

# Equality, Diversity and Inclusion

DESIGN HEADER TO INCLUDE POLICY NAME AND DATE RANGE

## INFORMATION

<b>Policy Name</b>	Equality, Diversity and Inclusion
<b>Effective Date(s)</b>	May 2022
<b>Approved By</b>	Risk and Compliance Group, Customer Services Committee
<b>Approval Date</b>	May 2022
<b>Policy Owner/Dept</b>	Director of Housing & Customer Service
<b>Policy Author</b>	Head of Regeneration
<b>Review Date</b>	May 2024
<b>Policy Framework Ref</b>	ED1
<b>Version Number</b>	0.3

## Version Control

Version	Date	Changes	Approver

Your Housing Group Strategic Priorities			
Safe	<input checked="" type="checkbox"/>	Viability	<input type="checkbox"/>
Landlord	<input checked="" type="checkbox"/>	Growth	<input type="checkbox"/>
People	<input checked="" type="checkbox"/>	Technology	<input type="checkbox"/>

<b>Relevant National Standards or Regulation</b>	Please State if the Policy aligns to any of the Regulators Standards: <ul style="list-style-type: none"> <li>• Tenant Involvement and Empowerment Standard</li> </ul>
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<b>Relevant Legislation</b>	Please list any legislation applicable to the Policy; (e.g. Welfare Reform and Work Act; Equality Act 2010 etc.) <ul style="list-style-type: none"> <li>• Equality Act 2010</li> <li>• Human Rights Act 1998</li> <li>• Public Sector Equality Duty 2011 (Section 149)</li> <li>• Data Protection Act 2018</li> <li>• Mental Capacity Act 2005</li> </ul>
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## 1. Purpose of the Policy

This policy outlines YHG's commitment to promoting equality and diversity both for customers and within the workplace.

This policy also sets out YHG's commitment to supporting vulnerable customers.

## 2. Scope of the Policy

This policy applies to everyone within Your Housing Group, including the Board, staff and temporary workers. Agents, sub-contractors, partners, customers, and stakeholders are required to adhere to this policy. External parties commissioned to provide services are responsible for ensuring that their workers and sub-contractors work to this policy.

## 3. Definitions

The following terms are used in the policy:

**Equality:** Treating people fairly, in ways that are free from discrimination and providing the same opportunities for all. Taking positive action to create a fairer society where everyone has the same chance to fulfil their potential, have access to services to meet individual needs and participate in the community.

**Diversity:** Being inclusive. Understanding, respecting and valuing differences between individuals.

**Vulnerability:** A person with vulnerability or individual service needs is someone who may have difficulties managing their tenancy or affairs as a result of health, disability, learning, behavioural or mental health issues, family, social and financial or other circumstances, or any combination of these. Any person or household can experience needs or vulnerabilities at some point in their life.

**Protected Characteristics:** The Equality Act 2010 defines nine protected characteristics that protect employees and customers from discrimination. It is against the law to discriminate against someone because of a protected characteristic. The characteristics are set out below.

**Race:** Refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. This definition may also include social class discrimination.

**Gender:** Legal definition is a man or a woman, although as gender identity is becoming more fluid, Your Housing Group will consider this in its policies and actions.

**Gender reassignment:** The process of transition from one gender to another. This definition can also include trans people and does include Gender Identity.

**Disability:** A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities. However, this disability definition can also include people with long term and progressive illnesses.

**Sexual orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

**Religion or belief:** Religion has the meaning usually given to it, but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Age:** Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18-30 year olds).

**Marriage and civil partnership:** Marriage is no longer restricted to a union between a man and a woman, but now includes marriage between same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except when permitted by the Equality Act).

**Pregnancy and maternity:** Pregnancy is the condition of expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

#### **4. Consultation**

This policy has been consulted on by the Customer Connect Panel, the Equality and Diversity Steering Group and Risk and Compliance Group.

