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Trust Housing Association

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Trust Housing Association
Equality, Diversity & Inclusion (EDI)
In the Workplace Policy

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Trust Housing Association

Equality, Diversity & Inclusion (EDI) in the Workplace Policy

1. Introduction

1.1. Trust is committed to its Equality, Diversity & Inclusion (EDI) Policy which will not discriminate against any group, or groups of persons, or treat anyone less favourably because of a **protected characteristic** they have or are thought to have.

2. Aims & Objectives

2.1. We aim to ensure that every employee, customer and stakeholder is treated with dignity and respect regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, gender or sexual orientation.

2.2. We aim to continue to be recognised as a leader in the promotion of EDI by Promoting Equality, Respecting Diversity and Embedding Inclusion.

2.3. In accordance with the General Duty, we have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between people who share a protected characteristic and those who do not share it;
- and to foster good relations between people who share a protected characteristic and who do not share it.

2.4. The Equality Act 2010 explains that having due regard for advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristic;
- taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- encouraging people from protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

2.5. The Equality Act 2010 explains that having due regard to the need to foster good relations involves tackling prejudice, and promoting understanding.

2.6. In order to deliver our duties we aim:

- for a culture throughout the organisation that embraces inclusiveness, fosters respect for diversity and upholds the principle of equality at all times;
- to ensure that the employees are aware of the importance of equality, diversity & inclusion and understand their individual and collective roles and responsibilities;
- for systems and processes to deliver diverse culturally competent services;
- to be an action-oriented, outcome-focused organisation that can demonstrate our success;
- for employees and customers to feel empowered, respected and safe.

2.7. The Association considers any form of discrimination at a personal or institutional level to be unacceptable in terms of good practice, social justice and legal duty, whether such discrimination is direct, indirect, perceived or through association with others. It expects and requires all employees to adhere strictly to the terms of policy.

3. Types of Discrimination

3.1. The Policy covers the following types of discrimination:

3.1.1. Direct Discrimination

Treating a person less favourably than another person because of a protected characteristic they have or are thought to have or because they associate with someone who has a protected characteristic.

3.1.2. Indirect Discrimination

Applying any requirement, rule, policy or condition which, though applied equally to everybody, is such that it particularly disadvantages people who share a protected characteristic, unless the requirement or condition can be shown to be justifiable or proportionate having considered all fair and reasonable factors.

3.1.3. Perceptive Discrimination

Directly discriminating against an individual because others think they possess a particular protected characteristic. This applies even if the person does not actually possess that characteristic.

3.1.4. Associative Discrimination

Directly discriminating against someone because they associate with another person who possesses a protected characteristic.

3.1.5. Harassment

Harassment is 'unwanted conduct related to a relevant characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership. Employees will now be able to complain of behaviour that they find offensive even it is not directly at them and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

3.1.6. Third Party Harassment

The Equality Act makes you potentially liable for harassment of your employees by people (third party) such as your customers. You will only be liable when harassment has occurred on at least two previous occasions, you are aware that it has taken place and have not taken reasonable steps to prevent it from happening again.

3.1.7. Victimisation

Victimisation occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act 2010, or they are suspected of doing so.

4. Statement of Policy

- 4.1. Trust is opposed to discrimination in any form and at all levels and is committed to taking all steps within its power as an employer to counteract it.
- 4.2. Trust will seek to ensure that no one receives less favourable treatment or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.
- 4.3. Trust will respect community diversity and seek to ensure that all job vacancies and our properties are accessible to all sectors of the community.
- 4.4. Trust, where possible, will make changes to a working practice, provision, pattern, workload or physical location/equipment to remove disadvantage from a person diagnosed with a disability as defined within the Act.
- 4.5. Trust will provide equality, diversity & inclusion training for all employees and Board Members.
- 4.6. Trust will comply with existing relevant anti-discriminatory legislation and codes of practice in employment and service delivery.
- 4.7. Trust will ensure that this policy will be a condition of service and all employees and Board Members will abide by it.
- 4.8. Trust's policies and procedures will be monitored and reviewed regularly to ensure they comply with the policy.

