



DANCE RESOURCE BASE EQUAL OPPORTUNITIES POLICY 2013

Adopted by the Organisation on: 8 March 2013

Signed _____

Review Date: 8 March 2016

DANCE RESOURCE BASE NI LTD

EQUAL OPPORTUNITIES POLICY

1. Policy Statement

Dance Resource Base (DRB) is committed to equality of opportunity as an employer and a provider of services irrespective of:

- Age
- Disability
- Gender / Transgender
- Having or not having dependants
- Marital or civil partnership status
- Race, including colour, nationality, ethnic or national origins, being an Irish Traveller
- Religion or belief
- Political opinion
- Sexual orientation
- Trade union membership
- Ex-offender status

We are opposed to all forms of unlawful and unfair discrimination, harassment and victimisation and we will rigorously observe the principles and actively pursue the objectives of this policy. See Appendix 1 for definitions of discrimination and Appendix 2 for an overview of equality legislation in Northern Ireland.

The aim of this policy is to help all those who work for, apply to work or volunteer for us to develop their full potential. The talents and resources of our people will be utilised to maximise the efficiency of the organisation.

All employees, whether full time or part time, those engaged by Dance Resource Base to provide services for us on a freelance or consulting basis, volunteers, service users, job applicants, actual or potential, and any others who work for us or use our services will be treated fairly and not discriminated against.

Decisions about recruitment and selection, promotion, training or any other benefit will be made objectively and without unlawful discrimination.

We will provide services to our membership and others who use Dance Resource Base resources fairly and without unlawful discrimination.

2. Our Commitment

We are committed to:

- Promoting equal opportunities for all persons
- Providing open and inclusive services to all dance genres
- Promoting a harmonious working environment where all people are treated with respect and dignity and in which no form of intimidation or harassment is tolerated
- Preventing any form of direct or indirect discrimination, harassment or victimisation
- Making reasonable adjustments for disabled employees, job applicants or volunteers
- Taking lawful positive or affirmative action where appropriate
- Fulfilling our legal obligations under equality legislation and associated Codes of Practice

- Ensuring that all breaches of this policy are treated as misconduct which could lead to disciplinary proceedings

3. Implementation

The Board of Directors of Dance Resource Base is responsible for the effective implementation of this policy. All employees, volunteers and those contracted to provide services are expected to abide by the policy and help to promote equality of opportunity.

The Board of Directors will ensure that:

- This policy is communicated to employees, including agency or contract workers, job applicants and volunteers and is included in induction training and the staff handbook
- The policy is communicated to the Dance Resource Base membership
- All staff, whether employed on a full time, part time, freelance or consulting basis, service providers engaged by Dance Resource Base and volunteers, are aware of their responsibilities, with training and guidance provided as appropriate
- Anyone involved in assessing candidates for recruitment, promotion or any other benefit or opportunity is trained in non-discriminatory selection techniques
- We obtain a commitment from persons or organisations working or seeking to work for Dance Resource Base, such as subcontractors or consultants that they will uphold the principles and objectives of this policy

4. Monitoring and Review

We use our information and monitoring systems to help us to implement this policy effectively.

We will review this policy every three years to determine how effective our equal opportunities policy is and take action to improve equality in employment or as a provider of services, if required. The Dance Resource Base membership will be consulted as part of this review.

5. Complaints

All complaints of discrimination will be dealt with seriously, promptly and confidentially.

Any member of staff, whether full time, part time, freelance or consulting, any volunteer or service provider who believes that s/he has suffered discrimination, harassment or victimisation can raise the matter using the Dance Resource Base grievance procedure or procedure for addressing harassment or bullying complaints. A copy of these procedures is in the staff handbook.

Employees have a right to pursue complaints of discrimination to an Industrial or Fair Employment Tribunal. There are time limits for lodging a complaint and these are set out in Appendix 2.

A member of staff will normally be required to raise the matter first under the Dance Resource Base grievance procedure.

Any other complaints under this policy should be made in writing to the Dance Resource Base office. These will be dealt with in accordance with the Dance Resource Base general complaints procedure.

Every effort will be made to ensure that anyone who makes a complaint is not victimised for having done so. Any complaint of victimisation will be dealt with seriously, promptly and confidentially and victimisation will result in disciplinary action that may warrant dismissal.

Appendix 1 Definitions ¹

Direct Discrimination

Direct discrimination occurs where a person is treated less favourably than other persons and where the reason for the treatment is on one or more of the equality grounds.

Indirect Discrimination

Indirect discrimination occurs where a provision, criterion or practice applies, or would apply, equally to persons not of the same equality characteristic as another but:

- Which puts, or would put, persons of the same equality characteristic at a particular disadvantage when compared to other persons; and
- Which is not a proportionate means of achieving a legitimate aim

When making the comparison between how a person who shares the same equality characteristics as another is treated, it is necessary to compare situations in which the relevant circumstances are the same or not materially different.