While the policy doesn't require any consultation in line with the Consumer Standards, Equality and Diversity does require compliance within the Tenant Involvement and Empowerment Standard in relation to:

##### **Customer service, choice and complaints**

By providing choices, information and communication that is appropriate to the diverse needs of its tenants in the delivery of all standards.

##### **Understanding and responding to the diverse needs of tenants**

Registered providers shall

- Treat all tenants with fairness and respect
- Demonstrate that they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs.

##### **Understanding and responding to diverse needs**

Registered providers shall demonstrate how they respond to tenants' needs in the way they provide services and communicate with tenants.

The current Consumer Standards are under review, and this policy will be reviewed at an appropriate time to ensure that it also complies with any future standards.

## **Background and Context**

The Equality Act 2010 has nine protected characteristics which are:

- Race
- Gender
- Gender Reassignment (including Gender Identity)
- Disability
- Sexual Orientation
- Religion or Belief
- Age
- Marriage and Civil Partnership
- Pregnancy and Maternity explicitly.

The Public Sector Equality Duty (General) 2011 (Section 149 of the Equality Act 2010) applies across Great Britain to public bodies, and to other organisations when they are carrying out public functions.

The duty requires organisations to have due regard to equality in the way it conducts its business. In doing this Your Housing Group must take steps to:

1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act
2. Advance equality of opportunity between people
3. Foster good relations between people.

This Equality and Diversity Policy and approach to promoting it provides Your Housing Group with a framework within which it will operate, providing equality and diversity in employment and service delivery.

The Human Rights Act 1998 was introduced to ensure people are treated with dignity and respect. Respect for the rights of individuals or groups is fundamental to their quality of life. The Human Rights Act has at its core the principles of FREDA - Fairness, Respect, Equality, Dignity and Autonomy.

The Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides Britain with a discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

## **5. Policy Detail**

### Policy Statement

Equality diversity and inclusion recognise everyone's strengths and potential. It helps to develop diversity in the workplace which can benefit customers, employees, partners, and the organisation's performance.

Pursuing equality and diversity can attract new people and has the potential to create new ways of working which can improve services to customers and communities as well as improving relations with the wider public.

The advantages of equality and diversity cannot be achieved unless it is incorporated into every aspect of an organisation's values and goals.

Your Housing Group is committed to promote equality and diversity which helps to provide people with the support and services they need to continue to live independently in their own homes.

Your Housing Group also supports flexible working and family friendly employment to help demonstrate our overall approach to equality & diversity.

In developing this equality and diversity policy and strategic approach, consideration has been given to equality and diversity legislation, public duties, good practice and guidance.

At Your Housing Group, the principles of equality, diversity and inclusion are underpinned by effective leadership to secure tangible outcomes for customers and reap business benefits. This means doing the right things, in the right way. Treating people fairly and valuing diversity are central to the success of the organisation and its future.

**To achieve these policy aims Your Housing Group will:**

- Ensure that decision-making structures consider equality and diversity, through a process of Equality Impact Assessing.
- Ensure the widest possible representation and involvement of customers, staff and board members, through our data collection and gathering customer knowledge.
- Ensure that equality and diversity is a fundamental principle in policies and procedures and that policies are equality impact assessed.
- Ensure our knowledge of customers means that we provide the best possible service which meets individual and community needs.
- Ensure that no job applicant receives less favourable treatment than any other, and that only the best individual is recruited.
- Ensure that all employees and Board members are supported in developing the skills and abilities they require to carry out their current and any likely future duties in the organisation by creating equal access to training.
- Ensure that there is an environment where everyone feels valued and can perform to their best potential.
- Ensure that the Board, staff, customers and visitors understand and follow the standards of behaviour that are required for the appropriate management of equality and diversity.

Strategic approach to EDI

Our approach to EDI is much wider than this policy document, and YHG has agreed with the Board that there will now be a focus on an EDI Strategy to set the direction for the next 3-5 years. As part of this development, we will work with our customer and staff to listen to views and understand what is important to them and respond accordingly. We will use the research and information available to us from the National Housing Federation and Housing Quality Network to inform our approach.

