



# EQUALITY AND DIVERSITY POLICY

MIDLANDS ACADEMY OF DANCE AND DRAMA

VERSION 1.0



## Equality and Diversity Policy

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### Version Control

VERSION	REVIEWER NAME	DATE	NEXT REVIEW	COMMENTS
1.0		Nov 2022	Nov 2023	First Policy



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### Introduction

Midlands Academy of Dance & Drama (MADD) was founded in 1967 by the principal, Frances Clayton and is based in Nottingham. MADD offers diplomas in Professional Dance, Musical Theatre, classes to 3-18-year-olds, and qualifications in Teacher Training in Dance with the International Dance Teachers Association (IDTA).

This policy covers Equality and Diversity for MADD.

The Equality Act 2010 and sections 28-32 of the Crime and Disorder Act 1998, as well as sections 145 and 146 of the Criminal Justice Act 2003, are legislation that protects individuals from discrimination and hate crimes.

Equality means ensuring everyone in a setting has equal opportunities, regardless of certain characteristics they possess. Diversity means appreciating the differences between individuals and promoting a setting where people with differing values, beliefs, cultures, and lifestyles can be welcomed and treated with respect.

For our learners, staff, and all stakeholders, this means not discriminating against anyone based on their protected characteristics and ensuring that each person is treated fairly, supported appropriately, and given tailored support where possible.

Beyond equality and diversity, we are committed to inclusivity and truly believe that every individual provides value. Inclusivity goes beyond the law and can only occur where we, as an organisation, break down barriers and value differences. As a provider of training and tutoring, we acknowledge that promoting inclusivity for our learners is key to the success of our organisation. We also hope that our commitment inspires others to follow in our footsteps and embrace and exude these values as they move through life.

Encouraging equality, diversity, and inclusion in our setting is not only good practice but makes good business sense, helping to secure our place in the wider community as a well-respected and ethical organisation.

At MADD, we are committed to the following:

- Ensuring that our culture upholds the values of equality, diversity, and inclusion.
- Providing a safe and inclusive space where all MADD learners and stakeholders are treated with dignity and respect.
- Providing courses where inclusivity is promoted and where learners are empowered, free to learn in a positive environment, and provided with assistance where practicable.



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- Banishing discrimination, harassment, victimisation, and bullying.
- Empowering our learners by ensuring that they understand their rights.
- Ensuring that we are meeting the needs of individuals with protected characteristics and advancing equality of opportunity between those with the characteristics and those without, enabling them to engage with MADD whether as a learner or staff member.

### Scope

The policy is intended to cover learners, staff and all stakeholders regardless of their protected characteristics in line with the Equality Act 2010 and indeed extends to protect individuals.

MADD endeavours to provide impartial guidance, information and advice for all.

This policy is available on request to any stakeholder.

### Definitions

**The Protected Characteristics** – Covered under the Equality Act 2010 consist of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex, and sexual orientation.

This does not mean that discrimination is not also happening based on other categories, such as:

- Socio-economic.
- Education level.
- Nationality (which is different to race).
- Regional or national accent.
- Appearance.
- Health conditions.

**Direct discrimination** –excluding or treating an individual or group less favourably due to a protected characteristic, e.g., excluding a person from accessing a service unfairly and/or unlawfully excluding a person because of a disability.

**Indirect discrimination** – excluding or treating an individual or group less favourably by putting those with a protected characteristic at a disadvantage, e.g., making a policy where a dress

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code negatively affects some staff who are unable or unwilling to adhere to the policy due to religious beliefs.

Indirect discrimination is less obvious than direct discrimination and may happen unintentionally.

Discrimination is not just treating one person less favourably than another. It can take place because:

- Someone associates with a person with a protected characteristic, which is known as discrimination by association.
- Someone is believed to possess a protected characteristic (even though they do not), which is known as discrimination by perception.

**Harassment** - is defined as unwanted conduct that has the purpose or effect of violating the dignity of people in the workplace or of creating an intimidating, hostile, degrading, humiliating or offensive environment and includes unwanted physical contact.

**Victimisation** - causes disadvantage, damage, harm, or loss to an individual due to them claiming that they have been a victim of any of the above or have supported a victim of any of the above.

