

## Equality and Diversity Policy

### 1. Purpose

The purpose of this policy is to set out clearly how Purple Patch Arts values, respects and manages equal opportunity.

### 2. Principles

Purple Patch Arts are committed to promoting equality and diversity.

Our principles and practices will meet our legal obligations under the Equality Act (2010).

As an organisation that sometimes delivers services on behalf of local authorities we also have a duty to follow The Public Sector Equality Duty (2011).

This policy must be strictly adhered to by employees and volunteers.

All breaches of this policy will be investigated and, where appropriate, disciplinary procedures followed.

### 3. Definitions

Equal Opportunities relates to treating people equally regardless of their background or social group. Equal Opportunities in particular relates to a legal framework which makes it illegal to discriminate against people because they belong to a particular group. It is against the law to discriminate against someone because of:

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

These are called protected characteristics.

Diversity is a broader concept that builds upon the progress made through equal opportunities. Everyone is different and diversity is about recognising, respecting and valuing the differences we each bring.

Equal opportunities and diversity work together by addressing the inequalities and barriers faced by people in under-represented groups and by valuing, learning and benefiting from the diverse cultures in society, our staff team and users of our services.

The Equality Duty requires public bodies to have due regard across 3 areas:

- Eliminating unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
- Advancing equality of opportunity between people who share a protected characteristic and people who do not share it;
- Fostering good relations between people who share a protected characteristic and people who do not share it.

Having due regard means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence decisions such as in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services, and how they commission and procure from others.

#### 4. Policy Statement

Purple Patch Arts aims to be an equal opportunities employer and seeks to ensure that equal opportunities principles underpin all areas of its work and service provision. Purple Patch Arts will take positive steps to redress discrimination. This action will be over and above the requirements placed upon Purple Patch Arts by anti-discrimination legislation.

As an employer committed to equality and diversity in all its policies and practices Purple Patch Arts recognises that groups and individuals are discriminated against on the basis of age, gender, ethnicity, race, nationality, colour of skin, sexuality, impairment (sensory, physical or learning), physical appearance, health conditions, marital or other life status, religious or political beliefs, HIV status, caring responsibilities, trade union activity, where they live, how they speak and whether they work part time or otherwise flexibly.

In most, but not all cases it is unlawful to discriminate against some groups mentioned above. However, it is the aim of Purple Patch Arts to combat any unreasonable or unfair treatment which places people at a disadvantage for any reasons not directly related to their ability to do a job, be a volunteer or use a service.

Every employee is entitled to expect equality of opportunity in all aspects of their employment including its terms and conditions.

Every potential employee is entitled to expect the recruitment process to be free of all unreasonable barriers.

All employees, volunteers and users of our services shall be made aware of this policy and its implications for them.

Purple Patch Arts will not tolerate processes, attitudes and behaviour that amounts to discrimination, including harassment, victimisation and bullying through prejudice, ignorance, thoughtlessness and stereotyping.

Purple Patch Arts recognises the importance of monitoring, reviewing and reporting on its equality and diversity policy and practice and to measure progress in meeting our policy statement.

## 5. Responsibility

The CEO and Board of Trustees have ultimate responsibility for the Equality and Diversity policy. It is their responsibility to implement, monitor and evaluate the policy and its delivery.

It is the CEO and Board of Trustees' responsibility to effectively manage and deal promptly when investigating issues relating to potential discrimination, including those matters concerning any users of our service and their families.

Staff responsible for other employees are not to discriminate when applying processes relating to training, performance management, deployment, discipline, retirement, dismissal or redundancy, facilities and services.

All Purple Patch Arts staff, consultants, trainers, facilitators and volunteers have a responsibility to ensure that the policy is put into practice and it is expected that all people should commit to acting as ambassadors for Purple Patch Arts in this respect.

Each person highlighted above is responsible for:

- Implementing the policy in their day-to-day work and their dealings with colleagues and participants.
- Ensuring his or her behaviour is appropriate within the policy and treats people with respect and dignity.
- Not discriminating against other employees, volunteers or users of our service.
- Completing Purple Patch Arts' relevant training courses as required
- Drawing to the attention of the CEO or a Trustee any instances of apparent discrimination or any perceived problem regarding Purple Patch Arts' working practices in relation to diversity.

