



## **Equality & Diversity Policy**

### **Statement**

Creative Alliance believes strongly in the principle of equality of treatment and opportunity and aims to treat all employees, job applicants and service users fairly and equally regardless of gender, marital status, gender reassignment, sexual orientation, colour, race and nationality, national or ethnic origin, religion or beliefs, disability, age, membership or non-membership of a trade union, employment grade or status.

We are opposed to any form of less favourable treatment or financial reward through direct or indirect discrimination, harassment, victimisation to employees, learners or job applicants. We recognise our obligations under the Equality Act 2010, and the acts and the codes of practice it replaced, for the elimination of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation.

Creative Alliance has established this Equal Opportunities and Diversity Policy therefore to ensure that this principle is adopted throughout the organisation and no treatment, requirement or condition is imposed without justification which could disadvantage individuals or make an individual feel “mistreated” purely on any of the above grounds.

The commitment, support and action of all directors, learners and employees are crucial to the successful implementation of this policy at all levels.

A director, learner or employee whose willful and deliberate conduct is in contravention of this policy may be disciplined, and, may also, as a result of this process, be dismissed or asked to withdraw, as merited by the facts of the case.

### **Objectives**

The key objectives of this policy are:

- To promote equal opportunities and diversity in the workplace and training environment
- To maximise the effective use of the organisation’s workforce
- To ensure that no employee, learner or applicant receives less favourable or inappropriate treatment either directly or indirectly than another on the grounds of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or on maternity leave; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation
- To deal effectively with any instances of discrimination
- To ensure that all directors, employees and learners understand their rights and responsibilities under this policy

- To make employees and learners aware of the consequences of not adhering to the standards required by this policy
- To identify action to monitor the policy and encourage equality of opportunity.

### **Policy Details**

Creative Alliance is committed to the policy of equal treatment of and equal opportunity for all employees, learners and applicants, and requires everyone, of whatever grade or authority, to abide by this general principle and the requirements of the all relevant legislation and Codes of Practice.

Creative Alliance believes that all people should be treated equally unless unequal, or different treatment, can be shown to be justified and is appropriate. We will not tolerate discrimination on any grounds.

The aim of our policy is to ensure that no job applicant, learner or employee (full or part-time) receives less favourable treatment on the above grounds or is disadvantaged by conditions, requirements or treatment which cannot be shown to be justified or are irrelevant to the job/training.

These principles of equality of opportunity and treatment extend to all aspects of employment and training including recruitment, promotion, performance review, disciplinary action, grievances, pay, training, benefits, facilities, procedures, redundancy and all terms and conditions of employment.

Creative Alliance will ensure that individuals are selected, promoted and treated solely on the basis of their relevant aptitudes, skills and abilities.

This policy covers all employees, learners or job applicants and we believe that the principle of equality of opportunity and treatment should apply equally to suppliers, service users and others directly associated with the conduct of the organisation.

Creative Alliance will actively promote equal opportunities in our business and to ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential skills and abilities. Employees will be recruited and selected, promoted and trained on the basis of objective criteria. Sexual, racial and other forms of harassment will not be tolerated. Creative Alliance will treat unfair discriminatory conduct by any member of staff or learner as a disciplinary offence.

Creative Alliance recognises the right of an employee to belong to, or not to belong to, a Trade Union, and membership or non-membership of such a Union, will not be taken into account in any way during the career of the employee.

Creative Alliance commits itself to the employment and training of people with disabilities and will treat such employees/learners in aspects of their recruitment and employment in exactly the same manner as other employees/learners, the difficulties of their disablement permitting. Assistance will be given, wherever possible, to ensure that, disabled employees/learners are assisted in access to their workplace or training suite, in gaining access to the facilities on company premises, and in progressing in their career with appropriate training, subject only to the opportunity existing, the applicant's suitability, talent, and wishes. Creative Alliance is keen to hear ideas whereby its facilities can be made more user-friendly for the benefit of disabled people.

Creative Alliance recognises that employees are entitled to be paid equally without any bias on the grounds of gender. All reasonable steps will be taken to ensure that staff receive equal pay for the same work and for work rated as equivalent and for work of equal value.

This policy applies to verbal and physical actions as well as any other form of communication including electronic communication such as text messages, emails, and faxes as well as written communications.

This policy will be brought to the attention of all applicants, employees and learners and monitored periodically and such steps as necessary taken to ensure that it remains effective.

Creative Alliance commits itself to the immediate investigation of any conduct which appears to be contrary to the aims of this policy and, where such is found to be the case, a requirement that the practice cease forthwith.

