

PLYMOUTH ARENA

EQUALITY AND DIVERSITY POLICY

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RESPONSIBLE PERSON: SARAH PHILIPS

DATE FOR RENEWAL: NLT 5 YEARS

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YOURS.**

EQUALITY AND DIVERSITY POLICY

PURPOSE

The purpose of this policy is to promote:

- Equality of opportunity for all
- A workplace where people are treated with dignity and respect, valued for who they are and the contribution they make to the organisation
- Active opposition to all unlawful discrimination, bullying and harassment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

This policy further sets out to:

- Create an atmosphere of mutual respect within our organisation, which recognises and accepts differences between people
- Ensure that no employee, job applicant or customer, experiences unlawful or unfair discrimination
- Ensure no employee or job applicant is placed at a disadvantage by unnecessary requirements or conditions which have an adverse effect on them, unless they are objectively justified

SCOPE

This policy and procedure applies to all employees that work for Plymouth Arena

POLICY

The Equality and Diversity Policy is central to the way we operate and as such, the overall responsibility for its implementation rests with the Chief Executive and the Management Team.

The Chief Executive and Management Team will, through the delivery and implementation of this policy and associated tools, ensure that all employees, particularly those with managerial and supervisory responsibilities, are aware of and receive appropriate training to promote organisation-wide understanding of this policy.

Managers, coordinators and supervisors have specific responsibilities to ensure that their decisions do not discriminate unlawfully against members of their team and that any corrective action taken is within the bounds of this policy and subsequently current legislation and best practice.

The Chief Executive and the Management Team will:

- Promote the policy
- Make all members of staff, job applicants, customers, suppliers and other relevant stakeholders aware of the policy
- Ensure the policy and plan is reviewed annually and updated as necessary to reflect legislative or best practice changes

AVAILABILITY OF THE POLICY

A copy of this policy is available to all current employees:

- As part their staff induction
- On the administration drive

THE LEGAL FRAMEWORK

The intention of this policy is to promote positive diversity and equality practices in the workplace. It is important to recognise the significance of legislation and Plymouth Arena will ensure the policy adheres to all current legislation and good practice.

The Equality Act 2010 is legislation which outlines the different kinds of discrimination:

- Direct discrimination
- Associative discrimination
- Perceptive discrimination
- Indirect discrimination
- Harassment
- Third party harassment
- Victimisation

DIRECT DISCRIMINATION

Occurs when someone is treated less favorably than another because of a protected characteristic they have or are thought to have, or because they associate with someone who has a protected characteristic.

The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

ASSOCIATIVE DISCRIMINATION

Applies to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

PERCEPTIVE DISCRIMINATION

Applies to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess the characteristic.

INDIRECT DISCRIMINATION

Applies to age, disability, gender reassignment, race, religion or belief, sex, sexual orientation and marriage and civil partnership. It can occur when you have a condition, rule, policy or practice in an organisation that applies to everyone but particularly disadvantages people with these protected characteristics.

Indirect discrimination can be justified if an organisation can show that they acted reasonably in managing the business i.e. that it is a proportionate means of achieving a legitimate aim.

HARASSMENT

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Harassment applies to all protected characteristics except pregnancy, maternity, marriage and civil partnerships.

Some examples of harassment are:

- Unwanted physical contact such as unnecessary touching, gestures, physical threats or assault
- Unwanted verbal conduct such as remarks, suggestions, propositions, innuendos, lewd comments, jokes or banter based on the protected characteristics
- Unwanted non-verbal conduct such as offensive pictures, graffiti, display of pornographic or suggestive literature or inappropriate use of visual display units (VDU's) or network systems for this purpose

Further information on harassment can be found within the Inappropriate Behavior Policy.

THIRD PARTY HARASSMENT

Applies to harassment conducted by a third party, for example a customer or supplier in relation to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation.

VICTIMISATION

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

COMPLAINTS, GRIEVANCES AND DISCIPLINE

Employees who believe that they have been subject to unfair or unlawful discrimination, victimisation, bullying or harassment, should raise their concern through the company Grievance or Inappropriate Behavior policy. Where such grievances relate to the individual's line manager or supervisor, individuals should approach another manager or contact senior management.

Unfair and unlawful discrimination, victimisation, bullying and harassment will not be tolerated and are defined as acts of gross misconduct within the company disciplinary procedure. Any such offences will be dealt with under the disciplinary procedure and may lead to summary dismissal. In the event that action short of dismissal is deemed appropriate, the organisation may relocate employees to a different area of the business should it be considered necessary. The objective will be to relocate the harasser(s) and not the complainant(s).

RECRUITMENT, SELECTION AND RETENTION

Plymouth Arena believes that it is in everyone's best interest to give the fullest consideration to the talents, skills and potential of the whole community. We will therefore positively promote employment opportunities for all.

We will continuously update our policies and procedures to make sure that we:

- Recruit, develop and retain the most suitable people for all jobs
- Treat all staff and job applicants fairly in the application of our employment policies
- All staff involved in the recruitment process are fully trained in, and implement, the policies, procedures and practices of the Equality and Diversity Policy
- Ensure that application forms are made available in multiple accessible formats as appropriate and online

When a post becomes vacant it will be thoroughly analysed and, if the decision is made to recruit, the post will be supported by a job description and personal specification to provide objective criteria relating to the attributes, skills and experience for the job. This will form a basis for the context of the advertisement and for the selection of candidates for interview and appointment.

