

Equality and Inclusion Policy

Broadacres Housing Association is an Equal Opportunity Employer and is committed to promoting equality and recognising and responding to diversity. We define equality as working towards creating a fair society in which everyone is provided with equal opportunities and protection from discrimination. We recognise that diversity is about valuing the differences within and between groups of people but also the range and fluid characteristics that define them as individuals.

We believe that:

- Everyone should be treated in a fair, open and honest manner; and
- It is the right of all Colleagues, service users and visitors to be treated with dignity and respect.

We will do everything that we can to ensure our terms and conditions of employment for both current and future colleagues are equitable and non-discriminatory. This means that job applicants, colleagues, suppliers and clients will be treated fairly irrespective of any of the 'Protected Characteristics' as defined by the Equality Act 2010.

The 9 protected characteristics are:

- race,
- religion or belief,
- age,
- disability including mental health,
- gender reassignment,
- marriage and civil partnership,
- pregnancy and maternity,
- sex,
- sexual orientation.

The Equality Act 2010 also introduced a Public Sector Equality Duty which consists of two parts:

1. The General Equality Duty requires public bodies to:
 - Eliminate discrimination, harassment and victimisation
 - Advance equality of opportunity between people who share a protected characteristic and those who don't
 - Foster or encourage good relations between people who share a protected characteristic and those who don't
2. Specific Duties require public bodies to undertake equality analysis and engage with diverse groups in the delivery and development of policies and services

Broadacres must comply with these obligations in our day to day practice and not directly or indirectly discriminate based on the nine protected characteristics listed above.

This policy is underpinned by the [Local Government Association Social Housing Equality Framework](#) and the Chartered Institute of Housing Equality and Diversity Charter.

This policy applies to all our colleagues, workers, contractors and subcontractors, who provide services on our behalf. As a result, we all must uphold the ethos and values of this policy and treat each other fairly and with respect. We have a duty of care to our colleagues and clients to protect them from discrimination and harassment from others, including third parties who provide services for us.

To promote equal opportunities and prevent harassment and or bullying with all colleagues, we:

- share and communicate this policy,
- hold regular training for all colleagues on it,
- ensure all team members are aware of what the policy means in relation to their conduct and responsibilities,
- encourage an open culture where people share experiences to encourage diversity and inclusion,
- have an open-door policy where people are free to talk about any concerns they may have about equality with their senior team,
- adopt appropriate means of communication and receiving feedback, such as the use of Language Line/Type Talk, and upon request make our documents available in large print, on CD, in Braille, in picture format and in languages other than English also a translation and interpretation service will be made available where required
- prepare and review a progress report each year of the effectiveness of our actions in relation to equality and diversity,
- prepare and review statistical information each year in relation to customers, colleagues and the board.

When it comes to equal opportunities, the following definitions are important:

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| ➤ Discrimination: | This means treating people less favourably because of a protected characteristic they have or are thought to have (see perceptive discrimination below), whether this be direct or indirect by applying a provision, criterion or practice, which disadvantages such persons. |
| ➤ Discrimination by Association: | This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. |
| ➤ Discrimination by Perception: | This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic. |
| ➤ Discrimination Arising from Disability: | This is treating a disabled person unfavourably because of something connected to their disability where there is no objective justification. This only applies if an employer knows or could reasonably be expected to know that the person is disabled. |
| ➤ Sexual Orientation | This means sexual orientation for a person of the same sex, different sex or for persons of both sexes. It does not include sexual practices or preferences. Discrimination can occur based on a perception of a person's sexual orientation, even if that perception is wrong. It can also include discrimination against a person by reason of the sexual orientation of someone they associate with. |
| ➤ Age: | Age is defined by the number of years an individual has lived. |
| ➤ Gender Reassignment: | This means a desire to be known or to become a person of a gender different to that to which they were born. It includes someone who proposes to or has |

completed a process to change his or her gender.