Any employee/learner found guilty of such unacceptable conduct, regardless of grade or position, will be instructed to desist forthwith and will be dealt with under the Disciplinary Procedure which may result in dismissal/withdrawal.

#### **Policy Promotion & Implementation**

This policy will be included in the induction process for all new employees and also integrated into the training of new learners. This policy will be available via our company website and employers, employees, learners and contractors will be encouraged to peruse the document along with all other organization policies.

#### **Responsibilities Under the Policy**

The Board of Directors has overall responsibility for the implementation, review, monitoring of this policy and ensuring corrective action is taken.

#### **Employees**

The personal attitude of all persons to Creative Alliance, candidates and colleagues is all-important to the success of this policy. It is the duty of all employees to accept personal responsibility for the practical application of equal opportunity in their job, to operate within the terms of this policy so as to ensure that any barriers to equal opportunity are removed and to ensure that their attitude and treatment of each individual is appropriate.

#### **Managers**

All managers are responsible for the practical application of equality in the workplace for which they are responsible or work-related social functions. They must ensure that:

- They fully understand the policy and are able to offer advice on the policy and procedures, when required to do so
- They advise and inform their team in order to increase awareness and understanding of the policy
- Their work environment is free of discriminatory actions and material
- They deal immediately with anything which appears to be contrary to this policy whether or not it is brought formally to their attention

#### **Dealing with Complaints**

Despite all reasonable measures being taken by Creative Alliance to implement this Equal Opportunities and Diversity Policy and eliminate all forms of discrimination from the workplace/learning environment, individual behaviour cannot be controlled all the time, and instances of discrimination or harassment may still occur.

The Director of Creative Alliance has therefore been given responsibility for dealing with issues arising from this policy and is responsible for:

- Offering advice and guidance to employees/learners as regards matters of equal opportunities, diversity and discrimination issues generally
- Offering advice and making recommendations to management with regard to changes to the Equal Opportunities and Diversity Policy and any accompanying procedures and rules, for example, following the introduction of new legislation
- Advising employees/learners, who claim to be the victims of discrimination, as to how they might deal with the matter informally in the first instance
- Assisting employees/learners (if they wish) to raise a formal complaint about discrimination under the organisation's complaints or grievance procedure
- Working with management to help investigate and resolve any complaints of discrimination
- Providing a counselling service to employees with regard to equal opportunities and discrimination issues

Managers should:

- Adopt a positive, rather than a defensive, attitude towards employees who raise complaints of discrimination
- Regard the handling of complaints as a positive way of identifying and eliminating causes of employee discontent

Without a constructive managerial attitude, employees/ learners may be reluctant to voice complaints because they may fear criticism or victimisation, feel embarrassed or worry that the complaint will not be taken seriously.

The starting point from a management perspective is that, if an employee/learner is upset about something which is happening in the workplace/learning environment, then this needs to be known, discussed and resolved as quickly as possible.

There are a number of reasons why it is advantageous for Creative Alliance to deal positively with complaints of discrimination namely:

- If a problem exists, it is better for Creative Alliance to know about it rather than remain ignorant
- The employee's job performance, which may be suffering as a result of discrimination, can be boosted
- Stress levels will be lowered
- Staff turnover and learner absenteeism are likely to be reduced
- Staff morale will be raised
- The risk of successful litigation against the organisation can be avoided

The Creative Alliance grievance procedure provides employees/ learners with an effective means of obtaining redress if they believe they have been discriminated against.

### **Monitoring Arrangements**

Creative Alliance accepts that monitoring equal opportunities and diversity within the organisation is an essential step in ensuring that the policy and procedures are working, and that discrimination is not taking place.

The overall objectives of the monitoring will be:

- To discover any barriers to equality of opportunity
- To analyse the reasons for any differences in treatment of an individual or group of individuals

- To identify areas where change is needed
- To identify the steps necessary to overcome barriers and achieve the required change

In recruitment, the purpose of monitoring will be to identify:

- Whether members of one group do not apply for employment/training, or if the proportion applying is smaller than might be expected
- Whether members of one group are not recruited, or if the proportion recruited is significantly lower than their rate of application
- The numbers of job applicants from certain groups and the proportion who are successful in obtaining employment/training within the organisation, compared to the overall proportion of successful applicants.

In order to satisfy these obligations and duties and to monitor the effectiveness of this policy, certain personal sensitive data will be collected from applicants. This information will not be used in order to select individuals for employment/training, but some sensitive personal data (regarding criminal convictions) may be used in order to verify the safety of proceeding with either an application or a job/training offer.

