



## Suffolk Artlink

### Equality, Diversity and Inclusion Policy and Procedure

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## **1. Introduction**

- 1.1 Suffolk Artlink strives for high standards both as an employer and as a provider of services. In so doing, we recognise the need for and strongly support the encouragement of diversity in our work and wholeheartedly support a policy of equal opportunities and inclusion in all areas of our activities and responsibilities.
- 1.2 This Policy provides guidance to enable all who work with or for Suffolk Artlink to comply with anti-discrimination legislation. The Policy will also address anti-discrimination issues involving areas that currently fall outside any legislation.
- 1.3 Failure to follow the procedures in this Policy may lead to disciplinary or other appropriate action.
- 1.4 The aims and objectives of this Policy will be achieved through action planning, effective monitoring and a willingness to tackle problems where they arise. Through our training and other activities, Suffolk Artlink will inform those we work with of this Policy and Procedure document.
- 1.5 Suffolk Artlink urges staff, trustees, volunteers, stakeholders and service users to be aware of the less obvious types of discrimination which result from general assumptions and pre-conceptions about the capabilities, interests and characteristics of individuals.
- 1.6 Suffolk Artlink is committed to reviewing this Policy on an annual basis. We will also regularly examine the implementation of the Equality and Diversity Policy and Procedures. Where evidence is found of ineffectiveness, immediate remedial action will be taken to ensure implementation.

## **2. Aims & Objectives**

- 2.1 The aims and objectives of the Equality and Diversity Policy are:
  - To encourage, promote and celebrate equality and diversity in all Suffolk Artlink's activities and services
  - To ensure equal access to services, jobs and volunteer opportunities
  - To ensure compliance with legislation on discrimination and equality (including the Equality Act and any other legislation which becomes law including UN International Human Rights Law)
  - To promote equal opportunities in other areas not currently covered by legislation
  - To create environments free from harassment and discrimination
  - To maximise the use of resources in the best interests of trustees, staff, volunteers and service users
  - To confront and challenge discrimination where and whenever it arises whether it be between colleagues, or in any other area relating to Suffolk Artlink's work
  - To make a willingness to abide by and implement this Policy a necessary condition of employment for any position in the Suffolk Artlink
  - To ensure, through positive action and so far as is practicable, that all Suffolk Artlink's premises and services are accessible to all people
  - To ensure that employment and advancement within Suffolk Artlink is determined by objective criteria and personal merit.

### 3. Definitions

**3.1 Equal Opportunities** - Suffolk Artlink aims to ensure that policies, procedures and practices do not unfairly discriminate against our employees, volunteers, stakeholders and service users. Suffolk Artlink aims to treat people fairly and equitably regardless of who they are, their background or their lifestyle.

**3.2 Diversity** - Suffolk Artlink aims to ensure that all people are valued as individuals and are able to maximise their potential and contribution. It recognises that people from different backgrounds can bring fresh ideas and a different approach that can make the way we work and learn more fun, more creative, more efficient and more innovative.

**3.3 Direct Discrimination** - as defined in law, occurs when a person is dealt with less favourably than other people because of a 'protected characteristic'. These are defined in the Equality Act 2010 as being:

- **Age** – a person of a particular age group, but does not apply to those under the age of 18.
- **Disability** – a person who has a physical, sensory or mental impairment, where the impairment has a substantial and long term effect on the person's ability to carry out day-to-day activities.
- **Gender Reassignment** – a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for the purpose of reassigning the person's gender by changing physiological or other attributes of gender.
- **Marriage or Civil Partnership** – a legal contract between spouses that establishes rights and obligations between them, between them and their children, and between them and their in-laws. Civil partners must be treated the same as married couples.
- **Pregnancy and Maternity** – a person who is pregnant has a protected characteristic for the whole pregnancy and for a period of 26 weeks from the day they give birth (in the case of a still born child the 26 week period exists if the birth takes place after the 24<sup>th</sup> week of pregnancy). A person who has given birth and is breast-feeding has a protective characteristic when accessing premises, services and public functions.
- **Race** – a person or group of people defined by their race, colour, nationality, including citizenship, and ethnic or national origins. A racial group can include more than two distinct racial groups; e.g. Black Britons would comprise of those people who are both black and who are British citizens.
- **Religion or Belief** - a person's religion, religious or philosophical belief, lack of religion or lack of religious or philosophical belief. A belief will affect a person's choices or the way they live for it to be considered a protected characteristic.
- **Sex** – a person who is legally defined as a man or a woman.
- **Sexual Orientation** – a person's attraction towards a person of the same sex, another sex, or people of both sexes.

