EK Housing Ltd

Fair Access, Diversity & Inclusion Policy

Incorporates Equality and Tenancy Allocations policies

1. Policy Summary

EK Housing Ltd has a strong commitment to anti-discriminatory practise. Our commitment is to confront and eliminate discrimination whether by age, disability, gender reassignment, race, nationality, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity or ethnic origin.

EK is also committed to valuing diversity and providing equality of opportunity across all its operations. We intend to do this by rigorously implementing a valuing diversity policy that aims to ensure that **all current and potential staff and all tenants** are treated equally.

2. Background and Overview

The Equality Act became law in October 2010, replacing previous legislation (such as the Race Relations Act 1976 and the Disability Discrimination Act 1995) and ensuring consistency for employers in the requirements for making the workplace a fair environment and to comply with the law. The Equality Act covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called 'protected characteristics. The Act extends some protections to characteristics that were not previously covered, and also strengthens particular aspects of equality law.

In creating our policies and procedures to ensure compliance with the Equalities Act 2010, we have referred to good practice guidance both for employers (ACAS) and as a provider of services as referred to on the Government's Equalities Office website. As our business grows and develops, we will refer to the ACAS Delivering Equality and Diversity booklet for reference and good practice and will and adopt and adapt their draft policy,

Sources of Reference:

- ACAS Delivering Equality & Diversity
- Equality Act 2010 table
- The Government Equalities Website
- Guide to the Equalities Act for Suppliers of Goods and Services

Our organisational values commit us to:

- Develop service based on needs of users and make best use of resources
- Work collectively and be accessible and open
- Be open and accountable to all stakeholders
- Ensure anti-discriminatory practise
- Be flexible and supportive in the way we work
- Provide responsive and compassionate services
- Be reliable, friendly and professional
- Provide a welcoming and dignified environment for clients and staff
- Be flexible and proactive in the way we provide services and work with other agencies
- Provide a service that is culturally sensitive
- openness, transparency and accessibility
- fairness and equitable treatment
- respect for individual and group differences
- flexibility and openness to change
- mutual respect and collaboration
- integrity and loyalty

3. **EK Equalities for Staff**

We have adopted and adapted the ACAS Equality Policy to suit our purposes. EK is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best. To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, ethnic origin, colour, nationality, national origin, religion or belief, sex and sexual orientation. We oppose all forms of unlawful and unfair discrimination (See Definitions, Appendix 1).
All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Our commitment:

- To create an environment in which individual differences and the contributions of all our staff are recognised and valued

- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- Training, development and progression opportunities are available to all staff
- Equality in the workplace is good management practice and makes sound business sense
- We will review all our employment practices and procedures to ensure fairness
- Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings
- This policy is fully supported by the Board of Directors (Executive and Non-Executive members) and employee representatives
- The policy will be monitored and reviewed annually

4. EK treatment of Tenants, including its Tenancy Allocations arrangements

EK also strongly believes in both the practice of and spirit behind the Tenancy Standard published by the Regulator for Social Housing (RSH) Tenancy Standard - GOV.UK (www.gov.uk). It also recognises (in its Memorandum & Articles) that there are considerable numbers of individuals whose needs are not adequately served by the commercial housing market.

This Standard requires providers to put in place processes for allocation of their social housing, to address the housing needs and aspirations of tenants and potential tenants, and (regarding allocation processes) demonstrate how providers have made use of common allocation registers, common allocations policies and local lettings policies. Processes that meet this Standard are likely to include the rules on which accommodation would be allocated that explain the basis on which the applicant will allocate the social housing while meeting the requirements of the Tenancy Standard that homes are let "in a fair, transparent and efficient way".

In adopting this Policy, EK will also apply 'best endeavours' to meeting the potential tenants stated requirements insofar as accommodation location and nature of support need.

5. Procedures for ensuring equal opportunities for employees:

5.1 Recruitment and Selection

We will utilise open recruitment methods such as the use of job centres, local news papers etc. so that any vacancy is accessible to all individuals ensuring that we do not discriminate against or discourage applications from any section of the community.
We will ensure that all employees are recruited and promoted on the basis of ability and ensure that through recruitment that our workforce better represents the community it serves. We will adopt the ACAS equality framework monitoring questions as we recruit employees.
All employees involved in a recruitment process will have received training on equalities.

5.2 Promotion

We are a small company and promotional opportunities may be infrequent, however for any employees selected for promotion it will be based on their merit and ability to do the job.

