

The Paper Birds Theatre Company

EQUALITY, DIVERSITY AND INCLUSION (EDI) POLICY

Date created: August 2022

Person responsible: Katie Webster

Trustee responsible: Grace Jeremy

Date of this review: April 2023

Date of next review: April 2024

Policy Statement

The Paper Birds is committed to providing a safe and inclusive system of work for all those working for or on behalf of the company. The company recognises its responsibility under The Equality Act (2010) and other related legislation and seeks to genuinely work towards equal opportunities and protection against discrimination for all employees (freelance or employed), applicants, partners and participants.

This policy applies to discrimination and equality of opportunity in respect of 'protected characteristics' as defined in the Equality Act (2010):

- **Age:** covers particular ages and also age ranges. It does not cover under 18s in service delivery.
- **Disability:** a person has a disability 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.

Disability includes not only physical disability but also mental impairments such as depression and bipolar disorder.

It covers severe disfigurement, progressive conditions and recurring impairments. Specific rules are made in respect of conditions such as cancer, HIV and multiple sclerosis which are deemed impairments for the purposes of the Act.

There is also a positive duty to make 'reasonable adjustments' to prevent a provision, criterion or practice, or physical feature of premises, placing the disabled person at a substantial disadvantage.

- **Ethnicity and race:** includes nationality, colour and ethnic or national origins.
- **Gender identity and reassignment:** covers anyone who is undergoing, proposing to undergo or has undergone a process (or part of a process) of reassigning their sex.
- **Marital status and civil partnership:** covers anyone who is married or who is a civil partner.
- **Pregnancy and parental leave:** this covers anyone who is pregnant or is taking, proposes to take or has taken a period of parental leave to look after a child.
- **Religion or beliefs:** includes any religious or 'philosophical belief' such as humanism or pacifism, and encompasses discrimination based on the lack of religion or belief.
- **Sex:** protects anyone from discrimination on grounds of sex.
- **Sexual Orientation:** covers sexual orientation towards persons of the same sex, persons of the opposite sex or persons of the same sex and of the

opposite sex. Sexual orientation does not cover gender reassignment which is a separately protected characteristic; see above.

In addition, The Paper Birds also extends the policy to include class, caring responsibilities, parenthood in general (including adoption), and socio-economic status, which are not currently included within the Equality Act 2010.

This policy will be reviewed periodically by The Paper Birds' team and Trustees, and amended as required. We recognised this document as a working document, which will be constantly under review alongside our regular working practices, and EDI Action Plan.

Equality, Diversity and Inclusion: Our Commitment and Principles

At The Paper Birds, we expect all our employees (employed or freelance), trustees, and partners to abide by the fundamental principle of non-discrimination: there must be no discrimination, victimisation or harassment of any person against their protected characteristics. The company also recognises protected characteristics intersect and one person could hold multiple characteristics.

A core aspect of The Paper Birds' identity is being a female-led company, and often our work is focused on engaging with young people under 30. While we are a female-led company, and the work we deliver is often focused on young people, this is not exclusionary to who we work with more widely.

As an international touring theatre company, and a company that has young people and participation its core, we want to reflect and celebrate the diversity in the world around us and the people we work with. Through our work, we endeavour to explore different perspectives of the world we all share and do so in a way that is representative of many different experiences. We are guided by a number of principles:

1) HOW WE MAKE WORK: We make work about current political and social issues, and do so in collaboration with communities, young people, and people with lived experience. Our work is often verbatim, recognising the importance of including and amplifying the voices of people who often are not heard. In practice, this influences how we make work from each projects' conception, as well as operationally.

2) WHO ENGAGES WITH OUR WORK: We want the broadest possible audience to enjoy, engage and participate in our work, and recognise as a result of the company's digital development, we have the resources and potential to reach a huge range of people. Our work should represent and reflect the world we live in and the people who helped create it. We want this principle to permeate our programming and this should also be reflected in the people who come to see our work.

