



Equal Opportunity & Diversity Policy

Northern Arts Factory is committed to promoting a positive and diverse culture in which all staff and young people are valued and supported to fulfil their potential irrespective of their age, disability, race, religion, belief, sex or sexual orientation.

We recognise our obligations under the Equality Act 2010 and are committed to promoting the equality and diversity of all those we work with especially our employees, pupils, young people and visitors. We oppose all forms of unlawful and unfair discrimination, bullying and harassment and will make every effort to comply with the requirements of the Act and its subsequent provisions.

This policy sets out the Company's policy on diversity and explains the law and our commitment in relation to equality of opportunity.

Introduction

Students

At Northern Art's we value the individuality of all of our children. We are committed to giving all our children every opportunity to be the best that they can be. We do this by taking account of pupils' varied experiences and needs. Our Equal Opportunities and Diversity Policy is intended to help to ensure that Northern Arts Factory promotes the individuality of all children, irrespective of ethnicity, religion, attainment, age, disability, gender or background.

- We do not discriminate against anyone, be they student or parent, on the grounds of ethnicity, religion, attainment, age, disability, gender or background.
- We promote the principle of fairness and justice for all through the education that we provide. We recognise that doing this may entail treating some pupils differently.
- We seek to ensure that all students have equal access to the full range of educational opportunities provided.
- We constantly strive to remove any forms of indirect discrimination that may form barriers to learning for some groups.
- We challenge personal prejudice and stereotypical views whenever they occur.
- We value each student's worth, we celebrate the individuality and cultural diversity of the community we are working in and we show respect for all minority groups.
- We are aware that prejudice and stereotyping are caused by poor self-image and by ignorance. Through positive educational experiences, and support for each individual's legitimate point of view, we aim to promote positive social attitudes, and respect for all

Employment

The company is committed to being an equal opportunities employer and opposes all forms of unlawful discrimination. It believes that individuals should be treated on their merits and that employment-related decisions should be based on objective job-related criteria such as aptitude and skills. For these reasons, all employees, and particularly managers with responsibility for employment-related decisions, must comply with the policies described below.

Below is an explanation of the law in this area and how it relates to certain employment practices. An explanation about some specific legal issues relating to disability is included and the Company's policy on the following areas is also set out:

- recruitment;
- pay and benefits;

- promotion and training;
- disciplinary, performance improvement and redundancy procedures.

The law

1. It is unlawful to discriminate against employees and other workers because of sex, marriage or civil partnership, gender reassignment, pregnancy or maternity, sexual orientation, race (including national origin and nationality), religion or belief, disability and age. These are known as “protected characteristics”.
2. The law divides discrimination into four broad categories – direct discrimination, indirect discrimination, harassment and victimisation.
 - (a) **Direct discrimination** involves treating a person less favourably because of a protected characteristic (for example not promoting an individual because of his or her race or sexual orientation). It includes discrimination because of perceptions or assumptions about a person’s characteristics, even if these are incorrect (for example, not promoting an individual because he is assumed to be gay). It also includes discrimination because a person associates with someone who has a protected characteristic (for example, not promoting an individual because he or she has a disabled child). Direct discrimination cannot be justified (with the exception of age discrimination).
 - (b) **Indirect discrimination** occurs when an apparently neutral provision, criterion or practice is applied across all groups, but this would put those with a particular protected characteristic at a particular disadvantage when compared with others who do not share this characteristic (for example imposing a requirement that candidates for promotion be over six foot tall, which would particularly disadvantage women). Indirect discrimination will not be unlawful if it can be justified.
 - (c) **Harassment** is unwanted conduct related to a protected characteristic or of a sexual nature which has the purpose or effect of:
 - (i) violating an individual’s dignity; or
 - (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Harassment can occur through conduct by third parties as well as by work colleagues.
 - (d) **Victimisation** has a particular legal meaning and involves subjecting a person to a detriment because he or she has complained about discrimination or assisted somebody else in doing so.
3. It is not normally an answer to an allegation of discrimination to say that the discrimination was not intentional or deliberate.
4. The law makes it unlawful to discriminate against job applicants (in recruitment arrangements and decisions), employees and other workers (in relation to terms and conditions of employment/work, opportunities for training and promotion, dismissal and other matters) and to certain ex-employees (e.g. in relation to references).