➤ Religion/Religious Beliefs:

Religion or religious beliefs is defined as any religion, religious belief or similar philosophical belief. It does not include philosophical or political beliefs unless that belief is similar to a religious belief. Discrimination can occur based on a perception of a person's religion or beliefs even if that perception is wrong. It can also include discrimination against a person by reason of the religion or religious beliefs of someone they associate with.

➤ Disability

A person is defined as being disabled if they have a physical or mental impairment that has a "substantive" and "long-term" negative effect on their ability to do normal daily activities. "Substantial" is more than minor e.g. it takes the person much longer than it usually would to complete a day to day task such as getting dressed. "Long-term" means 12 months or more. Recurring or fluctuating conditions, such as Arthritis can also be included.

➤ Harassment:

Harassment is defined as any hostile, unwanted unreasonable and/or offensive conduct related to a relevant protected characteristic, which adversely affects a person's dignity, self-confidence and well-being and creates a hostile environment and which leads to that person feeling intimidated, degraded or humiliated. A person is also protected from harassment because of perception and association.

➤ Third Party Harassment:

An employer is liable for harassment of their employees by people (third parties) who are not employees of the organisation, such as clients and contractors. This will only apply if the harassment has occurred on at least two previous occasions and the employer has been made aware of this and has not taken reasonable steps to prevent this from happening again.

➤ Racial Harassment:

Racial harassment is defined as any action, conduct, comment, gesture or behaviour that is offensive, embarrassing, insulting or intimidating. It may include derogatory remarks, quips, jokes, innuendoes, taunts or physical abuse which is racially derogatory and potentially offensive and relates to a person's race, caste religion or ethnic origins.

➤ Sexual Harassment:

This is defined as:

- a. Any action, conduct, comment, gesture or physical contact of a sexual nature that is unwelcome and might reasonably be seen by an employee or prospective employee as placing an implicit or explicit condition on employment.

- b. Any persistent, unwelcome action, conduct, comment, gesture or physical contact of a sexual nature that is likely to cause offense, embarrassment or humiliation to an employee or creates an offensive working environment.

➤ Bullying:

This is defined as repeated treatment with the purpose of controlling individuals or making them insecure in their roles or treatment that has that effect (whether it be direct or indirect/verbal or non-verbal).

➤ Victimisation:

Victimisation occurs when an employee is subject to a detriment because of something they have done under or in connection with asserting their rights under any employment legislation or regulations. This will not apply if the complaint was maliciously made or if an individual supports an untrue complaint.

➤ Positive Action:

This is allowed by the law to encourage disadvantage groups who have been under-represented in particular works areas.

The Diversity Development Team

The Diversity Development Team is made up of tenant representatives, a Board member and staff from all levels and departments of Broadacres. It is accountable directly to DMT. The Diversity Development Team will meet every three months to monitor equality and diversity in Broadacres, including the development of policies and the effectiveness of procedures and systems. More specifically it will:

- Review relevant information e.g. national monitoring statistics;
- Review developments and initiatives;
- Consider changes to legislation and best practice;
- Consider new diversity matters and make policy recommendations;
- Promote an understanding and culture of diversity throughout Broadacres.

The Team will also ensure that the principles of equality and diversity are applied to all our services by the provision of regular information, training and the review of services. Equality Impact Assessments (EIA) are also undertaken on key policies and procedures.

Monitoring Diversity at Work

The Diversity Development Team will undertake regular reviews in conjunction with Directors / Heads of Service of Broadacres' current practices, using Equality Impact Assessments, to identify gaps and areas for improvement in services.

As part of the application and new starter process, we ask all employees and job applicants to complete a form about their age, sex, race, ethnic origin and whether they suffer from any disabilities. This form is only used for the purpose of monitoring how effective our Equality and Inclusion policy is and help us see where we may need to focus our attention to be more diverse and inclusive. The information on this form is not used to decide someone's suitability for the role and will be kept secure (and destroyed) in line with our GDPR and Data Protection policy. Please see General Data Protection Act 1998 and the General Data Protection Regulations (2018) for more information.

