Archie Homes

Equality and Diversity Policy

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Policy checklist	
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Archie Homes will provide this policy, on request at no cost, in large print, in Braille, in audio or other non-written format, and in a variety of languages.

In fulfilling its objectives, Archie Homes recognises the diversity of the communities it serves. Archie Homes actively seeks to achieve equality of opportunity and fair treatment for all in the provision of housing, support and employment.

Archie Homes acknowledges the right of individuals to:

- to be treated with respect and dignity
- to be treated fairly with regard to all procedures, assessments and choices
- to receive encouragement to reach their full potential

With rights come responsibilities. Archie Homes requires that employees and Board members recognise these rights and act in accordance with them in dealing with colleagues and in serving the community. Breaches of the Equality and Diversity policy will be subject to disciplinary procedures.

No individual will be discriminated against on the basis of their gender, race, nationality, ethnic or national origin, religious or political beliefs, disability (physical, mental or learning), marital or civil partnership status, social background, family circumstance, sexual orientation, gender reassignment, spent criminal convictions, age or for any other reason.

Archie Homes recognises that there is both direct and indirect discrimination and that this takes place at both a personal and institutional level. Archie Homes is therefore committed to the adoption of positive polices and practices to combat both direct and indirect discrimination

Archie Homes will meet its obligations under all anti-discrimination legislation (see Appendix 1 for the current definitions). The implementation and promotion of this policy is the responsibility of Archie Homes' Board and all staff. Archie Homes also expects the co-operation of its tenants.

Equality and Diversity Statement

1 Housing

1.1 Archie Homes will develop and implement policies and procedures that provide a fair, accessible and friendly service and will ensure that no tenant of Archie Homes will be treated less favourably on any grounds.

1.2 Archie Homes seeks to identify the needs of disadvantaged groups in its areas of operation and to ensure that all groups and individuals have equality of access to its housing.

1.3 Archie Homes has adopted an Anti Social Behaviour Policy to combat all forms of anti social behaviour. Reports on any incidents of anti social behaviour and action taken by Archie Homes will be made to the Board. Staff will receive training and support to deal effectively with incidents of anti-social behaviour and neighbour nuisance.

1.4 Archie Homes monitors tenant's satisfaction of repairs and maintenance and assesses regularly to ensure that no group receives a lesser service for a reason related to their personal characteristics, including race, gender, age or disability.

1.5 Archie Homes will monitor the outcomes of arrears and evictions procedures to identify any disproportional impact related to the personal characteristics of any group, to enable Archie Homes to support such groups appropriately.

1.6 Archie Homes will ensure that in respect of Aids and Adaptations and Major Repairs Programmes, no group receives a lesser service for a reason related to their personal characteristics, including race, gender, age or disability

2 Tenant Involvement

2.1 Archie Homes actively involves tenants in its decision making process. Archie Homes will ensure that tenants are represented on the Board and that they reflect the communities served by Archie Homes.

2.2 Archie Homes requires tenants groups to work within Archie Homes' policy on Equality and Diversity and will ensures that no one is excluded for a reason relating to their personal characteristics.

3 Information and Communication

3.1 Archie Homes will ensure that information is provided in an accessible form that promotes equality of access. Archie Homes will take steps to make it easier for people to communicate with us and that the information we provide is accessible to all.

3.2 Archie Homes will take account of the language and communication needs of tenants and service users and offer translation and interpretation facilities and work with personal supporters to meet individual needs.

3.3 Archie Homes will offer large print formats and personal help where people have difficulty reading information.

3.4 Archie Homes will display signs in all offices and housing schemes to the effect that aggressive, abusive or violent behaviour towards staff will not be tolerated.

4 Employment and Training

4.1 No one applying for employment will be treated less favourably on any ground. Archie Homes has a Recruitment Policy which Board members, managers and staff are required to comply with.

4.2 Archie Homes aims to achieve representation of women and men, people from ethnic minorities and disabled people, regardless of their sexual orientation or religion or age, at all levels in its workforce, which reflect the diverse communities it serves.

4.3 Archie Homes will train staff to operate policies and procedures and ensure fair treatment for all. It will provide training in equality and diversity relating to their work at Archie Homes.

5 Employment of Contractors and Consultants

5.1 Archie Homes will make contractors and consultants it employs aware of its approach to equality by providing a copy of this policy so that they can adhere to the principles laid down. Archie Homes will encourage contractors and consultants to develop their own approach to equality and to have a written equal opportunities policy statement. Archie Homes will require contracators and consultants to demonstrate their commitment to equality and diversity as part of the bidding process.

6 Multi Agency and Partnership working

6.1 Archie Homes will make partners and multi agency projects aware of Archie Homes' Equality and Diversity Policy. Where appropriate Archie Homes will work with partners to develop joint equality and diversity protocols to ensure services are delivered fairly, openly and transparently by all involved.

7 Board

7.1 Archie Homes seeks to achieve a balance of representation on its Board, in respect of age, gender, race and disability to reflect the diverse communities it serves.

7.2 All Board members will adhere to and positively promote Archie Homes' Equality and Diversity Policy.

7.3 All members of the Board and staff are personally and collectively responsible for the implementation and promotion of the Equalities and Diversity Policy. The Chief Executive has overall responsibility to the Board for the practical implementation of the policy.

7.4 The principles of Equal Opportunities will be applied in the selection and recruitment of new members of the Board. The recruitment to the Board will be both open and accountable. The Board will implement a recruitment procedure for membership.

