

Amgueddfa Cymru – National Museum Wales

Equality & Diversity Strategy 2018-2021

This document sets out our Equality & Diversity Strategy. It explains why equality and diversity are important to us, the basic principles we will follow and how we intend to monitor and achieve this.

This document is available in Welsh. To receive a copy of this document in another format contact Kristina Enticott, HR Manager.

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1. Equality & Diversity Statement

Amgueddfa Cymru is committed to promoting equality and diversity and promoting a culture that values difference and recognises the benefit that people from different backgrounds and with different experiences can bring to a workplace. Being an inclusive organization, where diversity is valued, respected and built on, enhances the way an organization functions and is able to reach out, recruit and retain a diverse workforce and visitor profile that reflects the communities we serve. Amgueddfa Cymru provides services through the medium of Welsh and English and supports staff to use and learn Welsh.

The principles set out in our Equality Strategy guide our equality objectives for our staff, volunteers, visitors and those who use our services. It underpins our organizational values and our vision, and reinforces our determination to become a leader in this field.

The Strategy sets out our commitments under the following legislation:

- The Equality Act 2010 and the Statutory Duties (Wales) Regulations 2011
- The Human Rights Act 1998 and the United Nations Convention on the Rights of the Child, 2011
- The Well-being of Future Generations (Wales) Act 2015

The aim of the Strategy is to ensure that all employees, potential employees, volunteers and visitors are treated in a fair and equitable manner regardless of their age, disability, gender identity, marital status, pregnancy or maternity, family responsibility, race, colour, caste, ethnic background, nationality, religion, belief or non-belief, sex, or sexual orientation or socio-economic background. We value the differences, needs and contributions of a diverse workforce and the customer base we represent.

All employees and volunteers whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organization. We believe that equalising employment opportunity not only meets legal and social responsibilities, but through creating a more diverse workforce, promotes organizational effectiveness and improves the quality of working life.

We place an obligation on all our staff and volunteers to respect and act in accordance with this Strategy. We are committed to providing equality and diversity training for all our staff and volunteers.

We extend this positive attitude in respect of equality and diversity to our contractors, visitors and those who use our services and the community.

We aim to be an equality and diversity champion and leader in:

- promoting equality and diversity
- challenging and eradicating discrimination
- providing responsive and accessible services.

2. Equality & Diversity Strategy

2.1 The Definition of Equality & Diversity

Equality can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups both in employment and in the supply of goods and services, the basis of which is supported and protected by legislation.

Diversity can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contribution. This is beneficial not only for the individual but for the organization as a whole.

Valuing diversity can be described as valuing the qualities that different people bring to their jobs, to the resolution of problems and to the development of business opportunities, rather than judging people's ideas by the extent to which they conform to our existing values or personal preference.

Managing diversity can be described as recognising the potential 'difference' can bring to an organization and having the management skill to allow different perspectives and views to improve the quality of our decisions.

In practice, this means that we are committed to:

- giving all staff and volunteers the chance to achieve their full potential by striving to eliminate unfairness, discrimination, victimisation, harassment and bullying at work
- dealing with staff and volunteers solely on the basis of merit and without prejudice, thus ensuring fair, reasonable and dignified treatment for all in:
 - recruitment of staff and volunteers
 - performance management/appraisal
 - access to training
 - career development
 - job allocation
 - promotion
 - grievance and disciplinary matters
- providing support and encouragement to all staff and volunteers to enable them to give of their best, but with special consideration for members of staff and volunteers with particular needs such as those with domestic responsibilities, disabled people or with religious responsibilities
- treating staff employed by others (including agency staff and outside contractors) in a professional manner and making sure they are not harassed, bullied or discriminated against.

2.2 Equality Legislation

We will implement our Equality & Diversity Strategy in accordance with the legislation below, which affects employees (including agency staff and outside contractors), members of the public and partners including services delivered in partnership or by others on our behalf.

a) The Equality Act 2010

The nine protected characteristics identified within the 2010 Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act sets down the Public Sector Duties that apply to Amgueddfa Cymru as a public body:

- promoting equality of opportunity
- promoting good community relations
- eliminating discrimination, harassment, and victimization.