This Policy uses a wider definition of characteristics and includes: -

- Caste
- Caring responsibility
- Mental health
- Class
- HIV status
- Employment status
- Unrelated criminal convictions
- Union activities.
- Gender

**3.4 Associated Discrimination** is direct discrimination against a person because they associate with another person who possesses a protected characteristic.

**e.g. a person is refused entry to the library because the person they are with has limited mobility and uses crutches to help them move around.**

**3.5 Discrimination by Perception** is direct discrimination against a person because it is perceived that they possess a particular protected characteristic.

**e.g. a man who is perceived to be a woman because they have a high voice on the phone is refused access to a men only service. This would be sex discrimination because the man has wrongly been perceived to be a woman.**

- 3.6 **Indirect Discrimination** occurs when an apparently neutral practice, provision or criterion puts people with a particular protected characteristic at a disadvantage compared with others who do not share that characteristic, and when applying the practice, provision or criterion cannot be objectively justified.

**e.g. an organisation has a policy of reminding people of forthcoming appointments by phone. This would indirectly discriminate against deaf people as they would not effectively receive a reminder of their appointment.**

- 3.7 **Victimisation** means subjecting a person to detrimental treatment because they are or are believed to be bringing proceedings under the Equality Act; giving evidence or information in connection with proceedings under the Equality Act; doing any other thing for the purposes or in connection with the Equality Act or making an allegation that a person has contravened the Equality Act.

A person must be able to act against unlawful discrimination without fear of reprisals or being subjected to a detrimental effect.

**e.g. a patient makes a complaint to a service provider where they were obtaining treatment because they felt they were discriminated against for being gay. The complaint is resolved, but if the person who provides the treatment refuses to treat the gay client this would be victimisation.**

- 3.8 **Harassment** means unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment. Sexual harassment is any conduct of a sexual nature that is unwanted by the recipient, including verbal, non-verbal and physical behaviours, and which violates the victim's dignity or creates an intimidating, hostile, degrading or offensive environment for them. Harassment can be sexual, racial, ageist, directed against people with disabilities or indeed related to any protected or other characteristic exhibited by the individual.

**e.g. a male employee is disabled and is claiming harassment against his line manager after she frequently teased and humiliated him about his disability. A female employee shares an office with the male employee and she too is claiming harassment, even though she is not disabled, as the manager's behaviour has also created an offensive environment for her.**

- 3.9 **Harassment by a third party** means unwanted, repeated conduct by a third party based on a protected characteristic, which has the purpose or effect of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment for a person and where the employer does nothing to prevent it from reoccurring. A third party is defined in law as not being the employer or employees of the employer, such as customers or clients.

**e.g. a manager of a Benefits Office hears from one of his staff, who is gay, that he is feeling unhappy after a claimant made homophobic remarks in his hearing. The manager is concerned and monitors the situation. Within a few days the claimant makes further offensive remarks.**

- 3.10 **Positive Action** can be taken when it is clear that a group of people who share a protected characteristic and who are, or could become, employees, volunteers or service users, suffer a disadvantage linked to that characteristic, have disproportionately low levels of participation, or have different needs from a service as compared to other groups.

The positive action must be proportionate and aim to increase participation, meet different needs or overcome disadvantage. The positive action must be appropriate to its aim and other actions would be less effective in achieving this aim or likely to cause greater disadvantage to other groups.

Positive action could take the form of additional training or providing a job application form in other languages to encourage applicants from these communities. At selection it is illegal to treat someone with a protected characteristic more favourably than a more qualified candidate who doesn't have a protected characteristic. However, when deciding between two equally qualified candidates Suffolk Artlink may legally select the individual with a protected characteristic. Suffolk Artlink believes Suffolk Artlink should reflect the community and working practices should not discourage applicants

- 3.11 **Inclusion** focuses on how an organisation ensures its workers can fulfil their potential regardless of their background, identity or situation. An inclusive workforce sees the benefit of a diverse range of people working together, and makes individuals feel equally valued and able to contribute.

