

Summary Statement

Northwards Housing is proud to be based in north Manchester. We value the diversity within our local communities, and believe that everyone should be treated fairly and with respect.

Northwards plays an active role in promoting equality and challenging discrimination in all its forms. We believe that everyone has the right to be themselves, and to live their lives free from harassment and abuse. We work closely with our tenants, partners, and across our local communities so that together we can make them places where everyone feels safe and included.

We also involve our tenants in shaping and developing our services. This helps us to ensure that our services are of a high standard, and that they are tailored to meet the needs of all our customers.

Northwards is an equal opportunities employer. We aim to be representative of the area we serve, and we promote employment and training opportunities to local people and to under-represented groups. We regularly monitor and review our recruitment and employment practices to ensure that do not discriminate, and that they are fair and accessible to everyone.

Northwards promotes a culture of respect and understanding so that everyone can feel confident to be themselves at work. We have a zero tolerance approach to bullying and harassment, and provide training and support to all our staff so they can help us to make Northwards a fair and inclusive organisation.

Legal Obligations:

Northwards believe that every person has the right to be treated with dignity and respect. In line with our obligations under the Equality Act 2010, Northwards will oppose all forms of discrimination and unfair treatment related to the **nine protected characteristics***, which are:

- Age
- Disability
- Gender Re-Assignment
- Marriage and Civil Partnership
- Pregnancy and Maternity

- Race (including ethnic origin, nationality, nation origin)
- Religion or Belief (or non-belief)
- Sex
- Sexual Orientation

Northwards' Equality Strategy 2013-18 sets out our overall commitment to achieving equality. The Strategy outlines four key objectives we aim to achieve over this five year period. They are:

1. *We will know our customers and listen to their experiences; our services will support and reflect their needs*
2. *We will be a fair employer, and we will promote the development of skills and the employment of local people*
3. *We will work with others to help to make our communities places where people feel safe and included*
4. *We will provide advice and support to tenants to help them to manage the impacts of welfare reform and other social change*

This policy supports this approach, and sets out the steps we will take to promote equality, tackle discrimination and promote good relations in our communities in line with our legal duties under the Equality Act.

Northwards will also comply with the Equality Act Codes of Practice issued by the Equality & Human Rights Commission, including the Code of Practice on Equal Pay, the Code of Practice on Employment, and the Code of Practice on Services, Public Functions and Associations. We will also comply with the regulatory framework for social housing providers.

** See Appendix for further information about the protected characteristics, and definitions of discrimination and harassment.*

Scope of the policy:

The Equality Diversity Policy covers all aspects of Northwards Housing's role as an employer, service provider and community leader.

Northwards will promote equality, diversity and fair treatment for all by:

As an employer

- Embedding the principles of equality, diversity and inclusion across all areas of the organisation
- Providing a safe and accessible working environment where all employees are treated with dignity and respect
- Adopting a zero tolerance approach to all forms of bullying or harassment (including racist, sexist, homophobic, transphobic, age and disability related incidents)
- Ensuring that all Northwards employees, Board Members and representatives undergo regular Equality and Diversity Training, and that it is delivered in a way that is appropriate to their role

- Engaging and involving employees, customers and all relevant stakeholders in the development of our equality strategy and objectives
- Monitoring and reporting on our recruitment practices to ensure that they are fair and accessible to everyone
- Promoting opportunities for employment, training and development to local people and under-represented groups, and by doing so creating a workforce that reflects our diverse communities
- Offering disabled applicants the option to be part of a guaranteed interview scheme
- Monitoring employee satisfaction with Northwards by protected group, and taking action to address any concerns
- Publishing information on our equality performance, and making this accessible to tenants and the public

As a service provider

- Analysing the impact on equality of our policies and procedures, and in the services that we provide
- Ensuring that services, offices, facilities and venues we provide or use are, as far as reasonably possible, accessible to all
- Promoting our commitment to equality, diversity and inclusion through internal and external communications
- Communicating with our customers in a way that is clear, accessible and easy to read or understand
- Regularly monitoring and reviewing our performance, and the performance of our representatives, to ensure satisfaction with our services from all individuals and protected groups
- Ensuring that our procurement and tendering processes are fair and accessible, and that we support locally based businesses and social enterprises

As a local stakeholder and community leader

- Working in partnership with Greater Manchester Police, Manchester City Council and other partner agencies to prevent and respond to incidents of anti-social behaviour, hate crime and domestic abuse; and to promote good relations between all people in local communities
- Supporting victims of crime and abuse in a way that is sensitive and appropriate to their needs
- Working with local statutory, voluntary and community groups to promote equality and support vulnerable people
- Ensuring good governance of Northwards Housing
- Monitoring the diversity of our Board to ensure it is representative of the communities we serve
- Sharing best practice with other ALMOs and social housing organisations to continually improve our approach
- Communicating with tenants and the wider community about the actions we take to promote equality and challenge discrimination

Responsibility:

The policy relates to Northwards Housing's Board, employees, tenants, partners, representatives, customers and people living in the Northwards area.

