

EQUALITY AND DIVERSITY POLICY

1. Our Commitment

Arts and Minds (A&M) is committed to treating all people equally and with respect, irrespective of their age, gender, race, disability, marital status, religion/belief, sexual orientation, gender reassignment, pregnancy, maternity, or caring responsibilities.

We are committed to developing and maintaining an organisation in which differing ideas and abilities are valued and where those with diverse experiences can contribute. We recognise that people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perspectives and we wish to encourage and harness these differences to make our services more relevant and approachable. We recognise that this will enhance our effectiveness in carrying out our work.

In addition, we are committed to creating an inclusive environment, and aim to ensure that our events, activities and facilities are accessible to all, including those who face economic, social or physical barriers. We will work to ensure that those accessing our services are representative of the diverse group of people facing mental health difficulties in our local community.

We will foster a supportive and inclusive culture, free from any type of discrimination, for:

- All those who need and use our services
- Our volunteers
- Our staff and collaborators
- Other stakeholders

2. A social model of disability

A&M endorses a social model of disability¹ in which the barriers that prevent any individual playing a part in society are the problem, not the individual. This model requires society to remove the barriers in order that all people have equality.

3. Policy Statement

Opposing discrimination

A&M recognises that individuals and groups may encounter discrimination relating to a number of factors. This may include those identified in the Equality Act (2010): age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation. A&M recognises that this list is not exhaustive, and individuals and groups may experience discrimination due to other factors or characteristics. We oppose all forms of discrimination, whether identified by law or not.

A&M is committed to ensuring that no staff member, volunteer, service user or other stakeholder faces discrimination. We will challenge and address all types of discrimination in our workplace environments, including:

- Direct discrimination, where a person is treated less favourably than another because of a protected characteristic.
- Indirect discrimination, which involves putting in place a rule or policy that has an adverse impact on someone with a protected characteristic.
- Harassment, which involves unwanted behaviour related to a protected characteristic, and has the purpose or effect of violating someone's dignity or creating a hostile, degrading, humiliating or offensive environment.
- Associative discrimination, where an individual is treated less favourably due to their association with someone who has a protected characteristic, such as the parent of a disabled child.

¹ <https://www.scope.org.uk/about-us/social-model-of-disability/>

- Perceptive discrimination, where an individual is discriminated against or harassed due to a perceived protected characteristic.
- Victimization, which involves treating someone unfavourably because they have taken some form of action relating to the Equality Act 2010, such as raising or supporting a complaint, provided that their actions are not malicious or defamatory.

Services

A&M is committed to treating its service users fairly, with dignity and respect, and without discrimination. We will take steps to identify the needs of service users in our community and to develop our services, policies and procedures accordingly. As far as possible, we will ensure that service users are able to access our services and activities in ways that suit them.

We will ensure that all information, promotional materials and publicity about A&M and its services are judged in light of the promotion of equal opportunities. Any material that is considered discriminatory will not be used. Wherever possible, information and promotional materials will be made available in translation and formats such as large print, Braille and on tape when requested.

A&M will also regularly review its services in line with the requirements of the Disability Discrimination Act and will hold activities in spaces that are accessible to all. Finally, we will work to understand the mental health needs of our local communities. We will seek opportunities to consult with our community on strategic development, and we will work to make links with local groups representing minority communities that are underrepresented in our work. In doing so, we aim to ensure that those accessing our services are representative of the diverse group of people facing mental health difficulties in our local community.

Recruitment practices

A&M is committed to ensuring that no prospective member of staff, volunteer or collaborator is discriminated against. Our recruitment procedures are reviewed regularly to ensure that individuals are treated based on their relevant merits and abilities. Our job and volunteer advertisements avoid stereotyping and wording that may discourage groups with a protected characteristic from applying. Furthermore, we take steps to ensure that any vacancies are advertised to a diverse labour market and, where relevant, to particular groups that have been identified as disadvantaged or underrepresented in our organisation.

Ultimately, we aim for our workforce to be representative of the communities in which we work. Job applicants, volunteers and collaborators should not be asked about health or disability before a job offer is made, except in limited circumstances, such as:

- Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
- Questions to establish if any reasonable adjustments are needed in order for an applicant to attend an assessment or interview.
- Positive action to recruit disabled persons.
- Equal opportunities monitoring (which will not form part of the decision-making process.)

Applicants should not be asked about past or current pregnancy or future intentions related to pregnancy. Applicants should not be asked about matters concerning age, race, religion or belief, sexual orientation, or gender reassignment.

A&M are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made 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.

To ensure that this policy is operating effectively, and to identify any groups that may be underrepresented or disadvantaged in our organisation, we will monitor applicants' ethnic group, gender, disability, sexual orientation, religion and age as part of the recruitment procedure. Provision of this information is voluntary and will not adversely affect an individual's chances of recruitment or any other decision related to their employment. This information will be removed from applications before shortlisting and kept in an anonymised format solely for the purposes stated in this policy. Analysing this data will help us to take appropriate steps to avoid discrimination and improve equality and diversity.