We will aim to focus our energy into what matters to our customers and staff, and do this in several ways, which will include:

- Campaigns, and promotion of our service offers
- Understanding our offer for vulnerable customers and linking support to this
- Knowing our customers better, including the capture of EDI information and using this appropriately
- Support and networks for staff to promote inclusivity and clear lines of escalation for issues related to EDI

### EDI Commitments

YHG wants to make sure that our commitment to equality and diversity is reinforced by the organisations values and embedded in day-to-day working practices.

1. YHG are committed to the interests of customers and partners by working together and drawing on collective skills, knowledge and experience, in order to be stronger and more effective.
2. YHG aim to be widely recognised as an employer of choice, with high performing individuals and teams, where great people develop and build their careers.
3. YHG aim to do the right thing; respecting customers, partners and colleagues and balancing our ethical, social and financial responsibilities

YHG recognise that everyone is different and should be treated as an individual. To achieve fairness, YHG pro-actively tackle disadvantage and discrimination and remove barriers to provide everyone an equal chance to access our homes, services, jobs and contracts. Actively promoting opportunities for all and eliminating discrimination, harassment and victimisation, are integral to YHGs work.

Fair treatment, inclusion and valuing diversity are paramount to reducing inequality due to age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, ethnic or national origin, nationality, colour, religion or belief, sexual orientation, social class and other irrelevant factors such as background, size or appearance.

YHG do not tolerate any discriminatory or offensive behaviour, including harassment, bullying or victimisation.

### Vulnerabilities

YHG will also protect those with vulnerabilities which may or may not include a person's disability and which may or may not fall directly under the Equality Act 2010.

Vulnerability may not be a permanent status; however, people may have periods of their life when they experience vulnerability. YHG recognise that some people may not see themselves as vulnerable and must ensure staff members can manage these situations with sensitivity.

Any person or household can experience needs or vulnerabilities at some point in their life. A person with vulnerability or individual service needs is someone who is likely to have

difficulties managing their tenancy or affairs as a result of health, disability, learning, behavioural or mental health issues, family, social and financial or other circumstances, or any combination of these.

YHG take the view that it will support vulnerable individuals where possible.

YHG see that without the right support in place, the following groups of people, may potentially be vulnerable:

- Frail elderly people
- People with a physical disability including those with long term, fluctuating or progressive illness
- People with a sensory disability
- People with mental health issues
- People with dementia/ Alzheimer's
- People with learning disabilities or difficulties
- People who are isolated
- People who neglect themselves
- People at risk of abuse and harassment (including domestic abuse and hate crime)
- People with challenging or antisocial behaviour
- People with literacy difficulties
- Rough sleepers
- People who misuse alcohol
- People who misuse drugs
- People moving from supported accommodation
- People discharged from institutional care
- Refugee/asylum seekers
- Ex-offenders or people who are vulnerable as a result of having served a custodial sentence.
- People with a history of street homelessness
- Young people leaving care or evicted by parents
- Those who are made vulnerable due to circumstance
- (e.g. recent bereavement or relationship breakdown)
- Those who are vulnerable due to domestic violence, harassment, or victims of repeat burglary or crime

The following people could be more likely to experience vulnerability, particularly if they have one or more of the above characteristics:

- People discharged from hospital following crisis admission
- Young people
- Young people leaving care
- Teenage parents
- Pregnant women
- People who have childcare responsibilities

- People with learning disabilities
- Illiteracy or inability to speak English
- Physical disability
- Blindness or visually disability
- Deafness and/or speech disability
- Living with Advanced HIV/Aids
- A person with a medical condition that will seriously impair their ability to manage on a day to day basis, e.g. mental illness, such as schizophrenia/bipolar or depression, or age related mental deterioration such as early stage Alzheimer's disease or senile dementia
- A person diagnosed with a terminal illness

There are a number of additional circumstances which could give rise to short or medium-term needs, which in turn could threaten a tenancy. These include domestic abuse, harassment, a young person leaving care or setting up home for the first time, a person leaving supported housing (or having floating support withdrawn), release from a custodial sentence, asylum seekers given leave to remain and substance abuse.

