




EQUALITY AND DIVERSITY POLICY

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Equality and Diversity Policy

Contents

1. Introduction	3
2. Purpose	3
3. Policy Statement	3
4. Applicability	4
5. Roles and responsibilities	4
6. Definitions	5
7. Implementation of the Policy	7
8. Records	11
9. Monitoring	11
10. Breaches of the Policy	11
11. Appeals Process	12
12. Policy and Development Consultation	12
13. Communication and Review	12
APPENDIX 1	14

Equality and Diversity Policy

1. Introduction

- 1.1 Traverse Theatre is committed to the active pursuit of an Equality and Diversity Policy which addresses the need and right of everyone to be treated with respect and dignity, in an environment where a diversity of backgrounds and experience is valued.
- 1.2 This Equality and Diversity Policy has been developed as a commitment by the Board of Directors of Traverse Theatre, its senior management and its members of staff to the development, implementation and application of procedures which do not discriminate and which provide genuine equality of opportunity for all, encouraging diversity amongst our workforce and promoting inclusion for our customers.
- 1.3 We are committed to making a difference by promoting equal opportunities and equal access to services and information.
- 1.4 We value the creativity that comes from employing a diverse mix of people, from different backgrounds, with differing perspectives, talents, ideas and skills.
- 1.5 We want to challenge conventional thinking and remove barriers that can exclude people from participation and achieving their potential.

2. Purpose

- 2.1 The purpose of this policy is to ensure a common procedure will be followed in respect of equality of opportunity in employment and service delivery within Traverse Theatre.
- 2.2 The success of this policy in ensuring that all are treated on an equal basis is dependent upon securing the co-operation and support of everyone at all levels in Traverse Theatre.

3. Policy Statement

- 3.1 Traverse Theatre recognises the dignity and worth of every individual and promotes equality of opportunity for all.
- 3.2 Traverse Theatre supports equality of opportunity and is committed to oppose all forms of unlawful or unfair discrimination on the grounds of the ***protected characteristics*** below:
 - age
 - disability
 - gender reassignment

Equality and Diversity Policy

- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

- 3.3 Traverse Theatre is committed to providing an environment free of harassment and bullying ensuring equality of treatment to all staff.
- 3.4 All individuals will be treated fairly and equitably and decisions on recruitment, selection, training, promotion and career management will be based solely on individual ability, effective performance and the needs of Traverse Theatre.
- 3.5 The principles of non-discrimination and equality of opportunity also apply to the way in which staff treat visitors, clients, suppliers and former staff members.
- 3.5 Traverse Theatre as an equal opportunity employer and service provider appreciates people as individuals, whose differences are recognised and accepted.

4. Applicability

- 4.1 The policy applies to all potential and existing employees, clients, contractors and partners of Traverse Theatre.
- 4.2 This policy applies to all activities and procedures undertaken and adopted by Traverse Theatre, to ensure equality of opportunity for all.

5. Roles and responsibilities

5.1 Legal Responsibilities

As an organisation, Traverse Theatre will fulfil the provisions and requirements of the current legislation, which applies to the field of equality. Please see Appendix 1 for relevant UK legislation.

5.2 Overall responsibility

- 5.2.1 Traverse Theatre's Chief Executive accepts particular responsibility for ensuring full commitment to the promotion and implementation of equalities across all parts of Traverse Theatre services and by all employees within its service.
- 5.2.2 The Chief Executive is also responsible for ensuring implementation of equalities initiatives.

5.3 Management

Equality and Diversity Policy

- 5.3.1 Managers are responsible for ensuring that their employees are aware of the requirements of the Equality and Diversity Policy and associated policies, and that they act in accordance with them. They are responsible for providing the necessary support and guidance to do so.
- 5.3.2 Managers must also ensure all employees within their teams are treated fairly, recognising the diversity of the workforce and respecting different cultures and identities.

5.4 All Employees

- 5.4.1 All Employees have a responsibility to ensure that the principles of equal opportunities are applied in all aspects of their work, and that no actions are taken which could be held to be discriminatory.
- 5.4.2 Employees have the right not to be discriminated against and for their culture and identity to be respected and valued. Employees must challenge discriminatory or offensive behaviour and bring this to the attention of Traverse Theatre.
- 5.4.3 Employees should also undertake appropriate equalities training to enable them to support their colleagues and members of the public.
- 5.5.4 It is the responsibility of all employees to accept personal responsibility for the practical application of this policy. In order to eliminate discrimination and promote equality of opportunity the policy should be understood and supported by everyone.

