Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation
- Employers are potentially liable for harassment of their staff by people they don't employ on the basis of the following protected characteristics: Age, disability, gender reassignment, race, religion or belief, sex, sexual orientation
- It is unlawful to treat somebody badly (victimisation) because they have made or supported a complaint or grievance under the Act (applies to all protected characteristics)

Rehabilitation of Offenders Act 1974 to include the consideration of Rehabilitation of Offenders (Amendment) Bill [HL] (HL Bill 20 of 2016–17) awaiting second reading by the House of Lords.

- Ex-offenders have certain employment rights if their convictions become 'spent', including not having to declare spent convictions and protecting them against dismissal or exclusion (with certain exceptions such as for those working with children).

Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000

- The regulations aim to ensure that part-time workers are not treated less favourably than comparable full-time workers, including having the same rates of pay and pro rata holiday entitlement.

Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002

- The regulations aim to ensure that employees on fixed-term contracts are treated no less favourably than comparable permanent employees, including having the same terms and conditions of employment.

### **The Asylum and Immigration Act 2014**

- This places a responsibility on employers to ensure that all employees are not in breach of immigration rules. It covers the checks that an employer must do to ensure that employees are eligible to work in the UK, checking passports, visas etc.

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