

Equality and Diversity Policy

Equality and Diversity: a fundamental principle

At ATC, we expect all our employees, contractors and collaborators ('our staff') to abide by the fundamental principle of non-discrimination: there must be no discrimination, victimisation or harassment of any other person because of sex, gender reassignment, marital status (including civil partnerships), pregnancy and maternity, race, ethnic origin, colour, nationality, national origin, citizenship, disability, sexual orientation, religion or belief or age.

Our Equality and Diversity Principles

We want to reflect the diversity of the world around us, the people that we encounter whilst touring in the UK and internationally, and continue to explore different perspectives on the world. In seeking to do this we are guided by a number of principles.

- As an international theatre company, we look for stories with perspectives on the world which are different from our own. In practice, this influences our artistic programming, our casting, our aesthetic, indeed our whole approach to making work.
- We want the broadest possible audience to enjoy, engage and participate in our work. We want a broad representation of the world in which we operate to permeate our artistic programming. Equally we want our work to reflect that diversity in our audiences.
- We want our staff, artists and creative teams to come from a variety of backgrounds so as to challenge ourselves with perspectives from both within and beyond the UK.

Our Commitment to Equality and Diversity

ATC is committed to eliminating discrimination and encouraging diversity amongst our staff. Our aim is that those we work with will be truly representative of all sections of society and that each of those individuals feels respected and able to give of their best.

All our staff, whether full-time, part-time or temporary, will be treated fairly and with respect. Selection for work, promotion, training or any other benefit will be on the basis of aptitude and ability. All members of our staff will be helped and encouraged to develop their full potential.

The basic legal requirements that apply to all are set out below and arise from the Equality Act 2010.

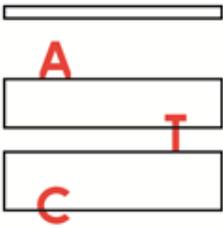
Protected grounds

The law prohibits discrimination on the following grounds (referred to in the legislation as 'the protected characteristics'): race (including colour, nationality and ethnic or national origins); sex; pregnancy and maternity; disability; sexual orientation; marriage and civil partnership; religion or belief; age and gender reassignment

The main types of prohibited conduct are: direct discrimination; discrimination arising from disability; indirect discrimination; failure to make reasonable adjustments; harassment and victimisation

Discrimination is prohibited in two main areas:

- employment;
- service delivery (the characteristic of marriage/civil partnership is excluded, as is the characteristic of age where the individual has not reached the age of 18).



Equality and Diversity Policy

Further information on the legal requirements

Below there is a fuller explanation of the protected grounds, the main types of prohibited discrimination and the main provisions relating to employment and service delivery. There are slight variations in the types and area of prohibited discrimination for different protected grounds.

Protected characteristics

1. **Race:** includes nationality, colour and ethnic or national origins.
2. **Sex:** protects both men and women from discrimination on grounds of sex.
3. **Marriage and civil partnership:** covers anyone who is married or who is a civil partner.
4. **Pregnancy and maternity:** this covers anyone who is pregnant or is taking, proposes to take or has taken a period of maternity leave to look after a child.
5. **Disability:** a person has a disability if s/he has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities. Disability includes not only physical disability but also mental impairments such as depression and bipolar disorder.

It covers severe disfigurement, progressive conditions and recurring impairments. Specific rules are made in respect of conditions such as cancer, HIV and multiple sclerosis which are deemed impairments for the purposes of the Act.

There is also a positive duty to make 'reasonable adjustments' to prevent a provision, criterion or practice, or physical feature of premises, placing the disabled person at a substantial disadvantage.

6. **Religion or belief:** includes any religious or 'philosophical belief' such as humanism or pacifism, and encompasses discrimination based on the lack of religion or belief.
7. **Sexual orientation:** covers sexual orientation towards persons of the same sex, persons of the opposite sex or persons of the same sex and of the opposite sex. Sexual orientation does not cover gender reassignment which is a separately protected characteristic; see below.
8. **Gender Re-assignment:** covers anyone who is undergoing, proposing to undergo or has undergone a process (or part of a process) of reassigning their sex.
9. **Age:** covers particular ages and also age ranges. It does not cover under 18s in service delivery.