4. Implementing the policy

Responsibility

Ultimate responsibility for implementing this policy rests with the Board of Trustees.

A&M staff: are responsible for:

- Promoting this policy and ensuring it is understood and complied with by collaborators and volunteers
- Dealing with breaches and complaints seriously, speedily, sensitively and confidentially
- Contributing ideas for the advancement of diversity principles within A&M.

A&M collaborators and volunteers: are expected to have read and understood this policy; ensure that they behave in accordance with its principles and requirements; encourage the same level of behaviour in colleagues; and to immediately report any breaches witnessed.

Complaints

A&M will treat all complaints under this policy made by staff, volunteers, collaborators, service users or other third parties seriously and will take appropriate action. All complaints will be investigated, and the complainant will be informed of the outcome. For further details about our procedure for responding to complaints, please see our complaints policy. It is important for any person that may have caused offence to understand that it is no defence to say that they did not intend to do so. It is the impact of the behaviour, rather

than the intent, that is important and should shape the solution found both to the immediate problem and to preventing further similar problems in the future.

Monitoring

A&M will monitor and record equality and diversity information about services, service users, staff and volunteers, including trustees. We will store equal opportunities data as confidential personal data and restrict access to this information. Equal opportunities information will be used exclusively for the purposes of equal opportunities monitoring and will have no bearing on opportunities or benefits.

Results of the monitoring will be discussed by the A&M staff team and used to identify gaps in service and lack of access by minority communities. The results will feed into the planning and development of all services, and reports will be made to the Board of Trustees, as appropriate.

Review

This policy will be reviewed annually or more regularly if we identify any noncompliance, problem, emerging legislation or new guidance on best practice that could impact on this policy. A report of the findings of the review, based on the information collected and evaluated, will be presented to the Board of Trustees and appropriate action will be taken.

APPENDIX:

Equality Act 2010 – Explanation of the Protected Characteristics

Age: An age group includes people of the same age and people of a particular range of ages. Where people fall in the same age group they share the protected characteristic of age. An age group would include “over fifties” or twenty-one year olds. A person aged twenty-one does not share the same characteristic of age with “people in their forties”. However, a person aged twenty-one and people in their forties can share the characteristic of being in the “under fifty” age range.

Disability: A person has a disability if they have a physical or mental impairment, and the impairment as a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. This section replaces similar provisions in the Disability Discrimination Act 1995 and provisions in secondary legislation made under that Act.

Gender: A person's gender is separate from their biological sex. A person's gender is subjective and based on how they relate to their biological sex and the stereotypes around them. Those that do not identify with the gender they were assigned at birth based on the biological sex often identify as trans* or gender non-conforming.

Gender reassignment: A person has the protected characteristic of gender reassignment if the person is proposing to undergo or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. Not every trans* or gender non-conforming person undergoes gender reassignment. This does not impact the validity of their gender identity.

Sex: is a person's biological characteristic that makes them male, female or intersex at birth.

- a reference to a person who has a particular protected characteristic is a reference to a man or to a woman
- a reference to persons who share a protected characteristic is a reference to persons of the same sex
- some people do not identify with the sex they were identified as at birth

Sexual orientation: is a person's sexual or romantic attraction towards another. For example:

- people of the same sex as them (the person may identify as a gay man or a lesbian)
- people of the opposite sex from them (the person may identify as heterosexual)
- different sexes and/or genders (the person may identify as bisexual)
- people who identify with other sexualities exist on the LGBTQ+ spectrum and are protected

The definition is designed to replicate the effect of similar provisions in the Employment Equality (Sexual Orientation) Regulations 2003 and the Equality Act 2006.

Marriage and civil partnership: A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.

- a person who is engaged to be married is not married and therefore does not have this protected characteristic
- a divorcee or a person whose civil partnership has been dissolved is not married or in a civil partnership and therefore does not have this protected characteristic

Race: Race is defined as :

- **Colour:** includes being black or white.
- **Nationality:** includes being a British, Australian or Swiss citizen.
- **Ethnic or national origins:** include being from a Roma background or of Chinese heritage. A racial group could be “black Britons” which would encompass those people who are both black and who are British citizens.

This section replaces similar provisions in the Race Relations Act 1976. However, the power to add caste to the definition of race is a new provision.

Religion or belief: Religion means any religion and a reference to religion includes a reference to a lack of religion. Any cult involved in illegal activities is not covered. Beliefs such as humanism and atheism would be covered.

- **A religion** must have a clear structure and belief system. Denominations or sects within a religion can be considered to be a religion or belief, such as Protestants and Catholics within Christianity.

- **A belief** means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.
- **A “philosophical belief”** must:
 - Be genuinely held;
 - Be a belief and not an opinion or viewpoint based on the present state of information available;
 - Be a weighty and substantial aspect of human life and behaviour;
 - Attain a certain level of cogency, seriousness, cohesion and importance;
 - Be worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental rights of others.

This section replaces similar provisions in the Employment Equality (Religion or Belief) Regulations 2003 and the Equality Act 2006.