

Equality & Diversity Policy

Background

The National Youth Orchestras of Scotland recognises that many people in our society experience discrimination or lack of opportunity for reasons that are not fair. These include race, religion, creed, colour, national and ethnic origin, marriage or civil partnership, pregnancy or maternity, political beliefs, gender, sexual orientation, age, disability, including mental illness, HIV status, marital status, responsibility for dependants, geographical area, social class, income level or criminal record.

NYOS is committed to a Policy of Equality of Opportunity which respects the identity, rights, and value of each individual. Employees and any job applicants will receive equal treatment regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation (Protected Characteristics). NYOS is positively committed to oppose all direct and indirect discrimination in the organisation.

NYOS will:

- Challenge discrimination and lack of opportunity in its own policy and practice and will encourage others to do the same.
- Aim to create a culture that respects and values each other's differences and recognises that difference and diversity is a great asset to the organisation both to its work and the people it serves
- Ensure all employees, Board members and volunteers will be made aware of the objectives of this policy and encouraged to support its objectives.

This policy applies to all staff in relation to their engagement with us. In relation to our employees, this policy applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, and termination of employment.

Discrimination

Employees must not unlawfully discriminate against or harass other people including current and former employees, job applicants, customers, suppliers, and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers, or other work-related contacts or when wearing a work uniform), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

- Direct discrimination: treating someone less favourably because of a Protected Characteristic.
- Indirect discrimination: a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified.
- Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Bullying and Harassment Policy.

- Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.
- Disability discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Recruitment and Selection

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person if possible.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

Job applicants should not be asked questions that might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.

Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.

We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status will not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation.

Disabilities

If an employee is disabled or become disabled, we encourage them to tell us about their condition so that we can consider what reasonable adjustments or support may be appropriate.

We will monitor the physical features of our premises to consider whether they might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.

Part-time and Fixed-term work

Part-time and fixed-term employees should be treated the same as comparable full-time or permanent employees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate) unless different treatment is justified.

Breaches of this policy

We take a strict approach to breaches of this policy. In relation to our employees, breaches of this policy will be dealt with in accordance with our Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.

If an employee believes that they have suffered discrimination, they can raise the matter through our Grievance Procedure or Bullying and Harassment Policy. Complaints will be treated in confidence and investigated as appropriate.

You must not be victimised or retaliated against for complaining about discrimination. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under our Disciplinary Procedure.