

Definition 'Workforce'

For the purpose of this policy the workforce covers all employees, freelancers, volunteers and students.

Policy Statement.

The Dance Network Association (dna) is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination.

The aim is for our workforce to be truly representative of all sections of society and our beneficiaries, and for each employee to feel respected and able to give their best.

The organisation - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

The policy's purpose is to:

- provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time
- not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation
- oppose and avoid all forms of unlawful discrimination. This includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

The organisation commits to:

- Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued.
- This commitment includes training managers and all other employees about their rights and responsibilities under the equality, diversity and inclusion policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
- All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.
- Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice.
- Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.
- Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).

- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.
- Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issue

Types of Unlawful Discrimination

- **Direct discrimination** is where a person is treated less favourably than another because of a protected characteristic. However, discrimination may be lawful if there is an occupational requirement which is core to a job role and a proportionate means of achieving a legitimate aim.
- **Indirect discrimination** means putting in place, a rule or policy or way of doing things that has a worse impact on someone with a protected characteristic than someone without one, when this cannot be objectively justified.
- **Harassment** is where there is unwanted behaviour related to a protected characteristic (other than marriage and civil partnership, and pregnancy and maternity) which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.
- **Associative discrimination** is where the individual treated less favourably does not have a protected characteristic but is discriminated against because of their association with someone who does e.g. the parent of a disabled child.

- **Perceptive discrimination** is where the individual discriminated against or harassed does not have a protected characteristic, but they are perceived to have a protected characteristic.
- **Third-party harassment** occurs where an employee is harassed by third parties such as service users, due to a protected characteristic.
- **Victimisation** is treating someone unfavourably because they have taken some form of action relating to the Equality Act i.e. because they have supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint.
- **Failure to make reasonable adjustments** is where a rule or policy or way of doing things has a worse impact on someone with a protected characteristic compared with someone who does not have that protected characteristic and the employer has failed to make a reasonable adjustment. Whilst the Equality Act refers to reasonable adjustments with regards to disability, it may also be discriminatory to ignore making reasonable adjustments for people with other protected characteristics (for example to enable someone to respect a religious belief, providing gender neutral toilets, making adjustments for a woman experiencing severe menopausal symptoms etc).

Reasonable adjustments

A 'reasonable adjustment' is a change to remove or reduce the effect of

- an employee's disability so they can do their job
- a job applicant's disability when applying for a job

What is reasonable will depend on the circumstances of each case, but adjustments could be to:

- the workplace (making changes to overcome barriers created by the physical workplace)

- the ways things are done (where the disabled job worker is put at a substantial disadvantage by a provision, criterion or practice).
- Providing extra equipment or getting someone to assist the employee or job applicant

When deciding whether an adjustment is reasonable, we will consider:

- how effective the change will be in avoiding the disadvantage the employee would otherwise experience
- its practicality
- the cost
- our resources and size
- the availability of financial support.

The overall aim will be, as far as possible, to remove or reduce any substantial disadvantage faced by a staff member or job applicant which would not be faced by a non-disabled person.

Recruitment

Our recruitment practices aim to attract applicants with the knowledge, skills and experience required for the job role, irrespective of an applicant's background. A diverse staff team supports us to better understand the needs of a diverse range of stakeholders. We may therefore take positive action to improve our diversity amongst our volunteers or staff. We will also take steps to anonymise applications before shortlisting and we will ask interviewees whether any adjustments are needed to participate in the selection process. These are examples of how we aim for equality within recruitment.

Equal Opportunities in Employment

We will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy. Person specifications will

avoid any unnecessary requirements (those unrelated to effective performance) that may otherwise have deterred applicants. We will base decisions on objective criteria. We will make reasonable adjustments in recruitment as well as in day-to-day employment.

Beneficiaries – All Service Users, Suppliers and Other Beneficiaries

We will not discriminate unlawfully against service users using or seeking to use the services we provide.

If you are bullied or harassed by a beneficiary, or if you witness someone else being bullied or harassed, you are asked to report this to your line manager who will take appropriate action. Please see anti bullying and harassment policy for informal or formal procedures of complaint.

Training

We will provide information and guidance to those involved in recruitment or other decision making where equal opportunities issues are likely to arise to help them understand their responsibilities and to avoid the risk of discrimination.

Your Responsibilities

All staff are responsible for supporting the organisation in meeting its commitment and avoiding unlawful discrimination. If you experience a level of discomfort or disagreement with something that happens when you are at work, you are encouraged to bring it to the attention of a manager or someone in authority. It is possible that others are not aware or have not considered the impact of their actions, have not understood our policy, or possibly our practices need to be updated.

If you believe that you have been discriminated against you should report this to your line manager or the Chief Executive under the grievance procedure. If your complaint involves bullying or harassment, the

grievance procedure is modified as set out in the dignity at work policy. We take any complaint seriously and you will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

If you witness what you believe to be discrimination you should report this to your line manager or the Chief Executive as soon as possible.

Employees can be held personally liable as well as, or instead of, the organisation for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under our disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

Monitoring and Review

This policy will be monitored periodically to judge its effectiveness and will be updated in accordance with changes in the law. We will report to the Board of Trustees on any actions or activities undertaken to improve equality of opportunity. Any information provided by job applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection legislation.

The equality, diversity and inclusion policy is fully supported by senior management and has been agreed with the Board.

Details of the organisation's grievance and disciplinary policies and procedures can be found in the company's Staff Handbook. This includes with whom an employee should raise a grievance – usually their line manager.

Use of the organisation's grievance and/or disciplinary procedures does not affect an employee's right to make a claim to an employment tribunal within three months of the alleged discrimination.

Date Policy Accepted: June 2021

Date due for review: June 2024

Signed:  _____

Position: CEO of Dance Network Association