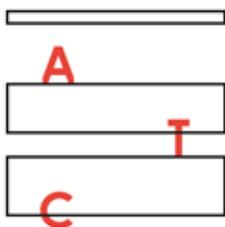
Types of discrimination: main categories

The main categories of unlawful discrimination are as follows.

1. Direct Discrimination

A person directly discriminates against another if because of a protected characteristic s/he treats that person less favourably than s/he treats or would treat others. With the exception of certain types of age discrimination, direct discrimination cannot be justified. It is unlawful to discriminate based on false perception. For example, a person can be unlawfully discriminated against if the discrimination is based on the incorrect assumption that he is gay. It is also unlawful to discriminate against a person because of their association with a person with a protected characteristic. For example, a person can be unlawfully discriminated against if the discrimination is based on the fact that their child is disabled.

Equality and Diversity Policy



2. **Discrimination arising from disability**

A person discriminates against a disabled person if s/he treats that person unfavourably because of something arising in consequence of that person's disability and it cannot be shown that such treatment is a proportionate means of achieving a legitimate aim.

3. **Indirect discrimination**

Indirect discrimination occurs where an apparently neutral provision, criterion or practice has, or would have, a disadvantageous impact upon a particular group compared with others. The provision, criterion or practice can be justified if it is a proportionate means of achieving a legitimate aim.

4. **Duty to make adjustments**

Where a provision, criterion, physical feature or practice puts a disabled person at a substantial disadvantage in comparison with non-disabled people, the law places a duty on individual barristers to take such steps as are reasonable to avoid the disadvantage. This duty also covers the requirement to provide auxiliary aids for disabled people where reasonable.

5. **Harassment**

Harassment is any form of unwanted conduct in relation to a relevant protected characteristic which has the effect or purpose of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. A single incident may constitute harassment if it is sufficiently serious. The motive or intention of the perpetrator may be (but is not invariably) relevant.

6. **Victimisation**

A person victimises another person if s/he subjects that person to a detriment because s/he believes that person has done or is about to do a protected act such as:

- making an allegation of discrimination
- giving evidence in proceedings relating to an act or acts of discrimination
- bringing proceedings relating to an act or acts of discrimination
- doing any other thing for the purposes of equality legislation or in connection with it.

Other relevant concepts

Below is a brief summary of other concepts that arise in the equality legislation.

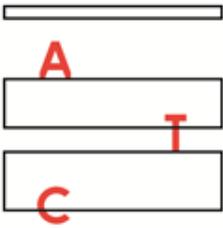
1. **Positive action**

Where a person reasonably believes that persons with a shared protected characteristic suffer a disadvantage, have particular needs or are disproportionately under-represented, that person may take any step to encourage or enable that group to overcome or minimise the disadvantage.

Positive action may be taken to improve under-representation of particular groups in employment. Such action may include providing encouragement to disadvantaged groups to apply for a particular type of work, and/or training to help fit them for that work.

2. **Discrimination by people with the same protected characteristic**

Individuals with the same protected characteristic can discriminate unlawfully against each other: a woman can unlawfully discriminate against another woman, or an employee from one ethnic group can unlawfully discriminate against another member of that group.



Equality and Diversity Policy

3. Unintentional discrimination

It is not a defence to claims for discrimination, including harassment and victimisation, that there was no intention to discriminate. Any less favourable treatment (commonly referred to as 'detriment') because of a protected characteristic and in a protected area (e.g. employment or provision of services) is likely to amount to unlawful discrimination.

4. Service provision

In relation to service provision, it is unlawful to discriminate against someone:

- as to the terms on which the service is provided;
- by terminating the provision of the service to the person;
- by subjecting the person to any other detriment (such as refusing or deliberately omitting to provide him or her with services of the same or similar quality or standard as would be provided to another service user).

It is also unlawful for a service provider to harass a person requiring the service, or a person to whom the service provider provides the service, and to victimise the service provider in the ways set out above.