CONCLUSION

Plymouth Arena strongly believe in equality of opportunity for all and a workplace where people are treated with dignity and respect, valued for who they are and the contribution they make to the organisation. No employee, job applicant or customer, should experience unlawful or unfair discrimination. No employee or job applicant should be placed at a disadvantage by unnecessary requirements or conditions which have an adverse effect on them, unless they are objectively justified. The aim is to ensure consistent and fair treatment of all employees.

ENFORCEMENT

MANAGERS, COORDINATORS AND SUPERVISORS

Managers, coordinators and supervisors have a responsibility to ensure that discrimination, victimisation, harassment and bullying are not carried out by themselves, or by the employees within their line management responsibility. If they become aware of such activities or behavior, formally or informally, they must take immediate steps to stop it.

Specifically, managers, coordinators and supervisors are responsible for ensuring that:

- **Age:**
 - people of all ages are treated with respect and dignity
 - people are given equal access to our employment, training, development and promotion opportunities
 - discriminatory assumptions about younger and older people are challenged
- **Disability:**
 - any reasonable adjustments are made to ensure disabled people have access to our services and employment opportunities. Where it is felt that a particular adjustment is not reasonable, discussion should take place and an alternative solution should be found, where possible
 - discriminatory assumptions about disabled people are challenged

- the physical features of our premises are regularly reviewed, whilst considering whether they might place anyone with a disability at a substantial disadvantage, Where necessary, reasonable steps should be taken to improve access as a result.
- **Gender:**
 - any discriminatory assumptions about gender are challenged
 - positive action is taken to redress the negative effects of discrimination against everyone
 - there is equal access, for everyone, to representation, services, employment, training and pay
 - support is provided to prevent discrimination against transgender people who have or who are about to undergo gender reassignment
- **Marriage or civil partnership:**
 - people are treated with respect and dignity regardless of marriage or civil partnership status
 - discriminatory assumptions about the marriage or civil partnership of our employees are challenged
 - no individual is disadvantaged as a result of their marriage or civil partnership status
- **Pregnancy or maternity:**
 - people are treated with respect and dignity during pregnancy or maternity leave
 - discriminatory assumptions about pregnancy or maternity are challenged
 - no individual is disadvantaged during pregnancy or maternity leave
 - the needs of our employees', during pregnancy or maternity leave, are taken into consideration
- **Race:**
 - racism, wherever it occurs, is challenged
 - any racist incidents are responded to both swiftly and sensitively
 - racial equality and inclusion promoted throughout the Company
 - positive action is taken to redress the negative effects of any discrimination
 - equal access is offered, for everyone, to representation, services, employment, training and pay
- **Religion or belief:**
 - employees' religion or beliefs and related observances are respected and accommodated wherever possible
 - people's beliefs are always respected where the expression of those beliefs does not impinge on the legitimate rights of others
- **Sexual orientation:**
 - the needs of everyone, including the LGBTQ+ communities, are taken care of
 - positive images of the LGBTQ+ communities are promoted
 - discriminatory assumptions about the LGBTQ+ communities are challenged
 - positive action is taken to redress the negative effects of discrimination against everyone
 - equal access is offered, for everyone, to representation, services, employment, training and pay

Furthermore, managers, coordinators and supervisors are responsible for ensuring that:

- **Part time and fixed term work:**
 - Part time and fixed term employees should be treated the same as comparable full time or permanent staff and enjoy no less favorable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified
- **Equal pay:**
 - All employees have the right to the same contractual pay and benefits for carrying out the same work, work rated as equivalent work or work of equal value

Managers and coordinators are also responsible for communicating this policy and ensuring compliance with it within their areas of responsibility.

INDIVIDUAL EMPLOYEE RESPONSIBILITY

Every employee has a responsibility to not behave in a way that could be offensive to others and to ensure that their colleagues are treated with dignity and respect. Every employee has a responsibility to follow Plymouth Arena procedures regarding conduct.

An employee's responsibilities are to ensure that they:

- Cooperate with all company initiatives to promote and implement diversity, equality and fairness
- Do not unlawfully or unfairly discriminate against colleagues, customers, suppliers and other stakeholders
- Play an active part in the implementation of the Equality and Diversity Policy
- Do not encourage, instruct or pressurise other members of staff to discriminate unlawfully
- Do not harass, bully, abuse or intimidate colleagues, customers, suppliers and other stakeholders
- Bring to the attention of management any forms of discrimination, victimisation, harassment or bullying.

ADDITIONAL INFORMATION

The Equality Act 2010 protects relevant characteristics, namely age, disability, gender reassignment, race, religion or belief, sex and sexual orientation and uses the definition of harassment to cover these. Bullying and harassment is therefore unlawful and will not be tolerated.

The full 2010 Equality Act can be found here: <https://www.legislation.gov.uk/ukpga/2010/15/contents>