



Equality & Diversity Policy

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THIS DOCUMENT APPLIES TO:

Employees, Board Members, consultants, contractors, volunteers, involved tenants, casual workers and agency workers of Cynon Taf Community Housing Group.

The "Group" comprises Cynon Taf Housing (2007) Ltd and Cwm Taf Care & Repair Ltd.

THIS POLICY CROSS REFERENCES TO:

- Equality & Diversity Procedure
- Equality & Diversity Strategy
- Appointments Policy
- Performance Appraisal and Staff Development Policy
- Disciplinary Policy
- Dignity at Work Policy
- Grievance Policy
- Training and Development Policy
- Flexible Working Policy
- Family Leave Policy
- Leave of Absence Policy
- Procurement Policy
- Social Media Policy
- Confidential Reporting - Whistle-blowing Policy

DEFINITIONS:

EQUALITY & DIVERSITY POLICY

1. INTRODUCTION AND SCOPE

- 1.1 The aims of this policy are to eliminate discrimination, advance equality of opportunity, foster good relations between different people, tackle prejudice and promote understanding of Equality & Diversity issues. We will work to ensure that our employees, Board Members, consultants, contractors, volunteers, involved tenants, casual workers and agency workers reflect the communities in which we work – and that they advance the aims set out in this policy
- 1.2 This policy applies to all actions taken by or on behalf of the Group or which through the use of social media are linked to the Group.
- 1.3 This policy covers all employees, Board Members, consultants, contractors, volunteers, involved tenants, casual workers and agency workers. Although responsibility for implementing this policy sits with the Board and Chief Executive, we expect everyone included in this paragraph to take responsibility for applying these principles.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.
- 1.5 This policy complies with all current equality legislation and regulatory requirements.

2. PRINCIPLES

- 2.1 We recognise that employees, tenants, clients, Board Members and contractors are central to our success and that we work in a diverse society. We acknowledge our responsibility to make sure that every person has equality of opportunity.
- 2.2 In service provision, and recruitment to our governance and involvement structures, we will aim to ensure that we do not discriminate, that we treat everyone fairly and equitably and that we will respect their human rights. This includes actions taken on our behalf by contractors and other agents.
- 2.3 We are committed to following the principles of the Single Equality Act 2010, which means ensuring and promoting the fair treatment of all, irrespective of: -
 - Age
 - Disability
 - Sex
 - Gender reassignment
 - Pregnancy or maternity
 - Race
 - Sexual orientation
 - Religion or belief
 - Marriage or civil partnership

- 2.4 We also understand that people are discriminated against for reasons other than protected characteristics covered by the Equality Act 2010 and that we have a moral obligation to challenge discrimination and injustice where practical and appropriate. Our championing of equality and diversity will include challenging discrimination based on the following:
- Socio economic group or perception of such
 - Responsibility for dependants
 - Part time working
 - Political affiliation
 - Unrelated criminal activities
 - Health
 - Appearance and judgement of such
- 2.5 We will not treat anybody applying for housing, receiving services or working /volunteering for us less or more favourably than anyone else due to a protected characteristic or any of the areas covered in our moral category.
- 2.6 We will use Equality Impact Assessments for key policies and service decisions as a way of systematically taking equal opportunities into consideration.
- 2.7 We will take positive action when we need to, to allow members of underrepresented groups with a protected characteristic to receive equality of opportunity in housing, services and work.
- 2.8 Board Members and Involved Tenant Groups will role model and champion our commitment to Equality & Diversity.
- 2.9 All main contractors, consultants and other agencies we contract for services must adhere to our equal and diversity policy or have their own which complies with the Equalities Act 2010.
- 2.10 If we discover unlawful discrimination by partners, consultants, contractors or suppliers, we will take action and where necessary we may review or terminate our agreements with them.
- 2.11 We will take effective action to tackle victimisation and harassment and we will always adopt a victim centred approach.
- 2.12 Our employees & partners will follow our Equality and Dignity policies and procedures that apply to the service they provide.
- 2.13 To make sure people have equal access to services, we will provide an interpreter service and translate policies and documents where required, to meet people's needs.
- 2.14 We aim to ensure that all our offices are accessible and where this is not possible ensure that the service provided is accessible.
- 2.15 We will build all new housing to the current standards set out in the equality and planning legislation.