6. Definitions

6.1 Discrimination

- 6.1.1 Discrimination in employment often occurs as a result of prejudice, misconception and stereotyping which hinders the proper consideration of an individual's talents, skills, abilities, potential and experience. The Equality Act (2010) outlines the following forms of unlawful discrimination:

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below). Harassment is also defined as direct discrimination (see harassment below).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Equality and Diversity Policy

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity).

Indirect Discrimination is where there is a rule, a policy or a practice that applies to everyone but which particularly disadvantages people who share a particular protected characteristic. Indirect discrimination can only be justified and lawful if it can be shown that the rule, policy or practice is intended to meet a legitimate objective in a fair, balanced and reasonable way. If this can be shown it will be lawful.

Disability Discrimination defined under the Equality Act 2010 can take place in one of three ways:

- When an employer treats a person less favourably than another employee for reasons that relate to their disability and the employer cannot show that this treatment is justified.
- By failing to take reasonable steps to ensure that people with a disability are not placed at a "substantial disadvantage" compared to other people, without justification. This is known as the reasonable adjustments duty.
- Victimisation is a special form of discrimination covered by the Act. It applies whether the person subjected to victimisation does or does not have a disability.

6.2 Victimisation occurs when a person is subjected to a detriment, such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so, or of being about to do so.

6.3 Harassment is behaviour that is unwelcome, unwanted, unreciprocated and/or offensive to the recipient. It need not be the intention of the perpetrator, but it is the deed itself and the impact on the recipient that determines what constitutes harassment.

6.4 Third-party harassment occurs where a person is harassed and the harassment is related to a protected characteristic (although this does not cover harassment because of marriage and civil partnership, and pregnancy and maternity), by third parties such as clients or customers. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place, and have not taken reasonable steps to prevent it from happening again.

6.5 Bullying is a particular form of harassment involving a misuse of power to criticise, condemn, abuse, humiliate or otherwise undermine a person's (or group's) ability to the extent that they cannot perform their job/training properly or suffer stress as a result. It is the impact of the behaviour, not the motive or intention behind it which may constitute harassment. If the recipient finds it unwanted, unreasonable and

Equality and Diversity Policy

offensive, then no matter what the intention of the initiator (e.g. "It was only a joke"), harassment will not be difficult to prove.

- 6.6 Disability:** According to the Equality Act (2010) a person has a disability if they have a physical or mental condition or impairment and the condition/impairment has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities (which would include things like using a telephone, reading a book or using public transport).
- 6.7 Age Discrimination** occurs when arbitrary age barriers are placed on jobs when advertisements are drafted, and when age is used to make decisions regarding recruitment, selection, promotion and training.
- 6.8 Rehabilitation of Offenders Act 1974** concerns the use of information about "spent" convictions, to discriminate unfairly against a particular person, without justification where the job itself does not contain constraints. In many cases there is no need for prospective or current employees to declare 'spent' convictions. However, some jobs within the company, and jobs in some of the locations at which business is carried out require that 'spent' convictions are declared and considered as part of the recruitment checking process. Where this is the case managers need to handle such information sensitively and in confidence and consider it only in relation to its relevance to the post.

7. Implementation of the Policy

7.1 Recruitment and Selection (including promotion)

Traverse Theatre will:

- 7.1.1 Review Job Descriptions to ensure they do not contain any potentially discriminatory criteria that are not essential for the role.
- 7.1.2 Advertise vacancies so that they are likely to reach all potential applicants.
- 7.1.3 Encourage the participation of relevant staff in drafting suitably open advertisements.
- 7.1.4 Ensure that selection decisions are based on objective, non-discriminatory job-related criteria, consistently applied to all candidates.
- 7.1.5 Ensure that applicants will not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Head of Finance and Operations. For example:
- a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).