3) WHO WE WORK WITH: We want our staff, artists, collaborators and partners to come from a variety of backgrounds and have a variety of life experiences, to further reflect the diversity of the communities we work with and people who engage with our work. As a core company currently of 6 members, we want to continue to expand our knowledge, understanding and representation of issues.

The Paper Birds are committed to eliminating discrimination and encouraging diversity amongst all areas of our company. Our aim is that those we work with will be truly representative of all sections of society, and that each of those individuals feels respected, included and safe to do so.

All staff, trustees, collaborators, artists and participants will be treated fairly and with respect. Selection for work, promotion, training or any other benefit will be on the basis of aptitude and ability. All members of our staff will be helped and encouraged to develop their full potential.

Implementation

As set out above, The Paper Birds commits to implementing the following principles to ensure there be no discrimination because of any of the protected characteristics or other factors.

The basic legal requirements that apply to all are set out below and arise from the Equality Act 2010.

i) Protected Grounds

The main types of prohibited conduct are:

- **Direct Discrimination:** A person directly discriminates against another if because of a protected characteristic they treat that person less favourably than they treat or would treat others. With the exception of certain types of age discrimination, direct discrimination cannot be justified. It is unlawful to discriminate based on false perception. For example, a person can be unlawfully discriminated against if the discrimination is based on the incorrect assumption that they are gay. It is also unlawful to discriminate against a person because of their association with a person with a protected characteristic. For example, a person can be unlawfully discriminated against if the discrimination is based on the fact that their child is disabled.
- **Discrimination arising from disability:** A person discriminates against a disabled person if they treat that person unfavourably because of something arising in consequence of that person's disability and it cannot be shown that such treatment is a proportionate means of achieving a legitimate aim.
- **Indirect Discrimination:** Indirect discrimination occurs where an apparently neutral provision, criterion or practice has, or would have, a disadvantageous impact upon a particular group compared with others.

The provision, criterion or practice can be justified if it is a proportionate means of achieving a legitimate aim.

- **Duty to make adjustments:** Where a provision, criterion, physical feature or practice puts a disabled person at a substantial disadvantage in comparison with non-disabled people, the law places a duty on individual barristers to take such steps as are reasonable to avoid the disadvantage, and The Paper Birds will do so to the best of our ability and capacity as a small charity. This duty also covers the requirement to provide auxiliary aids for disabled people where reasonable.

- **Harassment:** Harassment is any form of unwanted conduct in relation to a relevant protected characteristic which has the effect or purpose of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment. A single incident may constitute harassment if it is sufficiently serious. The motive or intention of the perpetrator may be (but is not invariably) relevant.

- **Victimisation:** A person victimises another person if they subject that person to a detriment because they believe that person has done or is about to do a protected act such as:
 - o making an allegation of discrimination
 - o giving evidence in proceedings relating to an act or acts of discrimination
 - o bringing proceedings relating to an act or acts of discrimination
 - o doing any other thing for the purposes of equality legislation or in connection with it.

ii) Reasonable Adjustments

In accordance with the Equality Act 2010, in the case of disability, the duty to make reasonable adjustments comprises of three requirements, each of which arises where a disabled person is at a substantial disadvantage in relation to a 'relevant matter':

1. the first is a requirement, where a provision, criterion or practice puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage;
2. the second is a requirement, where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage;
3. the third is a requirement, where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.

We recognise our duty to make reasonable adjustments in accordance with the Equality Act, while we also recognise our ability and capacity to make such adjustments as a small charity who is currently project-funded. Examples of such adjustments we are able to make are:

- Providing large print and easy read versions of all documents, including recruitment packs
- Ensuring venues and meeting spaces have the necessary facilities for those attending
- Offering remote working and online communication
- Captioning social media posts and performances, and providing BSL interpreters and translations where needed

iii) Grievances, Complaints and Disciplinary Procedures

No one will be victimised in any way for making a complaint against any person(s) associated with the company. In accordance with our dedicated Complaints Handling and Grievance Policy, complaints of this nature will be dealt with seriously, in confidence and, to the extent practicable, within 10 working days. We ask that any grievances be reported a member of the Executive Team (Co-Directors or Exec Producer), or the Board as soon as possible, and such complaints can be communicated in a way that is most appropriate to that time and person eg. phone call, email etc.

