

# Equality, Diversity and Inclusion Policy

Curve or Curve Theatre, Leicester are the trading names of Leicester Theatre Trust Limited (LTT) a registered charity, no: 230708

<b>Policy Owner</b>	HR Manager	
<b>Audience/ who does policy apply to</b>	Staff or Workers to include employees, trustees, actors, musicians, creatives, freelancers, consultants, agency workers and volunteers	
<b>Legislation and reference documents</b>	<u>Internal</u> <ul style="list-style-type: none"> <li>• Dignity at Work (Bullying &amp; Harassment) Policy</li> <li>• Grievance Policy (Employees only)</li> <li>• Disciplinary Policy (Employees only)</li> <li>• Speak Up Policy</li> <li>• Safeguarding Children, Young People &amp; Vulnerable Adults Policy</li> <li>• Data Protection Policy</li> </ul>	<u>External</u> <ul style="list-style-type: none"> <li>• Equality Act 2010</li> <li>• General Data Protection Regulation 2016</li> <li>• Data Protection Act 2018</li> </ul>
<b>Approved by and date</b>	Equality, Diversity and inclusion Group (Voices for Change)	
<b>Review period</b>	Annually	
<b>Date reviewed</b>	16 March 2023	
<b>Next Review Date</b>	March 2024	

## 1 Scope

Curve is committed to the principles of equality of opportunity, inclusion, and diversity. Furthermore, Curve wants to ensure everyone involved with the organisation feels genuinely valued and has a sense of belonging, with equal opportunity to progress within the organisation, as opposed to possibly feeling they are ticking a box!

Equality, Diversity, and Inclusion together form a positive approach to recognise that everyone is different and can make and bring their own unique contribution, experience, knowledge and skills to the organisation. Curve promotes dignity and respect for all, and an environment where individual differences and the contributions of all staff are recognised and valued. Curve will not unlawfully discriminate against individuals with any Protected Characteristics as defined by the Equality Act 2010:

- Age



- Disability (including Mental Illness)
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including colour, nationality, and ethnic or national origin)
- Religion or belief
- Sex
- Sexual orientation

Curve is also committed to providing equitable treatment to all those we deal with as an organisation, including customers and suppliers.

Curve has a **zero-tolerance** towards all forms of unlawful discrimination and expect everyone engaged with Curve to share the same pride in living our values and delivering our mission statement.

Unless otherwise stated this policy does not form part of any contract of employment or other contract to provide services and Curve may amend it at any time in line with best practice, Curve commitment plan (Appendix B) and any changes in legislation or applicable codes of practice.

## 2 Policy

This policy sets out our approach to diversity, equity and inclusion. Our aim is to encourage and support diversity, equity and inclusion and actively promote a culture that values difference and eliminates discrimination in our workplace. It applies to all aspects of employment with us, including recruitment, pay, benefits and conditions, flexible working and leave, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

### 2.1 Roles and Responsibilities

**All Staff** are responsible for familiarising themselves with how the policy applies to their roles as well as acting in accordance with this policy and associated policies. Anyone to whom this policy (and policies) applies should inform their manager, a member of the Senior Management Team (“SMT”) SMT or the HR department if they know or suspect that discrimination or harassment is occurring.

All staff and anyone else engaged in working or volunteering with Curve should feel confident to challenge inappropriate actions or comments. Our Speak Up Policy explains how anyone speaking up on any issue is protected from any form of retaliation for doing so.

**Managers** will ensure that this policy and associated policies are communicated across their teams and will provide advice and guidance to everyone regarding their conduct along with sources of available support. Managers are required to exercise leadership in this field by encouraging inclusion, discouraging prejudice and modelling appropriate behaviour. They must also take speedy and appropriate action to deal with any breaches of the policy, or behaviour that could lead to a breach of the policy.

**The Human Resources, Creative Programmes, and Producing and Programming team’s** will ensure that this policy is implemented and operated in a reasonable and fair manner, provide advice and



guidance to all relevant people, line managers and key contacts. The HR team are responsible for ensuring the policy is fit for purpose and updated according to legislative and good practice changes and changes in internal structures and role responsibilities as and when needed.

