

Asylum Productions

Equality, Diversity and Inclusion Policy

Draft 1

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Context

Asylum Productions is a rural-based theatre company operating outside of easy reach of urban audiences.

When Asylum moved to Callan in Co. Kilkenny, from Cork in 2015, they realised that they needed to find new ways to engage audiences. With backgrounds in social science, social care and inclusive theatre practice, Artistic Directors Medb Lambert and Donal Gallagher set out to discover ways to explode the traditional theatre-making process in order to engage a new audience by:

- involving the public in the making of the work
- including voices of marginalised/oppressed/ignored communities
- regularly staging the work outside of a traditional theatre venue, often in spaces that had been forgotten, abandoned and locked up
- telling our communities' (of place and or interest) own story back to ourselves

Asylum Productions are fully committed to creating an environment that promotes equality, diversity and inclusion at and in our work and to treating all of our employees, audiences, stakeholders and all other people involved in any aspect of our work 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.

Our culture is one that promotes equality, diversity and inclusion. We promote excellence, encourage creativity and seek new ideas.

We will achieve this through:

The development of new and frameworks for the development, rehearsal, creation and production of theatre in Ireland to ensure that all participants support, value and respect each other.

The design and implementation of specific cultural initiatives which support equality, diversity and inclusion.

The further development of positive actions and initiatives to address inequalities that may exist, to ensure a fair, welcoming and unbiased environment for our whole community.

The promotion of a positive culture in our work practice by sustaining the values that we cherish, while also encouraging and facilitating openness and responsiveness as we evolve.

We believe that embracing equality, diversity and inclusion benefits everyone. Each individual brings their own background, work style, distinct capabilities, experience and characteristics to their work. As well as treating people with dignity and respect, we strive to create a supportive environment where participants can flourish.

Harnessing the wide range of perspectives this diversity brings promotes innovation and helps make us more creative and open work.

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 our commitment to honour our obligations under these Acts.

Commitment to equality and diversity

Asylum will continue to create and implement practices that value diversity, provide equality of opportunity and ensure that no one participant, audience or professional receives less favourable treatment on any of the eight 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.

We do not tolerate harassment or bullying of participants, audience members, work colleagues 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.

We are committed to providing integrated accessible services and information to all users and will seek to ensure that information is produced in accessible information formats.

We will seek to provide supports to artists, audiences and participants with disabilities.

We will support the employment of collaborators and artists with disabilities.

We are committed to widening participation and facilitating access to to our work from under-represented groups.

Monitoring and review

Asylum shall actively seek feedback on the implementation and review of this policy from the wider community with particular focus on historically under-represented groups in the arts in Ireland.

The implementation of the policy shall be reviewed on a regular basis.

Appendix 1 Definitions

About Equality

The principal of equality is enshrined in the Irish Constitution and in many international and EU treaties and declarations.

The Universal Declaration of Human Rights sees equality as a fundamental principle in terms of a person's human rights – 'All human beings are born free and equal in dignity and rights', Art. 1.

Key pieces of equality legislation in Ireland are the Employment Equality Acts 1998-2011 and Equal Status Acts 2000-2012.

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).

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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)

Service user:

The policy applies to all service users, visitors, customers and clients of the Institute. The term 'service user' is then used as shorthand for all customers, visitors, clients, guests and service users of the Institute, including learners.

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.