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**CREATIVE TRUST FOR ARTS & CULTURE
ANTI-RACISM, ACCESS AND EQUITY POLICY AND COMPLAINT PROCEDURE**

PART A: STATEMENT OF COMMITMENT

Creative Trust *Working Capital for the Arts* supports and strengthens Toronto's mid-size creation-based performing arts companies, by assisting them in developing their planning and financial skills, achieving organizational and financial balance, and acquiring and maintaining a fund of working capital. By helping participating companies build artistically vital, financially balanced organizations, **Creative Trust's** ultimate objective is a stronger, more vibrant performing arts community whose most innovative music, dance and theatre companies create, produce and present their work in a healthy and sustainable environment.

Creative Trust believes that in order to maintain a healthy and well-balanced organization, and build a stronger more viable performing arts community, emphasis must be placed on upholding an open workplace that offers equal opportunity concerning employees and programs.

Creative Trust strives to achieve diversity and inclusion within its own practice and encourages participating companies to do the same.

PART B: CREATIVE TRUST FOR ARTS & CULTURE ANTI-RACISM, ACCESS & EQUITY POLICY

The following Anti-Racism, Access & Equity Policy, established by the Board of Directors of **Creative Trust**, forms the basis of our anti-racism, access and equity practices both by and within the organization.

The Board of Directors of **Creative Trust** endorses the City of Toronto's Anti-Racism, Access & Equity Policy, and has adopted and upholds equal opportunity and non-discrimination policies by which discrimination on the grounds of race, creed, colour, national origin, political or religious affiliation, sex, sexual orientation, age, marital status, family relationship and disability is prohibited by and within the organization.

PART C: POLICY ON IMPLEMENTATION OF ANTI-RACISM, ACCESS, AND EQUITY

GOVERNANCE

Creative Trust is committed to achieving representation of the diversity of the Toronto community on its Board of Directors by ensuring that it has an equitable and transparent

nominations process, that this process is communicated to all members, and that members are committed to outreach beyond the current membership if necessary to achieve this goal.

EMPLOYMENT

Creative Trust is committed to achieving representation and diversity on its staff by ensuring that members have equitable access to employment. This includes recruitment, selection, staff development, performance evaluation, retention, promotion, and termination.

It will be made clear to all potential employees of **Creative Trust** that a policy of anti-racism, access and equity is in place.

Creative Trust is committed to maintaining an environment where all individuals are treated with dignity and respect and are free from all forms of discriminatory treatment, behaviour or practice. Discrimination, harassment, violence, and any other form of discriminatory practices will not be tolerated by **Creative Trust**. Discrimination does not have to be intentional. It can result from practices or policies that appear to be neutral but, in reality, have a negative effect on groups or individuals based on race, religion, gender, etc.

The anti-racism, access and equity policy will be provided to all employees of **Creative Trust** and will be available in the office.

SERVICES

Creative Trust is committed to ensuring that its services and programs are accessible to diverse communities. This involves review of current outreach, communications, program planning and evaluation, to ensure this goal is being met.

Creative Trust is committed to supporting and strengthening Toronto's mid-size creation-based performing arts companies in all their diversity through its *Working Capital for the Arts* program. The *Outreach* program also includes smaller, and culturally diverse performing arts companies.

TRAINING AND EDUCATION

Creative Trust is committed to ensuring that those involved in the delivery of services and programs have the knowledge, understanding and skills to work with and provide services to members of diverse communities.

Creative Trust employs staff and consultants who are experts in their fields and are able to assist culturally diverse performing arts companies through the *Working Capital for the Arts* and *Outreach* programs.

INFORMATION AND COMMUNICATIONS

Creative Trust is committed to ensuring that all of its communications, including information on its services and programs, are accessible to diverse communities.

Creative Trust abides by the Human Rights guidelines in communicating information on its services and programs.

The offices of **Creative Trust** are located at street level and are fully accessible to those with disabilities by means of elevator.

Companies within the **Creative Trust** programs have the opportunity to evaluate the services that are provided, ask questions, and make suggestions if they desire.

PART D: COMPLAINTS PROCEDURE

AVENUES OF COMPLAINT

Complaints will be dealt with by the Executive Director. Where appropriate, the Executive Director will consult with the President of the Board of Directors.

All situations in which the Executive Director has been named in a complaint will be dealt with directly by the President of the Board of Directors.

