

# Equality and Diversity Policy

## EQUALITY AND DIVERSITY POLICY

### **Equality and Diversity: a fundamental principle**

Actors Touring Company is committed to a policy of equal opportunities employment and integrated casting in which individuals are selected and treated on the basis of their relevant merits and abilities without regard to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation (referred to as 'protected characteristics') and are given equal opportunities within the company.

The aim of this policy is to ensure that no job applicant, employee, volunteer, freelance worker, audience member or project participant receives less favourable treatment on grounds related to any protected characteristic.

We monitor all recruitment processes and this policy is reviewed by the Board of ATC at least every 2 years.

### **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**

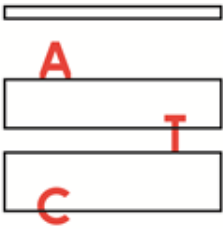
ATC wholeheartedly embraces the intersectional nation and world in which we operate.

Global and intersectional perspectives are in the very DNA of our mission, our values and our work.

We connect with a range of communities locally, nationally and internationally and we seek to actively reflect this diversity in our artistic activities, our employment practices and our governance.

ATC believes that words are only effective if they are followed up by actions.

Our words and actions originate with strong leadership and governance.



# Equality and Diversity Policy

Our mission and values in relation to Equality & Diversity:

## Core Values

- We create theatre with global **perspectives**
- We **engage with current issues**, events and changes that impact all of us – across society - at this moment in history
- We are the only major British touring company dedicated to the production of international plays for UK audiences
- We amplify the voices of ‘**the other**’, exploring stories from **cross-cultural communities** within our own nation
- We are a leading **commissioner** and **producer** of plays by writers from the global cultures within the UK
- We are committed to **empowering the artistry of communities** by generating **creative responses to our work** through **participatory and co-created** activity

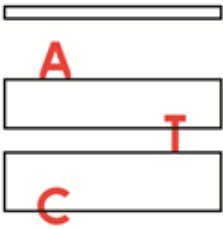
## How we deliver these values

- We make theatre for **touring** the UK and internationally
- We commission and produce the work of **contemporary playwrights** from around the world for the greater majority of our productions. We present **new international plays in English-language premieres**
- Our work is inherently **international** in outlook and in practice – whether in origin or subject matter, or presentation with international partners. It is informed by theatre practice beyond the UK, while profoundly interested in the voices of those within our own intersecting cultures.
- We offer a **participatory programme** that draws its themes from our work and its platforms and outputs from the **communities** that engage with it

## **Policy Statement**

ATC policy and practice is that entry into employment with the company and progression within employment will be determined only by personal merit and the application of criteria which are related to the duties of each particular position. In all cases, ability to perform the job will be the primary consideration.

Code of Practice: The company actively seeks to ensure it representative of our communities, in which we count our artists and our audiences. All candidates for employment are treated fairly and selection is based solely on the individual’s abilities and qualifications. The company will use the following procedure for recruiting and selecting individuals for all positions:



# Equality and Diversity Policy

a. Selection Criteria: The selection process will be carried out consistently for all jobs at all levels. Selection criteria for all positions will be clearly defined and reflected in the further particulars sent to applicants which will also include details of the company's commitment to equality of opportunity. Job qualifications or requirements which would have the effect of inhibiting applications from members of particular groups, such as those of one sex, persons of a particular religion, marital status or sexual orientation, persons of a particular racial group, persons within a certain age bracket or those with a disability, will not be demanded or imposed except where they are justifiable in terms of the job to be done.

b. Advertising: Job vacancies and castings will be advertised widely to enable and encourage applications from all suitably qualified and experienced candidates. ATC will endeavour to ensure that advertisements are not restricted to areas or publications that would exclude or disproportionately reduce applications from a particular gender, religion, age group or racial group and should avoid prescribing requirements as to marital status or age. All job advertisements placed on behalf of the company will state the company's commitment to equality of opportunity.

c. Selection Methods: The selection process will be carried out consistently for all jobs at all levels. All those handling applications and conducting interviews must be aware of the principles of the Equality Act 2010. The selection of new employees will be based on job requirements and the individual's suitability and ability to do the job and information sought from candidates will relate only to the qualifications for or requirements of the job.

d. Interviews and auditions: The staff responsible for shortlisting, interviewing or auditioning and making or recommending an appointment will be clearly informed of the selection criteria and the need for consistency. Wherever possible, at least two people will interview applicants and all questions will relate to the selection criteria. No questions will be based on age, health (except where permitted by the Equality Act 2010), assumptions about roles in the home and the family or the assumed suitability of different ethnic groups for the post in question. Where it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves irregular hours or extensive travel) this will be discussed objectively and will be asked equally of all candidates. In the case of disabled applicants who identify themselves at the application stage, appropriate interview arrangements (such as accessible interview rooms or the assistance of a sign interpreter) should be offered to enable candidates to compete on an equal basis.