Each year, the Board of Management will review a report on the performance of Broadacres in relation to Equal Opportunities and the management of Diversity against an agreed action plan.

We will also benchmark our policies and practices against best practice and make any appropriate amendments, for example, the Social Housing Equality Framework.

Disabilities, Equality and Inclusion

Under the Equality Act, we have an obligation to make reasonable adjustments for employees and job applicants who have a declared disability to help them attend interview and/or remain in work. Disabilities can be both physical, mental and neurological, including MS, Cancer, depression, bipolar, Autism, Dyslexia and ADHD to name a few.

Part of our approach towards a more diverse workplace is looking at how we can encourage our team members to talk about their experiences and we encourage our managers as part of 1-2-1's to talk with their team members about what we can do to help them generally. If you do discuss any disabilities with your manager, then we will do all we can to talk about these with you in an empathetic manner and work with you as far as is reasonably possible to make adjustments and tailor support offered to meet your needs.

Discriminatory Conduct

If you feel that you have been discriminated against or have witnessed a colleague being treated in a discriminatory way, please bring it to our attention. Speak out by talking with your manager. The complaint will be taken seriously, thoroughly investigated and considered based on the facts of the investigation. You will not be penalised for raising concerns unless they are found to be patently untrue and made in bad faith. If the matter relates to harassment or bullying of any kind, you should follow the anti-harassment and bullying procedure set out below.

Any employee who discriminates against any other employee or client because of a protected characteristic will be taken through our disciplinary procedure as set out in the disciplinary policy. In serious cases where the behaviour is found to be gross misconduct, it will result in summary dismissal if there are no mitigating circumstances.

In addition, we will not tolerate discriminatory action against anybody employed by us or acting on our behalf. If you feel you have been treated or spoken to inappropriately by a client or someone using our services, then you must come forward and speak with your manager or a senior manager.

If a complaint is raised, then we will inform you and let you know what action is being taken. If an incident is reported to you and you are unable to seek advice from a senior manager, then please act as you think right in the circumstances; for example, ending a training course.

Anti-Harassment and Bullying Procedure

As well as our commitment to equality and diversity, we are committed to providing a work environment for everyone which is free from harassment or bullying because of a protected characteristic. This may include embarrassment, intimidation, threats or discrimination.

We will take reasonable steps to prevent harassment and or bullying at work and we do not condone any conduct which may be construed as sexual harassment.

Any complaints of harassment or bullying should be made to a senior manager who will involve the relevant people to consider your complaint. The matter will be dealt with in a discreet and confidential manner and appropriate action will be taken. It is the duty of all employees, and in particular management and supervisors, to ensure that the anti-harassment & bullying policy is implemented. Harassment or bullying will be taken to have occurred if a reasonable individual would feel that the behaviour was unwelcome or offensive.

Harassment and bullying are disciplinary offences that can, in the most serious cases, lead to dismissal. You should be aware that in some circumstances you may be held personally liable for your actions if they are discriminatory and unlawful.

Incidents of sexual or racial harassment can be taken to amount to gross misconduct which will be dealt with under our disciplinary policy and may lead to summary dismissal. Less serious infringements may lead to an apology from the harasser, letter of reprimand, suspension or relocation of the harasser.

In dealing with reports of harassment or bullying the following principles will apply:

- All reports will be taken seriously, treated in confidence and investigated by a senior manager who are independent of the situation (this may lead to an external, neutral third party being appointed to investigate the complaint).
- All complaints will be progressed and dealt with according to our grievance and disciplinary procedure.
- Where we have reason to believe that there is a risk to the personal safety of the complainant or of another person, or that a criminal offence has been committed, we may take legal advice and/or inform the police before proceeding with any internal action.

- The victimisation or harassment of a complainant, the respondent, or any witnesses will be regarded as a disciplinary offence.
- Malicious complaints will be seen as a disciplinary offence.