#### **4. Policy Statements**

##### **Diversity**

- 4.1 Suffolk Artlink encourages all people it works with and for to contribute to an environment in which people feel comfortable expressing how they feel and what they need, knowing they will be treated with respect and that their contribution will be valued.
- 4.2 Suffolk Artlink through its Mission Statement and Aims and Objectives supports the spirit and intentions of legislation that outlaws discrimination and promotes equality and diversity.
- 4.3 Suffolk Artlink will make reasonable adjustments to working practices, equipment and premises and offer, where appropriate, additional support to trustees, staff and volunteers to ensure they are able to take a full and active part in Suffolk Artlink's work.
- 4.4 Suffolk Artlink will endeavour to deliver services in a way that genuinely recognises the importance of an inclusive society that brings opportunities and access, not barriers to individuals.

##### **Equal Opportunities**

- 4.5 Suffolk Artlink strives to be an equal opportunities employer and promotes equality of opportunity through all of its activities.

No job applicant, employee, volunteer, trustee, member or service user should receive less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin, sex, gender, marital or civil partnership status, caste, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, religious beliefs, class, HIV status, employment status, unrelated criminal convictions, and union activities.

## **5. Equality and Diversity Procedures**

- 5.1 Suffolk Artlink recognises that passive policies do not provide equality nor do they encourage diversity in employment / training /services. Consequently, Suffolk Artlink will seek to promote equality and diversity: -
- 5.2 Responsibility for adopting, implementing and developing this Policy rests with the Trustees. The day to day responsibility for ensuring equal opportunities and the encouragement of diversity in our work is delegated to the Suffolk Artlink Directors.
- 5.3 However, Suffolk Artlink believes that all who work with or for Suffolk Artlink have an individual responsibility to abide by the Policy and ensure a personal involvement in its application and to co-operate actively to ensure that a fair and equitable environment is a reality. Therefore Suffolk Artlink requires all such individuals:
- to implement measures introduced by Suffolk Artlink to ensure equality of opportunity, diversity and non discrimination;
  - not to harass, victimise, abuse or intimidate any other employee, volunteer or service user on the grounds of race, colour, nationality, ethnic or national origin, sex, gender, marital or civil partnership status, caste, caring responsibility, sexual orientation, age, physical, sensory or learning disability, mental health, religious beliefs, class, HIV status, employment status, unrelated criminal convictions and union activities; and
  - Immediately to inform the Suffolk Artlink Directors (or, where appropriate, the Chair of the Trustees) if they suspect discrimination is taking place.
- 5.4 **Suffolk Artlink requires its Managers:-**
- to ensure that proper records of employment decisions are maintained and regular reviews of employment practices are carried out
  - to ensure that grievances are dealt with in a fair and consistent manner and in line with Suffolk Artlink's Grievance Policy
  - to ensure that individuals who they manage are aware of their legal responsibilities, and the Equality and Diversity Policy and Procedures
  - to promote actively the benefits of diversity for employees, volunteers and service users.
- 5.5 **The Suffolk Artlink Director with responsibility for diversity will:-**
- ensure that Project Leaders are supported in their roles in regard to the Equality and Diversity Policy and Procedures
  - ensure Trustees and Managers annually review equal opportunities and diversity issues within Suffolk Artlink
  - ensure that Suffolk Artlink strives to deliver the highest standards of equal opportunities, training and development opportunities for all
  - offer advice and guidance to members of staff, volunteers and organisations in equality and diversity matters
  - seek the views and opinions of Trustees, employees, volunteers, stakeholders and service users on the operation of the Policy, in particular regarding ways of meeting the diverse needs of the users
  - facilitate training and discussion on equal opportunities and diversity issues as appropriate, for example, at team meetings
  - ensure that the Equality and Diversity Policy and Procedures are reviewed on an annual basis.

## 6. Recruitment, Interviews, Selection & Promotion

- 6.1 In line with the intentions of this Policy, and the Recruitment Policy, Suffolk Artlink strives to ensure that Trustees, staff and volunteers reflect the wider community. The Recruitment Policy includes equality and diversity implementation guidelines.