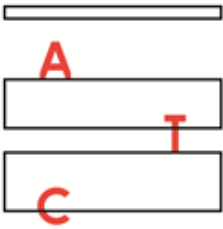
III. Grievance Procedures: All allegations of discrimination against a person because of a protected characteristic will be dealt with seriously and confidentially.

IV. Record Keeping: Details of candidates and of selection decisions (including the rationale for selection or rejection) will be kept for at least six months after an appointment has been made in case they are required as evidence by an employment tribunal or for other proceedings. The company will keep anonymous records of the sex, ethnic group, age and any disability of its employees and of all candidates and of those shortlisted and appointed. Records may be used to determine whether members of one sex or persons of a certain racial group, religion or age bracket or those with a disability do not apply for employment or apply in smaller numbers than might be expected or are shortlisted or appointed in a lower proportion than their application rate or are concentrated in certain jobs.

V. Review of Recruitment Practice recruitment procedures and practices will be kept under review so as to ensure that this policy is being adhered to and to ensure that they do not include requirements or conditions which constitute, or may lead to, unlawful discrimination.

## Protected grounds

The law prohibits discrimination on the following grounds (referred to in the legislation as 'the protected characteristics'): age, disability, gender reassignment, marriage and civil partnership, race (including colour,



# Equality and Diversity Policy

nationality and ethnic or national origins), religion and belief, sex and sexual orientation, pregnancy and maternity.

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).

## The Equality Act 2010

### What is the Act for?

The Equality Act 2010 ('the Act') was introduced to make equality law simpler and consistent. Over 100 different pieces of legislation, introduced over the previous 40 years, were replaced by one act.

### Where does the Act apply?

The Act applies in England and Wales in its entirety, the bulk of it also applies in Scotland but virtually none of it in Northern Ireland.

### How does the Act affect you?

Key areas for ITC members, such as ATC, are summarised below.

#### Equal opportunity

- Genuine occupational requirements: Genuine occupational requirement (GOR) provisions allow protected characteristics (e.g: an employee's race or gender) to be specified in certain circumstances. A GOR must be crucial to the post and must be proportionate to achieving a legitimate aim.
- Disability and health: Employers cannot ask job applicants question about disability or health before making a job offer, except in a few specified circumstances. It is recommended that you check your application forms to see if these questions should be removed or if you fall into the exceptions, which are:

a) To find out whether an applicant would be able to participate in an assessment to test their suitability for the work.

b) To make reasonable adjustments to enable the disabled person to participate in the recruitment process.

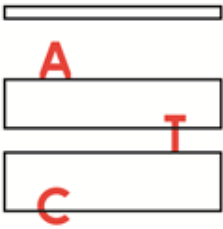
c) To find out whether an applicant would be able to undertake a function that is intrinsic to the job, with reasonable adjustments in place as required.

d) To monitor diversity in applications for jobs.

e) To support positive action in employment for disabled people.

f) To enable an employer to identify suitable candidates for a job where there is a genuine occupational requirement for the person to be disabled.

- Positive action: It remains lawful to use positive action measures such as targeted training to alleviate disadvantage experienced by people who share a 'protected characteristic', to reduce their under-representation and to meet their particular needs. Such measures must be a proportionate way to achieve the relevant aim.
- Preference in recruitment and promotion: Preference can be given to someone from a 'protected group' that is under-represented in your workforce, where there are two equally well-suited applicants/candidates. It does not require you to give preference to a candidate who is less well-qualified. If there are candidates who are equally qualified it is not mandatory to choose the candidate from an under-represented group. Positive action is voluntary and it must be proportionate to what it's trying to achieve.