Specific public sector duties for Wales are set out in the Equality Act 2010 (Statutory Duties) Regulations 2011 as issued by the Welsh Government.

b) The Human Rights Act 1998 (which incorporates the European Convention on Human Rights 1950 into British law)

Human Rights and equality are inextricably linked. Equality is treated as a fundamental human right, from the principle of equal respect for the inherent dignity of people.

Article 14 of the European Convention on Human Rights prohibits discrimination 'on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

The words 'other status' have been held to cover, among other things, sexual orientation, illegitimacy, marital status, trade union membership, transsexualism, disability, carers and imprisonment.

Article 14 can only be used when attached to a complaint relating to another article of the Convention such as Article 6: right to a fair trial, or Article 8: right to private or family life, home and correspondence.

In some instances, the Human Rights Act 1998 gives greater rights to people than other equalities legislation because it judges treatment against a fixed standard and does not rely on a comparison between the treatment of one group of people and another.

c) The UN Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) is a human rights treaty that sets out to protect the civil, political, economic, social, health and cultural rights of children under the age of 18. It was ratified by the UN General Assembly in 1989.

In 1991 the United Kingdom formally agreed to ensure that every child in the UK has all the rights listed in the convention. The Welsh Government adopted the Convention as the basis for policy making for children and young people in Wales in 2004 and was the first country to establish a Children's Commissioner.

The basic premise of the Convention is that children (below the age of 18) are born with fundamental freedoms and the inherent rights of all human beings but with specific additional needs because of their vulnerability. The UNCRC is sometimes spoken of as the most complete of the international human rights instruments, as it includes civil, political, economic, social and cultural rights as well as incorporating aspects of humanitarian law.

The Convention sets those rights out in a total of 43 articles which can be split into four categories:

- Survival
- Protection
- Participation
- Development.

All of the rights are of equal importance and all are underpinned by four general principles:

- all of the rights must be available to all children without discrimination (Article 2)
- the best interests of the child must be a primary consideration in all actions concerning children (Article 3)
- that every child has the right to life, survival and development (Article 6)
- that the child's view must be considered and taken into account in all matters affecting them (Article 12).

In January 2011 the Rights of Children and Young Persons (Wales) Measure 2011 was passed by the National Assembly for Wales. It placed a duty on all Welsh Ministers to have due regard to the substantive rights and obligations within the UNCRC and its optional protocols. This duty was extended in 2014. Since then all Secretaries and Ministers need to have due regard to the UNCRC when exercising any of their Ministerial functions.

d) The International Covenant on Economic, Social and Cultural Rights

The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly on 16 December 1966, and in force from 3 January 1976.

It is one of the most important United Nations human rights treaties as it is one of the two treaties that give legal force to the Universal Declaration of Human Rights (the other being the International Covenant on Civil and Political Rights, ICCPR). The UK ratified ICESCR in 1976.

ICESCR rights are crucial to enable people to live with dignity. This treaty covers important areas of public policy, such as the rights to:

- work in just and favourable conditions
- social protection
- an adequate standard of living
- the highest attainable standards of physical and mental health
- education
- enjoyment of the benefits of cultural freedom and scientific progress.

The Covenant is monitored by the UN Committee on Economic, Social and Cultural Rights. The Welsh Government updates the United Nations on progress towards

implementing and observing international human rights standards by including a distinctive Welsh contribution in the formal UK reports to the UN Committee on Economic, Social and Cultural Rights.

e) The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act came into force in Wales in 2016. This Act is about improving the social, economic, environmental and cultural well-being of Wales. It requires public bodies to work in a sustainable way. Public bodies need to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future. The five ways of working detail the need to: work together better, involve people reflecting the diversity of our communities, look to the long term as well as focusing on now, and take action to try and stop problems getting worse – or even stop them happening in the first place. To make sure public bodies are all working towards the same purpose, the Act puts in place seven well-being goals. The seven goals are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales.

The Act requires organizations to think fundamentally about what is needed to achieve the goals and how the principles of the Act have been actively applied to maximise the contribution that can be made. The equality objectives identified to deliver our equality and diversity commitments have been developed to meet the requirements of the Equality Act 2010 set within a framework of the Well-being of Future Generations (Wales) Act 2015.

It is our aim to move beyond legal compliance when implementing our Equality & Diversity Strategy and make every effort to consider and achieve best practice in all our activities.