5. The Legal Framework

- 5.1. This policy will comply strictly to the legal requirements. The main legislation with which Trust will comply is the Equality Act 2010. Trust will seek to adopt appropriate provisions contained in relevant Codes of Practice and other guidelines, including regulatory advice, produced by organisations including the Equalities and Human Rights Commission, ACAS and the Scottish Housing Regulator.

6. Monitoring and Review

6.1. Trust will publish an EDI Strategy and Policy, which is regularly reviewed and will monitor its compliance.

6.2. Trust acknowledges that monitoring, reviewing and record keeping will be an on-going process requiring continual examination and annual review of existing procedures and criteria as the society in which we live evolves.

7. Responsibilities

7.1. The Chief Executive will have ultimate responsibility for this Policy.

7.2. Day to day responsibility for the successful implementation of the policy resides with;

- The People Manager will have day to day responsibility for the successful implementation of the Policy in respect of **employees**.
- Head of Customer Experience (Landlord and Care and Support) in respect of **customers**.
- All Directors and Heads of Service in respect of **other stakeholders**.

7.3. It is the combined responsibility of each employee to ensure that the Equality, Diversity & Inclusion Policy is embedded and applied in practice throughout the organisation. All employees and Board Members will be expected to challenge discriminatory behaviour and draw to the attention of management any instances of discrimination.

7.4. Breach of the Equality, Diversity & Inclusion Policy, where found, will be considered a serious disciplinary offence which may lead to disciplinary action.

8. Conclusion

8.1. Trust is committed to being an equal, diverse and inclusive organisation and recognises that passive policies will not in themselves provide equal outcomes. Trust will do all in its power to ensure that the principles of equality, diversity and inclusion apply in all of its policies and employment practices.

8.2. Trust will continue to perform to be recognised as a leader in the promotion of Equality and Diversity and as an organisation which is fully inclusive in everything, from recruiting and training staff to quality service delivery.

9. Data Protection

9.1. We will comply with the provisions of the Data Protection Act 2018, which gives individuals the right to see and receive a copy of any personal information that is held about them by the Association and to have any inaccuracies corrected.

10. Anti-Bribery

10.1. The Association is committed to the highest standards of ethical conduct and integrity in all its activities and, to ensure compliance with the Bribery Act 2010, it has introduced an Anti-Bribery policy and procedures. These must be adhered to by all employees, Board Members and associated persons or organisations acting for or on behalf of Trust when undertaking any actions referred to in this policy.

11. Statement Equality, Diversity & Inclusion (EDI)

11.1. As leaders of EDI, the Association aims to promote equality and diversity and operate equal opportunities policies which inform all aspects of its business. It will ensure that it adheres to the Equality Act 2010 by being committed to equal and fair treatment for all and opposed to any form of unlawful discrimination. As such, in considering this policy, no one will be treated differently or less favourably than others because of any of the protected characteristics as listed in the Equality Act 2010:

- disability;
- gender;
- gender reassignment;
- pregnancy and maternity;
- race, colour or nationality;
- sexual orientation; or
- religion or belief.
- marriage and civil partnership
- age

11.2. or because of any other condition or characteristic which could place someone at a disadvantage were it to be taken into account, unless this can be objectively justified in terms of the legislation.

11.3. Trust will make reasonable adjustments for disabled people where necessary and possible to do so, and will use Happy to Translate tools and procedures to help overcome a language barrier.

12. Policy Review

12.1. This policy will be reviewed on a three-yearly basis. The purpose of the review is to assess the policy's effectiveness and adhering to current legislation and good practice and identify any changes which may be required.

13. Document References

13.1. In all of the Association's official documents, where references are made to specific job titles, roles, groups or committees, such references shall be deemed to include any changes or amendments to these job titles, roles, groups or committees resulting from any restructuring or organisational changes made within the Association (or, where this policy also applies to another member of the Trust group, made within that group member) between policy reviews.