# Equality and Diversity Policy

## Widened scope

- Transsexuals: Current legislation covers those who plan to undergo, are undergoing or have undergone gender reassignment surgery. The Act extends protection to those living, or transitioning to living, in the gender other than the one in which they were born.
- Discrimination by association: Protection for people who are discriminated against by association with someone with a protected characteristic e.g. spouse, partner, carer.
- Pregnancy/maternity protection: Extended and explicitly covers breastfeeding. The protected period starts when the pregnancy begins. If an employee is entitled to Ordinary and Additional Maternity Leave (OML and AML) the protected period ends at the end of the AML period or when she returns to work, whichever is earlier; if she is not entitled to OML and AML, the protected period ends two weeks after the birth.
- Positive discrimination Allowed in limited circumstances, viz: different treatment because of age where it is justified as a proportionate means of meeting a legitimate aim, and treating a disabled person more favourably than a person who is not disabled.
- Disability: The duty to make reasonable adjustments for a disabled person to use services is extended from where it would be 'impossible or unreasonably difficult' for them to access the service without adjustment to where they would be put at a 'substantial disadvantage'. This brings provision for services in line with employment.
- Contractors: Where an employer arranges for a contractor to provide a service to a closed group of employees that closed group will be treated as a section of the public in relation to the service provider. The service provider has a duty not to discriminate or harass because of any 'protected characteristic' and to make reasonable adjustments for disabled people. This means that if you buy in services for your employees the supplier must comply with the Act. They have a duty to do this but you may also want to refer to Equality Act compliance in your contract with them.

## Harassment

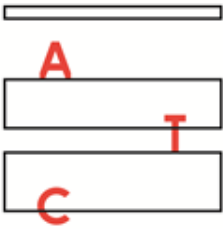
Definitions of harassment are harmonised between the various equality strands. There are three types of harassment:

- Unwanted conduct related to a 'protected characteristic' which has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant or violating the complainant's dignity. This does not cover pregnancy/maternity or marriage/civil partnership.
- Sexual harassment: unwanted conduct of a sexual nature where this has the same purpose or effect as the first type.
- Treating someone less favourably because they have either submitted to or rejected sexual harassment or harassment related to sex or gender reassignment.

## Equal pay

- Businesses are encouraged to publish their gender pay gap (this is required for public bodies).
- The Act bans pay secrecy clauses that prevent employees discussing their own pay.
- A sex equality clause, providing for equality between men and women in pay and other contractual terms of employment for equal work, will be read into contracts of employment and a similar sex equality rule will be implied into the terms of pension schemes. The equality clause and equality rule apply to employees, office holders and members of the armed forces.

## Exceptions



# Equality and Diversity Policy

- Associations for people with a shared characteristic: This was extended from race and sexual orientation to cover all protected characteristics.
- Differential treatment: In a few cases it is possible to treat a person less favourably because of a protected characteristic (for example, where the law allows a job to be open only to people with a particular characteristic). It also allows differential treatment of pregnant women for their own protection and allows people of a particular religion/belief to be appointed to specified educational posts.
- Charities: Charities continue to be able to restrict benefits to people who share a protected characteristic if this is in line with their charitable instrument. But they can do this only if it is a proportionate means of achieving a legitimate aim or is intended to prevent or compensate for a disadvantage. 'Charitable instrument' is generally interpreted as the governing document or the terms of a restricted donation. If your organisation has charitable status, and its objects do restrict who the beneficiaries can be, consider whether you would be able to justify this if required.

## Equality, Diversity & Inclusion (EDI) Action Plan

Area	Action Heading	Aim & Description	Target	Measure*	Timeframe	Lead
Programming Policy	Commission women of colour	All new play commissions to be from women of colour. To redress imbalance in new commissions made by ATC and in sector as a whole	4 full-length play commissions  Up to 12 short play commissions	Project Planner (Board Report) / Contracts / PR  Short Play target met.  Full-length Play target requires 1 more commission	2020-22  1 more during 2022	AD/ AsD
Selection of plays for production	Existing plays	Producing plays that foreground globalism, intersectionality, representation of under-represented voices in ATC's work, the theatre sector and in society	1 – 2 UK premieres per year  Centring female perspectives, intersectionality, globalism	Project Planner (Board Report) / Artistic Director Report (Board Report) Contracts / PR  Equality & Diversity Monitoring data for all production employees (including playwrights)	Annual	AD/ AsD
Project recruitment	Casting	Casting policy to reflect lived experience	Targets are a false equivalence here: the policy informs	Equality & Diversity Monitoring data for all production	Per production (includes R&D, readings, short	AD / ED

