



EQUAL OPPORTUNITIES

EQUAL OPPORTUNITIES STATEMENT

The Royal Scottish Academy of Art and Architecture confirms its commitment to the elimination of all forms of discrimination and to provide an environment where individuals are treated fairly, with respect and dignity.

This commitment is demonstrated through active promotion of the RSA's equal opportunities policy. The aim of the policy is to ensure that no employee, job applicant, exhibiting artist, award winner/applicant, student or volunteer receives less favourable treatment because of age, colour, disability, gender reassignment, marriage and civil partnership, nationality, national or ethnic origin, parental or caring responsibilities, politics, pregnancy and maternity, race, religion or belief (including lack of belief), sex, social orientation, or trade union membership.

The RSA expects all individuals to recognise their responsibilities under this policy and act in accordance with it.

EQUAL OPPORTUNITIES POLICY

Purpose

The purpose of this policy is to ensure that there is no discrimination against any person because of a protected characteristic of the Equality Act 2010: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), sex, sexual orientation, or because of parental or caring responsibilities, or trade union membership.

Scope and Responsibility

This policy applies to all permanent and temporary employees working under a contract of employment, students, self-employed people with a contract for services within the RSA, volunteers or contract/agency workers. It also applies to all exhibiting artists, award applicants and artists taking part in funded initiatives.

All individuals referred to within this policy are required to adhere to its terms and conditions.

All managers are responsible for ensuring that the policy and procedure is applied in their area. The Director is responsible for the maintenance, review and updating of this policy in event of any changes to legislation, ensuring proper consultation with staff and locally recognised trade union representatives.

Policy

There will be no discrimination against any person because of a protected characteristic involving job applicants, employees, students, volunteers, exhibiting artist, residency artist award applicant, self-employed people with a contract for services with the RSA or contract/agency workers.

The RSA will appoint, develop, train and promote on the basis of merit and ability.

All individuals referred to in this policy have personal responsibility for the practical application of the RSA's equal opportunities policy.

The RSA will always try to avoid redundancy situations. However, when such a situation arises, as a result of changing organisational requirements, selection for any redundancy will be based on purely objective criteria to ensure that there is neither direct nor indirect discrimination in this procedure.

Special responsibility for the practical application of the RSA's equal opportunities policy falls upon managers and supervisors involved in the recruitment, selection, promotion, training and day-to-day management of all persons referred to in this policy. These special responsibilities may give rise to training needs for which provision will be made, either through the appraisal procedure or by training needs analysis.

The RSA's grievance policy is available to any employee who believes that they may have been unfairly discriminated against. Grievances from exhibiting artists, participating artists and awards applicants should be sent in writing to the Director whom will follow the grievance procedure as noted for employees.

Disciplinary action will be taken against any employee who is found to have committed an act of discrimination. Serious breaches of the policy will be treated as gross misconduct, as will harassment on any grounds.

In the case of any doubt or concern about the application of the policy in any particular instance, an employee should consult their manager or the HR Manager. Participating artists should contact the RSA Director.

PROCEDURE

Objectives

This policy is a commitment to make full use of the talents and resources of all our employees, and to provide a healthy environment, which will encourage good and productive working relations within the RSA. The operating code below describes how the policy is to be applied throughout the RSA. This procedure should also be followed in respect of participating artists and those whom are applying for artist opportunities.

The RSA is particularly concerned to achieve the following objectives:

- All recruitment, promotion, opportunities for training and access to facilities and benefits will be without regard to any of the protected characteristics.
- The equal opportunities policy will be communicated to all employees through induction and other appropriate communication channels. The policy is available to all participating and prospective artists upon request.
- Managers and supervisors will be thoroughly trained in the principles of equal opportunities, apply the principles consistently and deal with any breaches of the policy promptly and thoroughly.
- No employee or participant who, in good faith, raises a complaint that the equal opportunities policy has been breached will be victimised.
- The policy will be regularly monitored to ensure that the principles of equal opportunities are being observed throughout the RSA.

Defining Discrimination

For the avoidance of doubt, the following definitions apply within this operational code:

Direct discrimination

Direct discrimination is where a person is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected characteristic. Example: only male job applicants are shortlisted for an interview because it is assumed that a woman will not fit into the department.

Perception discrimination

This is considered to be direct discrimination where a person is treated less favourably than another person because it is thought that they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic e.g. an employee refuses to work with an artist or colleague because they believe them to be gay, irrespective of whether they are gay or not.

Discrimination by association

This is where a person is treated less favourably than another person because they associate with another person who possesses a protected characteristic e.g. a student, whose child has attention deficit hyperactivity disorder, is refused access to the graduation ceremony because of fears about the child's behaviour.

