

## 1. POLICY DECLARATION

- 1.1. Live & Local is committed to a policy of **equality of opportunity** in its management, employment practices and provision of services.
- 1.2. This policy applies to discrimination and equality of opportunity in respect of 'protected characteristics' as defined in the Equalities Act 2010:
  - Age;
  - Disability;
  - Race;
  - Sex;
  - Religion or beliefs;
  - Marital status and civil partnership;
  - Sexual orientation;
  - Gender reassignment;
  - Pregnancy and maternity.
- 1.3. This policy recognises the public sector Equality Duty 2011 and reflects this duty through this policy and its accompanying equalities action plan.
- 1.4. Live & Local is committed to incorporating equal opportunities and inclusive practices into all aspects of its management and operation, and those of its associated organisations.
- 1.5. Live & Local is committed to promoting and **celebrating diversity** through its arts programming.
- 1.6. Live & Local's commitment to **anti-discriminatory practice** relates to all kinds of discrimination, as set out below:
  - Direct discrimination - where someone is treated less favourably than another because they have a protected characteristic;
  - Indirect discrimination - when a requirement or a condition is applied which has a detrimental effect on a particular group or individual. This applies even if there was not a deliberate intention to discriminate;
  - Associative discrimination - direct discrimination against someone because they associate with another person who has a protected characteristic;
  - Perceptive discrimination - direct discrimination against someone because others think they have a protected characteristic even if they do not possess that characteristic;

- Harassment – unwanted conduct related to a protected characteristic which violates a person’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them. This applies even if the conduct is not directed at the individual or if they do not have the protected characteristic;
- Third party harassment – potential liability for the harassment of staff by others such as clients or customers;
- Victimisation – when someone is treated badly because they have made or supported a complaint under the Equalities Act or it is thought that they have done so.

## **2. LEGAL FRAMEWORK**

2.1. Live & Local acknowledges its legal responsibilities in relation to equalities, including the requirements of the following legislation:

- The Rehabilitation of Offenders Act 1974;
- The Employment Rights Act 1996;
- The Human Rights Act 1998;
- The Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- The Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2002;
- The Civil Partnership Act 2004;
- The Work and Families Act 2006;
- The Equality Act 2010;
- Any other relevant legislation in force from time to time relating to discrimination in employment and the provision of goods, facilities or services.

2.2. We will ensure that our policies and procedures are compliant with the above and forthcoming legislation, Codes of Practice and guidance published by national equalities bodies and Commissions.

## **3. SCOPE OF THE POLICY**

3.1. The Live & Local Equality, Diversity & Inclusion Policy states the organisation’s responsibilities in relation to:

- The Board of Directors
- Employees and job applicants
- Contractors, consultants and fieldworkers
- Volunteer promoters / promoting groups
- Artists and companies
- Audience members
- Other Live & Local stakeholders

## **4. THE BOARD OF DIRECTORS**

### 4.1. Recruitment and representation

4.1.1 The Live & Local Board of Directors consists of between five and nine persons, in accordance with the Articles of Association, and aims to include the following:

- At least one person drawn from the Users of the Company;
- At least one person drawn from the business Community;
- At least one artist who is active in the Community;

4.1.2 In recruiting new members to the Board, Live & Local aims to ensure:

- Fulfillment of the requirements of the Articles of Association as above;
- An appropriate mix of skills and experience across the Board;
- Balanced representation in terms of gender, ethnicity and disability.

### 4.2. Development and training

4.2.1 Live & Local aims to provide training and support to Board members in:

- Their role and responsibilities as Board members;
- Procedure at Board meetings;
- Recruitment of staff and employment law;
- Diversity and equal opportunities issues.

### 4.3. Support to enable attendance and participation

4.3.1 In order to ensure that all Board members have an equal opportunity to participate in meetings, Live & Local will:

- Provide support with transport or childcare costs;
- Provide information in different formats as required;
- Arrange meetings on an annual schedule at times that suit the widest range of participants.

### 4.4. Conflicts of interest

4.4.1 Board members should declare any potential conflicts of interest at the beginning of proceedings of each Board meeting and these should be noted in the minutes.

4.4.2 A conflict of interest is any private interest that may conflict with the interests of the organisation. Examples of these would be business interests such as the directorship / shareholdership of a company, or personal interests such as close personal relationships (kin / partner) with members of staff.

- 4.4.3 On some occasions it may be necessary for a Board member to withdraw from discussions or decision making on issues which have a significant impact on their area of private interest.