A  
T  
C

# Equality and Diversity Policy

		depicted in each play with lived experience and authenticity of representation throughout casting, creative team and stage management	all artistic decision-making; the nature of the decisions are driven by the requirement of the plays selected – that’s why it’s vital to have Actions and Targets for the plays selected, because the plays drive the representation within the production team	employees, including breakdown by production scale, team area & management level if applicable / Project Reports (Board Report) / OpenHire data	plays etc)	
	Creative Team	See above	Minimum 1 open hire opportunity on the creative team per project			
	Stage & Production Management	See above	Minimum 1 open hire opportunity on the creative team /stage management per project			
<b>Area</b>	<b>Action Heading</b>	<b>Aim &amp; Description</b>	<b>Target</b>	<b>Measure</b>	<b>Timeframe</b>	<b>Lead</b>
Audiences	Partner venue	Work with partner venues to improve sharing of audience data analysis that is relevant to ATC’s E&D Policy	70% of all partner venues provide data analysis as per specific requests made by ATC	Project Reports (Board report) / SSO (eg Audience Agency) / ACE Annual Data Survey	Per production	ED
	How our workforce is reflected in the audiences we serve	Collaborate with and support partner (tour) venues to identify and effectively target audiences that reflect the communities of our pool of artists and workers		Venue data analysis, benchmarked against ATC workforce E&D data  Project Report (Board Report)	Per Production / Annual	ED
	Distribution of our work	Tour to venues in A> places with communities whose lives are	Identify venue and producing partners in a proportion where neither A> nor B> exceeds	Project Planner (Board Report) / Contracts / PR  ACE Annual Data	Per Production / Annual	AD/ED

# Equality and Diversity Policy

A  
T  
C

		reflected in our work; and B> tour to places where we can enable communities to encounter the experiences of other communities through our work	80%	Survey ONS & Venue Demographic Data Audience data analysis		
	Accessible opportunities for D/deaf, disabled, SEN audiences	Create accessible opportunities for D/deaf, disabled, SEN audiences to engage with our work	Minimum 1 signed performance and if appropriate 1 relaxed performance per production; captioning for all online performances; captioning and signing for at least 50% of online talks and related non-performance events	Contracts; booking data from venue partners;	Annual Data Survey (ACE); Board reports including Project Reports (per project)	GMs
Fundraising	Fundraising activity that prioritises Inclusivity and Relevance	To identify appropriate fundraising to support audience development; recruitment that prioritises inclusion and representation; commissioning of artists in line with our mission and values; cultivating individual donors via networks that represent our communities	To generate minimum £25k through relevant fundraising	Fundraising report (Board report) Annual Accounts	Board report and fundraising sub-committee: Quarterly Accounts: Annual	FundSub / ALL
<b>Area</b>	<b>Action Heading</b>	<b>Aim &amp; Description</b>	<b>Target</b>	<b>Measure</b>	<b>Timeframe</b>	<b>Lead</b>
<b>Organisation – Employment &amp; Recruitment</b>	Employment Practice – staff team	To be a progressive employer, with	To create and review policies in Flexible Working,	Reviewed against peer documents and up-to-date	Policies: reviewed annually and	ED / Fin Sub / BD

