Dark Peak Music

DARK PEAK MUSIC FOUNDATION

EQUALITY, DIVERSITY AND INCLUSION POLICY

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1. Policy Statement

The Dark Peak Music Foundation ('the Foundation') is committed to encouraging equality, diversity and inclusion (EDI) and eliminating unlawful discrimination when working with its staff, volunteers, trustees and members. This is a core part of its overall vision to promote, improve and advance the education of the public in the art and science of music.

This policy's purpose is to:

- Provide equality, fairness and respect for all staff, volunteers, trustees and members.
- Provide transparency in the Foundation's efforts to ensure EDI to all associated with the Foundation
- Not unlawfully discriminate on the grounds of the Equality Act 2010 protected characteristics, namely:
  - age
  - disability
  - gender reassignment
  - marriage and civil partnership
  - pregnancy and maternity
  - race (including colour, nationality, and ethnic or national origin)
  - religion or belief
  - gender
  - sexual orientation
- Oppose and avoid all forms of unlawful discrimination.

The Foundation commits to:

- Enabling a diverse creative output, involving all sections of the community regardless of socio-economic status and any protected characteristics.
- Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination which arise in the course of the Foundation's activities.

- Making opportunities for training, development and progress available to all staff, volunteers and trustees 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 Foundation.

2. Types of Discrimination

There are different types of discrimination including Direct and Indirect Discrimination, Harassment and Victimisation.

- Direct discrimination occurs when someone is treated less favourably because of:
  - A protected characteristic they possess – this is ordinary direct discrimination
  - A protected characteristic of someone they are associated with such as a friend, family member or colleague – this is direct discrimination by association
  - A protected characteristic they are thought to have, whether correct or not – this is direct discrimination by perception

- Indirect discrimination is where a provision, criterion or practice is applied equally to a group, but has the effect of putting those who share a certain protected characteristic at a particular disadvantage when compared to others without the characteristic in the group and the organisation involved is unable to justify it.

- Harassment occurs when conduct or behaviour is unwanted and relates to one or more of the protected characteristics. The conduct must have the effect or purpose of violating a person's dignity or creating a hostile, intimidating, degrading, humiliating or offensive environment for the person receiving it.

- Victimisation happens when a person is treated differently because they have made an allegation of or supported a complaint of discrimination. It can even be where the person has given evidence relating to a complaint of discrimination, or raised a grievance concerning discrimination.

3. Protected Characteristics

Age
The Equality Act 2010 protects employees from discrimination, harassment and victimisation due to age. This may include an individual being younger or older than someone in a comparable position.

Disability
Under the Equality Act 2010, a person is disabled in they have a physical or mental impairment which usually lasts more than a year, and this affects their ability to carry our normal day to day activities.

Under the Act, neurodiversity is classed as a disability, although many neurodivergent people do not identify as disabled. Categories of neurodivergences include ADHD (attention deficit hyperactivity disorder), autism, dyslexia and dyspraxia, however in reality there are sub-categories and combinations of categories

In order to accommodate a disability, the Foundation will work with the individual to identify and implement reasonable adjustments to the physical or working environment. The focus will be on:

- making the most of someone's strengths
- providing support for things they find more difficult

Gender Reassignment

The Equality Act 2010 protects individuals from discrimination, harassment and victimisation relating to gender reassignment. An individual who proposes to, starts or has completed a process to change their gender is referred to as a transgender.

The Foundation will not treat a transgender staff member less favourably for being absent from work due to proposing to undergo, undergo or have undergone gender reassignment. This should be treated no differently to the individual being absent due to being ill or injured.

The Foundation will seek to support any transgender children within the music centre.

Marital Status
The Equality Act 2010 protects individuals from direct discrimination, indirect discrimination and victimisation because of marriage or civil partnership.

Pregnancy and Maternity
The Equality Act 2010 protects individuals from discrimination and victimisation because of their pregnancy or for taking or seeking to take maternity leave.

Race
The Equality Act 2010 protects individuals from discrimination, harassment and victimisation because of the protected characteristic of Race. This may include:

- Colour
- Ethnic Origin - This may include racial, religious and cultural factors which give a group of people a distinct social identity with a long and shared history.
- National Origin - Birthplace, geographical area and history can be key factors
- Nationality - This is usually the recognised state of which the employee is a citizen, e.g. what is indicated on their passport.

Religion or belief
The Equality Act 2010 protects individuals from discrimination, harassment and victimisation because of religion or belief. The law also protects those that have no religion or belief.

- Religion is defined as any religion with a clear structure.
- Belief is defined as any religious or philosophical belief. A belief must satisfy various criteria including that it is a weighty and substantial aspect of human life and behaviour, worthy of respect in a democratic society and does not conflict with the fundamental rights of others.

Gender
The Equality Act 2010 protects both male and female individuals from discrimination, harassment and victimisation due to the gender of a person.

Sexual Orientation
The Equality Act 2010 protects individuals from discrimination, harassment and victimisation due to sexual orientation. This applies equally to bisexual, gay, heterosexual and lesbian orientation.

4. Application of the Policy

The Foundation aims to create an inclusive 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, volunteers, trustees and members are recognised, valued and heard.

The Foundation commits to ensuring that all present and potential staff receive equally favourable treatment on their merits, and will avoid unlawful discrimination in all aspects of their self-employed work for the Foundation including (the list is not exhaustive):

- Recruitment

- Pay and benefits
- Training or other developmental opportunities
- Selection for new opportunities or responsibilities
- Leave for parents
- Requests for flexible working
- Dealing with grievances and discipline

Candidates for self-employed work or new opportunities and responsibilities will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. The shortlisting, appointment and rejection decisions will be transparent and justifiable.

Equal access will be given to all staff in respect to their initial induction sessions, training and professional development.

Any allegations of discrimination, harassment or inappropriate behaviour will be dealt with promptly and fairly.

4. Roles and Responsibilities

Every volunteer, trustee, staff member and member of the Foundation has an individual responsibility to treat others in a fair and non-judgemental matter. It is an expectation that positive attitude and relationships be promoted.

Any staff member found guilty of unlawful discrimination or harassment will be subject to the Foundation taking disciplinary action against an individual. This may lead to, where appropriate, dismissal.

The Chairperson and trustees will ensure that appropriate action is taken when discrimination is alleged, and/or bullying and harassment and grievances and complaints are raised. They will deal with complaints/allegations fairly, quickly, thoroughly and confidentially.