5.3 Training

Both internal and external training we deliver and fund will be open to all employees that the training is relevant for. We will not discriminate against any employee for any reason.
All employees will receive regular training on Equal Opportunities, Discrimination & Harassment, Fair Access Diversity and Inclusion, Cultural Awareness and the implications of these polices. All new employees will receive this training on induction.

5.4 Discrimination and Harassment

Discrimination and Harassment is not tolerated. Any reports of these offences will be dealt with immediately by the management.

5.5 Respect for Cultural Diversity and Religious Belief

The company does observe the needs of individual's employees and tenant's cultural diversity and religious belief. The company will make arrangement for employees if necessary, should they need to observe their religious beliefs
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5.6 Respect for Disabilities

If an existing employee becomes disabled, we will make every effort to retain him or her within the workforce whenever reasonable and practicable. Whenever reasonably practicable to do so, we will install in existing premises facilities for people with disabilities. Whenever we invest capital in new or refurbished premises every practicable effort will be made to provide for the needs of staff and tenants with disabilities, for example, by making reasonable adjustments to hallways, passages and doors in order to provide and improve means of access for disabled employees and workers. However, this may not always be feasible.

5.7. Respect for people of all ages

We are committed to recruiting and retaining employees whose skills, experience, and attitude are appropriate to the requirements of the various positions regardless of age. As far as is reasonably possible and in the most exceptional circumstances no age requirements will be stated in any job advertisements on behalf of the company.

We will distribute and publicise this policy statement to all employees and elsewhere as from time to time appropriate. Any employee who believes that they may have been subjected to treatment which breaches this policy may raise the matter through our grievance procedures.

6. Procedures for ensuring Fair Access, Diversity & Inclusion for all Tenants/Tenants

6.1 All Directors and employees have a duty both morally and legally not to discriminate against any individuals for any reason. They therefore have a personal responsibility for the practical application of the Fair Access, Diversity & Inclusion Policy, which extends to the treatment of tenants and potential tenants, other employees and members of the public.

In advertising for and considering referrals for tenancy support or any other services, EK will operate all of its arrangements within the same systems criteria as that for staff members.

6.2 In order to operate the system of 'Tenancy offers', EK has to accept the restrictions placed upon it by its Insurers. This may exclude tenancy offers for persons previously convicted of sexual offences against vulnerable people and of convicted arsonists – though individual cases may be referred to our Insurers.

Where a tenancy referral or application is rejected, EK will always explain the reasons for this and will use best endeavours to signpost to provision elsewhere within the community that might meet specific needs.

6.3 EK is committed to a policy of fair housing to ensure that all individuals have access to its properties and services and that they are treated equally when they become tenants.

EK recognises its duty to ensure that all Tenants are able to enjoy the peace and comfort of their homes free from any kind of harassment has established policies and procedures for dealing with acts of anti-social behaviour and harassment.
It is the individual responsibility of every member of staff to ensure this policy is applied in practice, both in employment and in supporting our tenants. A special responsibility falls on those who have staff management, recruitment and personnel management responsibilities.
In practice this means ensuring that:

- decisions are based on clear, consistent and justifiable criteria
- diversity, equal opportunities and anti-discriminatory training and guidance are provided for staff at all levels
- The referral system is transparent and places are allocated in terms of need
- Tenants are supported to practise their religious beliefs
- All tenants are treated fairly, with respect and dignity
- Tenants are supported to understand and follow the complaints procedure
- A procedure for resolving complaints of discrimination will be developed and communicated to those who may need to use it.
- Serious breaches of the valuing diversity policy are dealt with through the disciplinary procedures
- The Equality and Diversity policy is regularly monitored, reviewed and communicated; this includes viewing data from referrals and job applicants.
- All tenants to receive training/information in the basic principles of this procedure.

It is the individual responsibility of every member of staff to ensure this policy is applied in practice, both in employment and in supporting our Tenants. A special responsibility falls on those who have staff management, recruitment and personnel management responsibilities.

6.4 We will establish systems to collect equalities data on successful and unsuccessful applications and exits from the properties. We will review the equality data and set targets for under-represented groups and closely monitor our performance against them through its performance indicators.

