

# EQUALITY, DIVERSITY AND INCLUSION POLICY

## INTRODUCTION

The Lowry is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination. This policy applies to all employees, casual workers, volunteers, contractors and agency workers. The aim is for our workforce to be truly representative of all sections of society and of our customers, and for each employee, volunteer, contractor, visiting company, intern or placement to feel respected and able to give their best. The Lowry in providing goods and services is also committed against unlawful discrimination of customers and the public.

## PURPOSE OF POLICY

**PROVIDE EQUALITY, FAIRNESS AND RESPECT** – all employees and all those connected with the Lowry will feel valued and able to add value to the organisation.

**TO ADHERE TO THE EQUALITY ACT 2010** – to not unlawfully discriminate because of a protected characteristic.

**TO OPPOSE AND AVOID ALL FORMS OF UNLAWFUL DISCRIMINATION** – this includes in pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

**TO PREVENT BULLYING, HARASSMENT, DISCRIMINATION, VICTIMISATION AND EXCLUSION** – by ensuring a workplace culture where all individuals are treated with mutual respect.

## DEFINITIONS

**PROTECTED CHARACTERISTIC** – the Equality Act 2010 makes it unlawful to discriminate against people with a protected characteristic. There are 9 protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including colour, nationality, and ethnic or national origin)
- Religion or belief
- Sex
- Sexual orientation

**DIVERSITY AND INCLUSION** – a diverse and inclusive workplace is one in which a mix of social and cultural characteristics exist and where each person feels valued and connected.

**BULLYING** – although there is no legal definition of bullying, it can be described as unwanted behaviour (from a person or a group, that makes another person or group feel uncomfortable – frightened, less respected, made fun of, upset), that is:

- Offensive, intimidating, malicious or insulting.
- An abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone.

# EQUALITY, DIVERSITY AND INCLUSION POLICY

The bullying might also:

- Be a regular pattern of behaviour or a one-off incident.
- Happen face-to-face, on social media, in emails or telephone calls.
- Occur in work or in other work-related situations and may not always be obvious to, or noticed by, others.
- Happen from an employee to another employee, from a manager to an employee or an employee to a manager ('upward bullying').

**HARASSMENT** – unwanted unacceptable behaviour which may relate to a protected characteristic (harassment does not cover marriage and civil partnership), or a personal characteristic which violates a person's dignity and / or creates an intimidating, humiliating, offensive and / or hostile environment for that person whether it was intended or not.

As being a disciplinary offence; an individual found to have harassed a fellow employee, volunteer, contractor, visiting company, intern or placement might be personally liable to compensate the victim. Harassment can in some circumstances lead to imprisonment or a fine and is covered not just by employment law, but civil and criminal law as well.

**DIRECT DISCRIMINATION** – treated less favourably because of a protected characteristic.

**DISCRIMINATION BY ASSOCIATION** – treated less favourably because of that person's association with a person who has a protected characteristic.

**DISCRIMINATION BY PERCEPTION** – a person treats an individual less favourably because they think they have a protected characteristic, irrespective of whether they have or not.

**INDIRECT DISCRIMINATION** – applying rules or arrangements to a group of people where in practice the rule or arrangement is less fair to a certain protected characteristic.

**DISABILITY DISCRIMINATION** – an individual is treated less favourably or put at a disadvantage for a reason that relates to your disability in one of the situations covered by the Equality Act.

**VICTIMISATION AND EXCLUSION** – a person is treated unfairly because they have made, intend to make or have supported a complaint about a situation related to a protected characteristic.

**REASONABLE ADJUSTMENT** – changes at work that can be made for an individual to remove or reduce a disadvantage related to someone's disability. Reasonable adjustments are specific to the individual and their circumstances.