Harassment

Harassment is unwanted conduct which is related to any of the equality grounds and which has the purpose or effect of violating a person's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Many forms of behaviour can constitute harassment including:

- Physical conduct such as assaulting a person or making obscene gestures
- Verbal conduct such as making racist, sexist, sectarian, disabilist, homophobic, transphobic or ageist remarks

¹ Taken from the Equality Commission for Northern Ireland Equal Opportunities Statement www.equalityni.org

- Making derogatory comments or singing songs of this nature about a person in relation to any of the equality grounds
- Visual or written material containing racist, sexist, sectarian, disabilist, homophobic, transphobic or ageist or other derogatory words or pictures (eg: in posters, graffiti, letters or emails)

Disability Discrimination

Disability-related discrimination occurs where, for a reason related to a disabled person's disability, a person treats the disabled person less favourably than s/he treats, or would treat, other persons to whom that reason does not apply, and s/he cannot show that the treatment in question is justified.

Disability discrimination can also occur where an employer fails to comply with a duty to make reasonable adjustments in respect of a disabled job applicant or employee. The reasonable adjustment duty is imposed on an employer where a provision, criterion or practice is applied by the employer, or the physical features of the employer's premises places the disabled person at a substantial disadvantage compared to persons who are not disabled.

Victimisation

Victimisation occurs where a person is treated less favourably than other persons because the person has made an allegation under one of the equality statutes, has given evidence or other information in connection with such proceedings, has alleged a contravention of the equality statutes or has otherwise done anything under or by reference to the equality statutes. Individuals have a right to make a complaint without prejudice to their employment opportunities.

Appendix 2 Northern Ireland Equality Legislation and Time Limits

Age

The Employment Equality (Age) Regulations (Northern Ireland) 2006

Disability

The Special Educational Needs and Disability (Northern Ireland) Order 2005 (Amendment) (Further and Higher Education) Regulations (Northern Ireland) 2006

Disability Discrimination (Northern Ireland) Order 2006

The Special Educational Needs and Disability (Northern Ireland) Order 2005

Disability Discrimination Code of Practice (Goods, Facilities, Services and Premises (Appointed Day) Order (Northern Ireland) 2004

Disability Discrimination Act 1995 (Amended) Regulations (Northern Ireland) 2004

The Disability Discrimination Act 1995 (Pensions) Regulations 2003

Disability Discrimination (Providers of Services) (Adjustment of Premises) Regulations (Northern Ireland) 2003

Disability Discrimination Act 1995 (Commencement No. 9) Order (Northern Ireland) 2003

The Equality Commission (Time Limits) Regulations (Northern Ireland) 2001

Special Educational Needs and Disability Act 2001

The Equality (Disability, etc) (2000 Order) (Commencement No. 1) Order (Northern Ireland) 2000

The Equality (Disability etc) (Northern Ireland) Order 2000

The Disability Discrimination (Meaning of Disability) Regulations (Northern Ireland) 1996

Disability Discrimination Act 1995 (as amended)

Gender

Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2011

Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2008

Equal Treatment Directive 2006/54/EC

Equal Pay Act 1970 (Amendment) Regulations (Northern Ireland) 2005

Employment Equality (Sex Discrimination) Regulations (Northern Ireland) 2005

Equal Treatment Directive 76/207/EEC

Equal Treatment Directive 2004/113/EC

Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2004

Equal Pay Act 1970 (Amendment) Regulations (Northern Ireland) 2004

The Sex Discrimination Act 1975 (Amendment) Regulations 2003

Equal Pay (Northern Ireland) 1970 (as amended)

The Maternity and Parental Leave (Amendment) Regulations 2002

Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations (Northern Ireland) 2001

The Maternity and Parental Leave etc. Regulations 1999

Sex Discrimination (Gender Reassignment) Regulations (Northern Ireland) 1999

Sex Discrimination (Northern Ireland) Order 1988

Sex Discrimination (Northern Ireland) Order 1976 (as amended)

Equal Pay Directive 75/117/EEC

General

The Equality Commission (Time Limits) Regulations (Northern Ireland) 2000

Northern Ireland Act 1998

Race

The Race Relations Act 1976 (Amendment) Regulations 2003

Race Relations Order (Amendment) Regulations (Northern Ireland) 2003

The Race Relations Act (Statutory Duties) Order 2001

Council Directive 2000/43/EC

Race Relations (Amendment) Act 2000

Race Relations (Northern Ireland) Order 1997 (as amended)

Religion / Politics

Fair Employment and Treatment Order (Amendment) Regulations (Northern Ireland) 2003

Fair Employment and Treatment (Northern Ireland) Order 1998 (as amended)

Fair Employment (Northern Ireland) Act 1989

Sexual Orientation

The Employment Equality (Sexual Orientation) Regulations 2003 (Amendment) Regulations 2004

The Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003

The Employment Equality Act (Sexual Orientation) Regulations 2003

The Equality Act (Sexual Orientation) Regulations (Northern Ireland) 2006

Time Limits for Lodging Complaints

- An equal pay claim can be lodged any time while a person is in the job or within six months of leaving the job
- Complaints to a Fair Employment Tribunal about religious or political opinion must be lodged within three months from when a person first knew, or might reasonably have known, an act of discrimination had occurred or within six months from the date when the act occurred, whichever is earlier
- Complaints of sex\marital status, sexual orientation, race, disability or age discrimination must be lodged with the Industrial Tribunal within three months of the alleged act of discrimination
- Complaints that are not about employment normally have to be made to the County Court within a six month period

For more detailed guidance on time limits see www.equalityni.org which is the website of the Equality Commission for Northern Ireland.