

BOYLE ARTS FESTIVAL 2024

EQUALITY, DIVERSITY AND INCLUSION POLICY

Boyle Arts Festival is committed to creating an environment that promotes equality, diversity and inclusion and to treating all of our volunteers, production staff, performers, audience members, workshop attendees, stakeholders and all other people involved in any aspect of the Festival 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.

We will achieve this through:

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 Festival environment for our whole community.

Boyle Arts Festival believes that embracing equality, diversity and inclusion benefits not just the Festival. As well as treating people with dignity and respect, the Festival strives to create a supportive environment in which artists, performers and attendees 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 competitive.

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 Festival's commitment to honour its obligations under these Acts.

Commitment to equality and diversity

Boyle Arts Festival will formulate and implement policies and practices that value diversity, provide equality of opportunity and ensure that no job applicant, whether as a paid employee, committee member or a volunteer, 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.

Where applicable, Boyle Arts Festival's recruitment policy will reflect our belief that diversity in all areas, including cultural, generational, language and national backgrounds, is necessary in helping us be successful. 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 Festival will offer the same development and training opportunities to all staff to achieve high standards of performance.

The Festival is committed to non-discrimination (direct or indirect) in access and participation in the Festival 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.

The Festival will not tolerate harassment or bullying of staff, volunteers, or other members of the community.

- 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 where possible.
- It will seek to provide reasonable access to all venues to those with disabilities.
- It will support the employment of staff with disabilities.
- It is committed to widening participation and facilitating access events and workshops by under-represented groups.

Monitoring and review

The Festival shall actively seek feedback on the implementation and review of this policy.

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

Regular progress reports on the implementation and development of this policy will form part of Festival committee meetings.

Appendix 1 Definitions

About Equality

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 conditions;

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 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)-organization, 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)

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.