**The Senior Management Team** will champion this policy on behalf of the Board of Trustees to ensure that this policy is communicated and understood across their management teams and will provide advice and guidance regarding expectations of conduct. The senior management team are required to exercise leadership by encouraging inclusion, discouraging prejudice and modelling appropriate behaviour. They must also take speedy and appropriate action to deal with any breaches of this policy.

**The Board of Trustees** will oversee this policy and Curve's policies and be familiar with them and the processes in place as well as provide governance and advice where appropriate. The policy will be approved by the EDI (Voices for Change) group.

## **2.2 Monitoring**

Curve, in association with Arts Council England, will maintain records of sex, ethnic origin, age, sexual orientation, disability and socio-economic background for all employees, workers, consultants, officers, freelancers, facilitators, creatives, actors, musicians and for internal and external job applicants.

This information will be collected and stored in line with the Data Protection Act 2018 (GDPR) and will only be used to monitor compliance with the principles of equality, diversity, and belonging. The information will be analysed at regular intervals by Human Resources.

NB. In addition to monitoring and recording data on protected characteristics, managers and colleagues are encouraged to communicate with colleagues with a protected characteristic which may make it difficult for them to undertake their work, in order to identify and hopefully remove those barriers.

## **2.3 Definitions**

Please see [Appendix A](#) below.

## **2.4 Policies into Practice**

Curve will:

- Promote our equality, diversity, and inclusion aims with our Staff, partners and other stakeholders.
- Offer training for Staff to enable them to understand and implement our equality, diversity, inclusion policy, such as Dignity at Work, anti-racism and mental health awareness training
- Make use of appropriate wall space and notice boards and other physical and electronic means of communicating to publicise our zero-tolerance approach to discrimination
- Use the above means to communicate and regularly refresh content from this policy's appendices on examples of discrimination and harassment, what to do if affected and other useful information to all included in the policy
- Ensure that Staff are aware of their responsibilities in implementing these policies.



- Take appropriate action to deal with discrimination, harassment and victimisation by or against a member of Staff.

## **2.5 Discrimination**

We have a zero-tolerance approach towards unlawful discrimination. You must not unlawfully discriminate against or harass other people, including current and former staff, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events.

Discrimination is prohibited under this policy and is unlawful.

## **2.6 Anti-racism**

We actively promote anti-racism at Curve through training across the organisation to ensure understanding of areas such as micro-aggressions and white privilege as well as how to challenge conscious and unconscious bias.

## **2.7 Recruitment and Employment**

### **2.6.1 Recruitment**

Curve will:

- Operate fair and inclusive recruitment and employment practices to achieve our operational needs, including use of the Disability Confident Employer scheme for disabled applicants.
- Ensure all our vacancies are advertised across a diverse range of recruitment platforms, such as Disability Arts online, diversity job platforms, job centres and local community centres.
- Work to achieve equality of opportunity in all areas of employment.
- Seek to maintain a diverse workforce that reflects the diversity of the communities we serve.

To achieve these aims we will:

- Ensure all interview panels have a balance of genders (e.g. no all-male interview panels).
- Engage a person from a Black, Asian or ethnically diverse background in all interview processes; ideally, they should be a member of the interview panel.
- Apply disability to the above two points if the interview panel doesn't already feature a disabled person (with an obvious or hidden impairment)
- Ensure that employment selection decisions are based on objective, open, fair, non-discriminatory job-related criteria, and that procedures are consistently applied and evaluated.



- Keep under review and improve our internal process and practices – including recruitment, selection, appraisal, opportunities to act at a higher level, training and development, grievance, disciplinary and capability procedures – to ensure they are open and transparent, do not discriminate and that they do encourage equality in representation and experience.
- Monitoring the career development of our employees, examining the reasons for any significant disparities between different groups and developing appropriate action plans.
- Regularly train all employees involved in the recruitment, selection and management of people, in order to increase awareness and understanding of equality and diversity issues.
- Draw on initiatives and other best practice aimed at improving diversity and ensure that dignity at work and speak up policies are embedded across the organisation.
- Ensure that part-time and fixed-term staff are treated the same as comparable full-time or permanent staff and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

NB: Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, but these must not be used for selection or decision-making purposes.

Curve is required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the HR Department or UK Visas and Immigration.