Positive Action to Encourage Diversity

We will ensure that all employees receive training on both this policy and what equality, diversity and inclusion mean for us as a company, both during induction and then at regular ongoing intervals. This will include training for those who interview, recruit new team members, manage others, train others and select people for training.

We will also regularly monitor the composition of our team and our job applicants. Should we be aware of inequalities then we will take lawful positive action to redress the balance including measures such as:

- Advertising jobs in ethnic or female interest publications as appropriate.
- Encouraging under-represented groups to apply for suitable posts or undergo training.
- Making contact with disabled candidates via the local job centre.
- Partner with relevant charities and other bodies to help improve access to work.
- Use Social Media in a responsible, proactive and inclusive manner as part of our recruitment strategy.
- Considering whether any reasonable adjustment can be made to work premises or the working arrangements to accommodate a disabled employee or job applicant.
- Introducing assertiveness training.

Reasonable Adjustment

We will consider a change to our working practices to avoid or correct the disadvantage to a person with a disability. We will let people know that we can provide reasonable adjustments and record the adjustments we make with your consent in our IT systems to improve our services. The types of adjustments we will make include:

- provision of information in appropriate alternative formats (eg large print, Braille, coloured paper etc)
- extension of time limits (where it is lawful to do so)
- use of email or telephone in preference to hard copy letters
- use of plain English or Easy Read service
- communication through a representative or intermediary
- rest or comfort breaks in meetings.

The Equality Act does not define what is 'reasonable' but guidance from the Equality and Human Rights Commission Suggest that the most relevant factors are:

- The effectiveness of the adjustment(s) in preventing or reducing the disadvantage for the disabled person
- The practicality of us making the adjustments
- The availability of our resources including external assistance and finance
- Any disruption to the Service that making the adjustment may cause.

Finally, we will record and monitor the reasonable adjustments to help us identify whether there are any wider steps that we can take to improve our services.

Sources and Methods of Recruitment

The recruitment process must result in the selection of the most suitable person for the job in respect of experience and qualifications.

Our Recruitment Policy and our Recruitment Manager's Guide provides further information about how recruitment should be undertaken. Below you will find specific guidance on inclusion and diversity in the recruitment and selection context.

Advertisement

Recruitment publicity must positively encourage applications from all suitably qualified and experienced people.

When advertising job vacancies, in order to attract applications from all sections of the community, we will as far as reasonably practicable:

- Ensure advertisements are not confined to those areas or publications which would exclude or disproportionately reduce the numbers of applicants of a particular gender, age, socio-economic group, racial group or disability.
- Use a variety of recruitment processes to ensure as wide a talent pool as possible.
- Be mindful of the language used when advertising and recruiting to be as inclusive as possible.
- Avoid including any unnecessary requirements which would exclude a higher proportion of a particular gender, racial group or disability.
- Avoid including any requirements as to marital status.
- Avoid including any requirements as to age.
- Publicise vacancies that may be filled by promotion or transfer to all eligible employees in such a way that they do not restrict applications from employees of any particular age, race, gender or those who have a disability.
- Not recruit new employees solely on the recommendation of an existing employee and without following due process.

Selection Methods

The selection process will be carried out consistently for all jobs at all levels. We will ensure that this Equality and Inclusion Policy is available to all staff and in particular is given to all staff with responsibility for recruitment, selection and promotion.

The selection of new staff will be based on the job requirements and the individual's suitability and ability to do, or to train for, the job in question.

Selection Tests

If selection tests are used, they will relate to the particular job and/or career requirements. The tests will measure the individual's actual or inherent ability to do or to train for the work or career. This will ensure that questions or exercises on matters that may be unfamiliar to racial minority applicants, applicants of a particular sex or those who have a disability will not be included in the tests if they are unrelated to the requirements of the particular job.

The tests that are used will be reviewed from time to time in order to ensure that they remain relevant and free from any unjustifiable bias either in content or in scoring mechanism.