## **5. LIVE & LOCAL EMPLOYEES**

### 5.1. Recruitment

- 5.1.1 The following measures are taken to ensure equality of opportunity for all persons interested in applying for vacancies with Live & Local:

- Accurate job descriptions are prepared for every post;
- Short listing and selection criteria are clearly stated in a person specification for every post;
- A standardised application form is used for all vacancies;
- Staff involved in recruitment and selection are familiar with equal opportunities good practice and are provided with training updates as required;
- Every stage of the recruitment process is recorded and monitored and records are kept for a minimum of six months after the post has been filled.

- 5.1.2 The following measures are taken in order to attract new staff members from under-represented groups:

- All information about the vacancy and application process is provided in plain English, avoiding jargon, acronyms and other complex forms;
- A clear equal opportunities statement is provided with each job information pack;
- Requirements for formal qualifications are created in a flexible framework and possible alternatives considered;
- All posts are advertised at local and national level through print and/or online advertising and through extensive, updated email lists of contacts;
- The effectiveness of this policy with regard to recruiting under-represented groups is continuously monitored and evaluated.

### 5.2. Staff development and training

- 5.2.1 All staff are entitled to an annual appraisal of performance and development needs with their line manager, usually during the summer months. A standardised process and guidance has been established and is available from the Administrator.

- 5.2.2 The training budget is set annually and staff are notified of the amount available at the beginning of each financial year. Individual allocations are determined by development needs (as ascertained through the Appraisal system) and organisational priorities.
- 5.2.3 Where funds are available, staff should discuss training opportunities of interest to them with their line manager to ascertain suitability and appropriateness. However, line managers reserve the right to refuse requested leave to attend training events if it seriously conflicts with or disrupts the operation of the organisation.

### 5.3. Harassment

- 5.3.1 Live & Local fully supports the right of all people to be treated with dignity and respect at work and is committed to promoting a working environment free from all forms of harassment and bullying.
- 5.3.2 All employees will be made aware of the Live & Local policy on harassment and bullying and will be expected to comply with this policy. Appropriate disciplinary action may be taken against any employee who violates this policy.
- 5.3.3 At its most extreme, harassment or bullying can be physical e.g. hitting, pushing, damaging or stealing personal possessions. This may, in some cases, constitute gross misconduct and should be dealt with under the disciplinary procedure.
- 5.3.4 Examples of harassment covered by this Policy include:-
- persistently criticising an individual unnecessarily;
  - shouting at colleagues in public or private;
  - deliberate isolation by ignoring or excluding a person;
  - withholding information or removing areas of responsibility without justification;
  - spreading malicious rumours;
  - making inappropriate personal comments;
  - blocking leave or training applications without reason;
  - setting objectives with impossible deadlines with the deliberate intention of undermining an individual;
  - deliberate misrepresentation of the views of senior management;
  - Undermining a person's self respect by condescending, paternalistic or threatening treatment that humiliates, intimidates or demeans.

- 5.3.5 Legitimate and constructive fair criticism of an employee's performance or behaviour at work is not bullying. It is also recognised that an occasional raised voice or argument does not constitute bullying. However, it is unacceptable to condone bullying behaviour under the guise of a particular management style. Effective management obtains results whilst ensuring that employees are treated with dignity and respect.
- 5.3.6 Staff concerns about harassment or bullying should be raised with their immediate line manager in the first instance, unless the line manager is involved in the behaviour causing concern. In this case, staff may discuss their concerns with the Executive Director or with a member of the Board of Directors.
- 5.3.7 In cases where concerns about harassment or bullying have been raised, the role of the line manager / Executive Director / Board member is to
- Provide sympathetic assistance to the employee;
  - Discuss the case in complete confidence – information must not be divulged to any other person without the agreement of the employee;
  - Explain to the employee how the procedures for making a complaint operate;
  - Establish the main details of any complaint;
  - Channel the complaint to the appropriate manager for action if and only if the employee decides to take the matter further (they are under no obligation to do so).

#### 5.4. Conflicts of interest

- 5.4.1 Live & Local employees must make their line manager aware of any potential conflicts of interest as described in 4.4.II.
- 5.4.2 Once an employee or an applicant for employment has disclosed a business interest or close personal relationship, this information will be treated in the strictest confidence.
- 5.4.3 Failure to declare a potential conflict may result in disciplinary action being taken against the employee.

## 6. LIVE & LOCAL PROMOTER GROUPS

### 6.1. Recruitment

- 6.1.1 The ability of new promoter groups to participate in the Live & Local Network is determined by:
- Suitability of venue, including physical access;
  - Organisational capacity of the promoter group and ability to meet the administrative demands of being part of the network;
  - Availability of funds (and number of existing venues) in that local authority area;

- Local authority priorities and targets.
- 6.1.2 Live & Local encourages all promoter groups to see the benefits of diversity when seeking new volunteers and the value of involving all sections of their community in their activities.
- 6.2. Promoter support and training
- 6.2.1 Live & Local is committed to seeking funds to enable the provision of relevant diversity and disability training for promoter groups.
- 6.2.2 Live & Local works with promoter groups to encourage them to select a diverse range of shows for their communities, including some that represent different cultural or personal experiences.
- 6.2.3 Live & Local encourages the sharing of best practice between promoter groups by arranging annual promoter meetings at which equality, diversity and inclusion issues may be raised.