### **2.6.2 Promotion, training and development**

Selection for promotion will only be based on ability or demonstrated potential to do the job. All employees will be encouraged to take advantage of available, relevant and suitable training and development opportunities.

Online courses will be available and internal courses will be developed to meet specific training needs in relation to diversity and inclusion, and appropriate training events will be provided for all employees involved in selection for recruitment or delivering training.

The responsibilities of the employer and employee for equality, diversity, and inclusion will be positively incorporated into employee training at all levels from induction courses to Trustee and Senior Management workshops.

### **2.6.3 Working environment**

All efforts will be made to make adjustments wherever reasonably practicable for disabled staff, applicants for posts or any staff member making a reasonable request.

We aim to have a working environment and culture where everyone feels comfortable and treated with dignity and respect.



#### **2.6.4 Challenging policy, practice and individuals**

Curve is committed to respectful forms of challenge and healthy conflict resolution. We actively encourage Staff and others to whom this policy applies to challenge each other when they are feeling uncomfortable and expect them to do so if they notice that this policy is being breached. We will provide information so that Staff can access appropriate support to deal with equality, diversity, and inclusion issues which they cannot resolve themselves.

#### **2.6.5 Access to services**

We will, wherever possible, make reasonable adjustments to how we deliver services according to individual circumstances. We aim to ensure that no individual or group applying to use our theatre or services will be treated less favourably than any other person or group of persons for any reason that cannot be justified.

#### **2.6.6 Access to information**

Where possible, information will be made available in suitable formats, such as large print or recorded, where needed to meet an individuals' needs.

#### **2.6.7 Procurement: contractors, consultants, agents and partners**

Curve is committed to providing equality of opportunity for other workers, consultants, actors and others we engage with, and will apply fair, open and consistent criteria in their selection.

We will seek to only work with partners who share our commitment to equality, diversity and inclusion. We will also work with other community organisations where possible to help us understand the issues of relevance to local communities and groups within those communities and ensure that they are fully included in our work in their area.

### **2.7 Complaints**

We take a strict approach to breaches of this policy, which will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination and victimisation may amount to gross misconduct resulting in dismissal. There must be no victimisation or retaliation against staff who raise or report discrimination. If you believe you have been victimised for making a complaint or report of discrimination, you should raise this through the Grievance Policy.

We encourage the reporting of all types of potential discrimination, as this assists us in ensuring that diversity, equity and inclusion principles are adhered to in the workplace. However, making a false allegation in bad faith, or that you know to be untrue, will be treated as misconduct and dealt with under our Disciplinary Procedure.

#### **2.7.1 Curve Employees**

We will ensure that Curve employees who believe they have received treatment contrary to the principles set out in this policy can have their grievances dealt with quickly and confidentially in accordance with the Dignity at Work (Bullying & Harassment) Policy or Grievance Policy.



### **2.7.2 Freelancers, Consultants, Agency workers, Contractors and Volunteers**

For those not directly employed by Curve, but to whom this policy applies, making a complaint due to any incident which occurs contrary to this policy and associated policies should in the first instance be directed to the person as stated in your contract or the HR department to consider or investigate your concern in accordance with these provisions or the Dignity at Work (Bullying & Harassment) policy.

### **2.7.3 Actors and Musicians**

To those engaged with Curve as an actor or musician the provisions set out in the Equity or Musicians Union agreement shall apply to the engagement and any matters arising will be dealt in accordance with these provisions or the Dignity at Work (Bullying & Harassment) policy.

## **2.8 Management of this policy and associated policies**

This policy and associated policies were developed in close partnership with a number of colleagues across the business and signed off at Board level.

Additionally, any proposed changes to policies, procedures and services will be discussed with Managers and the Equality Diversity and Inclusion (Voices for Change) Group to ensure the impact on any group is taken in to account.

## **Appendix A**

### **Definitions**

#### Equality

Equality is recognising that everyone is different, and that people's needs are met in different ways. We would define equality as essentially being about fairness and ensuring that we all have the best possible chance to succeed in life whatever our background or identity.

#### Diversity

Diversity is about understanding that everyone is unique, recognising, respecting, and celebrating the added value that differences bring.

#### Inclusion

Inclusion is where difference is seen as a benefit and where perspectives and differences are shared, leading to better decisions. An inclusive working environment is one in which everyone feels valued, that their contribution matters, and they can perform to their full potential, regardless of background, identity or circumstances. An inclusive workplace enables a diverse range of people to work together effectively.