Equality and Diversity Policy

- b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - c) Equal opportunities monitoring (which will not form part of the recruitment process).
- 7.1.6 Ensure that applicants will not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment without the approval of the Head of Finance and Operations (who should first consider whether such matters are relevant and may lawfully be taken into account).
- 7.1.5 Ensure that recruitment literature and advertisements make it clear that applications are welcome from all suitably qualified candidates and that they avoid stereotypical images.
- 7.1.6 Ensure that there is no direct or indirect discrimination in recruitment or employment because of any of the nine "protected characteristics" (Equality Act 2010). These are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 7.1.7 Ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport and/or visa/work permit) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available on SharePoint, from the Payroll & HR Manager or the Home Office.
- 7.1.8 Advise any agencies, job centres, career offices etc. of our Equality and Diversity Policy and practices and ask them to convey these to potential applicants.
- 7.1.9 Invite applicants to identify any particular arrangements they may need to support attendance at interview.
- 7.1.10 Ensure that all those involved in recruitment and selection have had appropriate training in recruitment interviewing, diversity and equal opportunities.
- 7.1.11 Ensure that selection decisions for any post are taken by more than one person.
- 7.1.12 Ensure that selection criteria and reasons for the selection or rejection of individual candidates are recorded.
- 7.1.13 Opportunities for promotion and training are communicated and made available to all employees on a fair and equal basis.

Equality and Diversity Policy

7.1.14 Ensure that decisions in relation to promotion opportunities including temporary promotion are non-exclusive and that extended use of temporary promotion is discouraged where it will give one individual an unfair advantage over others.

7.1.15 Monitor the results of recruitment processes with particular regard for decisions which appear to be inconsistent.

7.2 Training & Development

Traverse Theatre will:

7.2.1 Ensure equal opportunity of access to, and benefit from, all forms of training and development activity.

7.2.2 Train all those in delivering training and development across Traverse Theatre in equal opportunities and diversity issues.

7.2.3 Ensure that all staff receive induction training which covers their rights and responsibilities under the Equality and Diversity Policy.

7.2.4 Ensure that all staff are encouraged to discuss their career prospects and training needs with their manager at least annually.

7.3 Terms and Conditions of Employment

Traverse Theatre will:

7.3.1 Ensure that all of our employment policies, including compensation and benefits, and any other relevant procedures associated with terms and conditions of employment, are formulated and applied without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. These will be reviewed regularly to ensure there is no discrimination.

7.3.2 Provide flexibilities to accommodate the needs of staff on flexible working patterns.

7.3.3 Provide flexibilities to accommodate cultural or religious needs of staff.

7.3.4 Provide flexibilities to accommodate any special arrangements e.g. wheelchair access, signing etc.

7.4 Post-Employment

7.4.1 Traverse Theatre is committed to ensuring that former members of staff are not discriminated against or subjected to harassment on the grounds of age, disability,

Equality and Diversity Policy

gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation where this arises out of and is closely connected to the employment relationship, for example, in the provision of a reference.

7.5 Services

- 7.5.1 Traverse Theatre is committed to communicate to its staff that the Equality Act 2010 makes it unlawful for staff to discriminate directly or indirectly, or harass customers or clients because of the protected characteristics of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of services.
- 7.5.2 As a matter of good practice Traverse Theatre is committed to communicate to its staff that direct or indirect discrimination, or harassment of customers or clients because of age will not be tolerated.
- 7.5.3 We are committed to ensuring our services are fair, responsive and accessible to all.
- 7.5.4 We ensure our customers are aware of our services and we deliver our services in ways that match our customers' needs.
- 7.5.5 We ensure that our offices and buildings are accessible for employees and customers.

7.6 Disability

- 7.6.1 Traverse Theatre is committed to addressing discrimination against people with disabilities, whether visible or not visible, and to promoting their inclusion in public life. We recognise that people with physical challenges, specific learning differences and mental health issues, are disabled not through their own individual impairments or relative ability, but through common social attitudes and physical and attitudinal barriers which result in marginalisation and lack of access to full human rights, and we aspire to address this by consciously identifying and removing such barriers and making reasonable adjustments.

7.7 Bullying or Harassment

- 7.7.1 Any conduct relating to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation or any other personal characteristic which is unreasonable or offensive to the recipient or affects their personal dignity will not be tolerated.
- 7.7.2 Traverse Theatre will make it clear that it is against our policy for any employee to sexually harass another employee or to harass or bully them on the grounds of actual or perceived sexual orientation. It is also against Traverse Theatre policy for any employee to harass or bully another employee on the grounds of their age,

Equality and Diversity Policy

disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

8. Records

- 8.1 All Equality & Diversity related documentation pertaining to staff activity will be retained by the HR department.
- 8.2 Information provided by existing members of staff for monitoring purposes will be used only for this reason and will be dealt with in accordance with the Data Protection Act 2018.

