



EQUALITY, DIVERSITY AND INCLUSION PROTOCOL

Introduction

National Museums Liverpool believes passionately that our collections and venues should benefit the whole of society. As a public body we have a duty to make society fairer by tackling discrimination and providing equality of opportunity for all. Our mission is creating memorable experiences – for everyone – challenging expectations.

We are a signatory to the INTERCOM (International Council of Museums Management Committee) Declaration stating that it is a fundamental responsibility of museums, wherever possible, to be active in promoting diversity and human rights, respect and equality for people of all origins, beliefs and background.

Our Equality, Diversity and Inclusion (EDI) Protocol underpins our commitment to promote diversity and human rights, and to meet the needs and surpass the expectations of all our visitors. Our goal is for our workforce and visitors to be truly representative of all sections of society, and for each employee to feel respected and valued.

Protocol Statement

NML is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination, by actively promoting and implementing equality in all that we do.

The purpose of this protocol is to provide equality, fairness and respect for all in employment, whether temporary, part-time or full-time. It applies to all NML and NMLT staff, volunteers and contractors. Everyone working within NML has a personal responsibility for implementing and promoting the principles of the protocol in our day-to-day work and will be held accountable for this. This protocol is supplemented by Terminology documents, which explain language that is unacceptable within NML. Behaviour which is in breach of this protocol will not be tolerated and may lead to formal disciplinary action.

Definitions

Equality:

Equality means enabling everyone to access the same opportunities, and is backed by legislation to prevent discrimination.

Diversity:

Diversity means understanding and valuing the differences between people. Harnessing these differences will create a productive and enriching working environment where talents are fully utilised. We are passionate about developing a culture where everyone can reach their full potential.

Inclusion:

An inclusive working environment is one in which everyone feels valued, that their contribution matters and they are able to perform to their potential, no matter their background, identity or circumstances.

Protected Characteristics:

Under the Equality Act 2010, certain characteristics are specifically protected and are therefore referred to as 'Protected Characteristics'. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership (in respect of eliminating discrimination only)
- Pregnancy and maternity
- Race (including colour, nationality, and ethnic or national origin)
- Religion or belief
- Sex (gender)
- Sexual orientation

If an individual holds one or more protected characteristic they benefit from protection from the law, as these are the grounds upon which discrimination is illegal. NML will ensure that all of its systems and HR policies and procedures ensure specific protection for these groups.

The Equality Act requires that all public bodies must in the exercise of their function have due regard to the three aims of the general duty which are:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010. "Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic."

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. "Take steps to meet the

needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.”

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. “Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.”

Socioeconomic Status

Socioeconomic status is not a protected characteristic in UK law. However we believe that there should be equal access to our museums as a visitor, volunteer or member of staff, whatever people’s financial or social circumstances, and that everybody should feel welcomed and valued. We therefore seek to avoid any discriminatory behaviours and to actively improve representation throughout NML of people who generally experience less access to power, wealth and other resources.

Discrimination

UK law also defines different types of discrimination. NML will ensure that it does not discriminate against any of the Protected Characteristics. See the following types and examples of discrimination:

Direct Discrimination – this happens where someone is treated less favourably than another because they have a Protected Characteristic or they are thought (perceived) to have a Protected Characteristic. It can also happen because they are associated with someone who has a Protected Characteristic. This type of discrimination applies to all Protected Characteristics.

Example: An employer uses the excuse of persistent lateness to dismiss an Asian employee because of their race; a person of a different race who has the same pattern of lateness is not dismissed.

Associative Discrimination – this is direct discrimination and happens where someone is treated less favourably because they associate with another person who possesses a Protected Characteristic.

Example: An employer selects a person for redundancy because they have a disabled child and the employer believes they may need time off to care for their child.

Perceived discrimination – This is direct discrimination and happens where someone is treated less favourably because they are perceived to have a particular Protected Characteristic. This still applies even if that person does not have the Protected Characteristic.

Example: An employer makes a member of staff redundant because they incorrectly think they have a disability. This would be direct discrimination because of disability based on perception.

Indirect discrimination – Indirect discrimination happens where there is a condition, rule, policy or practice that applies equally to everyone, but has the effect of being disadvantageous to a particular group who share a Protected Characteristic.

Example: An employer applies a policy requiring all employees to be available to work over a 24 hour period. This new policy impacts disproportionately on the female employees (who predominantly have childcare responsibilities). Unless the employer can show that what they have done, or intend to do, is objectively justified, this will be indirect discrimination.

NML will also ensure that no staff member will be treated less favourably because they have made or supported a complaint or raised a grievance or are expected to make a complaint or grievance about perceived discrimination due to one of the Protected Characteristics.

Implementation

Our commitment is to make equality and diversity, reinforced by our Values, part of all of our day-to-day working practices.

We will demonstrate this commitment by:

- Ensuring that equal opportunities and diversity are considered in all employment and business decisions.
- Developing systems and processes which are accessible and transparent.
- Ensuring that decisions concerning staff are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act)
- Adopting a zero tolerance approach to unfair or illegal discrimination, harassment, victimisation and bullying.
- Challenging and appropriately addressing unacceptable attitudes, behaviour and language that unfairly or illegally discriminate against people, or groups of people.
- Not allowing the dissemination or display of any material considered to be racist, homophobic or offensive with the exception of material as part of an authorised display which is designed to challenge these views. Anyone found to have done so may be subject to formal action under NML's Disciplinary and Gross Misconduct procedures.
- Building a workforce that reflects our visitor base, within the diverse communities in which we work.
- Promoting access for all people by working to ensure that our collections, properties, services and workplaces are accessible to all sections of society.
- Treating all our stakeholders with dignity and respect whilst recognising and valuing the differences and individual contribution that people make.
- Building in legislative requirements and good practice to all our service delivery and employee policies and procedures, and supporting these with appropriate training and guidance.