**Bullying** - is behaviour from a person or group that is unwanted and makes an individual feel uncomfortable, including feeling frightened, upset, disrespected and/or ridiculed where the act does not relate to a protected characteristic. Although not protected by the Equality Act 2010, bullying is considered unacceptable by MADD.

## Discrimination in the Arts

In any online search it is easy to find reports of discrimination in the arts, which is a partial driver for MADD's commitment to stand out as an organisation where discrimination forms no part of our work or teaching.

Despite society now embracing and, in some cases, expecting diversity it remains more difficult for certain groups to access the arts. Reasons for non-participation include, for example, those in certain groups facing barriers such as disability, being more likely to be part of a lower socio-economic group, or psychological barriers such as not feeling as though they fit in.

To combat such inequality the Arts Council stated that "Equality and diversity policies should not be doubted or underemphasised in terms of organisational commitment or efficacy of their application"

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### The Law

Acts of discrimination, including harassment and victimisation, are contrary to the law. However, these acts do not need to relate to a protected characteristic for our organisation to condemn them, and MADD takes all such acts seriously.

We aim to continue to run a business free of bullying, harassment, victimisation, and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all are recognised and valued.

Therefore, any learner or staff member who breaches this policy will be sanctioned and may have any contractual or non-contractual business relationship terminated.

MADD can be held liable for acts of harassment, victimisation, and unlawful discrimination against fellow staff members by learners, suppliers, and any stakeholder. However, individual stakeholders and learners should also be aware that they may be held personally liable for acts that constitute a criminal offence.

Furthermore, as a provider of education it is our legal duty to protect and safeguard the children and vulnerable adults accessing our service. Please refer to our Safeguarding Policy for further details.

In addition, all stakeholders should be aware that MADD, where necessary, will report criminal actions to the authorities.

### Roles and Responsibilities

The Senior Leadership Team and the Principal will:

- Embed this policy into daily operations.
- Ensure that this policy is followed at all times.
- Ensure the timely review and update of this policy as necessary.
- In a timely manner, appropriately investigate and manage complaints of discrimination, harassment, victimisation, and bullying.
- Provide any future staff or subcontractors training on this policy.
- Work with all staff, learners, stakeholders, and governing bodies to promote equality, diversity, and inclusion through partnership and problem-solving.



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MADD expects that our learners, staff, and all stakeholders will:

- Treat others with dignity and respect.
- Never take part in any form of discriminatory bullying, harassing, or victimising behaviour.
- Report any breach of this policy.

## Policy

### What we do as an Organisation

MADD promotes equality, diversity, and inclusion by:

- Maintaining our accreditation as a recognised teaching provider.
- Having robust policies and codes of conduct.
- Having clear and transparent procedures to ensure that we do not discriminate unfairly or unlawfully.
- Advertising any future employment or learning opportunities widely to attract applicants from diverse cultures, backgrounds, and circumstances.
- Having a clear, transparent, and robust referral management system to ensure that learning and job applications are accepted and declined according to the needs of the individuals and the ability of MADD to provide an effective and appropriate support and opportunity without unfair or unlawful discrimination.
- Supporting individuals who have a disability and, where possible, making reasonable adjustments and adaptations to reduce or remove the impact of their disability.
- Ensuring that all those associated with MADD adhere to the expected behaviours related to Equality and Diversity by holding individuals responsible for their actions and sanctioning individuals when laws, policies or contractual obligations have been breached.
- Abiding by the UK legislation regarding the Equality Act 2010 and other legislation such as pregnancy and maternity, adoption, paternity, and other family law.
- Reporting crimes to the police or relevant authorities and assisting with enquiries or investigations.





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### Promoting Policy

MADD must ensure that all staff, learners and stakeholders are aware of this policy and are provided with information on both the expectations relating to their behaviour and how they can report discrimination, bullying, and harassment.

### Staff Training and Feedback

MADD staff are enrolled on mandatory equality and diversity CPD courses and required to read this policy supplementary to the course.

MADD regularly hold appraisals, gathering feedback from, and encourage our staff to keep a focus on this subject, engage in further learning, problem solve, and develop novel ways to increase equality, diversity, and inclusion within the organisation.

### Ensuring Fair Service Provision

MADD will ensure that the services and opportunities we offer do not unfairly or unlawfully discriminate on the grounds of the protected characteristics as prescribed on all our application forms.