## 7. Training

- 7.1 Appropriate training will be provided to enable trustees, staff and volunteers to perform their jobs / roles effectively. The training offered will take into account the needs of all people.
- 7.2 Briefing on this Policy will form part of the Induction Procedure for Trustees, staff and volunteers.
- 7.3 Suffolk Artlink will strive to ensure that all training offered will be accessible to all participants.

## 8. Enforcement

- 8.1 Suffolk Artlink recognises the need for a continuing commitment to genuine equal opportunities and diversity within Suffolk Artlink. The effectiveness of the Policy's aims and objectives can only be judged by how the Policy operates in practice.

### 8.2 Enforcement – Grievance

Any staff member or volunteer who feels aggrieved as a result of discrimination or unfairly treated in a way contrary to the intention of this Policy should raise the issue through the Grievance Policy.

Any job applicant who believes that they have been treated unfairly and contrary to the intention of this Policy should raise the issue with a Director and/or the Chair of Trustees.

Any service user who feels aggrieved as a result of discrimination or unfairly treated in a way contrary to the intention of this Policy should raise the issue directly with the Suffolk Artlink Director responsible for diversity.

Suffolk Artlink will not treat lightly or ignore grievances from members of disadvantaged groups on the assumption that they are over-sensitive about discrimination.

### 8.3 Enforcement – Discipline

Any member of staff suspected of being in breach of this Policy will be subject to disciplinary action.

All incidents of **direct discrimination** are disciplinary offences.

All incidents of **indirect discrimination** are disciplinary offences.

All incidents of **victimisation** or **harassment** will be dealt with in accordance with Suffolk Artlink's disciplinary processes.

Any volunteer, including any Trustee, found to be in breach of this Policy will be counselled on his / her actions and may, where necessary, be asked to leave Suffolk Artlink.

Any service user found in breach of this Policy will, where appropriate, be counselled on his / her actions and may, where necessary, be referred back to their organisation or refused future services from Suffolk Artlink.

## 9. Monitoring

- 9.1 Suffolk Artlink regards the collection/analysis of data as vital in informing change and improving performance and complying with legislation. Where appropriate, statistics on Suffolk Artlink's services will be collected and analysed in relation to equality and diversity matters. We will review employee recruitment and turnover and seek information on reasons for leaving. Local and national data or statistics will be used to benchmark our performance.
- 9.2 The Trustees will review annually the equality of opportunity relating to Suffolk Artlink's services. Recruitment and selection procedures will be monitored and reviewed annually by the Trustee Board. All aspects of policies and procedures shall be kept under review to ensure that they do not operate against the Equality and Diversity Policy.
- 9.3 Equality of opportunities in the workplace will be monitored for all full time, part time and volunteer staff through the appraisal systems.
- 9.4 In order to determine the impact of this Policy it is important that a monitoring system be developed which will measure commitment, progress and effectiveness.

The Equality and Diversity Policy will be monitored and reviewed as follows:

- Equality and Diversity will be an agenda item at appropriate meetings of Suffolk Artlink's Trustee Board , volunteer and staff meetings and will be minuted
- A review of the Policy will be undertaken annually and will take into account minutes from Suffolk Artlink's Trustee Board, volunteer and staff meetings
- Trustees, staff, volunteers and service users will be encouraged to submit comments for consideration
- The review recommendations will be presented to the relevant Trustee Board meeting for discussion.

If it is found that the Policy is excluding or discouraging the development of Trustees, staff or volunteers, or restricting service users, the Trustee Board, through the Directors, shall take positive action without unreasonable delay to adjust the Policy.

Date approved	Date Amended
18 July 2011	12 September 2011
Sept 2012	26 November 2012
Sept 2013	
22 September 2014	22 September 2014
14 November 2016	
20 November 2017	
25 February 2019	
21 July 2020	
27 July 2021	27 July 2021 (inclusion)
18 July 2022	18 July 2022 (section 3 employment & selection)
31 July 2023	



**Review Form**

<b>Diversity Officer:</b>		<b>Tel:</b>	
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**Monitoring Arrangements:**

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<b>Date of local review(s):</b>	
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**Other Information:**

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