

Policy statement and procedure

EQUAL OPPORTUNITIES POLICY

High Peak Community Arts is committed to providing a supportive and inclusive culture for all those who need or are involved in delivering our services: our volunteers, our staff, our freelance artists, our partner organisations and other stakeholders. We recognise the positive value of diversity, promote equality and fairness, and challenge discrimination.

We welcome our legal duties not to discriminate as a service provider and an employer. We aim to go beyond the narrow scope of legislative compliance and follow best practice, making equality, fairness and diversity a fundamental part of all our activities.

We recognise and will seek to address the many reasons why people or groups may be discriminated against or excluded, for example poverty, rural isolation, race, ethnicity, disability, mental health, sexual orientation, age, religion, nationality, gender or because someone is living with HIV / AIDS.

Put simply we seek to be FAIR: fair, accessible, inclusive and relevant

What is Discrimination?

High Peak Community Arts believes that discrimination can take one or more of the forms set out below.

Direct discrimination is treating one person less favourably than another in the same or similar circumstances or segregating them from others solely because they are, for example, a lesbian, a gay man or because they have a disability or illness. Refusing to employ someone who has the required skills because they are deaf or because they are pregnant would constitute such discrimination.

Indirect discrimination occurs where there is a requirement or condition which applies equally to everyone but which, in practice, has an adverse impact on a particular group and cannot be justified. For example an unnecessary physical or age requirement can discriminate against women or disabled people. The setting of language tests, where language skills or fluency are not really needed for a job, is another example.

Abuse and/or harassment – Discrimination also covers actions which amount to abuse and/or harassment of people or groups of people because for example they are a member of a national, racial or ethnic minority group, a woman, a lesbian, a gay man or have a disability or illness.

Victimisation occurs when a person is treated less favourably or is discriminated against because she/he has pursued or intends to pursue their rights in respect of alleged discrimination.

Institutional racism (Macpherson Report, 1999)

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 in the processes or attitudes and behaviour, which amount to discrimination, to unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.

Racist incident (Macpherson Report, 1999)

Any incident which is perceived to be racist by the victim or any other person. If the victim doesn't want to complain, another person may do so.

Discrimination in any of the forms stated above is unacceptable, regardless of whether there was any intention to discriminate or not.

Equality and the law

High Peak Community Arts is aware of its responsibilities as an employer according to anti-discrimination legislation i.e.

- The Equal Pay Act 1970
- Rehabilitation of Offenders Act 1974
- Sex Discrimination Act 1975
- Race Relations Act 1976
- Equal Pay (Amendment Act) Act 1983
- Disability Discrimination Act 1995
- Children's Act 1989
- The Disabled Persons (Employment) Acts 1944 & 1958
- Race Relations Act 1976 as amended by Race Relations (Amendment) Act 2000
- Employment Equality (Religion or Belief) Regulations 2003 and Employment Equality (Age) Regulations 2006
- Employment Equality (Sexual Orientation Regulations) 2003

High Peak Community Arts also recognises the importance of adhering to its values, aims and objectives when considering Diversity and Employment.

Commitment to Best Practice

High Peak Community Arts is committed to the principle of applying best practice in equal opportunities, over and above whatever the law requires. The organisation recognises the value of partnerships in promoting equality and will therefore seek to work with all those who champion equality rights

Service Provision

Members of the community can expect High Peak Community Arts to:

- be publicly identified as a champion of equality and diversity
- seek partnerships with other organisations that share those values
- understand and seek to serve the needs of its community, particularly those within it most likely to experience exclusion, disadvantage and discrimination.
- Reduce barriers of communication by securing translation or interpretation facilities where necessary.
- Provide activities in appropriately accessible settings, including access ramps, hearing loops and adapted equipment.

People who need to use our service can expect to:

- be able to access the service in ways that suit them (taking into account available resources)
- be given help that is relevant to their problem and situation;
- be treated fairly, with dignity and respect, and without discrimination;
- have their needs listened to, and met whenever possible.

If people believe they have been subject to discrimination in accessing or receiving our services, we would urge them to use our complaints procedure. As well as dealing with the issue raised, we will seek to learn from the complaint and take action to improve our services to prevent the problem happening for other people.

People who use the service have a responsibility to treat others with dignity and respect and without discrimination. Those who do not may be denied access to our services.

Employment

Staff can expect to:

- be treated fairly, with dignity and respect, and without discrimination, in an environment where inappropriate behaviour is not acceptable;
- be given opportunities to enable them to develop their potential;
- be able to ask questions and develop their knowledge of equality and diversity issues in an open and constructive learning environment;
- be in a healthy and safe environment free from hazards;
- be able to balance personal, home life and work commitments (e.g. through family- and carer-friendly policies).

If staff believe they have been subject to discrimination in employment, there are a range of steps they can take depending on the nature of the problem. These include trying to resolve the matter with the person concerned in the first instance, raising it with colleagues, or using the grievance procedure.

Staff also have a responsibility to treat others with dignity and respect. If staff are found to have acted in a discriminatory manner we will take action appropriate to the nature of the problem, including where necessary the disciplinary procedure.