Indirect discrimination

Indirect discrimination is where a person is treated less favourably than another person because of a condition, rule, policy or even a practice that applies to everyone and appears to be neutral but its impact particularly disadvantages people who share a protected characteristic e.g. a requirement for regular late evening work may indirectly discriminate against women whom may be likely to be primary carers of children.

Harassment

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Individuals are protected from harassment if they are perceived to have, or associate with someone with, a protected characteristic. Example: A has been granted compressed hours to account for childcare but claims harassment against a colleague whom they perceive watches the clock and questions their timekeeping. B shares an office with A and they too are claiming harassment, even though they are not working compressed hours, as the clock-watching colleague's behaviour has created an offensive environment for them also.

Third party harassment

This is where the RSA could be held liable for harassment of an employee by third parties who are not employees of the RSA, such as customers or clients: e.g., an employee has been harassed on at least two previous occasions and has made the RSA aware of the treatment and the RSA does not take reasonable steps to prevent it from happening again.

Victimisation

This is when a person is treated less favourably than another person because they have made or supported a complaint or have asserted their rights under this or any other policy (this covers both those bringing complaints or those acting as a witness in any investigation of a complaint).

The Protected Characteristics

Age

In accordance with this policy, the RSA will not unfairly discriminate on the grounds of age in any of its policies and procedures.

Disability

The RSA is proactively committed to equality of opportunity for disabled individuals in all of its policies and procedures and does not discriminate against any person because of their disability. Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Gender reassignment

The RSA does not discriminate against or treat a transsexual person less favourably to any other person.

Marriage and civil partnership

The RSA does not discriminate against or treat a person less favourably because they are married or in a civil partnership.

Pregnancy and maternity

The RSA does not discriminate against or treat any woman less favourably on the grounds of pregnancy and maternity.

Race

The RSA is actively committed to promoting equality of opportunity on the grounds of race. It will work to eliminate discrimination on the grounds of race and to promote good relations between individuals of different racial groups. Race for this purpose includes colour, nationality and ethnic or national origins.

Religion or Belief

All staff, regardless of their religion, religious or philosophical belief, or lack of religion and/or belief, are required to work in accordance with their contract. However, the RSA will consider carefully requests from members of staff who require flexibility arising from their religious or cultural obligations and beliefs. The RSA will give appropriate consideration to requests from members of staff for extended, special or unpaid leave, timing of annual leave, changes in hours of working, in light of the business needs of the RSA.

Sex

The RSA does not discriminate against or treat an individual less favourably because of their sex.

Sexual orientation

The RSA does not discriminate against or treat an individual less favourably because of their sexual orientation.

Treatment of Participating Artists

The Academy is committed to an objective, transparent, and fair engagement procedure and proactively works to ensure that no artist is discriminated against or treated less favourably than any other artist.

EMPLOYMENT

Recruitment

Jobs are made open to all applicants.

No assumptions or pre-judgements are made by managers or recruiters about suitability for a particular job, e.g., preferences of co-workers, customers, or suppliers must not be pre-supposed.

No decision is made, or preference stated, in advance, regarding the type of person preferred at the start of the recruitment process.

All applications are given equal consideration.

Job description and person specification

The duties of a job and the requirements of the person to perform it shall be identified before recruitment begins. The job shall be designed to fulfil the needs intended and the educational qualifications, knowledge, experience, and skills and abilities shall be those that are essential for the effective performance of the job. These shall be reviewed regularly to ensure they remain valid.

Attracting Applicants

Job titles and job content are presented without bias and relate only to the requirements of the job.

Jobs are described in such a way that no qualified person is deterred from applying.

There is nothing, in either words or illustrations, to indicate any role stereotyping.

Vacancies are advertised in as wide a variety of ways as is reasonably practicable, taking account of resources available, with the aim of informing different groups about work opportunities at the Academy.

Copies of the RSA's written equal opportunities policy are given to any recruitment and advertising agencies that may be involved in any recruitment process.

Where under-representation has been identified, advertisements may encourage applicants from the under-represented group while making it clear that the eventual selection will be solely on the basis of suitability for the job.

Application Forms

All questions on the application form are relevant and non-discriminatory.

Application forms include only those questions that are essential at this stage.

Alternative methods of application may be used where the completion of an application form would require a higher standard of English or comprehension than is necessary for the performance of the job (e.g. the interviewer can record the information); people with disabilities may also be assisted in this way.

Interviewing and Selection

Interviewers and those making selection decisions shall be aware of their responsibilities under the relevant legislation and the RSA's Equal Opportunities Policy and, where necessary, be provided with any necessary training.

All employees involved in the selection and recruitment process will take an unbiased approach.

Shortlisting and interviewing shall normally be the responsibility of more than one person to help ensure that each candidate receives impartial consideration and generalised assumptions, which may lead to discrimination, are avoided.