8 Monitoring

8.1 Archie Homes accepts housing applicants through Local Authority nomination agreements and referral agencies. Archie Homes will check that anyone referred is from a source which applies the principles of Equal Opportunity.

8.2 Information is also collected, monitored and analysed on the ethnic origin, sex and disability, sexual orientation and religious belief of all those seeking employment from Archie Homes and annual reports are

made to the committee. The purpose of monitoring is to assess the effective implementation of Archie Homes' Policies and to identify the need for positive action where necessary.

9 Complaints of Discrimination

9.1 If tenants or members of the public believe they have been discriminated against the complaint will be dealt with under Archie Homes' Complaints Procedure.

9.2 If a member of staff feels they have been discriminated against they should use Archie Homes' Grievance Procedure.

Archie Homes will make this statement available to all applying for housing, provision of services, employment and bidding for contracts with Archie Homes. All other relevant policy documents are available on request.

APPENDIX 1

LEGAL DEFINITIONS – 2013

It is unlawful to discriminate against people at work because of a protected characteristic. The protected characteristics are sex, sexual orientation, marriage or civil partnership, gender reassignment (covering all trans people whether or not they have undergone gender reassignment surgery), race (including colour, nationality, and ethnic or national origins), religion or belief, age, disability (a disabled person being defined as someone who has a mental or physical impairment that has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities), pregnancy and maternity. It is also unlawful to discriminate because a person is a member or non-member of a trade union or because he or she is a part-time worker or on a fixed term contract.

The Main Actst

The Equality Act 2010
The Equality Act aims to consolidate, simplify and expand existing discrimination law. Its main provisions came into force in October 2010 and it replaces all previous equality legislation.

Rehabilitation of Offenders Act 1974
Ex-offenders have certain employment rights if their convictions become 'spent', including not having to declare spent convictions and protecting them against dismissal or exclusion (with certain exceptions such as for those working with children).

Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
The regulations aims to ensure that part-time workers are not treated less favourably than comparable full-time workers, including having the same rates of pay and pro rata holiday entitlement.

Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002
The regulations aims to ensure that employees on fixed-term contracts are treated no less favourably than comparable permanent employees, including having the same terms and conditions of employment.

Human Rights Act allows cases concerning the rights given under the European Convention on Human Rights (1950) to be brought in the UK courts. It also ensures that domestic legislation is interpreted in a way that is compatible with the Convention rights. It applies to all public authorities, making it unlawful for such bodies to violate Convention rights and placing a duty on public authorities to ensure that respect for human rights is integral to their work. A very broad range of rights is covered by the Act, from the right to life and prohibition of torture, to the right to respect for private and family life and prohibition of discrimination.

- Equal Pay Act 1970
- Protection from Harassment Act 1997

Definitions of Discrimination

Protected Characteristics

The protected characteristics as listed in the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Direct Discrimination is when you treat someone less favourably than others because of someone's protected characteristic, whether or not the employee possesses that protected characteristic (perceptive discrimination). A person can be discriminated against because of their association to someone else who has a protected characteristic. For example not employing someone because she is a woman or because she is a carer of a disabled person or is incorrectly considered to be gay. Only direct age discrimination is capable of justification, if the employer can show that the less favourable treatment is a proportionate (in other words appropriate and necessary) means of achieving a legitimate aim. Perceptive discrimination and discrimination by association do not cover the characteristic of marriage and civil partnership.

Indirect Discrimination is when an employer has a condition, rule, policy or practice that applies to everyone but which particularly disadvantages people with a protected characteristic (including disability), and which cannot be justified, showing that it is a proportionate means of achieving a legitimate aim.

Detriment arising from disability

This is a new type of disability discrimination introduced by the Equality Act 2010. It is when an employer treats an employee unfavourably because of something arising in consequence of the employee's disability, and it cannot be justified in relation to the job. For example, dismissing someone because of their poor attendance record when their absence was as a consequence of a disability, and without the employer being able to show that the dismissal was a proportionate means of achieving a legitimate aim.

Duty to make reasonable adjustments

Where an employer's provision, criterion or practice puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled, the employer has a duty to take reasonable steps to avoid the disadvantage, including changes to physical features and providing auxiliary aids.

Harassment is unwanted conduct related to a relevant protected characteristic (sex, sexual orientation, gender reassignment, race, religion or belief, age, disability) that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment. This includes protection against third-party harassment (such as from a client or supplier) where the employer has failed to take reasonable practicable steps to prevent the harassment recurring more than twice, having been made aware of the original occurrences.

Victimisation is when an employee is subjected to a detriment because they have made a complaint or supported a complaint about discrimination.

Positive discrimination is unlawful unless expressly permitted by legislation.

Positive action involves taking proportionate steps to enable or encourage people who share a protected characteristic to overcome or minimise a disadvantage, to meet their needs or to participate, when the

organisation reasonably thinks that people who share the protected characteristic suffer the disadvantage, or have needs that are different, or a disproportionately low number of such people participate in an activity. Examples would include setting equality targets (but not quotas which are unlawful); encouraging people from particular groups to apply where they are under-represented; training for promotion or skill training for employees from under-represented groups who show potential.

Occupational requirement

If an employer can show that possessing a particular protected characteristic is a crucial requirement for a job (with regard to the nature or context of the work and is a proportionate means of achieving a legitimate aim, then the employer will not be acting unlawfully to refuse to employ someone who does not possess