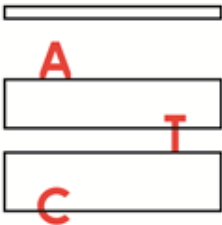


A  
T  
C

# Equality and Diversity Policy

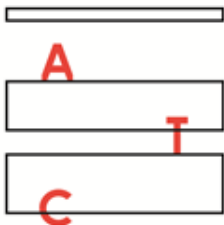
		sector-leading policies in employment practice	Access, Remote Working, Office Needs, Salary Review and other areas  To do inductions, regular appraisals and exit interviews for all staff	insights from SSO's eg PIPA	updated through peer review  Appraisals: annual	
	Employment Practice – freelancers	As above, tailored to needs of freelance staff on short term contracts and on tour	To create and review Policies as above and also relating to salary levels; safeguarding employees on tour; and other bespoke freelancer needs	Reviewed against peer documents and up-to-date insights from SSO's eg Freelancers Make Theatre Work	Policies: reviewed annually and updated through peer review	GM / Fin Sub
	Recruitment	To be a progressive recruiter, with accessible, sector-leading policies in recruitment practice	To include in all recruitment: Wide distribution of job opportunities to appropriate and diverse networks; Accessible job packs, transparent job information (including salary); transparent application assessment process and realistic timeline; accessible application methods; open sessions for potential applicants, interview topics shared in advance, feedback for everyone who asks for it.	Equality & Diversity Monitoring data collected from all staff applicants;	Policies: reviewed annually and updated through peer review  Evaluation following each recruitment	ED /BD
	Recruitment – freelancers -	As above & also: to use of OpenHire principles in recruitment of creative & backstage teams  To use bespoke	As above & also: minimum 1 OpenHire role in each main project	Equality & Diversity Monitoring data collected from all freelance applicants.	Per Production / Annual  Evaluation following each recruitment	GM

# Equality and Diversity Policy



		databases such as BackStage Niche				
<b>Organisational – Business Planning</b>	Business Planning	Business Planning is populated with E&D approaches & activity throughout	To include minimum 2 Inclusivity and Relevance SMART Objectives in each of our Business Plan Aims	Business Plan Update / Review by ACE and CCfd rating	Annual	ED /BD
<b>Area</b>	<b>Action Heading</b>	<b>Aim &amp; Description</b>	<b>Target</b>	<b>Measure</b>	<b>Timeframe</b>	<b>Lead</b>
<b>Governance</b>	Board membership	Recruitment processes are designed to reach a wide range of candidates and are open and accessible	Fixed tenure for trustees  Skills Audit and Equality & Diversity monitoring	Board Papers; AGM papers; Board Skills Audit and E&D Monitoring data / ACE Annual Survey	Annual	BD
	Board has a strong understanding of and commitment to Equality & Diversity and Creative Case for Diversity	Appoint Board Champion  Invest in training for Board and include EDAP and CCfD in Board induction	1 new training event attended by minimum 3 trustees including Board Champion	CCfD and Inclusivity & Relevance standing item on each Board agenda  EDAP reported, reviewed	Quarterly  Annual	BD
	Board Recruitment	Identify areas for potential recruitment to improve representation Board to reflect our communities	Recruit minimum 2 new Trustees during 2021  Update Board induction	Recruitment Budget; Board Skills Audit and E&D Monitoring data / ACE Annual Survey	Audit, Data, Induction: Annual  Recruitment taking place, complete by September 2021	BD /ED
	Creative Case for Diversity (CCfD)	To ensure we meet or exceed CCfD requirements as set out by ACE, or any equality and diversity measures that	CCfD requirements as set out by ACE	Review by ACE and CCfd rating  Engagement log for trustees and staff to record engagement with CCfD internally and	Standing item at Board; Engagement Log: Quarterly  CCfd report for ACE:	ED / BD

# Equality and Diversity Policy



		may supersede CCfD		externally	Annual	
Sector	Sector Support Organisations (SSO's)	To engage with a range of relevant SSO's	To maintain and develop active engagement with for example: - Weston Jerwood Creative Bursaries; IncArts Toolkit; PiPA Campaign; Stage Sight; Extant	SSO membership / sponsorship / programmes in Board Reports (in Executive Team report)  Letters of Agreement and related Evaluations for SSO programmes	Ongoing – reviewed annually	AD / ED
	Training	To engage in relevant training, for example Clore training on recruitment of diverse Board; Inclusive Culture training	minimum 2 relevant training programmes each year (Board and Team)	Board Report (in Executive Team report)  CCfD report for ACE	Board Report: Quarterly  CCfD Report: Annual	ED

\*An updated report on all Measures will be circulated to and discussed by Board on a quarterly basis

## KEY

- AD = Artistic Director
- ED = Executive Director
- AsD = Associate Director
- GM = General Manager(s)
- BD = Board
- ALL = Team and Board
- FinSub = Board subcommittee, Finance
- FundSub = Board subcommittee, Fundraising
- CCfD = [Creative Case for Diversity](#)
- EDAP = Equality & Diversity Action Plan

Updated: June 2021

Next Review: June 2023

Author: AS