

# KENT MUSIC

## Equality and Diversity Policy

October 2017

### 1.0 Commitment

1.1 Kent Music is committed to achieving equality of opportunity, access and outcomes for all, through:

- recognising and redressing the needs of under-represented, vulnerable and excluded groups in Kent;
- countering deprivation and supporting independence;
- combatting discrimination in all its forms, and working actively to ensure fair access to services, employment and active citizenship.

1.2 This policy sets out our commitment to promoting diversity, dignity and inclusion through fair access to services and employment.

### 2.0 Policy Statement

2.1 Kent Music's policy is that:

'No service user, employee, job applicant, partner, contractor, supplier or member of the public will be discriminated against, harassed or receive less favourable treatment on the grounds of race; ethnicity; nationality; ethnic or national origin; colour; disability; gender (including gender identity or presentation); marital status; family commitments; caring responsibilities; sexual orientation; age; HIV status; religious or political beliefs; social class; trades union activity; or irrelevant spent convictions.'

### 3.0 Introduction

3.1 As a service provider, commissioner of services and employer within Kent, we have a key role to play in:

- promoting fairness, dignity and respect;
- promoting positive relations between people of all groups, communities and social identities;
- promoting equality of opportunity and access, and active participation in society;
- redressing disadvantage; and
- tackling discrimination and harassment.

3.2 We do this through the provision of flexible and accessible services; through the promotion of a diverse workforce that is representative of the communities we serve; and by using our influence to promote and share best practice in equality and diversity at local, regional, national and international levels.

3.3 The general duties include promoting equality of opportunity between persons of different ethnic groups, and between men and women; promoting good race relations; and ensuring that disabled people are able to access services and employment opportunities effectively.

3.4 Kent Music aims to achieve fair access to services and employment for all by ensuring that our services are tailored to meet individual needs, rather than simply using a non-discriminatory approach. We recognise that equality cannot be achieved merely by treating everyone the same.

3.5 We value diversity and believe that it strengthens our organisation, bringing us closer to the communities we serve and making Kent Music more competitive.

People should be valued as individuals in their difference. People from different backgrounds and with different experiences can bring fresh ideas and perspectives. When used to inform policy and decision making, diversity enables improvements to efficiency and performance, and the provision of excellent services.

## 4.0 Equality and Diversity in Service Provision

4.1 Kent Music is committed to delivering and commissioning high-quality services that are accessible and fair, and to mainstreaming equality and diversity across all service delivery activities. This is reflected in the company's core values.

4.2 We recognise that certain groups may be discriminated against directly or indirectly, intentionally or unintentionally. Direct and indirect discrimination can occur when services are inappropriate, insensitive or inaccessible. Direct discrimination exists when a person is treated less favourably because of a demographic characteristic, for example, their race or disability. Indirect discrimination occurs when a requirement or condition is applied that disadvantages one group of people more than another. The company aims to eliminate such discrimination and ensure equality of opportunity, access and outcomes for all.

4.3 The company will keep under review its standards, targets, service performance and procurement and contracting arrangements to ensure that the corporate commitment to fair access is being delivered in practice. Treating everyone the same works against equality. People's needs differ and are diverse, and may be influenced by a wide range of factors, such as age, disability, family commitments, race/ethnicity, gender or income. Not everyone has the same access to services, nor the opportunity to take part in the process of planning services. This will directly affect how appropriate those services are to their needs.

4.4 Equality in the provision and commissioning of services is cost effective because it helps the company to plan and target those services appropriately, avoiding waste and over- or under-provision. Genuine equality cannot be achieved without taking full account of the views and expectations of those who, traditionally, have been under-represented, excluded, overlooked or less involved in policy- and decision-making processes. It is expected that organisations and businesses providing services on behalf of the organisation will promote diversity, dignity and inclusion in line with this policy.

## Implementation

4.5 To ensure that services are provided fairly to all sections of the community, the company will tailor delivery arrangements; monitor and review performance; and develop new services as appropriate within available resources.