## 6. Structure for implementing the policy

All employees and volunteers will be informed that an Equality and Diversity Policy is in operation and will be bound to comply with its requirements. The policy will also be drawn to the attention of funding agencies and job applicants. Workers and volunteers will have access to an up-to-date version of the policy.

Purple Patch Arts will seek to keep updated of developments in equality and diversity practice and legislation.

Appropriate training and guidance will be provided to develop equality and diversity.

The policy will be widely promoted, and copies will be freely available to anybody wishing to see them.

## 7. Service Delivery

Purple Patch Arts seeks to ensure that its services are accessible to all sections of the community. In particular,

- Purple Patch Arts makes public its commitment to combating discriminatory attitudes where these are encountered.
- Purple Patch Arts will attempt to ensure that none of its policies discriminate directly or indirectly against any group or individual.
- Purple Patch Arts attempts to find ways of making our service accessible to everyone, including people for whom English is not a first language, people with visual or hearing impairments, people with reading difficulties, and people who live in remote rural areas and/or cannot easily travel.
- Purple Patch Arts will take all reasonable steps to ensure that all its activities are carried out in premises which are accessible to people with mobility difficulties
- Purple Patch Arts will be sensitive to the particular needs of participants by considering translations, childcare facilities, transportation and, when providing food, having regard to religious and other dietary requirements.

## 8. People using our Service

Purple Patch Arts exists to improve the lives of learning-disabled and autistic people by providing innovative, inclusive, creative learning experiences. We currently provide a range of activities which are exclusive to learning-disabled and/or autistic participants, as well as offering training for people who do not have disabilities. The ethos of our work is based upon our belief that all people should be able to live safely and equally as citizens of the world. Wherever activities are specifically designed for a particular group of individuals we make this specification based on the recognition of a need for such an exclusive environment to be available in order to make our activities accessible. Our recruitment strategy does not condone any form of discrimination aside from positive action towards equality.

## 9. Recruitment and Selection of Staff

As the recruitment market becomes more competitive, Purple Patch Arts recognises the benefits of drawing on the skills of creative and talented individuals from a wide range of backgrounds that will play their part in making the organisation successful.

- All recruitment material and processes, including advertisements will be available, or be offered, in a variety of media that reflects the basic requirements of the post. Use shall be made of local media, job centres and newsletters.
- All recruitment advertisements shall draw attention to Purple Patch Arts' Equality and Diversity Policy and that any applicant for a post who wishes to declare that they have a disability and who satisfies the job description and person specification will be offered an interview.
- Potential applicants shall be given clear and accurate information about posts through a job description and person specification that includes only requirements that are necessary and justifiable for the effective performance for the job.
- Application forms and other supporting material shall be free of personal questions or requests for information from which inferences could be drawn as to the status of an individual that are irrelevant to the job description.
- We will include an anonymous equal opportunities monitoring form with our job application packs so we know if we are reaching a wide range of people from different backgrounds.
- Selection criteria shall be kept under review to ensure that they are justifiable for the effective execution of the job.
- Questions shall relate to the requirements of the job.
- Timing, location and facilities of interviews will not unfairly disadvantage individuals who have restrictions or responsibilities arising from their membership of a particular group (i.e someone with caring responsibilities)
- All applications shall be subject to confidential monitoring system using a standardised form.
- Reasons for selection or rejection of applicants shall be recorded.
- More than one person shall be involved in short listing, selection for interview and interviewing, and all involved shall have received an induction in equality and diversity.

- Personnel involved in management, selection and dealing with the public shall receive guidance in the law, best practice and organisational policy, their own personal responsibilities and liability under the law and the nature and effect of both reasonable and unreasonable discrimination.
- All application documents shall meet the Accessible Information Standard, in line with our Accessible Information Policy, in order to not disadvantage applicants with specific communication needs. Disclosure of communication needs upon applying, and then again before interview, (in order to advise us on required alternative application forms and interview materials) will not prejudice any recruitment decisions made.

