



## EQUAL OPPORTUNITIES, DIVERSITY and INCLUSION POLICY

Updated March 2023

Approved by the Principal

This policy refers to and should be read in conjunction with the following policies:

- Disciplinary Policy and Procedure
- Grievance Policy and Procedure

### 1. Policy Statement

- 1.1 Big Creative Academy is committed to achieving a working environment which provides equality of opportunity and freedom from discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation in accordance with the Equality Act (2010). This Policy aims to remove unfair and discriminatory practices within the organisation and to encourage full contribution from its diverse community. The organisation is committed to actively opposing all forms of discrimination.
- 1.2 The organisation also aims to provide a service that does not discriminate against its clients and customers in the means by which they can access the services and goods supplied by the organisation. The organisation believes that all employees and clients are entitled to be treated with respect and dignity.
- 1.3 Breaches of this policy are acts of gross misconduct as outlined in the Disciplinary Policy and Procedure.

### 2. Objectives of this Policy

- 2.1 To prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act (2010).
- 2.2 To ensure that recruitment, promotion, training, development, assessment, redundancy and service provision are determined on the basis of capability, qualifications, experience, skills and productivity.

### 3. Designated Officer

- 3.1 A designated officer will be appointed at each relevant Big Creative Academy location.
  - Big Creative Academy – Sacha Corcoran (Principal)

#### **4. Definition of Discrimination**

4.1 Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. Discrimination may be direct or indirect.

#### **5. Types of Discrimination**

5.1 Direct Discrimination: This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation in accordance with the Equality Act (2010).

5.2 Indirect Discrimination: This is the application of a policy, criterion or practice to a person which the employer would apply to others but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

#### **6. Unlawful Reasons for Discrimination**

6.1 Age: It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

6.2 Disability: It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to the service and ability to be employed, trained, or promoted as a non-disabled person.

6.3 Gender: It is not permissible to treat a person less favourably because they identify as a different gender to that of their birth.

6.4 Marriage and Civil Partnerships: It is not permissible to treat a person less favourably because they are married or in a civil partnership. This applies to both men and women.

6.5 Pregnancy and maternity: It is not permissible to treat a person less favourably because they are pregnant or require maternity leave. For example, asking a woman during an interview if she is planning to have any (more) children constitutes discrimination.

6.6 Race: It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

6.7 Religion or Belief: It is not permissible to treat a person less favourably because of their religious beliefs or their religion.

6.8 Sex: It is not permissible to treat a person less favourably because of their gender.

6.9 Sexual Orientation: It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because they are homosexual.

## **7. Reasonable Adjustments**

7.1 The organisation has a duty to make reasonable adjustments to facilitate the employment of a disabled person. These may include:

- Making adjustments to premises;
- Re-allocating some or all of a disabled employee's duties;
- Transferring a disabled employee to a role better suited to their disability;
- Relocating a disabled employee to a more suitable office;
- Giving a disabled employee time off work for medical treatment or rehabilitation;
- Providing training or mentoring for a disabled employee;
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- Any other adjustments that the organisation considers reasonable and necessary provided such adjustments are within the financial means of the organisation.

If an employee has a disability and feels that any such adjustments could be made by the organisation, they should contact the Designated Officer.

## **8. Responsibility for the Implementation of this Policy**

8.1 The co-operation of all employees is essential for the success of this policy. However, the ultimate responsibility for achieving the objectives of this policy, and for ensuring compliance with relevant Legislation and Codes of Practice, lies with the organisation. Senior employees are expected to follow this policy and ensure that all employees, sub-contractors and agents do the same.

8.2 All employees, sub-contractors and agents of the organisation are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation in accordance with the Equality Act (2010).

8.3 Employees may be held independently and individually liable for their discriminatory acts by an Employment Tribunal and ordered to pay compensation to the person who has suffered as a result of discriminatory acts.

## **9. Grievance Procedure**

9.1 If an employee feels that they have suffered direct or indirect discrimination they are encouraged to make every effort to resolve the issue informally before commencing the formal procedures in accordance with the Grievance Policy and Procedure.

## **10. Employees engaging in Discriminatory Conduct**

- 10.1 Behaviour or actions found to be contrary to this policy, the Academy values and the general spirit of the laws on which it is based will be considered to be serious disciplinary matters and will be dealt with under the Disciplinary Policy and Procedure.
- 10.2 Discrimination leads to an unpleasant and non-productive work environment. No employee has the right to discriminate against another. If an employee is executing organisation policy that may be indirectly discriminatory, the organisation will not normally hold the employee responsible for any negative effects of that policy. Employees should inform the Designated Officer if they become aware of any discriminatory effects that a policy may have.

## **11. The extent of the Policy**

- 11.1 Big Creative Academy seeks to apply this policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The organisation seeks to ensure that all sub-contractors and agents act in accordance with this policy. The organisation accepts no liability for the actions of sub-contractors and agents. The organisation offers goods and services in a fashion that complies with the spirit of this policy.
- 11.2 This policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the organisation.
- 11.3 Big Creative Academy reserves the right to amend and update this policy at any time.