## **7. COMPANIES AND ARTISTS**

- 7.1. Selection for inclusion in the Live & Local menu
- 7.1.1 Live & Local is committed to promoting diversity through the shows offered in our Menu.
- 7.1.2 Live & Local selects performances through recommendation and research via information gathered from other schemes, our promoters, mainstream venues, NRTF Showcases, other companies and by investigating unsolicited information sent to us.
- 7.1.3 The scheme recommends companies and artists that have the capacity to engage positively with Live & Local promoters and their target audiences, who can resolve the technical, marketing, and administrative challenges inherent in non-mainstream venues and who have production values that are not compromised by non-mainstream venues.
- 7.1.4 Live & Local will include local, regional and national professional artists and companies that best enable us to meet our aims, objectives and artistic policy.
- 7.2. Support and development to meet the differing needs of audience members
- 7.2.1 Live & Local is committed to working with companies to provide additional facilities to make performances accessible to the widest audiences.
- 7.2.2 Live & Local encourages the sharing of best practice between companies through disseminating information via e-mail.

## **8. LIVE & LOCAL AUDIENCES**

### 8.1. Publicity and marketing

- 8.1.1 Live & Local aims to ensure that all publicity and marketing materials are accessible to the widest range of people. Where this is not possible or practical due to cost implications, we are committed to providing information in alternative formats on request.
- 8.1.2 Promoter groups are encouraged to ensure that all publicity and marketing materials are accessible to the widest range of people.

### 8.2. Venue accessibility

- 8.2.1 Live & Local venues are expected to have made all reasonable attempts to ensure good access for everyone within the terms of the relevant legislation.
- 8.2.2 All venues will undergo an access audit on joining the Live & Local Network. Key information will be published on our website against each event and full information will be kept on a database.
- 8.2.3 Live & Local will update this database on a yearly basis.

### 8.3. Additional provision

- 8.3.1 Live & Local will seek funds to provide appropriate additional provision to ensure that our events are as accessible as is reasonable. This could take the form of additional marketing activity, ticket pricing and/or provision at performances.

## **9. COMMUNICATION**

### 9.1. Website & Printed material

- 9.1.1 Live & Local's website printed materials will be designed to be accessible.

## **10. MONITORING & IMPLEMENTATION**

### 10.1. Action plans

- 10.1.1 Live & Local has an equalities action plan, reviewed annually, demonstrating how it intends to work towards the aims stated in this Policy

### 10.2. Monitoring

- 10.2.1 Monitoring will be carried out by the staff or Board members designated in the action plan. The action plan will be subject to review annually by the Board.
- 10.2.2 Live & Local will only use monitoring methods that can be statistically significant and/or that provides information from which decisions can be made



## **11. Glossary**

### **Protected Characteristics**

The protected characteristics as listed in the Equality Act 2010 are sex, sexual orientation, marriage or civil partnership, gender reassignment, race, religion or belief, age, disability, pregnancy and maternity.

### **Disability**

Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

### **Gender reassignment**

A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not have to be under medical supervision.

### **Race**

Race includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups (eg Black Britons).

### **Religion or belief**

Under the Equality Act 2010, religion includes any religion. It also includes lack of religion, in other words employees or jobseekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

### **Sexual orientation**

Includes bisexual, gay, heterosexual, and lesbian people.

### **Direct discrimination**

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below), or because they associate with someone who has a protected characteristic (see associative discrimination below).

### **Associative discrimination**

This is direct discrimination against someone because they are linked or associated with another person who possesses a protected characteristic.

### **Perceptive discrimination**

This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

### **Indirect discrimination**

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages

people who share a protected characteristic and which cannot be justified in relation to the job.

### **Harassment**

Harassment is “unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

### **Third party harassment**

Definition: Harassment of employees by people (third parties) who are not employees of your company, such as clients.

Live & Local has a duty to prevent harassment and may be liable if aware that harassment has occurred on at least two previous occasions and does not take reasonable steps to prevent it from happening again.

### **Victimisation**

Victimisation occurs when an employee is treated badly because they have made or supported a complaint about discrimination or harassment, or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

### **Positive action**

Some people with protected characteristics are disadvantaged or under-represented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same chances as everyone else. The new positive action provisions held within the Equalities Act 2010 enable service providers to take proportionate steps to help people overcome their disadvantages or to meet their needs.