- Listening to, engaging and collaborating with stakeholders to regularly monitor the effectiveness of this protocol and associated action plans.
- Training managers and all other employees about their rights and responsibilities under this protocol. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination
- Taking seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities

Such acts will be dealt with as a breach of Dignity at Work policy and misconduct under NML's grievance and/or disciplinary procedures, and any appropriate action will be taken. Particularly serious complaints could amount to Gross misconduct and may lead to dismissal without notice

Some forms of discrimination may amount to criminal acts as well as employment rights issues. NML will encourage anybody who feels they have been a victim of a criminal act by a member of staff, volunteer or visitor to report the matter to the police.

Roles and Responsibilities

All those involved with NML are expected to contribute to the achievement of our objectives and are encouraged to work positively towards our development in improving the diversity of our workforce and our audiences.

The Leadership Team is responsible for:

- Leading NML's equality, diversity and inclusion agenda
- Agreeing and delivering an overall Equality, Diversity and Inclusion (EDI) protocol and strategy
- Communicating the plans to others both inside and outside the organisation
- Answering to DCMS and the public for what NML does and what we achieve in terms of equality and diversity
- Ensuring that managers and staff are held accountable through review of outputs
- Ensuring compliance with relevant statutory requirements.
- Agreeing the resources needed
- Monitoring and reviewing the EDI protocol and its effectiveness
- Taking the lead on EDI inside and outside the organisation
- Making sure that EDI is central to all the work undertaken by NML

Managers are responsible for:

- Including EDI issues in the business plans and performance reviews within their areas of responsibility
- Putting the protocol and strategy into practice on a day-to-day basis
- Checking on EDI issues when assessing performance

- Making sure that all staff act in line with the protocol, providing support and direction when needed
- Dealing quickly and effectively with concerns and complaints regarding alleged breaches of the protocol

All Staff are responsible for:

- Actively tackling EDI issues in practical ways in their day-to-day work
- Ensuring their own behaviour, attitude and language are appropriate, and are not discriminating or victimising
- Providing a public service which respects and takes account of the needs and background of service users
- Meeting any EDI targets agreed in their work plan
- Improving the overall performance of NML on EDI
- Recognising and respecting the different backgrounds of the people they work with
- Understanding they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public

The HR Team is responsible for ensuring that the principles of EDI are upheld in relation to:

- Making opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation. In addition, positive action will be taken to meet the specific training needs of under-represented groups or individual staff or groups of staff with particular learning needs related to diversity
- Opposing and avoiding all forms of unlawful discrimination. This includes benefits and pay, progression and performance review policy, procedures and practice, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion or other developmental opportunities
- Monitoring performance assessments by payband and gender
- Provision of a professional and confidential advisory service to all staff who wish to raise any issue regarding their welfare.
- Dealing with all complaints of discrimination, victimisation or harassment quickly, confidentially and sensitively.
- Ensuring consistent and effective application of NML's Grievance, Disciplinary and Dignity at Work policies across the organisation.

Equality, Diversity and Inclusion strategy, schemes and action plans

The EDI protocol is to be considered in all NML decision-making and activity and the Leadership Team is responsible for ensuring this takes place and that the organisation's Mission and Values continue to reflect our commitment to equality, diversity and Inclusion.

NML commits to monitor the make-up of the workforce regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the EDI protocol. NML regularly monitors the composition of its staff through the annual staff audit process which allows the organisation to scrutinise and report on the make-up of its workforce according to different diversity strands.

In addition, NML has a legal obligation as a public sector body to fulfil certain general and specific duties under the Equality Act 2010. The Equality, Diversity and Inclusion Group (EDIG) is responsible for co-ordinating the activities required to meet these duties and for publishing related data and information.

NML also has a Diversity Action Plan which captures and tracks all activity undertaken by the organisation in relation to diversity. This is also owned by NML's EDIG.

Collectively, the above activity represents NML's EDI Strategy.

Monitoring and Evaluation

NML is committed to monitoring and evaluating progress on equality and diversity action. This will be achieved through regular review at Leadership Team and Directorate level against:

- The achievement of our business objectives.
- Improvements in working relationships.
- Enhancing our service provision and visitor experience.

Monitoring will also include assessing how the EDI Protocol, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues

Details of NML's Dignity at Work Policy, Grievance Procedure and Disciplinary Policy can be found at <http://intranet.liverpoolmuseums.org.uk/policies.aspx>. This includes with whom an employee should raise a concern.

Agreed with PCS and Prospect	June 2019
Approved by the Leadership team	September 2018
Revised	
Review date	September 2020

Appendix:

NML's EDI protocol has been developed with a view to ensuring our compliance as a public sector body with the following legislation:

- Employment Equality Act 2006
- Employment Relations Act 1999
- Employment Rights Act 1996
- Equality Act 2010
- Equal Pay Act 1970
- Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- Human Rights Act 1998
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Protection from Harassment Act 1997
- Special Educational Needs and Disability Act 2001

It also incorporates the Terminology Staff Information Sheet.

<http://intranet.liverpoolmuseums.org.uk/staff-groups/NML-Terminology-document-March-2015.doc>