



Arts Richmond's Equal Opportunities, Diversity and Inclusion Policy

Policy reviewed by September 2023 Board

Next review: September 2025

Arts Richmond's commitment

Arts Richmond's commitment to Equal Opportunities, Diversity and Inclusion is:

- To create an environment in which individual differences and the contributions of all staff, Trustees, volunteers and members are recognised and valued.
- To create a working environment that promotes dignity and respect for all and where no form of intimidation, bullying or harassment will be tolerated.
- To attract and retain a skilled and diverse staff team that best represents the talent available to serve the needs of Arts Richmond's and its membership.
- To work towards our staff team being representative of all sections of society.
- To ensure training and development opportunities are available to staff, trustees and volunteers
- To review all employment and volunteering practices and procedures to ensure that no job applicants, staff, trustees or volunteers are treated less favourably than others.
- To review Arts Richmond's services to ensure they are accessible and appropriate to all groups within society.
- To treat breaches of the equal opportunities, diversity and inclusion policy seriously and to take disciplinary action when required.
- To provide information and training to all staff, Trustees and volunteers so that they are fully aware of the issues relating to equality and diversity and their responsibilities relating to it.
- To develop an Equal Opportunities, Diversity and Inclusion Action Plan, to ensure Arts Richmond's Equal Opportunities Diversity and Inclusion policy is fully implemented.

Recruitment

Arts Richmond's recruitment practices aim to attract applicants with the knowledge, skills and experience required for the job role, irrespective of an applicant's background. The staff team supports Arts Richmond to better understand the needs of a diverse range of members and stakeholders.

Arts Richmond may therefore take positive action to improve its diversity amongst volunteers or staff. Arts Richmond will ask interviewees whether any adjustments are needed to participate in the selection process. These are examples of how Arts Richmond aims for equality within recruitment.

Equal opportunities in employment

Arts Richmond will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person specifications will avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants.

Arts Richmond will base decisions on objective criteria. Arts Richmond will make reasonable adjustments in recruitment as well as in day-to-day employment.

Members, other users of services, and suppliers

Arts Richmond will not discriminate unlawfully against those using or seeking to use its services. If an individual is bullied or harassed by a service user, suppliers, contractor, Affiliate, member or others, or if an individual witnesses someone else being bullied or harassed, they are asked to report this to the Administrator who will take appropriate action.

Training

Arts Richmond will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

Reasonable adjustments

A 'reasonable adjustment' is a change to remove or reduce the effect of:

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job

What is reasonable will depend on the circumstances of each case, but adjustments could be to:

- the workplace (making changes to overcome barriers created by the physical workplace)
- the way things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion or practice).
- Providing extra equipment or getting someone to assist the staff member or job applicant

When deciding whether an adjustment is reasonable, Arts Richmond will consider:

- how effective the change will be in avoiding the disadvantage the staff member would otherwise experience
- its practicality
- the cost
- its resources and size
- the availability of financial support.

The overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person.

Staff and volunteer responsibilities

All staff and volunteers are responsible for supporting Arts Richmond in meeting its commitment and avoiding unlawful discrimination. If an individual experiences a level of discomfort or disagreement with something that happens when at work, they are encouraged to bring it to the attention of the Administrator or a Trustee.

If an individual believes that they have been discriminated against they should report this to the Administrator or a Trustee.

Arts Richmond take any complaint seriously and no individual will be penalised for raising a grievance, even if their grievance is not upheld, unless the complaint is both untrue and made in bad faith. Any staff member who makes a false accusation of harassment may be subjected to disciplinary action. In serious cases, such behaviour may be deemed to constitute gross misconduct and may result in summary dismissal.

If an individual witnesses what they believe to be discrimination they should report this to the Administrator or a Trustee as soon as possible.

Employees can be held personally liable as well as, or instead of, Arts Richmond for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against Employees, Volunteers or Members are disciplinary offences and will be dealt with under Arts Richmond's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Monitoring and review

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. The board of trustees will receive regular reports on any actions or activities undertaken to improve equality of opportunity.

Any information provided by job applicants and employees or Volunteers for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the data protection legislation.

ANNEX A:

The Law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of a 'protected characteristic'. The Equality Act (2010) defines the protected characteristics as being age, disability, sex, gender reassignment, marriage and civil partnership pregnancy, maternity, race (which includes colour, nationality, and ethnic or national origins), sexual orientation, religion or belief.

Discrimination after employment may also be unlawful. For example, refusing to give a reference for a reason related to one of the protected characteristics.

It is also unlawful to discriminate against or harass a member of the public or member in the provision of services or goods or to fail to make reasonable adjustments.

Types of unlawful discrimination:

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- **Indirect discrimination** means putting in place a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does (for example the parent of a disabled child).
- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic, but they are perceived to have a protected characteristic.
- **Third-party harassment** occurs where an employee is harassed by third parties, due to a protected characteristic.

- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act. For example, because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make a reasonable adjustment. Whilst the Equality Act refers to reasonable adjustments with regards to disability, it may also be discriminatory to ignore making reasonable adjustments for people with other protected characteristics (for example, to enable someone to respect a religious belief, providing gender neutral toilets, making adjustments for a woman experiencing severe menopausal symptoms etc).

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