RIGHT TO COMPLAIN

Individuals have the right to complain about situations they believe to be discriminatory or harassing in nature.

This policy prohibits reprisals against employees because they have complained or have provided information regarding a complaint. Alleged reprisals are subject to the same complaints procedures and penalties as complaints of discrimination.

REPORTING A COMPLAINT

Although individuals may first choose to make a verbal complaint, a written summary of the incident will be required.

Complaints should be reported as soon as possible. If the complaint is delayed beyond three months, the complainant should outline the reason for the delay in reporting the incident(s).

A letter of complaint should contain a brief account of the offensive incident(s), when it occurred, the person(s) involved and the names of witnesses, if any. The letter should be signed and dated by the complainant.

INVESTIGATION

Within three working days of receiving a complaint, the Executive Director and/or President of the Board of Directors must initiate the investigation process.

As soon as possible after receiving the complaint, the Executive Director will notify the individual(s) being named in the complaint. All individuals named in the complaint have a right to reply to the allegations against them.

Individuals named in the complaint as witnesses will be interviewed.

SETTLEMENT AND MEDIATION

With the consent of the complainant and the respondent, the investigator may attempt to mediate a settlement of a complaint at any point prior to or during an investigation.

Every effort will be made to reach a settlement satisfactory to the complainant and the respondent.

CONFIDENTIALITY

All individuals involved with a complaint must ensure the matter remains confidential.

The investigator will release information only on a need-to-know basis. Whenever possible, investigation reports are presented in a summary format without the names of witnesses.

FINDINGS AND RECOMMENDATIONS

Once the investigation is complete, the investigator will prepare a written report summarizing investigation findings.

FINAL DECISION

The individual(s) who filed the complaint and those named in the complaint have the right to review and comment on the investigation findings with the Executive Director or the President of the Board of Directors.

REMEDY

A response to a founded complaint could include remedial action ranging from:

- requiring the respondent to provide a verbal or written apology;
- giving a verbal or written reprimand with a copy to the respondent's personnel file;
- dismissal of the respondent.

If the findings do not support the complaint, **Creative Trust** might:

- make a recommendation for training or better communications; or
- recommend that no further action is necessary.

It may be that no action is taken against the respondent, but there might be a need for some management or systemic activity.

A person who is found to have made a frivolous or vexatious complaint may be subject to disciplinary action.

TIMEFRAME

Complaints should be reported within three months of the incident. If the report is made after three months, an explanation of the delay should accompany the complaint. No complaints will be accepted after six months.

Complaints will be dealt with in a timely manner.

RECORDS

When remedial action requires discipline of an employee, a record of the disciplinary action will be placed on an individual's personnel file. All other records of the investigation will be kept separate and apart from the personnel file.

ONTARIO HUMAN RIGHTS COMMISSION

This internal procedure is available to individuals to resolve complaints of discrimination. Parties also have recourse to the Ontario Human Rights Commission, however, once a grievance is filed with OHRC, the internal procedure is not an option.

PART E: DEFINITIONS

ACCESS:

The ability of or extent to which communities or residents can attain needed d\services and achieve participation in the planning, development, administration and delivery of those services.

ANTI-RACISM:

A set of practices and systems designed to eliminate racism. Racism includes racist ideologies, prejudiced attitudes, discriminatory behaviours, structural arrangements and institutionalized practices resulting in racial inequity as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable.

COMPLAINANT:

The individual alleging the discriminatory treatment or behaviour.

DISCRIMINATION:

The act of treating a person unequally by imposing unequal burdens or denying benefits, rather than treating a person fairly on the basis of individual merit.

Discrimination is usually based upon personal prejudices and stereotypical assumptions related to at least one of the grounds set out in this Policy.

Workplace rules, policies, procedures, requirements, qualifications or other factors may not be directly or intentionally discriminatory but may nonetheless have an adverse effect. This may create barriers to achievement and opportunity and must be addressed.

EMPLOYEE:

For the purpose of this policy, the term employee includes employees, volunteers, contractors and consultants working with **Creative Trust**.

EQUITY:

Practices designed to remove systemic barriers to equality of outcomes by identifying and eliminating discriminatory policies and practices.

HARASSMENT:

A course of conduct of comments or actions that are unwelcome or should be known to be unwelcome. A person has the right to be free of humiliating or annoying behavior that is based on one or more grounds in the Code.

RESPONDENT:

The individual against whom the allegation of discrimination is made.