#### What is discrimination?



Discrimination is not necessarily about treating people differently. In fact, if we are providing customer excellence, we are treating some people differently on a regular basis due to their specific or additional needs or requirements, in order to give them an equal service.

Discrimination is defined in the Equality Act 2010 as ‘treating someone less favourably...’

There are different types of discrimination with the main ones being; direct discrimination, indirect discrimination, harassment and victimisation.

- a) Direct discrimination - occurs where someone is treated less favourably because of one or more of the protected characteristics set out above.
- b) Indirect discrimination - occurs where someone is disadvantaged by an unjustified provision, criterion or practice that also puts other people with the same protected characteristic at a particular disadvantage.
- c) Discrimination by association - discriminating against someone because they are associated with a person with a protected characteristic.
- d) Discrimination by perception - discriminating against someone because others think they have a protected characteristic.
- e) Victimisation - Victimisation is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment or supported someone else's complaint.

### Bullying and Harassment

These two terms are often confused with each other. There is however a distinct difference and one important factor is that bullying, which can be incredibly destructive to the victim, is not actually unlawful! Bullying is persistent, offensive, abusive, intimidating or insulting behaviour, abuse of power or unfair sanctions which make the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress.

Harassment, where a protected characteristic is involved, is unlawful. This is the unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Curve is clear in its zero-tolerance approach that bullying will not be tolerated and to this end we have a separate Dignity at Work (Bullying & Harassment) Policy.

### Unconscious bias

Implicit or unconscious bias happens by our brains making incredibly quick judgments and assessments of people and situations without us realising. Curve recognises the need for awareness training to colleagues, and in particular to recruiters and decision makers, on unconscious bias, to enable them to become aware of the groups of people they may have an unconscious bias towards and take action to address it when necessary.





### Whistleblowing

The (separate) Whistleblowing Policy would apply if an employee or third party felt that CURVE as an organisation maintained a culture of inequality and discrimination, known to be either openly supported by or not acted upon by the leadership. Whistleblowing is also the disclosure of information which relates to other suspected wrongdoing or dangers at work. The policy should reassure staff (and others) that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

### Neurodiversity

Neurodiversity is a relatively new term that refers to people who have autism, dyslexia, dyspraxia, Tourette's, ADHD and other neurological conditions. Curve recognizes that all too often we focus on the challenges associated with neurodiverse colleagues and customers, rather than the strengths. Positive attributes commonly associated with neurodivergent employees include creativity and innovation, lateral thinking and bringing a 'different perspective'.

### Non-binary identity

When we talk about binary identity, we think man or woman, male or female. Non-binary is used to describe people who feel their gender cannot be defined within the margins of gender binary. Instead, they understand their gender in a way that goes beyond simply identifying as either a man or woman. They may identify as both male and female or neither male nor female.

### Socio-economic background

This is not a protected characteristic although interestingly Part 1 of the Equality Act 2010 contained a proposed duty to address social mobility. This was never enacted in law. Curve is delighted to see the Arts Council of England taking a lead in researching and capturing socio-economic data in an attempt to address issues of poverty and deprivation causing obstacles to working or being involved in cultural organisations such as Curve.



## Appendix B

### Curve Theatre and Curve's commitment to Equality, Diversity, &Inclusion

1. A more representative workforce (employees, volunteers, board, actors etc); reflecting the diverse makeup of the area in which we operate
2. Continue to encourage colleagues to challenge stereotyping and discriminatory practices: within the theatre and outside
3. Colleagues continue to receive the latest best practice and training on equality, diversity and inclusion, including neurodiversity and mental welfare
4. Procurement practices ensure contractors and suppliers demonstrate a genuine culture of inclusion and equality of opportunity
5. Promote a zero-tolerance approach towards hate incidents and hate crime
6. Develop a Customer Care Charter to highlight that courtesy, respect and tolerance works both ways
7. Customers representing all protected characteristics are encouraged to become involved in shaping our services
8. Increase awareness of diversity-related safeguarding issues including extremism and radicalisation, child sexual exploitation and modern slavery
9. Develop working relations with more local agencies representing and supporting diverse communities and groups