Applications and Interviewing

- All applications will be processed in the same way.
- The staff responsible for short-listing, interviewing and selecting candidates will be clearly informed of the selection criteria and of the need for their consistent application.
- All questions that the applicants are asked will relate only to the requirements of the job.

- Where the role focuses on general ability and personal qualities, care will be taken to consider fully candidates from all backgrounds, with different career paths and experiences.
- If it is necessary to assess whether personal circumstances will affect the performance of the job (for example, if the job involves unsociable hours or extensive travel) this will be discussed objectively, without detailed questions based on assumptions about race, age, sex, religion, national origin, sexual orientation, disability, marital status, children and domestic obligations.

Promotion, Transfer and Training

We do our best to ensure all promotions and transfers are carried out in a fair and transparent manner. We regularly review our promotions process to make sure the selection process and criteria are fair, inclusive and not discriminatory. This includes looking at whether certain groups are being excluded from promotion and if there could be some form of indirect discrimination. As part of this, we will also review how certain members of the team may be disadvantaged by career breaks and look at how we can promote different career paths and development opportunities for them. In addition, we will ensure we have a range of policies and procedures which offer staff the means to combine work and family life.

All employees can request and attend training depending on business need, their role and developmental needs. No employee should be refused or denied training because of their age, race, religion, belief, sexual orientation, sex, maternity status or disability. We will do all we can to ensure all employees are included in training opportunities relevant to their role and development and able to attend training. This will include using different methods of training and personal/professional development and more information on this can be found in the Training and Development policy.

Proactive Performance Management

We know that one size doesn't fit all and we commit to training all those with responsibility for managing others in positive and proactive ways to help their teams perform at the best level they can. This includes training our managers on what good support and management styles look like in practice, tailoring their style and providing them with regular feedback and support so they can adapt their style to suit the needs of their diverse teams.

Accessibility

We will do our best to ensure individuals have the facilities and assistance to work wherever the need/client dictates. If the request is reasonable, we will make adjustments to the environment where possible, including providing adapted equipment, changes in working methods and any alterations to premises.

Equal Pay

Under the Equal Pay Act 1970 and the Equality Act 2010, we will ensure all employees are treated fairly and equally, both in general, and specifically, in relation to pay. We regularly review our pay to ensure there is no unfair treatment between men and women and both are paid equally and fairly for doing the same job.

Gender pay reporting requires all employers with more than 250 employees to report annually on their pay structures and the gaps in pay between male and female employees. As an employer with less than 250 employees we do not have to report this information at the current time, however, we believe in being open and are regularly reviewing this information to ensure we are fair and compliant.

Provision of Housing and Related Services

We ask applicants for housing and our tenants to provide information about themselves so that we can ensure we provide equality of access and do not discriminate in the delivery of our services. We also use this information to develop services to meet the specific needs of our customers.

We let most of our homes through a choice based lettings scheme where vacant properties are advertised through North Yorkshire Home Choice. As part of the North Yorkshire partnership we undertake detailed monitoring and review to ensure that the scheme is accessible to all applicants, particularly older and vulnerable people.

We have a separate antisocial behaviour policy that outlines our response to hate crime and other forms of harassment.

In addition, we ask recipients of our care and support services to provide information about them in a format prescribed by our commissioners. This is held by both us and our commissioners, in line with our GDPR policy, to ensure that we provide equality of access and do not discriminate in the delivery of those services.

Procurement and Purchasing

We aim to ensure that those organisations from whom we purchase services and goods adopt the same principles as Broadacres in respect of equality and diversity.

Where we enter into formal contracts, we require contractor/suppliers to have an appropriate Equal Opportunities/Equality and Diversity Policy or to sign up to Broadacres' Equality and Diversity Policy. Where we enter into significant long-term contracts such as for maintenance or development, the contractors'/suppliers' approach to diversity will be a factor to be taken into account in the selection process and will be monitored on an ongoing basis.