9. Monitoring

- 9.1 The Equality and Diversity Policy will be monitored by Finance and HR Department who can be contacted via e-mail to Pauleen.rafferty@traverse.co.uk.
- 9.2 Traverse Theatre acknowledges the importance of monitoring its Equality and Diversity Policy to ensure that it is effective. Monitoring will be used to protect the interests of applicants, employees and customers and to ensure fair treatment.
- 9.3 This will involve the collection and classification of information regarding the applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Such information will be solely for the purpose of monitoring Traverse Theatre Equality and Diversity Policy. Provision of this information is voluntary and it will not adversely affect an individual's chances of recruitment or any other decision related to their employment. Analysing this data helps us take appropriate steps to avoid discrimination and improve equality and diversity.
- 9.4 If it appears that any applicants, employees or customers are not receiving fair treatment, the circumstances will be investigated and appropriate action taken.
- 9.5 Monitoring should be used to identify any barriers to successful implementation of the policy and enable remedial action to be taken to overcome them.

10. Breaches of the Policy

- 10.1 This Policy is Traverse Theatre's statement of its own objectives and expectations on Equality and Diversity. The Policy will be most effectively implemented by gaining the understanding and the commitment of all the people involved in carrying it out. It will therefore be promoted and supported by every available means, in particular through training, consultation, and the adoption of

Equality and Diversity Policy

mainstreaming procedures which are effective and efficient and equality and diversity-based.

- 10.2 There will be occasions when Traverse Theatre will have to take action to correct behaviour and reinforce its expectations of its employees in supporting the Policy. To discriminate, harass or victimise, or knowingly aid anyone else to do so, may be regarded as gross misconduct and may result in disciplinary action.
- 10.3 If a visitor or contractor does not comply with the terms of this policy, then the appropriate employee responsible for the visitor or contractor while they are on Traverse Theatre premises should be notified and, if necessary the visitor or contractor asked to leave the premises in the case of non-compliance.

11. Appeals Process

- 11.1 Any member of staff who considers they have been treated in a manner contrary to this policy should raise this in the first instance with their line manager. Should the employee feel unable to approach their line manager they should seek out another member of staff of similar managerial status.
- 11.2 Allegations regarding a potential breach of this Policy will be treated in confidence and investigated in accordance with the Grievance and Disciplinary Procedures. Individuals who make such allegations in good faith will not be victimised or treated less favourably as a result.
- 11.3 False allegations of a breach in this Policy which are found to have been made in bad faith will, however, be dealt with under the appropriate disciplinary procedures.
- 11.4 All individuals will be personally accountable for their behaviour, actions and/or lack of actions, in cases of a complaint of harassment.

12. Policy and Development Consultation

- 12.1 This policy has been drawn up in consultation with staff, management and the Board of Directors.

13. Communication and Review

- 13.1 Traverse Theatre aims to ensure all employees will be made aware of this Policy. An electronic copy of the Policy will be held on SharePoint with hard copies accessible in the Admin Office, Bar Office and Green Room.
- 13.2 Traverse Theatre aims to review the Policy and its implementation on an annual basis or more frequently if significant changes to its effective operation are necessary.

Equality and Diversity Policy

13.3 Document Review Record

Review/Amendment Details		Date	
General Information update Appendix 1 – Relevant legislation list updated		11.11.16	
General review and update		03.11.17	
8.2 Update to Data Protection Act 2018 Appendix 1 – Update of relevant legislation General Review and update		08.11.19	
7.1.7 Addition of proof of eligibility documents 9.1 Contact details updated Appendix 1 Note re: future Brexit amendments General review and update		23.02.21	
Prepared by:	Signature:	Approved by:	Signature:
Pauleen Rafferty		Linda Crooks	

Equality and Diversity Policy

APPENDIX 1

RELEVANT UK LEGISLATION

The relevant legislation for the purpose of Equality and Diversity Policy is: -

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- The Equality Act 2010
- The Employment Rights Act 1996
- The Employment Protection Act 1975
- The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- The Employment Act 2008
- The Rehabilitation of Offenders Act 1974
- The Data Protection Act 2018

Please note: since the UK exit from EU we await amendments to existing legislation.