Disability discrimination

5. The legislation covering disability discrimination is complex. As well as the types of discrimination explained above, the law also makes it unlawful to treat a disabled person unfavourably *because of something arising in consequence of his or her disability, unless this justifiable*. This is a broad test and includes, for example, treating someone unfavourably because they need to take time off work for medical treatment due to a disability. The law also imposes a duty to make reasonable adjustments to accommodate the needs of the disabled person, which could include alterations to work stations, duties, hours or working practices.
6. The group of people protected as “disabled” within the legislation is wider than you might think. It covers not just those with physical disabilities, such as people in wheelchairs, but also people with mental impairments and less obvious physical impairments (such as, for example, some forms of RSI and clinical depression).

Our policies

7. The Company’s specific policies on various employment situations are set out below.

Recruitment

8. All advertising and recruitment literature should reflect our commitment to equal opportunities and not enhance stereotypes.
9. The recruitment process should not disadvantage disabled people and reasonable adjustments to the process (and particularly at any interview) should be considered.
10. The criteria for selection should be fair and appropriate. Any criteria which disadvantage those with certain protected characteristics should be retained only when justifiable in terms of the job to be done.
11. Questions at interview should relate to the requirements of the job. Where it is necessary to assess whether personal circumstances will affect performance of the job (for example where it involves unsociable hours or extensive travel) this should be discussed openly and objectively with all candidates without assumptions based on marital status or sex. Questions should not be asked which could disadvantage certain groups, and questions should not be asked of those with a particular protected characteristic that would not be asked of everyone.
12. Selection procedures should be objective. Each candidate should be assessed according to his or her capability to carry out the job. It should not be assumed that certain groups should perform certain kinds of work or “will not fit in”.
13. When considering a disabled candidate’s suitability for the job, he/she should be assessed on the assumption that any reasonable adjustments have been made (for example, if someone needs a special keyboard and this is a reasonable adjustment, his/her ability to do the job compared with other candidates should be assessed on the assumption that the keyboard has been provided).
14. In line with our legal obligations, we would not refuse to employ someone on the basis of a conviction.

Pay and benefits

15. Equal pay should be paid for work of equal value, unless there is a material factor that accounts for the variation.
16. Benefits should be offered to all employees equally unless there is a good justification for not doing so.

Promotion and training

17. Employees should have equal opportunities for promotion and training. When general ability and personal qualities are the main requirements for promotion to a post, care should be taken to consider properly candidates with differing career patterns and general experience. There should be no stereotypical assumptions about the ambitions or otherwise of any individual from a particular group.
18. Training and development should not stop because someone is pregnant or has childcare responsibilities. Nor should it be assumed that such employees are not interested in promotion.

Disciplinary, performance improvement and redundancy procedures

19. Care should be taken to ensure that those with a particular protected characteristic are not sanctioned for performance or behaviour that would be condoned or overlooked in another group. For example, a man who takes emergency time off to deal with a domestic situation should be viewed no less sympathetically than a woman would be viewed in the same circumstances.
20. If selection for redundancy becomes necessary, direct and indirect discrimination should not occur in the selection criteria or process. For example, be careful when using absence-related criteria (because these may disadvantage disabled or pregnant workers) and adjustments might need to be made to ensure that such criteria are fair.

What to do if you have a complaint?

21. If you believe that discrimination is taking place, you could speak informally to the person responsible, your line manager or the Company Directors. You may also consider a grievance.

Your responsibilities

22. All line managers are responsible for ensuring that this policy is applied within their own area.
23. You have a personal responsibility to comply with this policy and do your best to ensure that it is adhered to in your day-to-day work. You must not discriminate or help others to do so in contravention of this policy. Breaches of this policy will be taken seriously and are likely to result in disciplinary action, up to and including dismissal. You may also be personally liable towards anyone you unlawfully discriminate against, and may have to pay compensation on top of any compensation we might be ordered to pay.

Status and application of this policy

24. The Company aims to apply this policy to all those working at its workplace, including agency, casual and freelance staff as well as employees. Aspects of this policy may need to be applied in different ways to cater for those who are not employees (for example the sections on recruitment are likely to apply mainly to employees).
25. This policy is not part of any contract of employment and does not create contractual rights or obligations. It may be amended by the Company at any time.