



## Equality Diversity & Inclusion Policy

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<b>Purpose</b>	This policy sets out Siamsa Tíre's commitment to EDI in conjunction with the Legislative context of Equality in Ireland.
<b>Commencement Date</b>	August 2023
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<b>Who needs to know about this document</b>	All Staff
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## Context

Siamsa Tíre is committed to creating an environment that promotes equality, diversity and inclusion at work and to treating all of our employees, students, stakeholders and all other people involved in any aspect of the company equally, regardless of gender, civil status, family status, sexual orientation, religious belief, age, disability, race or membership of the Traveller community or socio-economic background. This policy is underpinned by, The Arts Council's Making Great Art Work and Equality, Diversity and Inclusion Implementation Plan 2023 - 2028, Article 27 of The UN Declaration of Human Rights and Kerry County Council's Arts Strategy.

Our culture is one that promotes equality, diversity and inclusion. We promote excellence, encourage creativity and seek new ideas in inclusive ways. We acknowledge our responsibility to address systemic forms of oppression and inclusion barriers, as well as our role in fostering a dynamic, welcoming culture.

*We will achieve this through:*

The development of a fulfilling and progressive work culture and learning environment, one that strengthens and promotes the values of the company to ensure that Siamsa Tíre staff support, value and respect each other. These values will be embedded in our interactions with all artists and communities with whom we interact.

The design and implementation of a number of specific cultural initiatives which support equality, diversity and inclusion.

The further development of a suite of positive actions and initiatives to address inequalities that may exist, to ensure a fair, welcoming and unbiased environment for our whole community.

The promotion of a positive culture within our company by sustaining the values that we cherish, while also encouraging and facilitating openness and responsiveness as we evolve.

Siamsa Tíre believes that embracing equality, diversity and inclusion benefits not just the company but also all stakeholders from partners to contracted artists to audiences. We respect the individual backgrounds, work styles, distinct capabilities, experience and characteristics of our team. We recognise that our talented and diverse company reflects the diversity of the wider community outside of Siamsa Tíre and we want to utilise the widest range of skills, knowledge and experience in our company while complying with legislative requirements.

As well as treating people with dignity and respect, the company strives to create a supportive environment where staff and creatives can flourish and reach their full potential, regardless of differences, experience or education. Harnessing the wide range of perspectives this diversity brings promotes innovation and helps make us more creative and relevant.

We recognise the value of diversity in voice and actively seek ways to bring innovation and relevance to our work through the engagement of artists from marginalised



backgrounds. We embrace the positive culture this cultivates for our entire team and the communities we engage with.

## Legislation

This policy is informed by the Employment Equality Acts 1998-2011 (as amended) and the Equal Status Acts 2000-2012 (as amended) which prohibit direct and indirect discrimination, sexual harassment, harassment and victimisation in relation to nine specified equality grounds: gender, family status, civil status, sexual orientation, age, disability, religion, ethnicity and membership of the Traveller community.

The Employment Equality Acts prohibit discrimination in employment, including recruitment, promotion, pay and other conditions of employment. The Equal Status Acts prohibit discrimination in access to and provision of services, accommodation and educational establishments.

The Disability Act 2005 (as amended) places significant obligations on public bodies in terms of providing integrated access to services and information to people with disabilities, as well as promoting the employment of people with disabilities.

The Irish Human Rights and Equality Commission Act 2014 requires that in the performance of their functions public bodies shall have regard to the need to eliminate discrimination, promote equality of opportunity and treatment and protect the human rights of staff and service users.

This policy reflects the company's commitment to honour its obligations under these Acts.

## Commitment to equality and diversity

*Siamsa Tíre is committed to fostering an inclusive culture, which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all its staff are respected.*

Siamsa Tíre will formulate and implement policies and practices that value diversity, provide equality of opportunity and ensure that no person receives less favourable treatment on any of the nine aforementioned grounds. We will also ensure that other policies and practices reflect our commitment to treating people fairly, promoting an integrated way of working and respecting the dignity of our community at all times.

Managers are expected to promote an integrated workplace and proactively eliminate any potential inequities that may run counter to the company's policy.