People may also be vulnerable due to a lack of capacity. The Mental Capacity Act 2005 aims to empower and protect people who may not be able to make some decisions for themselves. It also enables people to plan ahead in case they are unable to make important decisions for themselves in the future. People could lose mental capacity because of a mental illness or due to a broad range of factors including stress, anxiety, influence of drugs or alcohol or acute depressive episodes.

Being unwell or having a mental illness does not automatically mean you lack mental capacity so unless stated otherwise capacity should always be presumed. If a person is deemed to lack capacity this does not mean that it is permanent or applicable to every decision that they make.

Your Housing Group will take capacity into account whilst carrying out its duties and follow guidance in the Mental Capacity Act 2005 on determining whether capacity is short term or long term and what support is required.

## **6. Responsibilities under this Policy**

The Deputy Chief Executive has overall responsibility for promoting Equality, Diversity and Inclusion at YHG.

The Director of Housing and Customer Services has day to day responsibility for delivering the commitments under this policy.

The Equality and Diversity Steering Group has responsibility for coordinating activity across the business and for delivering on the Equality and Diversity Action Plan in support of the Charter.



The Group Board Champion for Equality and Diversity has responsibility for championing issues of Equality and Diversity at Board level and for challenging where issues are identified.

## **7. Risk Management**

Failure to recognise and consider issues of equality, diversity and inclusion in decision making could leave YHG at risk of breaching the Equality Act 2010 and at risk of legal challenge.

This is managed by ensuring that all staff received training in equality and diversity at induction, by ensuring mandatory training for staff on a 3 year basis and through ensuring that issues of equality and diversity are considered in policies and Group Board decisions.

## **8. Data Protection, Record Storage and Retention**

Any equality and diversity data collected in relation to customers or staff is collected for a legitimate purpose and is processed and retained in line with the requirements of the Data Protection Act 2018 and of the General Data Protection Regulations.

Customer data is currently held in a number of management systems e.g. Orchard. A key project in relation to EDI is to allow customers to be able to view and amend personal data held within the Homes Hub application.

Staff data is only currently collected anonymously each year when the Annual Staff satisfaction survey is completed.

## **9. Equality and Diversity**

This policy complies with the requirements of the Equality Act 2010 to ensure equality of treatment for all customers without discrimination or prejudice.

On request, YHG will provide translations of all its documents, policies and procedures in various languages and other formats.

## **10. Communication**

This policy will be made available on the YHG intranet for staff and on the YHG website for customers.

## **11. Learning and Development**

All staff receive mandatory training on equality and diversity as part of their staff induction.

All staff are required to undertake refresher training on a 3-year basis through the Helix e-learning system.

Managers are required to undertake recruitment and selection training as part of their development, covering issues of equality and diversity.

## **12. Performance Management of this Policy**

The Group Board has the overall responsibility for the development and delivery of this Policy.

The EDI Steering Group will monitor delivery of the policy and continue to review YHG commitment to meeting the CIH Charter for EDI and maintain gold standard within the EDI HQN Health check. It will also review KPI's on staff mandatory training which is linked to EDI.

## **13. Review of this Policy**

This document will be reviewed every two years or sooner if required by statutory, regulatory or best practice requirements or the need to update following reviews of other Group wide policies.