- 2.16 We will ensure that there is equal access to information and services by providing appropriate facilities.
- 2.17 Failure to abide by Equality & Diversity Policy will be addressed via the Disciplinary Procedure and may constitute gross misconduct. Where there is a failure of standards within our governance and involvement structures, the Chief Executive will, with the Chair, take appropriate action.

EQUALITY & DIVERSITY PROCEDURE

1. BACKGROUND

- 1.1 This document must be read in conjunction with the Equality & Diversity Policy HR 25.
- 1.2 It is unlawful to discriminate directly or indirectly or harass other people including current and former employees, current and former Board Members, job applicants, tenants, clients, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts) and on work related trips including social events.
- 1.3 Similar legal provisions apply to discriminating in the provision of services to customers.
- 1.4 **Types of unlawful discrimination: -**
 - 1.4.1 **Direct discrimination** is where a person is treated less favourably because of a Protected Characteristic.
 - 1.4.2 **Indirect discrimination** is where a provision, criterion or practice that is applied to everyone but adversely affects people with a particular Protected Characteristic more than others and is not justified.
 - 1.4.3 **Failure to make reasonable adjustments** is where there is a failure to make reasonable adjustments to alleviate disadvantages caused by a disability.
 - 1.4.4 **Harassment** is where there is unwanted conduct related to one of the Protected Characteristics which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment is dealt with further in our Dignity at Work policy.
 - 1.4.5 **Victimisation** retaliation against someone because they have complained of unlawful discrimination or harassment supported someone to make such a complaint or given evidence in relation to such a complaint.

2. COMMITMENTS AND RESPONSIBILITIES

2.1 Recruitment and Selection

- 2.1.1 Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted based on merit, against objective criteria that avoid discrimination. Shortlisting should be done by more than one person and with the involvement of the Resources Department, where possible. Our recruitment procedures will be reviewed regularly to ensure that individuals are treated based on their relevant merits and abilities.

- 2.1.2 Advertisements will avoid stereotyping or using wording that may discourage particular groups from applying. We will take steps to ensure that vacancies are advertised to a diverse labour market and as widely as possible within the local community
- 2.1.3 Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked whether they are pregnant or planning to have children.
- 2.1.4 Job applicants should not be asked about health or disability before a job offer is made. There are limited exceptions which should only be used with the approval of the Resources Department. For example:
- a) Questions necessary to establish if an applicant can perform an intrinsic part of the job (subject to any reasonable adjustments).
 - b) Questions to establish if an applicant is fit to attend an assessment or any reasonable adjustments that may be needed at interview or assessment.
 - c) Positive action to recruit disabled persons.
 - d) Equality & Diversity monitoring (which will not form part of the selection or decision-making process).
- 2.1.5 Where necessary, job offers can be made conditional on a satisfactory medical check.
- 2.1.6 Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.
- 2.1.7 We may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group which it identifies as being underrepresented in particular types of job.
- 2.1.8 We are required by law to ensure that all employees are entitled to work in the UK. Assumptions about immigration status should not be made based on appearance or apparent nationality. All prospective employees, regardless of nationality, must be able to produce original documents (such as a passport) before employment starts, to satisfy current immigration legislation. The list of acceptable documents is available from the Resources Department or UK Visas and Immigration.

