



EQUAL OPPORTUNITIES POLICY

Date Reviewed	December 2023	Next Review Date	December 2026
Consultation	EDI Sounding Board	Reviewed By	Director of People
EIA		Responsible Officer	Director of People
DPIA		Approval By	Executive Team

1. PURPOSE

Black Country Housing Group is committed to providing equal opportunities, and to avoiding unlawful discrimination in employment and against customers. BCHG adopts a zero-tolerance approach to any form of discrimination and this policy is intended to assist the Group to put this commitment into practice.

The Group strives to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect. The Group has a separate Dignity at Work procedure which deals with these issues.

The aim of this policy is to ensure that recruitment, development and promotion of employees is based solely on their suitability for the work to be done. And that housing and services are provided solely on the basis of need. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

2. SCOPE

The Policy applies to all employees, job applicants, associates and customers of Black Country Housing Group Limited and its subsidiaries.

3. RELATED POLICY AND PROCEDURES

- Recruitment and Selection Policy
- EDI Strategy
- Code of Conduct
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- Colleague Development Policy
- Whistleblowing Policy and Procedure
- Dignity at Work Procedure
- Anti-Social Behaviour Policy
- Aids and Adaptations Policy
- Customer Facing Policies

BCHG's Speak out Guidance provides colleagues with the information they need to be able to raise a concern in the workplace.

4. POLICY

Black Country Housing Group Limited (the Group) is committed to equality of opportunities in its employment, provision of housing and working practices. The Group recognises that diversity in both its customer base and employment adds benefit to both the community and the business. The Group aims to create a business where every person is different, important and valued and recognises that effectively managing people's different skills, abilities, experiences, perspectives, backgrounds, needs, issues, barriers, family and personal circumstances is critical in getting the best out of people. When people do not believe that they have had an equal and fair chance, it almost always leads to frustration and to varying degrees of resentment and anger which very often can lead to loss of productivity, lost business or damaged business reputation and increased sickness, grievances and legal action. Therefore we have developed The BCHG Way which promotes our values based service standards and our EDI Strategy which supports equality, diversity and inclusion.

5. THE LAW

It is unlawful to discriminate directly or indirectly in recruitment, employment or in the provision of goods and services because of a protected characteristic. Protected characteristics listed in the Equalities Act 2010 are:

- Age
- Disability
- Sex
- Gender reassignment
- Pregnancy or maternity
- Race (which includes colour, nationality and ethnic or national origins)
- Sexual orientation
- Religion or belief
- Because someone is married or in a civil partnership

Employees should not discriminate against or harass a member of the public or a customer in the provision of services, goods or housing.

In addition, it is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. It is imperative that as a service provider we think ahead and address any barriers that may impede disabled people from accessing a service.

There are many ways in which a person may be discriminated, below is a list of the types of discrimination and examples of how they may occur.

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. An example of direct discrimination would be refusing to employ a woman because she is pregnant or refusing to let a property based on a protected characteristic.

In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and be a proportionate means of achieving a legitimate aim for example where a customer has specifically requested a female carer to carry out personal hygiene tasks.

Indirect discrimination is where a provision, criterion or practice is applied that causes that person a detriment compared with people who do not have the protected characteristic.

Harassment is where there is unwanted conduct, related to one of the protected characteristics that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic, even if the person themselves do not have the protected characteristic

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not in fact have that protected characteristic.

Third-party harassment occurs where an employee is harassed, and the harassment is related to a protected characteristic by third parties such as clients to customers.

Victimisation occurs where an employee and or customer is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

6. PROCEDURE

6.1 Governance

The Group recognises that some individuals and groups are disadvantaged. The Group fully supports all relevant legislation, statements and associated Codes of Practice and will seek to identify the needs of disadvantaged groups in its area of operation and attempt to provide responsive and inclusive services and attempt to remove or minimise barriers to access.

The Board will ensure that the Group remains representative of its community through regular reporting of diversity information. The Group on behalf of the Board will seek staff and stakeholder feedback to ensure that this policy and associated measures in terms of employment practice and service delivery are appropriate and effective. Where key issues or business needs are identified the Board will support business improvement through the Strategic Plan and EDI Strategy.