## 10. Terms and Conditions of Employment

Purple Patch Arts complies with the Equal Pay Act and is committed to ensuring that they do not unreasonably discriminate against any individual in the terms and conditions, both contractual and implied, within which they offer and provide employment.

Contracts and Terms and Conditions of Employment shall be made available in a variety of media and positive consideration will always be given to requests for them in other formats.

## 11. Training

Purple Patch Arts policy of equality extends to training; this covers its general training programme and training in disability awareness and equality and diversity training.

Each employee and volunteer has the right to expect not to be unreasonably discriminated against, either directly or indirectly, in the opportunities to be trained, in how it is provided, where it is provided and through what medium.

All new employees and volunteers shall receive induction training within one month of starting work to give them a good understanding of the organisation and its policies and practices.

## 12. Disability Discrimination

If you are disabled or become disabled, we encourage you to tell us about your condition so that we can support you as appropriate.

If you experience difficulties at work because of your disability, you may wish to contact your Line Manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. Your Line Manager may wish to consult with you and your medical adviser(s) about possible adjustments. We will consider the matter carefully and try to accommodate your needs within reason. If we consider a particular adjustment would not be reasonable we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether they place disabled workers, job applicants or service users at a substantial disadvantage compared to other staff. Where reasonable, we will take steps to improve access for disabled staff and service users.

### 13. Fixed-term Employees and Agency Workers

We monitor our use of fixed-term employees and agency workers, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, promotion and permanent employment opportunities. We will, where relevant, monitor their progress to ensure that they are accessing permanent vacancies.

### 14. Part Time Work

We monitor the conditions of service of part-time employees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure requests to alter working hours are dealt with appropriately under our Flexible Working Policy.

### 15. Termination of Employment

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.

### 16. Complaints of Discrimination

Purple Patch Arts takes all claims of discrimination very seriously and will take appropriate action against those concerned.

If an employee or volunteer considers they have not had adequate redress then they may seek recourse through the Grievance Procedure.

Purple Patch Arts will not tolerate any behaviour from employees or volunteers which breaches our equality and diversity policy. Any such breaches will be regarded as misconduct except for serious offences such as discrimination on protected grounds; harassment, bullying or victimisation will be treated as gross misconduct and may lead to disciplinary action for employees and the end of the volunteering opportunity.

Complaints from participants, family members and external professionals should be dealt with through the complaints procedure. We will treat any complaints that we have failed to follow our Equality and Diversity policy seriously.

## 17. Definition of Discrimination

Discrimination in the context of the law may take these main forms:

- Direct Discrimination occurs when someone directly treats a person or a group of people unfavourably on the grounds of sex, race, ethnic or national origin, nationality, skin colour, marital status, gender, civil partnership, disability, hours of work or caring responsibilities, health conditions, sexual orientation, religion or belief, age or spent convictions.
- Indirect Discrimination occurs when certain provisions, criteria, conditions or practices which on the surface may look fair and equitable when applied, can have a disadvantageous effect on a particular group.
- Discrimination on protected grounds – there are currently nine grounds under equality legislation which prohibits discrimination: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- Associative Discrimination occurs when an individual is discriminated against because either someone they know or someone they are associated with has a certain protected characteristic.
- Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment.
- Victimisation is when you treat someone less favourably or discriminate against them because they have pursued or intend to pursue their rights relating to alleged discrimination.

## 18. Monitoring and Evaluation

Purple Patch Arts undertakes annual monitoring appropriate to the size and resources of the organisation, to track the effectiveness of our equality and diversity policy and practices.

Monitoring data is collected in the following ways:

- Job applicants are asked to fill in standardised and anonymous questionnaires relating to protected characteristics at the time of application.
- Our staff team are asked to share information about their gender, age, sexuality, disability, religion and ethnicity anonymously on an annual basis.

Data is then collated in the following ways:

- An anonymised profile of the characteristics of job applicants will be drawn up by the Operations Manager.



- An anonymised profile of the characteristics of the staff team will be drawn up annually by the Operations Manager.

Any personal information held will be kept confidential and will be managed in a way that meets data protection regulations.

## 19. Review

This policy will be reviewed annually.