3. Aim of the Equality & Diversity Strategy

For staff and volunteers:

- To ensure all staff and volunteers are afforded equality of opportunity.
- To provide a fair structure of policies and procedures including Recruitment and Selection, Training, Disciplinary Policy, Procurement and Dignity at Work.
- To ensure all employees have equality of access to promotion and equal pay.
- To increase motivation, performance and efficiency, and prevent disciplinary and grievance cases.
- To take a zero-tolerance approach to breaches of our Dignity at Work and Equality & Diversity Strategy. All instances of alleged misbehaviour will be investigated under our Disciplinary Policy and Procedures.

For our visitors and users:

- To recognise the diversity of the residents of, and visitors to, Wales and their diverse backgrounds, culture and needs and ensure that services are delivered appropriately to maximize participation by all.
- To ensure the development of collections and the programming of work reflects the richness of the diverse communities in Wales.
- Endeavour to remove any barriers to access the services we provide, whether these barriers are physical, attitudinal, structural or in the providing of information

For the sector:

- To attract a diverse workforce and utilise the skills, knowledge and abilities available.
- To create a positive image as an employer and service provider.

4. Intention – what we will do

We will uphold equality and diversity:

- in employment, by developing policies that ensure no job applicant, employee, volunteer or apprentice is unfairly discriminated against on the basis of their gender, ethnic or national origin, religion or belief, age, physical or mental capabilities, marital status, gender identity, sexual orientation, social background, class, or organization role
- in service delivery, by providing appropriate, sensitive and impartial services and being accessible to all
- in fostering a co-operative working environment which is free from bullying, harassment or victimization and promotes good relations among staff to create the conditions for the full development of their potential
- in working together with partners and involving people from a diversity of backgrounds in our work.

5. Specific actions and commitments

5.1 Gender

We will take action to promote gender equality.

- We will continue to work to ensure fair representation of women and men in our staff, visitors and those who use our services.
- We will ensure that women are fully represented in all parts of the organization at all levels.
- We will ensure our policies and procedures address gender issues and where appropriate take positive action. Our priorities in respect of gender equality will be identified in our Equality Objectives and our Equality Action Plan.
- We will ensure that we do not apply any direct or indirect discrimination to our service users or staff on the basis of gender and marriage.
- To tackle unequal pay between men and women, we will ensure that we have a transparent and non-discriminatory pay system.

5.2 Sexual Orientation and Gender Reassignment

- We are committed to creating a safe working environment for all our staff, volunteers, visitors and those who use our services with due regard to their sexual orientation.
- We recognise that transgender people can face barriers and challenges in terms of participation when attempting to access employment, and also as part of an existing workforce.
- We want to be a place where people who are lesbian, gay, bisexual and transgender (LGBT+) among our staff, volunteers and visitors feel it is safe and comfortable to be open about their sexual orientation.
- We will challenge negative views, and provide training so that there is a better understanding of the issue among our staff and managers.
- We will ensure our policies and procedures address issues around sexual orientation and transgender status and where appropriate take positive action.

5.3 Disabled People

We have adopted the social model of disability as a fundamental principle, recognising that people are not disabled by their impairments but the way in which they are discriminated against by society. A more detailed explanation of the model can be found in Annex 2 of this document.

We will:

- continue to operate within the principles of the social model of disability. Increase organizational awareness of the social model of disability
- work to ensure our practices do not restrict the use of our services or the contribution disabled people can make to our work
- make regular assessments of the accessibility of our sites, actively seeking opportunities to improve access to our premises, how our exhibits are displayed and how information is provided
- challenge the myths that disability only affects people with visible impairments.

5.4 Race and Ethnicity

Wales is an increasingly multicultural country, however this diversity is not yet reflected in our workforce or visitor demographic. To help make us truly representative of the people of Wales, we will:

- implement positive action initiatives to assist BME staff to access and enhance their career development opportunities, both within and outside Amgueddfa Cymru
- ensure our policies and procedures address race issues and where appropriate take positive action.
- identify our priorities in respect of race equality in our Equality Objectives.
- increase awareness in the organization about race issues through training and other initiatives.

5.5 Religion and Belief

- We are committed to creating a safe working environment for all our staff, volunteers, visitors and those who use our services with due regard to their religion or belief.
- We want to be a place where all staff, volunteers and service users who adhere to different religions or beliefs feel it is safe and comfortable to be open about their religion or belief.
- We will challenge negative views and practices and provide training so that there is a better understanding of the issues among our staff.