4.6 In implementing equality and fairness in service delivery, the company will:

- review services, in terms of accessibility, availability and appropriateness, on a regular basis;
- consult appropriate groups about service provision.
- seek greater involvement of customers and local people in the company's service planning processes;
- ensure that financial support and grant aid provided by the company are allocated fairly and to organisations that embrace the principles of diversity and equality of access to services;
- review procurement and contract monitoring arrangements to ensure that contractors, suppliers and providers of commissioned services promote equality and diversity; and
- develop clear methods of monitoring the effective development of equality and diversity.

4.7 Information about our services will be:

- clear and understandable;
- free from discriminatory or offensive language and images;
- available in a range of alternative formats

We will work with individuals to address any language formats, including those who are visually impaired, on request.

4.9 It is the responsibility of Management Team to have in place arrangements for training their employees in the delivery of excellent services. This includes ensuring that all managers and employees, regardless of their role or grade, are fully aware of their responsibilities for enabling equality of access and for promoting positive relations between different groups. Managers and employees must be properly equipped to take account of the different or specific needs of individuals and particular groups when delivering services.

4.10 It is the responsibility of the Management Team to have in place arrangements for ensuring that organisations and businesses providing services on behalf of the company comply with the commitments, principles and responsibilities outlined in this policy.

## 5.0 Equality and Diversity in Employment

5.1 The company's commitment to fair employment and equal pay means:

- considering only those personal characteristics of potential or current employees that are necessary for the job;

- basing all employment-related decisions solely upon an objective assessment of the capability and suitability of the candidate and not on any stereotyped or pre-conceived views;
- encouraging and supporting disadvantaged, under-represented and excluded groups in society to access the organisation's employment and development opportunities;
- mainstreaming equality and diversity across all workforce and organisational development activities; and
- using recognised job evaluation schemes for grading new and existing posts.

5.2 The company's recruitment and selection criteria and procedures will be regularly reviewed to ensure that people are selected, promoted and treated fairly on the basis of their relevant merits and abilities.

5.3 The company has a competency framework to support employees and managers in their jobs, both of which include equality as a key competency.

Together, the annual performance development review (PDR/Appraisal) process and regular supervisory meetings provide the opportunity to reflect on how competencies help our staff to achieve in their roles. It is expected that diversity will form part of discussions between line manager and employee around setting targets, identifying support needs, reviewing progress and appraising performance.

5.5 Nothing in this policy should be understood as preventing the application of genuine occupational qualifications or any of the provisions in equality legislation (see Appendix 1), or of any other relevant legislation.

### **Implementation**

5.6 We will work with government departments, partner organisations, the third sector<sup>1</sup>, local communities and other stakeholders to deliver the best outcomes for local people. The company will use its influence to ensure that equality of opportunity, fair access, valuing diversity and best practice underpin the development of policies and initiatives involving Kent people.

5.7 The company has approved a recruitment and selection code of practice that must be observed by all those involved in recruitment and selection decisions. Recruitment and selection procedures and practices will be regularly reviewed to ensure that all candidates have fair access to employment opportunities and are not discriminated against, either directly or indirectly.

5.8 As a minimum, the race/ethnicity, gender, disability and age of all those applying, short-listed and appointed to a job with Kent Music will be monitored, to identify any adverse trends or patterns. All personal data held will be stored, managed and analysed in accordance with data protection legislation. The company will review its equality monitoring arrangements regularly, in line with statutory requirements, to ensure that they continue to be appropriate.

5.9 Training will be given to managers in the application of the recruitment and selection code of practice. Successful completion of such training will be a prerequisite for participation in recruitment.

5.10 Learning and development are crucial in shaping both opportunities at work and attitudes to equality and diversity. The principles of fairness, dignity and inclusion will be an integral part of training and development programmes, including induction, people management and customer care.

5.11 Where appropriate, measures will be taken to encourage applications for employment, career development and promotion from groups that are underrepresented in the company's workforce.

5.12 As a minimum, pay analyses by gender, race/ethnicity and disability will be undertaken annually and appropriate action taken, based on the findings.