Siamsa Tíre's recruitment policy will reflect our belief that diversity in all areas, including cultural, generational, language and national backgrounds, is necessary in helping us succeed in both domestic and global markets. The organisation will not discriminate against any prospective employee during the recruitment process. Interviews will be carried out objectively and individuals will be judged on merit and their ability to do the job. It is our policy to ensure that as much accommodation as possible is carried out to



facilitate the participation of individuals with special needs in the recruitment process and in the workplace.

The company will offer the same development and training opportunities to all staff to achieve high standards of performance. EDI training will be part of Siamsa Tíre's annual scope of practice. Siamsa Tíre is committed to rewarding excellence and staff will be promoted on the basis of merit.

The company is committed to non-discrimination (direct or indirect) in access and participation in education and employment in relation to any of the nine specified equality grounds of gender, family status, civil status, sexual orientation, age, disability, religion, ethnicity and membership of the Traveller community.

It seeks to ensure that the provision of all services shall be free from any discrimination and harassment.

It supports an inclusive and supportive environment of dignity and respect where all staff and learners can develop their full potential.

The company will not tolerate harassment or bullying of staff, students or other members of the community. Failure to comply can result in disciplinary action under the Policy and Procedure for Mutual Respect.

It is committed to identifying barriers to equality, diversity, inclusion and full participation and any identified imbalances in practice will be redressed.

It is committed to providing integrated accessible services and information to all users and will seek to ensure that information is produced in accessible information formats.

It will seek to provide reasonable accommodation to staff and service users with disabilities. Our building prioritises physical accessibility by providing wheelchair-accessible facilities, ensuring safe entrances and exits, offering assistance respectfully, and working with customers to ensure a comfortable experience. We encourage guests to inform us of their needs and welcome assistance dogs if needed.

It will support the employment of staff with disabilities.

It is committed to widening participation and facilitating access to programmes by participants from under-represented groups.

## Other policies

This policy should be read in conjunction with the following policies and procedures:

### **HR Policies:**

Equal Opportunities Policy

Code of Practice for the Employment of People with Disabilities Flexible Working & Leave Policies

Mutual Respect Policy



General Disability Support Service Reasonable Accommodations Procedures Mutual Respect Policy

**Flexible working and leave Policies and Procedures, including:**

Maternity Leave Policy & Procedures  
Parental Leave Policy & Procedures  
Adoptive Leave Policy & Procedures  
Career Break Policies and Procedures  
Flexible Working Scheme Policy & Procedures  
Job Share Policy & Procedures  
Work Sharing Scheme, Policies & Procedure  
Shorter Working Year Scheme, Policies & Procedure

### Monitoring and review

The company shall actively seek feedback on the implementation and review of this policy from staff, associated artists and our youth advisory group.

The implementation of the policy shall be reviewed on a regular basis and the policy shall be updated on foot of this review or other legislative changes.

EDI ambassadors will be appointed at board and staff level and will report on progress at team and board meetings. The policy and ensuing actions will be under review as part of the implementation process.

### Further Guidance

A further implementation document for employees and management is under construction. It sets out actions and timelines and outlines how the company's commitment to equality, diversity and inclusion, non-discrimination, equal access and participation apply to employment practices and procedures Siamsa Tíre is committed to the implementation of these actions

### Resources: information, advice and support

- Manager of the Office of Equality, Diversity and Inclusion
- Equality, Diversity and Inclusion Committee
- Employee Assistance Programme
- Human Resources
- Trade Unions



## Appendix 1 Definitions

### About Equality

The principal of equality is enshrined in the Irish Constitution and in many international and EU treaties and declarations.

The Universal Declaration of Human Rights sees equality as a fundamental principle in terms of a person's human rights - 'All human beings are born free and equal in dignity and rights', Art. 1.

Key pieces of equality legislation in Ireland are the Employment Equality Acts 1998-2011 and Equal Status Acts 2000-2012.

### Equality grounds

Discrimination is prohibited by legislation on the basis of any of the following grounds:

- gender: a man, a woman, or a transsexual person
- civil status: single, married, separated, divorced, widowed, civil partner, former civil partner
- family status: pregnant, a parent of a person under 18 years, or the resident primary carer or parent of a person with a disability
- age: this only applies to people over 16 except for the provision of car insurance to licensed drivers under this age
- race and ethnicity: a particular race, skin colour, nationality or ethnic origin; religion: different religious belief, background, outlook or none
- disability: this is broadly defined including people with physical, intellectual, learning, cognitive or emotional disabilities and a range of medical condition
- sexual orientation: Gay, lesbian, bisexual, or heterosexual
- membership of the Traveller community: people who are commonly called Travellers, who are identified both by Travellers and others as people with a shared history, culture and traditions, identified historically as a nomadic way of life on the island of Ireland.