5.6 Age

- We will continue to employ and serve people of all age groups and will ensure our policies and practices do not adversely affect staff, visitors or those who use our services because of their age.
- We will ensure that we do not unfairly discriminate in the employment of staff and volunteers or the provision of services on grounds of age.

5.7 Social and economic exclusion

We believe in people's right to cultural participation and recognise our role in removing barriers to participation.

6. Commissioning Work and Programming

As a learning organization, we have built a reputation for education and excellence. We have excelled at attracting professional and skilled curators and educators, which has enabled our visitors to benefit from their knowledge of the collections.

Wales is a diverse nation and this diversity should be reflected, in all its richness, in all areas of our work.

We recognise the difficulties some groups and individuals have getting their work recognised because of specific barriers. This can be particularly true for disabled people, those from BAME communities and also for those who for social and/or economic reasons have been alienated from mainstream arts provision.

In the spirit of our Equality & Diversity Strategy, the commissioning of new work will reflect this diverse, rich Welsh culture and we are committed to encouraging, supporting and promoting a diverse range of collections and programmes. We will work with the established Diversity Forums and Youth Forums to inform our work and will continue to develop this model across the organization.

For example, we are involved in developing and delivering a range of initiatives, including the programme Fusion: Creating opportunities through culture, Kick the Dust, a pioneering programme to make heritage more relevant and appealing to young people of all backgrounds and experiences, and the Paul Hamlyn Foundation's initiative More and Better, to place community needs and agency at the centre of our work.

7. Procurement

We will strive to ensure that the purchase of goods, services and facilities is undertaken in line with our equality and diversity commitments. We want to engage with a diverse range of suppliers and ensure that businesses from diverse communities have an equal opportunity of competing for our contracts. We will endeavour wherever practicable to purchase from agencies or companies who share our values on equality of opportunity and diversity. Our commitment to boosting the social value of our procurement procedures are outlined in our Equality Action Plan.

8. Training

We will provide in-depth training for Trustees, staff, managers and volunteers on all Equality & Diversity issues. This will include training on the legislation covering equality and consideration of how equality impacts on all aspects of our organization, not just employment issues. The training will place an emphasis on the responsibility we all have to make Amgueddfa Cymru an inclusive environment for all staff and visitors.

9. Equality Impact Assessments

The Equality Impact Assessment is an equalities risk assessment that records the benefits and risks for different people by protected characteristic. It presents evidence of research and consultation and engagement with stakeholders. We will manage and deliver a programme Equality Impact Assessments on all functions, identify areas of potential inequality and establish actions to close any gaps identified. If after assessment it is apparent that a decision may affect people differently, we will take steps to mitigate any negative impacts. In accordance with the Public Sector Equality Duty, we will train all relevant staff in Equality Impact Assessments.

10. Performance Standards – How the Strategy is delivered

10.1 Responsibility for equality of opportunity within the organization

The Director General has overall responsibility for equality of opportunity within the organization, with delegated responsibility to the Director of Learning & Engagement and the Head of Human Resources for implementation. The Head of Human Resources has responsibility for chairing the Diversity Group.

We also have a network of Diversity Advocates made up of representatives of all parts of the organization. The role of the Diversity Advocates is to facilitate the mainstreaming of equality and diversity throughout Amgueddfa Cymru.

10.2 The role of the Diversity Group

The remit of the Diversity Group is:

- To review relevant current and pending legislation to we comply with our legal obligations.
- To review any aspect of our activity to ensure that we do not discriminate in employment practices or delivery of services to the public and to ensure Equality Impact Assessments are carried out and acted on.
- To ensure a mechanism is in place to monitor and report on equality and diversity activities.
- To develop a relevant strategy supported by policies and procedures for consideration by the Senior Management Team.
- To plan and effect communication of the group's existence and purpose so as to encourage help with its activities.
- To seek external support where appropriate in order to we have access to the most appropriate advice in relation to equality and diversity issues.

