



MEPG POLICY FOR EQUAL OPPORTUNITIES AT WORK

UPDATED:

5th December 2022

Policy Purpose

This policy is created by MUSIC EDUCATION PARTNERSHIP GROUP ('we', 'our', 'us') in order to confirm in writing our approach to equal opportunities and our commitment to avoiding discrimination within the workplace.

We are committed to:

- encouraging and ensuring equality and diversity in the workplace.
- avoiding unlawful and unfair discrimination within our workforce.
- promoting equal job opportunities.
- creating a workplace environment which celebrates and values diversity; and
- creating a system for promotion, reward and hiring which is based upon merits.

Scope and Status of this Policy

This policy applies to all staff members and partners. The term staff members shall include all of our employees, regardless of their status as a full-time, part-time, fixed term or temporary employee. The term staff members also include all of our:

Partners
Self-employed
Consultants
Researchers
Volunteers

Contractors

This policy does not form part of any contract of employment or any other contract for work or services.

The contents of this policy have been discussed with and have been implemented following discussions with staff members, partners, etc

This policy will be reviewed at regular intervals by us and may be amended from time to time. Any revisions will be undertaken in consultation with Staff Members.

Individual Responsibilities.

Our compliance with, and the effective operation of, this policy shall be overseen and managed by the following individuals: Board of Trustees

Staff members may be required to undertake equal opportunities training from time to time.

The person with overall responsibility for equal opportunities training within our workplace is: Ian Mills - ian.mills@mepgscotland.org

All staff members should follow and have a responsibility to implement the principles contained within this policy.

Equality Statement

To achieve the aims and goals contained within this policy, we specifically undertake that:

We shall never unlawfully discriminate against, victimise, or harass staff members, prospective staff members, or any other person due to their protected characteristics as defined under the Equality Act 2010. The protected characteristics are any of the following:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or beliefs
- sex
- sexual orientation

We also express a commitment within this policy that we will not discriminate against, harass, or victimise any Staff Member or any other person as a direct result of their:

- part-time, full-time, fixed-term or temporary status as a worker
- socio-economic background
- membership or nonmembership of a trade union
- responsibilities as a care giver.

Discrimination, Harassment and Victimisation

Discrimination under this policy shall mean any of the forms of discrimination as defined below. Harassment and victimisation under this policy shall have the meanings as provided for below.

Direct discrimination

Direct discrimination involves a situation where one person treats another person less favourably because of a characteristic which has been protected. Examples of direct discrimination include:

- where a person is paid less because of their gender; or
- where a person is not offered a promotion because of their sexual orientation; or
- where a candidate for a job is rejected on the sole basis of their religion.

Indirect discrimination

Indirect discrimination involves a situation where a provision, criterion or practice is in place which applies to everybody, but it puts certain individuals at a disadvantage because of a characteristic which has been protected and there is not a legitimate and objective justification for this. Examples of indirect discrimination could include situations such as:

- an employer changing a dress code policy or uniform in a manner which may not align with a religious dress code which one or a group of staff members may observe.
- an employer creating a new policy which stipulates that all employees must be available to work evenings and weekends. This may amount to indirect discrimination

for those who have care giving responsibilities (and who may comprise in the majority of women).

Harassment

Harassment involves a situation where one person engages in unwanted conduct relating to a protected characteristic of another person and which has the purpose or effect of:

- violating that other person's dignity; or
- creating an intimidating, hostile, degrading, humiliating or offensive environment for that other person.

It is important to note that harassment may be of a sexual nature. Harassment in either of the above forms may also include a situation where the victim of such conduct is treated less favourably as a result of their rejection or submission to the harassment. Examples of harassment include situations where:

- a group of employees make repeated and derogatory comments about the age of another employee, and this makes this employee feel intimidated.
- one employee repeatedly calls another employee offensive and racist names, which causes that employee to feel degraded and humiliated.