In addition, we will never make assumptions as to whether a learner should, could, or would benefit from our services. We are committed to providing a non-discriminatory service driven by our abilities and the needs of the learners, overcoming barriers wherever possible and working together to promote diversity.

We will seek to better understand who our learners are so that we can provide appropriate services and resources which are accessible and relevant to all people within the communities we operate in.

We will strive to ensure that our learners are treated fairly and equitably whilst recognising that some individuals require additional support, and we will work with the appropriate services to provide that support.

We will recognise our unconscious bias and ensure that processes are peer reviewed to ensure that discrimination forms no part of our decision making.

And lastly, but most importantly, we do not tolerate any form of discrimination and will sanction any individual who harasses, bullies, victimises, or discriminates against any MADD stakeholder.

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### Part-Time workers

MADD recognises that it is essential that part-time employees are treated on the same terms as full-time employees (albeit on a pro-rata basis) in matters such as rates of pay, holiday entitlement, maternity leave, parental and domestic incident leave and access to MADD's pension scheme.

MADD also recognises that part-time employees must be treated the same as full-time employees concerning training and redundancy situations.

### Fair Employment Practices

MADD is an equal opportunities employer and will ensure that:

- All job specifications and descriptions are set before the advertisement of a role, which will act as objective criteria when shortlisting and selecting suitable individuals for a role.
- Recruitment literature will not imply that there is a preference for one group of applicants against another unless there is a genuine occupational requirement that is clearly stated.
- Every applicant shall be given equal opportunity, whatever their status, except in the matter of an offending background where the criminal record history relates to the requirements of the post.
- Interviews will be pre-determined and well-structured and ensure that questioning is fair and legal.
- The application of any recruitment, training and promotion will be solely based on job requirements and the individual's ability and fitness for that work.
- Appropriate training will be provided to enable staff members to perform their roles effectively.
- Encouragement is given to all staff members to take advantage of opportunities for training, advancement and, where appropriate, a permanent position.
- The most effective ways will be employed to bring job vacancies to the attention of potentially disadvantaged groups.
- Reasonable adjustments are made for individuals with a disability or where they are a carer of a disabled individual to enable them to fulfil their role.



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### Gender, Ethnic, and Disability Pay Gap

It is recognised that women, certain ethnicities and disabled staff are more likely to work in lower paid positions.

To combat such inequalities, MADD will:

- Not discriminate unlawfully based on gender, ethnicity, or disability concerning recruitment and/or selection.
- Pay individuals the same amount for the same role or where roles are comparable.
- Encourage all individuals to apply for training and promotion.
- Offer family leave and pay to all.
- Offer flexible working opportunities to all.

### Reasonable Adjustments

MADD acknowledges that we have a legal duty to make reasonable adjustments to ensure that individuals are not prevented from using our services because they have a disability. We will at all times fulfil our duty unless we do not have the means, skills, and/or ability to support them to an appropriate level and in a meaningful way.

In addition, we must ensure that we make reasonable adjustments for disabled job applicants, employees, and self-employed contractors. It is estimated that 13% of the UK's workforce have a disability, whether visible or invisible and we, therefore, strive to be an inclusive organisation that embraces the skills, talent, work ethic and individuality that this section of the workforce brings.

We will, where we are made aware that an individual has a disability, aim to (where practicable) work to:

- Change or adapt our practices, policies, and procedures.
- Within the remit of the courses and with guidance from the awarding body, make reasonable adjustments for disabled learners.
- Provide additional equipment or assistive technology to individuals or make minor adjustments to the environment to reduce or remove the impact of a disability.
- Provide practical workarounds beyond reasonable adjustments to increase comfort and inclusivity.



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We recognise that the costs of making reasonable adjustments to accommodate individuals with a disability are often low and will consider all requests for reasonable adjustments. However, if we are not able to make such adjustments, we will:

- Inform the individual/their representative as to why the reasonable adjustment is not practicable.
- Discuss alternative practicable arrangements and explore other opportunities.

### Gender Reassignment

MADD recognises that an individual may wish to change their gender during their employment or study.

We will support and protect the rights of every transitioning employee through the reassignment as is our legal duty.

Where a learner to stakeholder transitions MADD will provide full support, use the individual's chosen pronouns, challenge harmful stereotypes, acknowledge their new gender identity, and manage sensitive information in a confidential manner.

All staff, learners, and stakeholders will be expected to comply with this policy, and any breach will lead to the appropriate disciplinary sanction.