Recruitment and Selection

The policy applies to actual and potential employed staff and volunteer staff and will be made known to applicants for all posts. The process of recruitment and selection for paid staff will be carried out to ensure that there is no discrimination directly or indirectly within this process. High Peak Community Arts will seek to recruit staff and volunteers that reflect the diversity of the community we serve.

High Peak Community Arts will seek and use the most effective ways of bringing job vacancies to the attention of all sections of the community. HPCA will also seek to recruit appropriate individuals from minority groups amongst its Trustees and voluntary workers. No applicant will receive less favourable treatment than another, for example because of their colour, ethnic or national origin, disability, age, sex, marital status, sexuality, responsibility for children or other dependants.

In order to combat indirect discrimination no conditions or requirements will be applied to any post

which would have a disproportionate adverse effect on any particular group. The only requirements to be applied will be those fully justifiable by the job.

Recruitment of Ex-Offenders: Please see attached Policy Statement on Recruitment of Ex-Offenders.

Conditions of Service

It is a condition of employment that all members of staff adhere to the equal opportunities policy. The policy shall apply equally to voluntary workers and freelance artists.

Behaviour which breaches the policy shall be regarded as a disciplinary matter.

Whilst responsibility for the maintenance of the policy rests with the Trustee Board, each staff member has a legal and moral responsibility not to discriminate or to harass and to support those against whom such behaviour occurs.

Volunteers

Volunteers can contribute significantly to the diversity of the organisation. They can expect to be treated fairly, with dignity and respect, and without discrimination. They are likewise expected to treat others fairly, with dignity and respect, and without discrimination. High Peak Community Arts will ensure all volunteers are aware of their recourse to the complaints procedure and will be encouraged to use and be supported through this as a mechanism for addressing discrimination.

Ethnic Minorities

High Peak Community Arts is totally opposed to racism and will seek to combat any harassment or discrimination which comes to its attention.

In renouncing all forms of harassment it confirms that any such behaviour will be a disciplinary matter. Active support will be given to people suffering harassment. Racist behaviour or speech will be challenged

Men or Women

Being opposed to discrimination on the basis of gender, High Peak Community Arts confirms that its employment practices will be geared to the needs of men, women, transsexuals and transgender people and will cater insofar as is possible for the responsibilities of children and other dependants. HPCA will seek to eliminate all forms of harassment and discrimination towards male, female, transsexual or transgender members of staff, volunteers or clients. All cases of harassment, whether verbal or physical will be dealt with seriously and under the disciplinary process where necessary.

Disabled People

HPCA recognises that discrimination on the grounds of disability may arise either intentionally or through ignorance. It will seek to educate its staff to appreciate and understand the wide variety of needs of disabled people. It will seek advice from specialist bodies where necessary.

HPCA will take all practicable steps to provide the facilities required for disabled people, both staff and members of the public

Sexual Orientation

HPCA recognises that lesbians, bisexuals, gay men, transsexuals and transgender people experience particular forms of discrimination.

A person's sexuality is not a matter to be taken into account in determining the suitability for a post.

HPCA will endeavour to provide an atmosphere which is considerate and supportive to lesbians, bisexuals and gay men, whether clients or staff. HPCA will not tolerate any harassment of lesbians, bisexuals or gay men, whether verbal or physical, by or towards staff or members of the public.

Age

HPCA recognises that both younger and older people experience discrimination in society. It has therefore welcomed and is fully committed to the principals of the Age Regulations 2006, prohibiting unjustified direct and indirect age discrimination and all forms of harassment and victimisation on grounds of age.

HPCA values the contribution made by staff and volunteers of diverse ages and experiences. It actively promotes the involvement of younger and older people in all its services.

Complaints

Complaints by employees shall be dealt with under the existing grievance procedure.

Complaints by volunteers shall be dealt by staff or the Trustee Board as appropriate.

Complaints by members of the public shall be dealt with under the HPCA complaints procedure.

Equal Opportunities Audit

High Peak Community Arts will undertake an Equality Audit annually to assess the current equal opportunities situation in the District for both employment and Service Delivery with respect to the equality objectives of the District.

The Trustee Board has delegated responsibility for the Equality Audit to the staff team, who will provide the Board with an annual report.

The Equality Audit will include:

- 1 Premises – access survey
- 2 Service Profiles – users; physical access; publicity; specific services e.g. translation; women only; home visits; telephone advice etc.
- 3 Staff and Trustee Board profiles – Age; Gender, Disability etc.
- 4 Training
- 5 Documentation Analysis – an examination of equality content of the Business and Development Plans and other key documents.

The results of the annual equality audit will form the basis of the annual Equality Action Plan

Annual Equality Action Plan

1. This will detail the equality work that the HPCA needs to undertake in order to achieve its equality objectives.
2. The Equality Action Plan will indicate resources required to prioritise targets and will be included in the annual Business Plan.
3. Overall responsibility for the Equality Action Plan lies with the Trustee Board, but this is delegated to staff.

Monitoring

The equality action plan will be monitored by staff. There will be a review two times per annum with progress reports provided to the Trustee Board.

25 March 2010
PQASSO/Policy and procedure/

AGREED by Management Committee

Signed (Chair/Secretary)

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Date