7. Monitoring procedures

We will develop an Equalities Action Plan covering employees and tenants and review it annually to ensure it has an impact following Equality Impact Assessment procedure outlined in **Appendix 2.**

8. Complaints

EK has in place procedures for dealing with complaints of discrimination. Staff who feel treated unfairly should follow our grievance procedures. Tenants who feel they have been treated unfairly should follow our

complaints procedure. Tenants are supported to understand and follow the complaints procedure. We believe that these procedures fully comply with the Housing Ombudsman's April 2024 expectations – see P&P doc 13.
All complaints or grievances relating to discrimination of any kind will be dealt with at board level.

Appendix 1 Types of discrimination: definitions

Discrimination is to be understood as "the negligent treatment, in comparison to others, of one or more persons of which the legal order or society does not approve" **or** "The application of different rules to comparable situations or the application of the same rule to different situations"

'Protected Characteristics'

The Equality Act 2010 covers the same groups that were protected by existing equality legislation – age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are now called 'protected characteristics'

Direct discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with someone who has a protected Characteristic (see discrimination by association below).

Discrimination by association

Already applies to race, religion or belief and sexual orientation. Now extended to cover age, disability, gender reassignment and sex. This is direct discrimination against someone because they associate with another person who possesses a protected EK Characteristic.

Perception discrimination

Already applies to age, race, religion or belief and sexual orientation. Now extended to cover disability, gender reassignment and sex. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Indirect discrimination

Already applies to age, race, religion or belief, sex, sexual orientation and marriage and civil partnership and is now extended to cover disability and gender reassignment.

Indirect discrimination can occur when you have a condition, rule, policy or even a practice in your company that applies to everyone but particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that you acted reasonably in managing your business, i.e., that it is 'a proportionate means of achieving a legitimate aim'. A *legitimate aim* might be any lawful decision you make in running your business or organisation, but if

there is a discriminatory effect, the sole aim of reducing costs is likely to be unlawful.
Being proportionate really means being fair and reasonable, including showing that you've looked at 'less discriminatory' alternatives to any decision you make.

Harassment

Harassment is *"unwanted conduct related to a relevant protected 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 if it is not directed at them, and the complainant need not possess the relevant characteristic themselves. Employees are also protected from harassment because of perception and association.

Third party harassment

Already applies to sex and now extended to cover age, disability, gender reassignment, race, religion or belief and sexual orientation.
The Equality Act makes you potentially liable for harassment of your employees by people (third parties) who are not employees of your company, such as customers or clients. 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.

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; or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.
There is no longer a need to compare treatment of a complainant with that of a person who has not made or supported a complaint under the Act.

Discriminatory practices

'Anti-discriminatory practice' is a generic term used to describe an approach to practice which seeks to combat discrimination and oppression. It therefore incorporates anti-racism, anti-sexism, anti-

ageism and so on. It is based on the recognition that we live in a society in which power and life-chances are unevenly distributed – and this uneven distribution extends to the point where certain groups experience oppression as a result of the disadvantages due to the social structure.

Appendix 2 Equality Impact Assessments

We will use Equality Impact Assessments to examine what effect our policies and services may have on the people who experience them based on evidence from monitoring data, discussion and feedback from colleagues or various groups, staff and customer feedback and many other sources.

Principles

Our Equality Impact Assessments are based on four key questions:

(1) What is the purpose of the policy or service?

It is important to be clear about this because it is the purpose that we will be seeking to measure (impact assess) in question 2

(2) How is it seeking to achieve this?

Gathering evidence for this question measures our answer to question 1. It is about the way our policy (or service) works in reality and will involve examining the delivery path of the policy or service.

(3) Who benefits and how?

This asks what evidence we have (or need to gather). It looks at people's experience of consuming the policy or service. The word 'benefit' means to those who experience the service or policy as intended at question 1

(4) What are any associated aims attached to the policy?

Policies rarely operate in isolation and we may need to take account of the influence one policy may have over another.

Involvement

Throughout an equality impact assessment, we will consult and involve others, both colleagues as employees and tenants as Tenants to help to ensure that there is consensus regarding the purpose of policies and avoid our own value judgements influencing our findings.

Decision-making

Our findings at question 3 may point to some groups who have experienced our policy or service in an unwanted or less beneficial way. Not all difference is bad and the Board will decide methods to give an indication as to the importance of any difference

When we have identified difference, we have three options:

(a) Stop what we are doing

(b) Adjust our policy or service/product to remove any identified barrier to those who do not benefit sufficiently.

(c) Continue with your policy or service and seek to justify the difference and potential discrimination as a proportionate response to a legitimate aim.

Publishing

We would intend to publish any assessments in annual reports and in a format that is accessible to all interested people (in particular our tenants) with a view to being transparent.