5.13 Reference to related policies of the company should be made, as appropriate.

## 6.0 Monitoring, Review and Reporting Arrangements

6.1 The implementation of this policy across the company will be monitored by Senior Management Team and Board of Trustees. The Senior Leadership Team will present an annual report for the Board and report any issues of concern. The policy will be reviewed at least every three years.

## 7.0 Dealing with Complaints of Discrimination

7.1 Legislation recognises different types of discrimination: direct; indirect; harassment/victimisation and bullying. Discrimination can occur as the result of people's demographic characteristics or personal circumstances; or due to the perception that they belong to a particular group or community; or because of association with a particular group or community.

7.2 The company believes that discrimination in any form is unacceptable and action will be taken to address complaints.

### **Grievances**

7.3 If employees believe they have been discriminated against, they may use the grievance procedure to raise a complaint. For further guidance, please refer to the company's grievance policy. Details are available in the Employee Handbook, and can be requested from HR services.

### **Bullying and Harassment**

7.4 If employees are, or know of a colleague who is, a victim of bullying/harassment; or they witness such behaviour; or they believe another employee is bullying/harassing others, they should report it immediately. Employees can raise their concern with their line manager or

HR officer. For further guidance, please refer to the Staff Handbook. This can be requested from HR services.

### **Disciplinary Action**

7.5 The company will investigate all complaints of discrimination and, bullying/harassment. Any member of staff found to have caused or encouraged such acts will be dealt with through the company's disciplinary procedure. Serious cases may be deemed to constitute gross misconduct and could result in dismissal.

### **Complaints against Kent Music**

7.6 Should any job applicant, service user or employee feel that they have not been treated fairly in their dealings with the company, they are entitled to complain using the company's complaints procedure. For further guidance, please refer to the Staff Handbook. This can be requested from HR services.

## **8.0 Respecting and Acting in Accordance with the Policy**

8.1 This policy requires all employees, managers and employees of the company, and all contractors and others who deliver services and/or undertake functions on its behalf, to ensure that no one, in their dealings with Kent Music, experiences inequality, discrimination or disadvantage in any form. It is expected that everyone will be treated with dignity, respect and fairness.

9.2 The policy covers all of Kent Music's work and the senior management team are accountable to the Kent Music Board of Trustees for its implementation. The senior management team will present an annual report for the Board and report any issues of concern.

9.3 Managers must ensure that employees are informed about the policy and their particular responsibilities under it. While management has specific accountability, equality and diversity are the responsibility of each and every employee.

## APPENDIX ONE: Equality Legislation

**The information provided below is correct as at October 2017.**

However, it should be noted that statutory requirements for equality and diversity are ever changing. For an overview of the current legislative position, go to the IDeA website: [www.idea.gov.uk](http://www.idea.gov.uk).

A Guide to the Law for School Governors is a useful source of information about equality legislation that relates specifically to schools. The latest version of this document is published at: [www.governornet.co.uk](http://www.governornet.co.uk).

### **Human Rights Act 1998**

This gives legal effect in the UK to the fundamental rights and freedoms contained in the European Convention on Human Rights. It includes the right not to be discriminated against in respect of the rights and freedoms specified by the act.

### **Civil Partnerships Act 2004**

This provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.

### **Gender Recognition Act 2004 (under amendment)**

The purpose of the act is to provide transsexual people with legal recognition in their acquired gender. Legal recognition follows from the issue of a full gender recognition certificate by a gender recognition panel.

### **Equality Act 2010**

The **Equality Act 2010** has replaced the **Equal Pay Act 1970**, **Sex Discrimination Act 1975**, **Race Relations Act 1976**, **Disability Discrimination Act 1995**, **Employment Equality (Religion or Belief) Regulations 2003**, **Employment Equality (Sexual Orientation) Regulations 2003** and the **Employment Equality (Age) Regulations 2006**.

This establishes a single Commission for Equality and Human Rights from 2007 that replaces the previous commissions for race, equal opportunities (gender) and disability.

It introduces a positive duty on public sector bodies to promote equality of opportunity between women and men and to eliminate sex discrimination.

### **Racial and Religious Hatred Act 2006**

The act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.