

Steve Bikop Housing Association
Equality and Diversity Policy
May 2014

1. Policy Statement

Steve Biko Housing Association (“the Association”) is committed to achieving a working environment which provides equality of opportunity and freedom from discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. This Policy aims to remove unfair and discriminatory practices within the Association and to encourage full contribution from its diverse community. It is a fundamental tenet of the Association to actively opposing all forms of discrimination.

The success of the Association depends on its people. Capitalising on what is unique about individuals and drawing on their different perspectives and experiences will add value to the way we do business.

By accessing, recruiting and developing talent from the widest possible talent pool we can gain an insight into different markets and generate greater creativity in anticipating customer needs.

We will constantly strive to create a productive environment, representative of and responsive to different cultures and groups, where everyone has an equal chance to succeed.

We all have a responsibility to embrace and support this vision and must continue to challenge behaviour and attitudes that prevent us from achieving this. Using fair, objective and innovative employment practices, our aim is to ensure that:

- All employees and potential employees are treated fairly and with respect at all stages of their employment.
- All employees have the right to be free from harassment and bullying of any description, or any other form of unwanted behaviour, whether based on sex, trans-gender status, marital status, civil partnership status, pregnancy, race, disability, age, political or religious belief or sexuality.
- All employees have an equal chance to contribute and to achieve their potential, irrespective of any defining feature that may give rise to unfair discrimination.
- The diversity of the communities we serve is reflected at all levels within our workforce

Gender

Women and men are fully and properly represented and rewarded for their contribution at all levels of the organisation through:

- challenging gender stereotypes
- supporting employees in balancing their life at work and at home

- supporting employees who become pregnant and taking active steps to facilitate their return to work after maternity leave.

Trans-gender status

People who plan to undergo, are undergoing, or have undergone gender re-assignment are protected against all forms of discrimination and harassment. The Association will take positive steps to support a trans-gender person and ensure they are treated with dignity and respect.

Marital status

People are treated fairly and equally in the workplace irrespective of their marital, civil partnership or family status.

Race

The racial and cultural diversity of our communities is represented at all levels of the organisation through:

- challenging racial stereotypes
- understanding, respecting and valuing different racial and cultural backgrounds and perspectives.

Disability

The abilities of disabled people are recognised and valued at all levels of the organisation through:

- focusing on what people can do rather than on what they cannot
- challenging stereotypes about people with disabilities
- making appropriate adjustments in the workplace to help people with disabilities achieve their full career potential.

Age

Age diversity within the workforce is promoted and valued through:

- challenging age stereotyping
- recognising the benefits of a mixed-age workforce.

Religious belief and political opinion

- People are treated fairly in the workplace irrespective of their religious beliefs and practices or political opinions by recognising individuals' freedom of belief and right to protection from intolerance and persecution.

HIV

Discrimination against an employee or potential employee on grounds that he or she has, or

is thought to have, HIV or AIDS is not acceptable, and confidentiality will be respected in line with the wishes of an individual with HIV or AIDS.

Sexuality

People are treated fairly in the workplace irrespective of their sexuality through:

- respecting different lifestyles
- challenging negative stereotypical views.

2. Objectives of this Policy

- 2.1 AS a minimum to prevent, reduce and stop all forms of unlawful discrimination in line with the Equality Act 2010.
- 2.2 To actively counter and oppose all forms of discrimination, and hateful behaviour
- 2.3 To ensure that recruitment, promotion, training, development, assessment, benefits, pay, terms and conditions of employment, redundancy and dismissals are determined on the basis of capability, qualifications, experience, skills and productivity.

3. Designated Officer

Name: Tracey Gore

Position: Director

Telephone Number 0151 734 4933

4. Definition of Discrimination

Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation. Discrimination may be direct or indirect, and includes discrimination by perception and association.

5. Types of Discrimination

5.1 Direct Discrimination

This occurs when a person or a policy intentionally treats a person less favourably than another on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

5.2 Indirect Discrimination

This is the application of a policy, criterion or practice which the employer applies to all employees but which is such that:

- It is detrimental to a considerably larger proportion of people from the group that the person the employer is applying it to represents;
- The employer cannot justify the need for the application of the policy on a neutral basis; and
- The person to whom the employer is applying it suffers detriment from the application of the policy.