### Discrimination

Discrimination is prohibited and has a specific meaning in the Employment Equality Acts and Equal Status Acts. Discrimination is defined as the treatment of a person in a less favourable way than another person is, has been or would be treated in a comparable situation on any of the nine equality grounds. Discrimination can be direct, indirect, by association or imputation.

### Indirect discrimination

Indirect discrimination happens when there is less favourable treatment in effect or by impact. It happens when people are, for example, refused employment or training not explicitly on account of a discriminatory reason but because of a provision, practice or requirement which they find hard to satisfy. If the provision, practice or requirement puts people who belong to one of the grounds covered by the Acts at a particular

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disadvantage then the employer is deemed to have indirectly discriminated, unless the provision is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.

## Harassment

Harassment is any form of unwanted conduct related to any of the nine discriminatory grounds that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

In both cases the unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material.

The emphasis is on the effect of the unwanted conduct on the recipient, not on the intention of the perpetrator.

There are other forms of bullying and harassment which are not included in the Acts but covered by other legislation such as the Employment Equality Acts, the Unfair Dismissals Acts, the Safety, Health and Welfare at Work Act 2005, Civil Law and Criminal Law.

## Gender Mainstreaming

Gender mainstreaming is the (re)-organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors typically involved in policy making. (Council of Europe Group of Specialists definition).

The aim of gender mainstreaming is to achieve gender equality in practice. Equality impact assessments and equality proofing are tools to achieving the goal of gender mainstreaming.

Gender mainstreaming involves an analysis of the effects of policies and practices on women and men respectively, as part of the usual decision-making process.

## Positive action

The Equality Acts allow for preferential treatment or the taking of positive measures which are bona fide intended to:

- Promote equality of opportunity
- Cater for the special needs of persons, or a category of persons who because of their circumstances, may require facilities, arrangements, services or assistance



### Reasonable accommodation of people with disabilities: in service provision

A person selling goods or providing services, a person providing accommodation, educational institutions and clubs are required to do all that is reasonable to accommodate the needs of a person with a disability.

This involves providing special treatment or facilities in circumstances where without these, it would be impossible or unduly difficult to avail of the goods, services, accommodation etc.

However, they are not obliged to provide special facilities or treatment when to do so will cost more than what is called a nominal cost. What amounts to nominal cost will depend on the circumstances such as the size and resources of the body involved. (Equal Status Acts).

### Reasonable accommodation of people with disabilities: in employment

Nothing in the Act requires an employer to recruit or promote a person who is not fully competent and fully available and capable of undertaking the duties attached to the position. For the purposes of the Act a person who has a disability is considered fully competent and capable on reasonable accommodation (referred to as appropriate measures) being provided by the person's employer.

An employer is obliged to take appropriate measures to enable a person who has a disability:

- to have access to employment
- to participate or advance in employment
- to undertake training
- unless the measures would impose a disproportionate burden on the employer.

Appropriate measures are practical measures to adapt the employer's place of business including:

- the adaptation of premises and equipment,
- patterns of working time
- distribution of tasks
- or the provision of training or integration resources
- The employer is not obliged to provide any treatment, facility or item that the person might ordinarily or reasonably provide for himself or herself.

In determining whether the measures would impose a disproportionate burden, account is taken of the financial and other costs entailed, the scale and financial resources of the employer's business, and the possibility of obtaining public funding or other assistance. (Employment equality acts)



#### Service user:

The policy applies to all service users, visitors, customers and clients of the company. The term 'service user' is then used as shorthand for all customers, visitors, clients, guests and service users of the company, including learners.

#### Vicarious liability:

'Vicarious liability' means when someone is legally responsible for someone else's actions. Employers are liable for any act of discrimination by an employee in the course of their employment unless the employer can prove that they took reasonable steps to prevent the discrimination. An employer also has a duty under the Acts to protect their employees in relation to discrimination or harassment coming from third parties such as service users, contractors and, suppliers.