### Promoting Inclusion

To promote and ensure inclusion, MADD will:

- Accept feedback from all staff, learners, and stakeholders and use it constructively to improve the environment and ways of working to empower individuals.
- Respect individuals' personal and professional choices and do not exclude or treat anyone with disrespect or disdain where they differ from our own.
- Overcome barriers together by understanding others' needs, backgrounds, and preferences.
- Implement practical steps where necessary to include all individuals in our activities and ways of working to ensure comfort and instill the feeling of value.
- Respect and honour religious beliefs, cultural celebrations and traditions, and recognise significant events in those religions and cultures by incorporating them into our business activities where appropriate.

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- Be aware of unconscious bias and overcome this by acknowledging that we all have it.
- Creating behavioural standards beyond the law – ensuring that all learners, staff and stakeholders are held accountable for their actions and severing ties with those who breach this policy.

## Complaints Procedure

### Reporting Discrimination, Bullying or Harassment Process

MADD will not tolerate discrimination, harassment, bullying, or victimisation and treats allegations of such behaviour seriously. The following process should be used to report any of these behaviours.

**Informal Discussion:** If any individual feels subject to discrimination of any kind as identified within this policy, you may, if you feel comfortable to do so, make clear to the individual concerned that you find it unacceptable.

A person-to-person discussion at an early stage may be enough to resolve your concern without involving anyone else. Alternatively, seek the help of a trusted friend, family member, carer, or colleague and ask them to approach whoever has caused you offence.

You may find it necessary to inform the Principal of this conversation even if you feel that the informal discussion has resolved the matter.

Where informed, MADD will record the issue and, where appropriate under the circumstances, may advise the individual to make a formal complaint to a third party.

**Formal Complaint:** If discrimination continues, or you consider an instance to be particularly serious, you should consider making a complaint to the Senior Leadership Team and the Principal. This complaint may be in person or by telephone, or in writing.

If the Principal is implicated in the alleged wrongdoing, you should complain directly to the Board of Trustees.

### Investigation and Actions

MADD will carry out a suitable investigation, and where a complaint is about themselves may seek third-party assistance or self-refer to a governing body where appropriate. All investigations will be documented, and any remedial action will be recorded and implemented.



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The result of the investigation into alleged discrimination will be communicated to the complainant with information including the action taken and outcome highlighted if applicable or appropriate.

Short term actions where discrimination has occurred may include:

- Staff being subject to disciplinary action or severing self-employed contracts.
- Warning stakeholders about their conduct and/or, in serious cases withdrawing services or ending business relationships.
- Reporting individuals to the authorities if they have committed a crime.

Longer-term actions initiated following a formal complaint, such as increased staff or learner training or wider communication of our Code of Conduct, may also be considered.

All formal complaints relating to Equality and Diversity will be reviewed by the Principal and Senior Leadership Team during any planned Complaints Review.

### Appealing a Decision

If you feel dissatisfied with the outcome of the investigation and you wish to appeal the decision, you should write to the Principal or Board of Trustees and state that you wish to appeal the decision made regarding a complaint relating to this policy.

MADD will respond to appeals within ten working days of receiving the appeal communication.

### Confidentiality

All complaints shall be kept confidential to the extent consistent with an appropriate investigation and individuals will only be informed on a need to know basis.

All data will be processed in accordance with the DPA and GDPR.

### Non-Compliance

All MADD staff, learners, and stakeholders must comply with this policy and the law.

Anyone who is found to have violated the terms of this policy may be subject to appropriate sanctions and may be reported to the authorities if a crime has been committed.



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### Monitoring and Reviewing

This policy should be reviewed periodically to ensure that it remains compliant with current legislation, meets best practices, and is not discriminatory.

Where we identify the need for modification of policy or if there are legal changes, they will be implemented, additional controls will be put in place and reflected in an updated version of this policy document.

MADD may collect and process any of the following data to guide us in future policy as it will enable us as an organisation to benchmark ourselves, look for trends, and determine where we can learn and improve:

- Staff and student leaver feedback
- Grievances raised
- Complaints made under this policy
- Sanctions as a result of complaints
- Make up of our staff and learners according to their protected characteristics.

The version number on new policies is always 1.0 and should be increased by one whole number each time the policy is edited other than to make simple changes, where they may increase in increments of 0.1.