Example: A requirement that all employees must be 6ft tall if that requirement is not justified by the position would indirectly discriminate against employees with an oriental ethnic origin, as they are less likely to be able to fulfil this requirement.

5.3 Harassment

This occurs when a person is subjected to unwanted conduct that has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

5.4 Victimisation

This occurs when a person is treated less favourably because they have brought or intend to bring proceedings or they have given or intend to give evidence.

6. Unlawful Reasons for Discrimination

6.1 Sex

It is not permissible to treat a person less favourably on the grounds of sex, marital status, civil partnership, pregnancy or maternity, gender reassignment or transgender status. This applies to men, women and those undergoing or intending to undergo gender reassignment. Sexual harassment of men and women can be found to constitute sex discrimination.

Example: Asking a woman during an interview if she is planning to have any (more) children constitutes discrimination on the ground of gender.

6.2 Age

It is not permissible to treat a person less favourably because of their age. This applies to people of all ages. This does not currently apply to the calculation of redundancy payments.

6.3 Disability

It is not permissible to treat a disabled person less favourably than a non-disabled person. Reasonable adjustments must be made to give the disabled person as much access to any services and ability to be employed, trained, or promoted as a non-disabled person.

6.4 Race

It is not permissible to treat a person less favourably because of their race, the colour of their skin, their nationality or their ethnic origin.

6.5 Sexual Orientation

It is not permissible to treat a person less favourably because of their sexual orientation. For example, an employer cannot refuse to employ a person because s/he is homosexual, heterosexual or bisexual.

6.6 Religion or Belief

It is not permissible to treat a person less favourably because of their religious beliefs or their religion or their lack of any religion or belief.

7. Positive Action in Recruitment

Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that the Association can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for positions within the Association.

If the Association chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

8. Reasonable Adjustments

The Association has a duty to make reasonable adjustments to facilitate the employment of

a disabled person. These may include:

- 8.1 Making adjustments to premises;
- 8.2 Re-allocating some or all of a disabled employee's duties;
- 8.3 Transferring a disabled employee to a role better suited to their disability;
- 8.4 Relocating a disabled employee to a more suitable office;
- 8.5 Giving a disabled employee time off work for medical treatment or rehabilitation;
- 8.6 Providing training or mentoring for a disabled employee;
- 8.7 Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- 8.8 Any other adjustments that the Association considers reasonable and necessary provided such adjustments are within the financial means of the Association.

If an employee has a disability and feels that any such adjustments could be made by the Association, they should contact the Designated Officer.

9. Responsibility for the Implementation of this Policy

All employees, subcontractors and agents of the Association are required to act in a way that does not subject any other employees or clients to direct or indirect discrimination, harassment or victimisation on the grounds of their race, sex, pregnancy or maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

The co-operation of all employees is essential for the success of this Policy. Senior employees are expected to follow this Policy and to try to ensure that all employees, subcontractors and agents do the same.

Employees may be held independently and individually liable for their discriminatory acts by the Association and in some circumstances an Employment Tribunal may order them to pay compensation to the person who has suffered as a result of discriminatory acts.

The Association takes responsibility for achieving the objectives of this Policy, and endeavours to ensure compliance with relevant Legislation and Codes of Practice.

10. Acting on Discriminatory Behaviour

In the event that an employee is the subject or perpetrator of, or witness to, discriminatory behaviour, please refer to the Association's disciplinary procedures.

11. Advice and Support on Discrimination

Employees may contact their employee or trade union representative if access to such an individual is possible.

Other contacts include:

Equality and Human Rights Commission

Arndale House
The Arndale Centre
Manchester
M4 3AQ
CF10 5BT

Telephone: 0845 604 6610

Website: www.equalityhumanrights.com

Citizens Advice Bureau

Website: www.citizensadvice.org.uk

Community Legal Services Direct

Telephone: 0845 345 4 345

Website: www.clsdirect.org.uk

12. The Extent of the Policy

12.1 The Association seeks to apply this Policy in the recruitment, selection, training, appraisal, development and promotion of all employees. The Association offers its services in a fashion that complies with the spirit of this Policy.

12.2 This Policy does not form a part of any employment contract with any employee and its contents are not to be regarded by any person as implied, collateral or express terms to any contract made with the Association.

12.3 The Association reserves the right to amend and update this Policy at any time.

This policy has been approved & authorised by:

Name: Tracey Gore

Position: Director

Date: 1st May 2014

Signature: