



The Gateshead Housing Company

Working with Gateshead Council

EQUAL OPPORTUNITIES POLICY

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1. Policy Statement

The Gateshead Housing Company fully accepts and welcomes the fact that society consists of many diverse groups and individuals, and that the diversity of our communities is an asset to the borough.

The Company's vision, will be achieved by working within a set of values one of which is '**Embracing equality - valuing difference**'. This is to ensure that all local people are valued equally and have equality of opportunity..

As a service provider and major employer, The Gateshead Housing Company recognises that it has a moral and legal responsibility to promote equal opportunities. In addition, the Company recognises that the pursuit of equality of opportunity is essential for a productive and professional working environment.

This policy document confirms the Company's commitment to being an equal opportunities employer and is an integral part of every aspect of the Company's activities. Therefore, it is intended to inform all the work of the Company. It has been updated to include recent changes in legislation, and restates and confirms our commitment to tackling inequality, discrimination and disadvantage.

Our goal is equality of opportunity for everyone who we have contact with including our tenants, leaseholders, employees, partners and stakeholders and we will deliver our services and employment practices accordingly.

In particular, The Gateshead Housing Company is committed to ensuring that:

- (a) There is equality of opportunity in terms of access to the Company's services and that the provision of services reflects, and is appropriate to, the needs of the diverse communities within the borough;
- (b) Prospective and present employees are afforded equal and fair treatment in relation to recruitment, selection, terms and conditions of employment, training and promotion.
- (c) The Board of Directors reflects the communities within the borough.

The Company will work to actively combat discrimination and ensure that prospective or present employees, and those who wish to use the Company's services, are not treated less favourably on the grounds of:

- Gender
- Marital status
- Employment status
- Responsibility for children or dependants
- Race, colour, religion, ethnic or national origin
- Age
- Disability
- Class
- Sexual orientation
- Being disadvantaged by the application of any other conditions or requirements, which cannot be shown to be justified

The Board of Directors will seek to ensure the achievement of the company's core values, including that of embracing equality – valuing difference. The Quality and Audit Committee of the Board has been charged with reviewing the Company's Equal Opportunities Policy, including compliance with CRE codes and with establishing and keeping under review a diversity strategy, which would secure the avoidance of discrimination in the Company's allocations and lettings procedures and policies. The Committee's recommendations on these issues will be reported to the Board for consideration and final decision.

2. Service Delivery

The Company will, within available resources, aim to develop specific strategies for equality of access in service delivery. Accordingly, we aim to:

- (a) Ensure that all employees who deliver services directly to the public receive training to ensure that they do not discriminate against service users.
- (b) Continually review and monitor our services to ensure that they do not discriminate against anyone, identify barriers to access, and assess where improvements can be made
- (c) Ensure that organisations that provide services on behalf of the Company comply with equal opportunities legislation and promote equality of opportunity
- (d) Encourage those organisations and individuals with which the Company does business, or has contact with, to observe and adhere to the principles contained within the Equal Opportunities Policy
- (e) Ensure that we include, consult and encourage participation from all sections of the community, where appropriate, in decisions that we make, and that we work in partnership with all sections of the community
- (f) Ensure that the needs of all communities within the borough are considered and included within the strategic development of services
- (g) Provide culturally appropriate, accessible, effective services, facilities and information, to all sections of the borough's diverse communities, without prejudice or bias
- (h) Celebrate the variety of lifestyles and value the diverse cultures, religions and communities within the borough
- (i) Provide better access for disabled people and remove barriers to participation
- (j) Develop monitoring of services including data collation and analysis.

In order to achieve these objectives we will provide clear good quality information about our services, and ensure that any information and publicity material aimed at the public, where practicable:

- (a) Is available in appropriate alternative languages for those members of black and minority ethnic communities who may have difficulty speaking, reading, or understanding English

- (b) Is clear and understandable and reflects the diverse communities within the borough in relation to the use of visual imagery and illustrations
- (c) Is presented in a Plain Language format
- (d) Is available in appropriate alternative languages and other formats, wherever possible e.g. Braille, large print, and audio tape
- (e) Conforms, wherever possible, with Royal National Institute for the Blind Clear Print Guidelines

3. Employment Practices

The Company is committed to ensuring that we provide equal opportunities in employment, and that we do not unfairly discriminate against any job applicant or employee for any reason:

Job applicants:

- (a) We welcome job applications from all sections of the community and we will consider applicants for jobs on the basis of their relevant experience, qualifications, skills and abilities
- (b) We welcome job applications from under-represented groups within the Company, in particular, people with disabilities, and minority ethnic applicants
- (c) We will ensure that we do not discriminate unlawfully when we decide who to employ, and that selection decisions for posts are based solely on people's merit and ability to do the job, to enable us to appoint the best people to deliver our services
- (d) We will ensure that any qualifications or conditions or requirements applied to a job are relevant and justifiable in terms of the job to be done
- (e) We aim to create a suitably skilled workforce that includes employees who are currently under-represented within the Company
- (f) We will conduct regular monitoring data collation and analysis in order to identify and address barriers to equality of opportunity

The following priorities are being implemented in order to achieve these aims:

- (a) The Company is committed to advertising widely to ensure that it receives as many applications as possible, especially from disadvantaged groups
- (b) Gateshead Council prepares a job bulletin, containing information about job vacancies, which is circulated to various agencies and organisations whose services are primarily directed towards under-represented groups. This bulletin will be displayed in all The Gateshead Housing Company's reception areas. The Gateshead Housing Company will advertise all of its job vacancies within this bulletin.

- (c) The Company will publicise itself as an equal opportunities employer by including an equal opportunities statement when advertising vacancies, on application forms and on marketing material.
- (d) We will review and monitor our recruitment and selection procedures to ensure that we are not discriminating against anyone.
- (e) The Gateshead Housing Company will develop an effective and comprehensive monitoring system.

Employees:

- (a) We will ensure that every employee receives fair and equal treatment in terms of recruitment, selection, training, promotion, and terms and conditions of service.
- (b) Our employees will be treated fairly in relation to transfers, redundancy, and the operation of grievance and disciplinary procedures.
- (c) We will conduct regular monitoring data collation and analysis in order to identify barriers to equality of opportunity.
- (d) We will ensure that the Company's commitment to equal opportunities is incorporated into the Company's induction process.
- (e) We will not accept any form of unfair treatment, discrimination or harassment of any or by any of our employees, accordingly, the Company is committed to developing and implementing effective harassment policies, practices and procedures.
- (f) We will value and respect the identities and cultures of our employees
- (g) We will encourage all of our employees to reach their full potential.

The following priorities are being implemented in order to achieve these aims:

- (a) We will have policies and procedures in place to ensure that the workplace is free from discrimination and harassment and will act promptly on any complaints.
- (b) Wherever possible we will provide a workplace that is accessible to people with disabilities.
- (c) Wherever possible we will retain in suitable employment those employees who become disabled.
- (d) We will ensure that we work according to the relevant legislation and statutory codes of practice.
- (e) All employees will be issued with a copy of the Equal Opportunities Policy.
- (f) All employees will receive equal opportunities and diversity training.
- (g) Diversity training will be provided to all employees.

Fair Employment Policy:

The Strategic Employees of the Company, will monitor and keep under review the Company's recruitment and selection procedures in order to ensure that we operate a fair employment policy.

In addition, equal opportunities and diversity training will be organised where required for all Company employees involved in the following aspects of the recruitment and selection process:

- Job profiles
- Person specifications
- Advertising vacancies
- Application forms
- Short listing applicants
- Selection criteria
- Interviewing applicants
- Monitoring: employees and applicants
- Job sharing

The following priorities are being implemented in order to achieve these aims:

- (a) Ensuring job profiles and person specifications are clear and explicit
- (b) Advertising vacancies widely to ensure that applications are received from disadvantaged and under-represented groups
- (c) Using a well-designed application form which only requests information essential to the job and not potentially discriminatory information
- (d) Short listing applicants without prejudice, bias, or pre-conceived stereotypical notions and assumptions
- (e) Removing monitoring information prior to short listing
- (f) Using non-discriminatory selection and interviewing practices e.g. avoiding cultural bias, avoiding making assumptions about whether an applicant would 'fit in', avoiding asking questions about religion, ethnic origin, marital status, numbers of dependants, domestic obligations, a person's disability, age, or sexual orientation, unless there is a legal reason to do so
- (g) Recording reasons for selection and rejection of short-listed applicants
- (h) When required, ensuring additional provision in the form of access, or transport costs, is available for people with disabilities to enable them to fully participate in interviews
- (i) Developing accredited training for Board members and employees involved in the recruitment and selection process which will ensure that interviewers adhere to the relevant Codes of Practice and equal opportunities legislation

- (j) Ensuring that both internal and external applicants provide information for monitoring purposes regarding ethnic origin, religion, gender, age, sexual orientation and whether they consider themselves to be disabled, to enable us to monitor and analyse representation of these groups within the Company's workforce and applications received
- (k) Ensuring that consideration is given to appropriate work life balance issues e.g. job sharing of posts and more flexible working arrangements

4. Responsibility and Implementation of the Policy

Responsibility:

- (a) All Board members and Company employees have responsibility for ensuring that the principles contained within the Equal Opportunities Policy are adhered to i.e. that service users, employees and job applicants are not discriminated against
- (b) All Board members will be familiar with the Equal Opportunities Policy and have responsibility for ensuring that the policy is effective
- (c) In addition to members of the Company's Quality and Audit Committee whose terms of reference include equal opportunities policy reviews, other Board members play an active role in the development of policy.
- (d) The Chief Executive will ensure that systems and procedures are in place that will allow the Company's Equal Opportunities Policy to be fully implemented throughout the Company
- (e) The Company's other Strategic Employees will ensure that systems and procedures are in place to allow the Company's Equal Opportunities Policy to be fully implemented throughout the Company and will take a direct interest in the policy and fully support everyone to implement it.
- (f) This will include a designated Strategic Employee to lead implementation of the Equal Opportunities Policy, who will be supported by such other employees of the Company as the Chief Executive believes to be appropriate for the purpose of championing equal opportunities and diversity issues in the Company's employment and service delivery practices.
- (g) Each Strategic Employee will be directly responsible for the implementation and operation of the Company's Equal Opportunities Policy within their service, including ensuring that the policy is adhered to, actively encouraging equality of opportunity at work, and regularly reviewing how effective the policy is
- (h) In addition, we believe that the Trade Unions are key partners in promoting and ensuring adherence and commitment to the Equal Opportunities Policy

Every Company employee is responsible for complying with the Equal Opportunities Policy. In particular, employees should:

- (a) Promote equality of opportunity and avoid unlawful discrimination

- (b) Not unlawfully discriminate, for example, when taking decisions on recruitment, selection, promotion, transfers and providing services
- (c) Not persuade others to unlawfully discriminate
- (d) Not harass, abuse or intimidate other employees
- (e) Not victimise people because they have made complaints or provided information on harassment or discrimination
- (f) Co-operate with procedures introduced by the Company to achieve equality of opportunity.

Implementation:

The Company will do the following to ensure that the Equal Opportunities Policy is fully effective:

- (a) Actively promote this Equal Opportunities Policy to employees, job applicants, service users, contractors and organisations engaged by or with the Company
- (b) The Company will publicise itself as an equal opportunities employer by including an equal opportunities statement when advertising job vacancies, on application forms and on marketing material
- (c) Regularly monitor and review all of our selection procedures and criteria and service delivery to ensure that we do not discriminate unlawfully
- (d) Take appropriate action if any employee breaks the conditions of this policy which may include disciplinary action and/or dismissal
- (e) The Company is committed to developing equal opportunities training programmes to meet corporate and specific training needs in respect of the Company's Equal Opportunities Policy.
- (f) Accordingly, we will provide training for Board members, employees, managers and supervisors to ensure that they understand their legal responsibilities
- (g) We aim to recruit a workforce that reflects the diversity of our community by providing positive action measures (where legally permissible) to under represented groups

5. Complaints Procedure

Unfair Treatment or Discrimination:

The Company has policies for dealing with complaints from service users, and from employees and we will act promptly if we receive any complaints about unfair treatment or discrimination.

Our Complaints and Compliments Procedure details the Company's policy for dealing with complaints from members of the public. Copies can be obtained from the Chief Executive or the Company Secretary and Solicitor.

Where an employee makes a complaint about unfair treatment or discrimination, the following Company procedures can be used:

Grievance Procedure
Confidential Reporting Code
Disciplinary Procedure
Bullying and Harassment Policy

Copies can be obtained from line managers or the Office Manager, Finance and ICT.

6. Monitoring and Review

We will monitor and review the effectiveness of our Equal Opportunities Policy on an annual basis. Responsibility will lie with the Chief Executive, in liaison with Strategic Employees.

The Company is committed to striving for tangible and continuous improvement in equal opportunities performance. Accordingly, we have adopted the Commission for Racial Equality (CRE) Standard and are implementing the Macpherson Report recommendations as set out in the bullet points in section 8 of this Equal Opportunities Policy in order to make a real contribution to challenging racial discrimination.

Furthermore, we are seeking to achieve the standards of Opportunity Now and Positive About Disability in order to make a real contribution towards challenging sexual discrimination, and discrimination against people with disabilities. We will also have regard to good practice identified in the CRE Code for Rented Housing and the CRE guide on Race Equality and Procurement in Local Government.

This will enable us to achieve the aim of keeping equal opportunities high on The Gateshead Housing Company's agenda.

7. Equal Opportunities Legislation

The Company's Equal Opportunities Policy has been devised alongside the recognition that employment practices and service delivery have to comply with the following equal opportunities legislation, Codes of Practice and recommendations:

- The Sex Discrimination Act 1975 and 1986
- The Equal Pay Act 1970 as amended by the Equal Pay (Amendment) Regulations 1983
- The Race Relations Act 1976
- The Race Relations (Amendment) Act 2000
- The Macpherson Recommendations, Stephen Lawrence Inquiry Report 1999

- The Disability Discrimination Act 1995
- Equal Opportunities Commission and Commission for Racial Equality Codes of Practices
- The Human Rights Act 1998

This list is not meant to be exhaustive or exclusive.

8. Definitions of Discrimination

The following section gives general guidance only and should not be regarded as a complete or definitive statement of law.

The Sex Discrimination Act 1975 and 1986

These Acts make it illegal to discriminate directly or indirectly against women or men on the grounds of sex or marriage, in selection for appointment, promotion, transfer, training and dismissal.

Direct Sex Discrimination

This occurs where a person of one sex is treated less favourably, on the ground of sex, than a person of the opposite sex would be treated in the same or not materially different circumstances.

Indirect Sex Discrimination

This occurs when an unjustifiable requirement or condition is applied equally to both sexes, but has a disproportionately adverse effect on one sex, and is in effect discriminatory, because a smaller proportion of that sex can actually comply with it.

Marriage discrimination

Direct discrimination against a married person occurs where a married person is treated less favourably on the grounds of marital status, than an unmarried person of the same sex would be in the same or not materially different circumstances. Indirect discrimination against a married person occurs when a condition or requirement is applied equally to married and unmarried persons but is in effect discriminatory to married people because a married person would have greater difficulty in complying with it.

Discrimination by way of victimisation

This occurs where a person is treated unfairly or less favourably than other persons would be treated because she or he has asserted a right.

The Equal Pay Act 1970 (as amended 1983)

This Act provides for an individual not to be treated less favourably than a person of the opposite sex who works for the same employer, with regards to pay and other terms of the contract of employment, where they are employed on like work (i.e. the

same work or work which is broadly similar) or on work which has been rated as equivalent under a job evaluation scheme.

The Race Relations Act 1976

The Race Relations Act 1976 makes it unlawful to treat a person less favourably than others on racial grounds. The Act covers grounds of race, colour, nationality (including citizenship) and ethnic or national origins.

Direct Racial Discrimination

This occurs when a person is treated less favourably on racial grounds than others would be treated in similar circumstances. Racist abuse and harassment are forms of direct discrimination.

Indirect Racial Discrimination

This occurs when an unjustifiable requirement or condition is applied to all racial groups but has a disproportionately adverse effect on a particular racial group and fewer people are able to comply with it. For example, an unjustifiable requirement that employees or pupils must not wear headwear, could exclude Sikh men and boys who wear a turban, Jewish men or boys who wear a kipa (also known as a yarmulka or kappel), or Asian women who wear a headscarf, in accordance with religious or cultural practice.

Discrimination by way of victimisation

(See above).

The Race Relations (Amendment) Act 2000

The 2000 Act provides new laws for racial equality and strengthens the Race Relations Act 1976. It also complements the Crime and Disorder Act 1998 that made specific offences of racist violence and harassment.

The Race Relations (Amendment) Act 2000 strengthens the 1976 Race Relations Act by outlawing race discrimination (direct, indirect and victimisation) in all public functions;

It outlaws race discrimination in the terms and conditions that apply to public appointments.

It places an enforceable positive duty on public authorities to actively promote race equality, to avoid race discrimination before it occurs, and to promote equality of opportunity, and good relations, between persons of different racial groups.

The Macpherson Recommendations: Stephen Lawrence Inquiry Report 1999

The Company recognises that discrimination may occur through indirect processes, for example, the perpetuation of outdated practices and procedures.

The report of the Stephen Lawrence Inquiry by Sir William Macpherson defines institutionalised racism as:

“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, creed, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping, which disadvantage minority ethnic people”.

The Company is committed to implementing many of the Macpherson recommendations emanating from the Stephen Lawrence Inquiry Report. This requirement has been strengthened by the Race Relations (Amendment) Act 2000.

Accordingly, the Company is committed to:

- Mainstreaming race equality principles into the Company’s policies, practices and procedures
- Adopting and implementing a procedure for dealing with complaints of racial discrimination and racist incidents
- Taking steps to address the under-representation of minority ethnic people within the workforce
- Publicising our commitment to racial equality and valuing cultural diversity
- Aiming for continuous improvement in service delivery and employment practices
- Implementing an equal opportunities training programme for all Company employees and Board members
- Developing an action plan resulting from the Equal Opportunities Policy to ensure that the policy is implemented.

The Disability Discrimination Act 1995

The Disability Discrimination Act makes it unlawful to treat disabled people less favourably than other people, without justification, in the areas of employment, buying or renting land or property, and obtaining goods, services and facilities.

Definition of disability

Under the Disability Discrimination Act, disability is defined as a physical or mental impairment that has a substantial and long-term adverse effect on a person’s ability to carry out day-to-day activities.

The Act states that it is unlawful to discriminate against a disabled person in respect of:

- Selection for employment
- Recruitment
- Terms and conditions on which employment is offered
- Opportunities for promotion
- Transfer and training
- Dismissal
- Any other detriment (harassment)

Since October 1999 service providers have had to make reasonable adjustments to any of their policies, practices and procedures which exclude disabled people. The Company is doing this.

By 1 October 2004 service providers must make reasonable adjustments in relation to the physical features of premises to overcome physical barriers to access. Accordingly, the Company is in the process of establishing what reasonable adjustments need to be made in order to overcome physical barriers to access for and use by, people with disabilities.

Age discrimination

This occurs where a person is treated less favourably than another because of their age, which can affect both young and older people, particularly in terms of access to job and promotion opportunities, and training or career development.

The Company recognises that:

- Age is a poor predictor of job performance
- Age is rarely a genuine employment requirement
- It is misleading to equate physical and mental ability with age.

The Company is committed to tackling age discrimination and regards it as unacceptable and we will ensure that we select applicants for job opportunities solely on the basis of their relevant experience, qualifications, skills and abilities.

In particular, the European Directive on equal treatment in employment came into force in November 2000. One of its requirements is that the government implement legislation on age discrimination by December 2006.

To assist employers prior to this “Ageing in Employment: a European Code of Good Practice” has been introduced which aims to promote an age-neutral approach to employment and encourage best practice.

Religious beliefs

We uphold and respect the rights of our employees, and individuals within the community, to practise their religious beliefs. We will seek to ensure that where employees or members of the borough’s diverse communities have particular religious needs, all reasonable and practical steps will be taken to accommodate them.

Sexual orientation

We recognise that people may be discriminated against because of their sexual orientation, and we are committed to providing fair treatment, and equal access to employment and development opportunities, and equality of access to services.