10.3 Day to day operation of the Strategy

- Line managers are responsible for ensuring the Equality & Diversity Strategy is implemented in their part of the organization, for ensuring staff and volunteers understand the policy and their roles within it and for providing reports and monitoring information.
- In relation to this, managers should ensure that team and individual work programmes promote equality and diversity and keep this under review.
- Every member of staff has an individual responsibility to ensure this policy is actively implemented. This should be reflected in the development of individual work programmes that take account of the needs of all potential users of services. It should also be reflected in individuals' performance and conduct.
- The policy will be circulated to all employees, volunteers, candidates applying for positions and all contractors. The strategy will be made available on our website.

11. Discrimination, Harassment and Victimization

We actively encourage individual members of staff or volunteers to report any incident that resulted in them feeling they had been unfairly disadvantaged, discriminated against unlawfully or subjected to harassment. The incident should be reported to their appropriate line manager in the first instance, or alternatively directly to the Head of Human Resources, if they prefer. In the same way, members of staff who witness an act of discrimination or harassment against a fellow employee, volunteer and/or visitor should report this. Further details can be found in the Dignity at Work policy.

Any employee found to have acted in a discriminatory way in relation to colleagues, volunteers or visitors will be dealt with in accordance with the Disciplinary Procedure. Guidance of what constitutes discrimination, harassment or victimisation can be found below.

Annex 1 – Definitions of discrimination, harassment and victimization

Discrimination

We will ensure that our services are designed and implemented so that they do not discriminate against people.

There are four kinds of illegal discrimination defined in the Equality Act 2010. They apply to service delivery and employment:

- direct discrimination
- combined direct discrimination
- indirect discrimination
- discrimination arising from disability.

Direct discrimination – where a person treats another less favourably because of a protected characteristic. For example, not giving somebody a job or refusing to deliver a service to somebody because of their gender.

Combined direct discrimination – where a person is treated less favourably because of a combination of protected characteristics. For example, gender and age.

The definition of direct discrimination has been extended to reflect case law. It now includes **discrimination because of association** with a person against whom it would be unlawful to discriminate. For example, discrimination against a parent of a disabled person.

Direct discrimination is also extended to cover **discrimination based on the perception** of protected characteristics. For example, discrimination against a person who is believed to be a Muslim, even if they're not.

Indirect discrimination – when a policy or practice is apparently neutral but the effect places a group of people at a significant disadvantage. For example, an inflexible uniform policy that won't accommodate people's needs based on religion or disability.

Discrimination arising from disability – where a person is treated less favourably because of something related to their impairment. For example, a disabled pupil disciplined for not obeying a rule they didn't know about because they didn't understand the sign.

Harassment

We will be pro-active in protecting people. We will raise awareness, train managers, encourage employees to report harassment and deal with problems as they arise.

Harassment is unwanted behaviour that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

We have a responsibility to protect people in the work environment from harassment by people. We may be found at fault if a person reports harassment and didn't take reasonable steps to prevent further harassment. This remains true even if a person is harassed by different people for different reasons at different times.

Harassment now includes **harassment based on association** i.e. a friend of a disabled person, **or perception** i.e. mistakenly believed to be a Muslim etc.

Harassment applies to all protected characteristics except for pregnancy and maternity (where any unfavourable treatment may be considered discrimination) and marriage and civil partnership.

Victimization

The Equality Act protects people from victimization on the grounds of any of the protected characteristics. Victimization is when a person subjects another person to detriment because they have done, or believed that they will do, a 'protected act.' A 'protected act' includes bringing proceedings under the Equality Act 2010, giving information or evidence, or making an allegation in relation to the Act, as long as they have done so in good faith – that is, done honestly.

Annex 2 – The Social Model of Disability

Traditionally society has viewed disability as simply a medical issue, but since the 1970s our understanding has changed. In 1972 a group of disabled people were trying to leave a Cheshire home to live independently and were told that physical rehabilitation was the only means to independent living. These disabled people rejected this, identifying that it was society that had created barriers to limiting their autonomy and, first and foremost, society had to change. The social model was born.

The model was further developed creating new definitions that challenged traditional thinking. Disability is the disadvantage or restriction of activity caused by a society which takes little or no account of people who have physical or mental impairments, and thus excludes them from mainstream activities.

The social model identifies systemic barriers, negative attitudes, the physical environment and exclusion by society, as the main barriers to people who have impairments. Physical or mental impairments do not have to lead to disability. Disability exists when society fails to take account of the requirements of all of its people and their individual differences. Therefore, disability, like racism or sexism, is discrimination and social oppression.