The Paper Birds declare we will not tolerate behaviour that goes against this policy, and where any person associated with the company is alleged to have breached this policy, they will be subject to a disciplinary process, and/ or proportionate measures.

Disciplinary action will be taken against any person who is found to be in breach of this policy, the procedures of which are detailed in our dedicated Complaints Handling and Grievance policies, for both Employees and Freelancers.

Unwarranted allegations that are not made in good faith may also be considered a disciplinary matter.

We will keep confidential records of matters dealt with in accordance with this policy.

iv) Recruitment and Selection

We recognise the nature of our work means we recruit and select staff and collaborators in different ways;

- **Formal application processes (external):** which includes requesting applications from candidates by a certain date, interview(s) and making a formal offer of employment. These roles are often for core members of staff, who are contracted on a yearly basis.
- **Artistic Recruitment (external):** including castings for shows and requests for workshop facilitators, and creative collaborators to join us on a short term or project-specific basis. These roles may request applicants express interest or send a form of application, and shortlisted candidates may be invited to an informal conversation or workshop to assess their suitability.
- **Selection of Collaborators (internal):** including selecting artistic collaborators to develop new ideas for productions when in their early stages, or selecting a particular practitioner known to us based on their specific skills, experiences or knowledge. In this instance, we may approach contacts based on our pre-existing relationships, under the knowledge their skills and experience will suit the opportunity and the person(s) has demonstrated this suitability directly to the company previously.

The Company will apply the following principles when recruiting or selecting for roles, whether they be voluntary or paid, internal or external:

- Individuals will be assessed according to their personal capability to carry out a given job.
- Assumptions will not be made that only certain types of people can carry out certain types of work.
- Due to the nature of some projects or funding requirements, we may implement an age requirement on certain roles. The reasons for this will be clearly stated, and we will welcome questions and discussion from candidates should they wish to have more information on the restriction. This will only be relevant for project or funding-specific requirements, and do not envisage ever imposing an age restriction on core team roles.

- We will avoid asking for a certain number of years' experience, unless relevant to the opportunity, to avoid any indirect discrimination, instead assessing candidates on the skills and competence demonstrated as a result of their previous experience.
- We will aim to make recruitment and selection processes public where possible, as we recognise the value of advertising widely in order to increase diversity and connect with new people. However, we also recognise we often work to build and develop existing creative relationships within projects, and may on occasion make selection choices based internally. In all processes of recruitment and selection, we will ensure that the chosen persons are selected on the basis of their ability to fulfil the role.
- Where relevant, all applications for particular opportunities will be processed in the same way and assessed against the same criteria. The same questions will be asked at formal interviews, and the same exercises will be run in facilitator or casting workshops.
- All questions (formal or informal), tasks and exercises will be relevant to the requirements of the role.
- If a provision, criterion or practice for recruitment and selection puts disabled people at a substantial disadvantage for a reason connected with their disability, ensure that reasonable adjustments are made to eliminate or, if that is not reasonably practicable, reduce the disadvantage.

v) Action Plan, Monitoring and Review

This policy and its accompanying internal Equality, Diversity and Inclusion Action Plan are reviewed annually and are considered working documents, reflecting the everchanging language and landscape of the nature of EDI.

We ask all applicants, staff, trustees and collaborators to fill in an EDI Monitoring Form so we can better understand the makeup of our workforce. We ask applicants to complete this upon submission, and ask successful applicants to complete it again once an offer of employment has been made, to understand both who is applying for our roles, and who is obtaining them. The data in this form will be reviewed yearly, and feed into the following years' review of the policy and internal action plan.