Victimisation

Victimisation occurs where one person subjects another person to detriment because they have raised a complaint about discrimination or have otherwise exercised their right not to be discriminated against. Specifically, this would include a situation where the victim is subjected to a detriment because they have:

- brought proceedings under the Equality Act 2010; or
- given evidence or information in relation to proceedings under the Equality Act 2010; or
- performed some other action in connection with the Equality Act 2010; or
- made an allegation under the Equality Act 2010.

In practical terms, victimisation may therefore include a situation where:

- a staff member (A) raises a sexual complaint about a senior manager. Another member of staff (B) provides a witness statement in support of A's case. B is then treated unfairly by the senior manager as a result.
- a staff member raises a complaint of discrimination against their supervisor. The supervisor then starts to treat them unfairly as a result.

Disability discrimination

Disability discrimination includes direct discrimination and indirect discrimination. Where there is unjustified treatment of another person unfavourably because of something arising in consequence of that other person's disability, it shall amount to discrimination. Disability discrimination also includes any failure to make reasonable adjustments to avoid disadvantages which may be faced by a person who is disabled.

Pregnancy and maternity discrimination

Pregnancy and maternity discrimination could include a form of direct discrimination or indirect discrimination. This type of discrimination will occur when a woman is subjected to unfavourable treatment because:

- she is pregnant; or
- of an illness suffered as a result of pregnancy; or
- she is on maternity leave; or
- she has requested or is requesting maternity leave.

Gender reassignment (absences) discrimination

Discrimination on the basis of a person's gender reassignment could take place directly or indirectly. It is also classed as discrimination in the case of a person being treated less favourably as a result of an absence relating to gender reassignment if:

- the absence was because of sickness or injury; or
- the absence was for some other reason, and it was not reasonable for the absentee to be treated less favourably.

Application of this Policy

The employer

We have undertaken that we shall not discriminate against, harass, or victimise Staff Members (or any other person) on the basis of the above factors in any circumstance. This shall include, but is not limited to, the following circumstances:

- any recruitment and selection process.
- when creating and reviewing terms and conditions of work.
- when creating, discussing, or reviewing conditions of pay and benefits.
- the dismissal of any Staff Member.
- any redundancy processes.
- any grievance processes.
- any disciplinary process.
- when offering training opportunities.
- when considering or making any promotions or other career development opportunities.
- when considering and responding to requests for leave; or
- when considering requests for flexible working.

At relevant and regular intervals, we shall review and, where necessary, reform our procedures and practices around employment in order to safeguard fairness and to keep them in line with any relevant changes in the law.

We shall at all times observe and scrutinise the composition of the workforce in relation to the protected characteristics in order to fulfil the purpose of this policy. This practice shall include assessing the effectiveness of this policy in action and reviewing and implementing changes in order to address any issues which may arise as a result.

Staff Members

Staff Members must ensure that they do not discriminate against, harass, or victimise any other staff member or any other person during the course of their work with us.

Staff Members must also ensure that they do not discriminate against, harass, or victimise against any other Staff Member or any other person when they are outside of work and they are attending a trip, outing or event which has been arranged by us.

Dealing with concerns

In the first instance any concern or allegation of a staff member which relates to equal opportunities, discrimination, harassment, or victimisation should be reported to: Ian Mills - ian.mills@mepgscotland.org

All complaints and concerns relating to equal opportunities, discrimination, harassment, or victimisation will be treated with fairness and with the appropriate level of confidentiality. Where any staff member wishes to raise a concern or complaint, they are able to raise a grievance in accordance with our usual procedures.

Where an allegation or concern relating to discrimination, harassment or victimisation is raised in respect of a staff member, we shall follow our usual disciplinary procedures in order to investigate the conduct of the accused. Where any Staff Member has been found to have been responsible for discriminatory behaviour, harassment, or victimisation, they shall be subjected to the appropriate disciplinary sanctions. Serious findings may amount to gross misconduct which may result in dismissal.

This policy for Equal Opportunities at Work is robustly endorsed by us at all levels of management.

SIGNATURE ON BEHALF OF THE EMPLOYER:

SIGNED:

(IAN MILLS)

DATE OF SIGNATURE:

5th December 2022