## Related Documents

Document Type	Name
<b>Connected Policies and Procedures</b>	This policy is consistent (where relevant) with Your Housing Groups current policies, specifically: <ul style="list-style-type: none"> <li>• Safeguarding Policy</li> <li>• Domestic Violence and Abuse Policy</li> <li>• Anti-Social Behaviour and Hate Crime Policy</li> <li>• Absence Management Policy</li> <li>• Employee Code of Conduct</li> <li>• Gender Reassignment and Trans- Equality Policy</li> <li>• Policy Framework Policy</li> </ul>
<b>Forms and Letters</b>	<ul style="list-style-type: none"> <li>• EIA Guidance Notes</li> <li>• EIA Full Assessment Form</li> <li>• EIA Initial Assessment Form</li> </ul>
<b>Leaflets/Publicity Material</b>	
<b>Training Materials Available</b>	<ul style="list-style-type: none"> <li>• Mandatory Training for all Staff - Helix</li> <li>• Staff Induction Training</li> <li>• Recruitment and Selection Training</li> <li>• Safeguarding Training - Helix</li> <li>• Tran-Awareness Training - Helix</li> </ul>
<b>Intranet/ Website Page</b>	Available on YHG Website and Youggle

## Checklist

(To be completed as far as possible by the Policy Author before submission for quality checking by Research and Policy Manager prior to Risk and Compliance Group)

<b>Policy Name:</b> Equality, Diversity and Inclusion Policy				
<b>Version No:</b> 3		<b>Effective Date:</b> May 2022		
<b>Status:</b> Full Review				
<b>Previous Policy Name (where appropriate)</b> n/a				
<b>Brief Summary of Changes from Previous Version:</b> New information contained in relation to Tenant Involvement and Empowerment Standard, Human Rights Act 1998 and the intent to develop a EDI Strategy.				
<b>Internal Consultation Groups:</b>		<b>Customer Consultation:</b> <input checked="" type="checkbox"/>		
		<b>Date of Customer Consultation:</b> 18 <sup>th</sup> February 2022		
		<b>Customer Consultation Brief Details:</b> The main view from customers was that that they felt the Policy is good, fit for purpose with the one recommendation around 'terminal illness' being included within the vulnerable characteristics.		
<b>Link to Consultation Document(s):</b>				
<b>Date Initial Equality Impact Assessment Undertaken:</b> 16/03/22		<b>Equality Impact Assessor name(s):</b> Emma Binder		
<b>Reason for Decision:</b> Low impact and reviewed within last 2 years.				
<b>Date Full Equality Impact Assessment Undertaken:</b> n/a				
<b>Brief Outline of any Changes Recommended from EIA:</b> No changes recommended.				
<b>Data Protection/ GDPR Implications:</b> <input type="checkbox"/>				
<b>Brief Outline of Data Protection/GDPR Implications:</b>				
<b>Legal Implications:</b> <input type="checkbox"/>		<b>Legal Panel Consulted:</b> <input type="checkbox"/>		<b>Date:</b>
<b>Risk Implications:</b> <input type="checkbox"/>		<b>Risk Logged on Datix:</b> <input type="checkbox"/>		<b>Date:</b>
<b>Resource Implications</b>	<b>People:</b> <input type="checkbox"/>	<b>Finance:</b> <input type="checkbox"/>	<b>Asset:</b> <input type="checkbox"/>	<b>Other:</b> <input type="checkbox"/>
<b>Brief Summary of how Resource Implications have been addressed:</b>				
<b>How will communication on this Policy take place: (please delete as appropriate)</b> Intranet/ YHG Website				
<b>Policy Owner: (Department)</b> Housing Services (Community Regeneration)			<b>Policy Author:</b> Dave Litherland	
<b>Policy Signed Off by: (service manager or sponsor):</b> Paula Marshall				<b>Date:</b> 07/03/22
<b>Policy Quality Checked by Research and Policy Manager:</b> Vicki Maguire				<b>Date:</b> 30/03/22
<b>Policy Approved by Risk and Compliance Group:</b>				<b>Date:</b> 12/04/22
<b>Policy Approved by Customer Services Committee:</b>				<b>Date:</b> 12/05/22