

Paragon Housing Association Limited

POLICY: EQUAL OPPORTUNITIES

POLICY AREA: GOVERNANCE

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1. Legal, Regulatory and Good Practice Framework

This policy takes account of legal, regulatory and best practice requirements, including (but not limited to):

- The Equality Act 2010
- Human Rights Act 1998
- The Housing (Scotland) Act 2010
- The Scottish Social Housing Charter Outcome Number 1
- Section 5.3 of the Regulatory Standards of Governance and Financial Management

The Equality Act 2010 is the main piece of legislation relating to equalities. It was passed by the Westminster Government and applies throughout the UK

The Equality Act 2010 consolidates much of the previous equalities-related legislation into one single Act. It therefore replaced the following Acts:

- Equal Pay Act 1970
- Sex Discrimination Act 1975, 1986 Amendment and Employment Equality (Sex Discrimination) Regulations 1995

- Race Relations Act 1976, 2000 Amendment and 2003 Amendment Regulations
- Disability Discrimination Act 1995 and 2005
- Rehabilitation of Offenders Act 1974
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Sex Discrimination (Gender Reassignment) and Gender Recognition Act 2004
- Employment Equality (Age) Regulations 2006

The Scottish Government published the Scottish Social Housing Charter in March 2012 and it came into effect on 2nd April 2012. It is committed to ensuring that RSLs behave in a way that promotes equality and diversity and seeks to eliminate discrimination. Outcome Number One covers equality.

Section 5 of the Regulatory Standards for Governance and Financial Management produced by the Scottish Housing Regulator requires RSLs to “conduct their affairs with honesty and integrity and within this, RS5.3 requires RSLs to pay “due regard to the need to eliminate discrimination, advance equality and foster good relations across the range of protected characteristics in all areas of its work, including its governance arrangements”.

2. Policy Statement and General Principles

Our policy is about what we want to achieve and it will be supported by a strategy on how we are going to achieve this.

Paragon seeks to take positive steps to heighten awareness of Equal Opportunities issues and to adopt policies which positively promote Equal Opportunities. We will put this at the heart of all our activities and we will work with other partners to achieve this aim.

Paragon recognises the value of diversity and will promote the positive benefits that this can bring to our organisation. This includes the activities of recruiting and retaining our workforce, delivering our services and taking account of feedback from our service users and promoting opportunities for all.

Sustainable communities are communities that are areas in which people want to live and work and that are free from discrimination and harassment.

Paragon aims to integrate equality and diversity practices into all that it does, and ensure that employees are treated with fairness and respect from each other, from members of the public, Committee members and contractors.

It will implement fair and just employment practices ensuring that no job applicant or employee will receive less favourable treatment on the grounds of sex, race, colour, marital status, sexual orientation, religious belief, disability or age.

Paragon will ensure that people are recruited and employees promoted solely on the basis of their own merit, experience, ability and potential. This applies

throughout the entire duration of employment as all decisions will be based on only relevant merits.

Paragon will provide an environment appropriate to the needs of those from all walks of life, and offer a culture that respects and values each other's differences and promotes dignity, equality and diversity.

3. Definitions

Protected Characteristics

There are nine protected characteristics. These are the grounds on which discrimination is prohibited by law. The grounds on which discrimination claims can be made are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Equality

This is making sure people are treated fairly and given fair chances. It is not about treating everyone the same way, but recognising that different needs may have to be met in different ways.

Diversity

This is about valuing individual differences. Paragon is committed to valuing and managing people's differences to enable all employees to contribute and realise their full potential. Paragon recognises that people with different backgrounds, skills, attitudes and experiences can bring fresh ideas and perceptions that will benefit the organisation and its customers.

Direct Discrimination

This occurs if someone is treated less favourably than others based on a protected characteristic as set out in the Equality Act 2010. An example would be to refuse to employ somebody because they had an impairment, which had no relevance to their ability to carry out the job they had applied for.

Indirect Discrimination

This can occur where a policy, practice, procedure, provision or criteria is applied to everyone in the same way but has a disproportionate impact on people with a protected characteristic. An example could be holding meetings at times which are inconvenient for people with child care responsibilities and not providing crèche facilities.