## **EXAMPLES OF BULLYING, HARASSMENT, DISCRIMINATION, VICTIMISATION AND EXCLUSION**

The following list is not exhaustive, other behaviours will constitute bullying, harassment, discrimination, victimisation and exclusion:

- Images, words or actions that can be perceived as derogatory towards a person's protected or personal characteristic.
- Verbal abuse

# EQUALITY, DIVERSITY AND INCLUSION POLICY

- Offensive jokes or pranks
- Lewd or suggestive comments
- Repeated requests for dates or sexual favours
- Unnecessary body contact
- Deliberate exclusion from conversations or work activities
- Abusive literature or graffiti, including electronic data
- Passive aggressive behaviours
- Micro-aggressions
- Excessive, unnecessary out of hours contact via telephone, SMS, email, or social media
- Posting pictures on social media outlets, for example, Facebook, X (formally known as Twitter), and Instagram that could reasonably be expected to cause distress to others
- Use of language – spoken, written or digital, which could reasonably be perceived by the recipient as being racist, homophobic, transphobic, ageist or sexist
- Intentional and repeated use of a name or pronoun that is not welcomed by the recipient (particularly when this has been highlighted by the person concerned). This includes misgendering, degendering, and deadnaming.

## ROLES AND RESPONSIBILITIES

### THE LOWRY'S COMMITMENTS

Encourage equality, diversity and inclusion in the workplace by creating a working environment free of bullying, harassment, victimisation, exclusion and unlawful discrimination, where individual differences, talents, abilities, backgrounds and the contributions of all staff are recognised and valued.

Train managers and all other employees about their rights and responsibilities under the Equality, Diversity and Inclusion Policy.

Take seriously complaints of bullying, harassment, victimisation, exclusion and unlawful discrimination by fellow employees, volunteers, contractors, visiting companies, interns, placements, customers and any others in the course of the organisation's work activities.

Deal with such acts under the organisation's grievance and/or disciplinary procedures. If a breach of this policy is identified this will result in disciplinary action, where the breach is serious this could result in gross misconduct and may lead to dismissal.

Make opportunities for training, development and progress available to all staff, 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 organisation.

Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).

## EQUALITY, DIVERSITY AND INCLUSION POLICY

Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.

Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in the equality, diversity and inclusion policy.

Ensure that the recruitment process is fair and free of discrimination. Candidates are requested to remove any personal information from their CV and covering letter.

Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

Any complaint of bullying, harassment, discrimination, victimisation and exclusion harassment will be handled sensitively, in a timely and confidential manner with a view to ensuring as far as practicable, minimal stress to those involved.

### COLLEAGUES AND MANAGERS RESPONSIBILITIES

Evidence behaviours which enable the organisation to provide equal opportunities in employment, and prevent bullying, harassment, victimisation, exclusion and unlawful discrimination.

Show respect for people who have different protected and personal characteristics. Read, understand and commit to the expectations within this policy.

Raise any issues in a confidential way and at the earliest opportunity with the appropriate person.

Understand that they as well as their employer, can be held liable for acts of bullying, harassment, victimisation, exclusion and unlawful discrimination, in the course of their employment.

Managers should address concerns and issues with individuals at the earliest opportunity and should help create an environment where colleagues are shown mutual respect and feel able to raise issues in the knowledge that their concerns will be dealt with confidentially and appropriately.

Managers should with assistance from HR deal with any allegations of bullying, harassment, discrimination, victimisation and exclusion act in line with the Lowry's policies and procedures.

Any staff member who is found to have made a false and / or malicious allegation will be dealt with under the Lowry's Disciplinary Policy.

### GRIEVANCE POLICY

Any colleague who is experiencing bullying, harassment, discrimination, victimisation and/or exclusion or has witnessed it happening to another staff member should initially try to resolve it in an informal conversation with the person responsible. If this is not possible or not successful they should raise it with a colleague, their direct manager, another manager or HR.

If an informal resolution is not reached the colleague has the right to raise a grievance in line with the Lowry's Grievance Procedure.

# EQUALITY, DIVERSITY AND INCLUSION POLICY

## **DISCIPLINARY POLICY**

Where there is evidence of bullying, harassment, discrimination, victimisation and / or exclusion against any person disciplinary action will be taken. In some circumstances this will be found as gross misconduct which may merit summary dismissal – full details can be found in the Lowry's Disciplinary Procedure.