The Chair will seek to ensure that the membership of the Board adequately reflects the community it serves and is mindful of its commitment to diversity.

6.2 Equality of Opportunity in Employment

The Group ensures that all aspects of employment including retirement, promotion, opportunities for training, pay and benefits, disciplinarys and grievances are fairly applied and are non-discriminatory.

The Group will actively encourage employment applications from all sections of the community. Person specifications and Job Descriptions will only include those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable

adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where absolutely necessary. The Group cannot lawfully discriminate in the selection of employees for recruitment or promotion, but the Group may use appropriate lawful methods, including lawful positive action, to address the under-representation of any group that the Group identifies as being under-represented in particular types of job.

The Group will ensure that equality of opportunity is actively promoted and that staff are aware of the expected behaviours through the distribution of this policy on the Groups intranet and through induction and supervisions. In addition the Group will provide training to all existing and new employees to help them understand their rights and responsibilities under the dignity at work policy and what they can do to help create a working environment free of bullying and harassment.

The Group will ensure that employment within the Group is not restrictive to sections of the community and that its working practices do not preclude an individual from employment or from reaching their full potential whilst employed. The Group offers comprehensive benefits that support and enable individuals to develop professionally and to achieve work-life balance. Where barriers to employment are identified the Group will endeavour to vary standard working practices or make reasonable adjustment to premises or working conditions.

The Group will monitor the ethnicity, gender, age and disabilities of the existing workforce and job applicants. The Group will take any appropriate action to address any problems that may be identified as a result of the monitoring process.

6.3 Provision of Housing, Goods and Services

The Group will not discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by the Group. The selection of residents for accommodation or applicants for services shall be based only on their need for the service in question within the limits of the agreed selection criteria.

The Group has policies to ensure that the services it delivers are fair and non-discriminatory, except where legal exemptions apply.

The Group endeavours to record and monitor the ethnicity, gender and disability of housing and homelessness applicants.

Employees should report any bullying or harassment by customers, suppliers, visitors or others to their manager who will take appropriate action.

6.4 Contractors and Suppliers

The Group will be mindful of its commitment to equality of opportunities when hiring contractors and other agencies.

All contractors and suppliers of services must comply with the Group's Equal Opportunities Policy.

6.5 Your Responsibilities

Every employee is required to assist the Group to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Group for any act of unlawful discrimination. Employees who commit serious acts of harassment may be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Group's disciplinary procedure.

Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

7. RAISING A CONCERN

BCHG adopts a zero-tolerance approach to any form of discrimination. Our 'Speak out' Guidance explains how a colleague can raise a concern in the workplace. The Group has a separate Dignity and Respect at Work Procedure that explains how to deal with complaints of bullying, harassment and victimisation.

8. RESPONSIBILITIES

- The Executive Team has overall responsibility for the approval of the policy.
- All staff have overall responsibility for the implementation of the policy.
- The HR team have ownership and responsibility for updating and reviewing the policy.

9. DATA PROCESSING

During our recruitment and onboarding process, colleagues are asked to disclose protected characteristic details. Each colleague has a personnel folder on SharePoint and their details are captured on our HR and Payroll software Cascade (People Hub). Representation is important to us and supports the objectives of our People Strategy and EDI Strategy. Capturing this data allows us to monitor our workforce to ensure our people are reflective of the communities we serve.

Access to SharePoint and Cascade is managed closely by the Director of People and sensitive information pertaining to our colleagues is restricted to the Director of People, People Business Partners and HR Administrators. Under no circumstances is person specific information shared either internally or externally.

Colleagues are invited to carry out a data cleanse of their data once a year.

10. LEGAL AND REGULATORY CONSIDERATIONS

- Equality Act 2010

11. COMPLIANCE, MONITORING AND REPORTING

EDI related information is sensitive and is stored electronically on SharePoint and People Hub and is only accessible by appropriate members of the HR team and the individual. There are times when reports on the diversity of our workforce are created and the data used to generate reports which may be shared with the EDI Sounding Board, Executive Board and Board. This data is kept anonymous at all times.

Individuals who share any personal or sensitive information inappropriately will be subject to investigation and possible disciplinary action.

Any concerns regarding the implementation and compliance with this policy should be reported to the Director of People without delay.