All questions asked relate purely to the competencies required for the job.

No questions are asked or assumptions made about a person's personal or domestic circumstances.

All selection criteria must be strictly related to the objective competencies for the job.

Any shift-working or job mobility requirements must be absolutely essential and are objectively justified.

All requirements for educational and professional qualifications must be valid and job-related.

Due recognition is given to experience as a substitute for formal qualifications where possible.

All previous experience is taken into account including voluntary work, work within the home and family responsibilities.

Selection tests must be free of bias and non-discriminatory in content, administration and scoring.

Each selection decision is monitored to ensure this policy has been observed.

Training and Development

The RSA will ensure that there is equal opportunity for all employees in respect of access to relevant training for their job and for career development. All employees responsible for carrying out performance appraisals will be trained and advised to ensure that assessment criteria are objective, relevant and not discriminatory to any person or groups of people. The following list provides some examples of how the policy should be processed:

- All training and development reflects the principles of the equal opportunities policy.
- Selection to attend courses is free from bias.
- Courses, materials and validation processes are free from bias.
- Each promotion and transfer opportunity decision is monitored to ensure this policy has been observed.
- All new employees will have a period of induction, to be overseen by the responsible line manager.
- All employees will have regular meetings with their line manager. The purpose of such meetings is to ensure that employees are working to their job descriptions, in the best interests of clients and the RSA and to offer support and identify training needs, enabling them to perform to the best of their ability.
- All employees are subject to an agreed annual appraisal procedure, to be carried out by their line manager. The purpose of this is to focus upon the employee's performance in their job, to identify goals for career development and to identify training needs, to help meet their goals.

WORKING CONDITIONS

Benefits, facilities and services

The RSA will ensure that:

- equality is observed in the application of pay and all other terms and conditions; all posts are paid a real living wage and are analysed and evaluated to determine the appropriate salary grade for the post
- all appropriate benefits, facilities and services are made available to all employees;
- reasonable and practicable adjustments are made to ensure that facilities and services are available to people with disabilities;
- consideration is given to any reasonable requests relating to special needs of an employee or participating artist, e.g. caring responsibilities, religious beliefs.

Harassment

The RSA is committed to promoting equality, diversity and an inclusive and supporting environment for its staff, exhibitors and others closely associated with its work and affirms the rights of individuals to be treated fairly and with respect. Sexual, racial and other forms of harassment and bullying will not be tolerated and proven complaints will be dealt with in the context of the Harassment and Bullying Policy. Harassment and bullying are defined as unacceptable behaviour towards an individual which has the purpose or effect of violating someone else's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Examples of conduct that could constitute harassment or bullying, include:

- any physical contact which is unwanted; coercion or isolation; display of offensive material; offensive jokes; unwelcome remarks about a person's dress, appearance, race, age etc; personal insults; persistent criticism.

In support of this, the RSA will:

- provide a working environment, which respects the rights of each individual, and where persons treat each other with the utmost respect;
- constantly reinforce the principles that any behaviour, which adversely affects an individual's dignity, is totally unacceptable and will not be tolerated under any circumstances;
- make it everyone's responsibility to ensure that harassment has no place in the RSA;
- recognise the sensitivity of harassment situations by operating an open door policy to discuss problems initially on an informal basis;
- investigate official complaints of harassment swiftly and confidentially while ensuring that the rights of all parties are protected.

Every reasonable effort will be made to enable members of staff who become disabled while employed with the RSA, to remain within its employment. Similarly, the RSA will make every reasonable effort to enable an artist who becomes disabled during their period of engagement with the RSA to fulfil their original project aims.

Grievance and Disciplinary Procedures

An employee with a grievance under equal opportunities should follow the grievance procedure as set out in the terms and conditions of employment and in line with statutory regulations. However, before

taking a decision to follow the formal procedure, an employee has the right to approach HR, their manager, or another manager, if more appropriate, for informal, confidential advice. Disciplinary procedures shall be used to deal with discrimination complaints, such as behaviour, language, victimisation, harassment.

Participating artists have the right to approach the RSA Director for confidential advice.

Service delivery

All of the RSA's in-house services will be provided in line with this policy.

The RSA will also, as far as it is possible, seek to ensure that all contracted-out services are provided in line with this policy.

Volunteers/Interns/Work Experience

The RSA will:

- Review and promote means to develop the diversity of the RSA's volunteers, interns and work experience practitioners.
- Communicate the equal opportunities policy and its implications to volunteers.

Monitoring and Evaluation

This policy will be monitored and evaluated at all levels of organisational activity as to its effectiveness. Monitoring will include analysis of data in respect of: recruitment, admission, employee and artist composition, training reports and programmes, grievances, disciplinary procedures, harassment or other complaints.