Sensitive personal data is information concerning an individual's:

- Racial or ethnic origin
- Political opinions
- Religious beliefs or other beliefs of a similar nature
- Trade union membership
- Physical or mental health or condition
- Sexual life
- Commission or alleged commission of any offence
- Proceedings for any offence committed or alleged to have been committed, the disposal of such proceedings or the sentence of any court in such proceedings

In ensuring that relevant information is made available during the recruitment and selection process, and in order to collect information which allows monitoring of this policy, sensitive personal data will be collected separately from all other information at the application stage. This information will be treated in the strictest confidence and will not be used as part of the selection process. However certain information (typically from information regarding physical/mental health or criminal records) may come to light which could result in the application process being halted, or an offer being withdrawn.

Personal data collected will include:

- Criminal record
- Physical and mental health, including details about any disability
- Ethnic origin
- Age
- Gender
- Marital status

All job/learner applicants will be asked to consent to the disclosure of such information. The Creative Alliance Equal Opportunities and Diversity Monitoring Form will be used to collect this information.

### **Training**

All employees will be trained, developed and promoted solely on the basis of merit and ability. As part of our commitment to the implementation of this policy, Creative Alliance will take measures to ensure that this policy is observed and will ensure that all relevant employees particularly those involved in the selection process are aware of the obligations and duties imposed by relevant employment legislation and receive appropriate training in equal opportunity issues.

### **Positive Action**

Selection for employment or promotion is based solely on merit, having regard to the requirements of the job. However, should obvious inequalities become apparent, and some form of positive action be considered desirable, then such action will be taken within the parameters set for this purpose by the legislation.

### **Complaints and Grievances**

Should an employee/learner believe that they have received less favourable treatment which is in contravention of this policy, or has been the subject of harassment or victimisation, then they should use the grievance procedure.

If a job applicant believes that they have received treatment which is in contravention of this policy, they should use Creative Alliance's normal complaints process.

Every attempt will be made to find a solution which may include mediation and/or an apology.

### **Malicious Allegation**

Where an accusation of bullying or harassment is found to be false, and was made for malicious reasons, then that in itself will be considered a breach of this policy and will be investigated. This may lead to disciplinary action.

### **Safeguards**

To safeguard individual rights, if the employee, learner or job applicant believes that Creative Alliance has applied unfair treatment within the scope of the policy, the matter should be raised through the grievance procedure or the complaints process respectively.

Creative Alliance will ensure that any employee/learner who feels that they have been treated unfairly or subjected to direct or indirect unfair discrimination can raise the matter through the appropriate grievance procedure when every effort will be made to secure a satisfactory resolution. Any employee/learner making a complaint of unfair discrimination will be protected from any victimisation in any form.

Any action under this policy will be confidential to all parties and Creative Alliance will not disclose information except where disclosure is necessary for the purposes of investigating the complaint or taking relevant disciplinary measures or is subject of legal proceedings.

No employee/learner will be reprimanded or suffer harassment from anyone as a result of seeking resolution of a complaint through this policy, unless the complaint was made maliciously.

An employee has the right to be accompanied (provided that they make a reasonable request to do so) at any hearings held in respect of any complaint investigated as result of the implementation of this policy. This is, however, restricted to a trade union official or a work colleague.

Records will be kept detailing the nature of the complaint, the response, any action taken and the reasons for it. These records will be kept confidential and retained in accordance with data protection principles.

### **Organisational Issues**

During the course of the implementation or operation of this policy it may be found that organisational issues have to be addressed. These may include:

- Inadequate training of managers
- Inadequate awareness of staff
- Inadequate supervision
- Policy or procedures require review or enhancement

Any such issues should be reported to the Director and appropriate action taken.

### **Review**

Creative Alliance policies, practices and procedures will be reviewed periodically, as appropriate, to assess their effectiveness and any appropriate changes made. These will include all aspects of employment, including recruitment, promotion, training, disciplinary action, etc, to ensure that there are no inherently discriminatory practices evident. Where such reviews throw certain practices into question, barriers to fulfilment of equal opportunities and diversity exist or where discrimination may be evident, albeit unintentional, then such barriers and/or practices will be removed and/or changed so as to remove any inappropriate discrimination or unfair or unequal treatment.

### **Monitoring of the Policy**

Creative Alliance's Board, Director and Operations Manager are responsible for monitoring the implementation of this policy.

**Policy Prepared by:** Sarah Harding (Creative Alliance)

**Policy Reviewed on:** May 2019

**Policy to be Reviewed:** September 2021 (or earlier if there are changes in relevant legislation or in response to any significant incidents or changes in circumstances)