Associated Discrimination

This would occur if a person is discriminated against because they have an association with someone with a particular protected characteristic. For example, a non-disabled person is discriminated against because of the action they need to take to care for a disabled dependent.

Perceptive Discrimination

Discrimination would occur against a person because the discriminator thinks the person possess that characteristic. For example, a person is not shortlisted for a job on the basis that the recruiter assumes the applicant does not have the correct Visa to work in the UK as they have an Asian sounding name their application form.

Harassment

Harassment is conduct that violates a person's dignity or creates an intimidating, hostile degrading, humiliating or offensive working environment. The intention of the perpetrator is irrelevant; it is the impact on the individual which determines whether harassment has taken place.

Victimisation

This means treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination, complained about the behaviour of someone harassing them or given evidence in someone else's discrimination complaint.

Positive Action

The Act outlines two types of positive action which in certain circumstances are permissible:

- General
- Recruitment and Promotion

If Paragon believes that persons who share a protected characteristic suffer a disadvantage or have different needs because of that characteristic, then action may be taken to help overcome the disadvantage or address the need. The Act points out that any action should be proportionate.

An example could be addressing imbalances in the workforce by encouraging members of under-represented groups to apply for jobs. Positive action may be applicable in setting equality targets.

Failure to make Reasonable Adjustments

This is where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

4. Equality Impact Assessments

An Equality Impact Assessment will be carried out as policies are being reviewed. These will allow Paragon to take proactive steps to identify and remove potential discrimination. Not all policies will be subject to impact assessment and some judgement will be used to determine if one is required.

However, it is important to recognise that providing the same service in the same way to everyone can sometimes create a disadvantage.

5. Provision of Services

In providing and managing housing and delivering services to service users, Paragon will ensure equality of opportunity in relation to the quality of housing, access to housing, policies relating to harassment and nuisance, provision of services and complaints.

Paragon will engage in regular consultation with service users and encourage tenants to be involved in our activities to ensure that services which are provided are responsive and reflect the diversity of need

6. Contractors Role

Paragon will seek to ensure that all contractors comply with relevant Health and Safety, employment and Equalities legislation.

When we advertise tenders or receive applications to our list of approved contractors or consultants we will ask the applicant to provide a copy of their Equal Opportunities Policy or, if they do not have one, confirm that they will abide by our own policy.

7. Committee and Staff Training

All Association staff members and Management Committee members will be made aware of the policy and its importance to the work of the organisation.

Management Committee and staff members will receive periodic training on equality issues.

8. Communication and Information

Steps will be taken to widely publicise Paragon's Equal Opportunities policy and copies will be freely available.

Publicity material produced by Paragon, including the Tenants Handbook, will contain reference to the Equal Opportunities policy.

Distribution lists for the circulation of the policy will include groups representing wide community needs and those often harder to reach groups including those representing ethnic minorities, the disabled, older people , younger people etc.

9. Breaches of the Equal Opportunities Policy

Any aggrieved party, other than a staff member, has course for redress through Paragon's Complaints Policy. Staff members have access to Paragon's Grievance Procedure.

10. Monitoring, Analysis and Reporting

Monitoring performance is an important part of effective governance. Paragon's activities will be monitored in respect of Equal Opportunities as set out in the Equal Opportunities & Diversity Strategy which will be the subject of regular review.

Paragon will participate in S.C.O.R.E. (Scottish Continuous Recording) which monitors new tenancies granted by registered housing associations.

The information collected will be used to analyse Paragon's Equal Opportunities performance in relation to the national, regional and local perspective as highlighted by census data, other studies etc.

From this monitoring information and analysis, measures will be taken to remedy any imbalances as permitted by the relevant legislation. These measures will be set out in the Equal Opportunities Strategy and monitored through this mechanism

Paragon will provide information on the organisation's performance on Equal Opportunities issues on a periodic basis.

11. Review

This policy will be subject to review every five years or earlier if legislation changes.