2.2 Employees

- 2.2.2 We will consider any possible indirectly discriminatory effect of our standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. We will comply with our obligations in relation to statutory requests for flexible working and in our approach to agile working. We will also make reasonable adjustments to our standard working practices to overcome any disadvantage caused by the individual's protected characteristic.
- 2.2.3 Employees will be given equality of opportunity in accessing training to enable them to progress within the organisation.
- 2.2.4 Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all who should have access to them and that there are no obstacles to accessing them.
- 2.2.5 Part-time and fixed-term employees will be treated the same as comparable full-time or permanent employees and will receive no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment can be justified.
- 2.2.6 We will monitor the physical features of our workplaces to consider whether it might place anyone with a disability at a substantial disadvantage. Where necessary, we will take reasonable steps to improve access.
- 2.2.7 We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.
- 2.2.8 We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal or other disciplinary action.
- 2.2.9 If an employee experiences difficulties at work because of their protected characteristic, they are encouraged to contact their line manager or the Resources Team to discuss any reasonable adjustments that would help overcome or minimise the difficulty. We will consider the matter carefully and will do everything possible to accommodate an employee's needs. If we consider that an adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

2.3 Provision of Services

- 2.3.1 We will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by us.
- 2.3.2 Employees should report any discrimination of any kind, carried out by any individual, to their manager who will take appropriate action.
- 2.3.3 Because of our own commitment to equality of opportunity, we will insist that our advisors, contractors, consultants and agents implement an Equality & Diversity Policy similar to our own.

2.3.4 We will not tolerate discriminatory behaviour towards our tenants, clients, employees, Board Members, any other advisors, contractors, consultants or the general public. Any allegation of such conduct will be investigated thoroughly, and appropriate disciplinary action will be taken against offenders if the allegations are substantiated. This action may include:

- Instigation of the disciplinary process (employees)
- Withdrawal from the Board of Management /Committees
- Withdrawal from our involvement structures
- Withdrawal from the work currently being undertaken
- Removal from our approved lists, etc

2.4 **Equality Impact Assessments (EIAs)**

2.4.1 An Equality Impact Assessment is a way of systematically taking equal opportunities into consideration when making a decision. We will carry out EIAs on significant changes to key policies or services and decisions that could have disproportionate impacts on individuals or groups protected under the Equality Act 2010

2.4.2 We will also use our EIAs to identify ways in which we could improve the lives and opportunities of those with protected characteristics.

2.5 **Training**

2.5.1 We will provide general Equality & Diversity awareness training to Board Members, employees and involved tenants as a regular part of our training programme.

2.5.2 Training on unconscious bias will be provided to everyone who is likely to be involved in recruitment or other decision making.

2.5.3 Training on carrying out effective Equality Impact Assessments will be provided to those who will be involved in developing and reviewing policies and services.

2.6 **Equality & Diversity Data**

2.6.1 To ensure that this policy is operating effectively and that we are providing a fair and equitable service, we will keep records of tenants, clients, Board members, employees, job and housing applicants for an agreed period. Information collected will include the nine protected characteristics set out in the Equality Act 2010. Ongoing monitoring will allow us to take appropriate action to tackle discrimination, victimisation or harassment and promote equality of opportunity.

2.6.2 We will analyse this data regularly and take follow-up action if appropriate

2.7 **Monitoring**

2.7.1 We will monitor the implementation of our agreed Equality & Diversity Actions through our Equality & Diversity Strategy and action plan.

2.7.2 Monitoring will be carried out by our Equality & Diversity working group.

3. BREACHES OF THIS POLICY

- 3.1 If an employee considers that they have been unlawfully discriminated against, they should use our grievance procedure to make a complaint. If the complaint involves bullying the employee should use the Dignity at Work Procedure in the first instance. Complaints will be treated in confidence and investigated as appropriate.
- 3.2 If a Board Member or Involved Tenant is a witness to behaviour that is not in line with the values of this policy, they should report the matter to the Resources Manager.
- 3.3 There will be no victimisation or retaliation against employees who complain about discrimination. Making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under the Disciplinary Procedure.
- 3.4 Breaches of this policy will be dealt with in accordance with the Disciplinary Procedure. Serious cases of deliberate discrimination may amount to gross misconduct resulting in dismissal.
- 3.5 Employees can be held personally liable as well as, or instead of, the Group for any act of unlawful discrimination. Employees who commit serious acts of discrimination / harassment may be guilty of a criminal offence.
- 3.6 In some cases, it may be necessary to use the Group's Confidential Reporting Policy.