Northwards Housing's Board and Executive Management Team (EMT) will hold overall responsibility for the management and implementation of this policy. Senior Managers are directly responsible for ensuring that the services delivered by their teams are in accordance with this policy, and that employees are provided with all necessary training, support and direction to fulfil its aims.

All line managers are also responsible for ensuring that Northwards' employees are treated with dignity and respect in the workplace. This includes when working with colleagues, partners, tenants, customers and other members of the public.

Whilst the Board, EMT and senior managers will take a lead role, Northwards believe that it is everyone's responsibility to promote equality. We therefore expect all Northwards' employees and partners to assume responsibility to promote equality and help tackle all forms of discrimination in the workplace, and in the local community.

Every Northwards Housing Board Member, employee and representative will be responsible for their own behaviour in accordance with this policy. They should also be actively involved in challenging inappropriate behaviour where it occurs.

Equality/Diversity considerations & Equality Impact Assessment:

This policy is available in large print, Braille, CD and in languages other than English. It is also available for translation in line with the Interpretations and Translations Policy for Northwards Housing. This policy and its related procedures have been Equality Impact Assessed.

Information sources and reference documents:

This policy supports and is directly related other Northwards policies and strategies, including:

- Communications Strategy
- Customer Insight Strategy
- Digital First Policy
- Dignity at Work Policy
- Disclosure and Barring Service Policy (DBS)
- Domestic Abuse Policy
- Equality Strategy
- Hate Incident Policy & Procedure
- Interpretations and Translations Policy
- Learning & Development Policy
- People Strategy
- Procurement Strategy
- Recruitment Policy
- Safeguarding Policy
- Smart Working Policy
- Transitioning at Work Guidance

Policy information:

This policy is linked to:	Northwards Housing Equality Strategy and E&D Action Plan
This version:	April 2016
Approved by:	Steve Finegan
Next review:	April 2018
Lead Officer:	Tara Kelly
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1. Protected Characteristics

Age

Age is defined in the Equality Act by reference to a person's age group. An age group can mean people of the same age or people of a range of ages. Age groups can be wide, narrow or relative. For example, people under-18, people in their mid-40s, people older than us.

Disability

A person is considered as having a disability if they have "a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities."

A physical or mental impairment includes sensory impairments such as those affecting sight or hearing. Long-term means that the impairment has lasted, or is likely to last, for at least 12 months or for the rest of the affected person's life.

Gender Re-Assignment

People who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex have the protected characteristic of gender reassignment.

To have legal protection under the Equality Act, there is no requirement for the person to be under medical supervision or undergo any surgery. The Act only requires that a person should have at least proposed to undergo gender reassignment. For example, by seeing their GP, a psychotherapist or counsellor. People who start the gender reassignment process but then decide to stop still have the protected characteristic of gender reassignment. A transsexual person is the term used in law for someone who has the protected characteristic of gender re-assignment. However, this is now seen as a somewhat out-dated term, and is mainly used in the medical and legal professions. The term 'Transgender' or 'Trans' is more generally used as the umbrella term for people whose gender expression falls outside the typical gender norms.

Marriage and Civil Partnership

Under the Equality Act, marriage covers any formal union of a man and woman, and since the introduction of the Marriage (Same Sex Couples) Act 2013 any formal union of two same sex people, which is legally recognised in the UK as a marriage.

Same sex couples can still register to have a civil partnership rather than a marriage. The Equality Act therefore also refers to a registered civil partnership between two people of the same sex under the Civil Partnership Act 2004, including those registered outside the UK.

Only people who are married or in a civil partnership are protected against discrimination on this ground. The status of being unmarried or single is not protected.

Pregnancy and Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context.

Outside of the employment setting, protection against maternity discrimination is for 26 weeks after giving birth. This includes treating a woman unfavourably because she is breastfeeding.

Race

The Equality Act defines 'race' as including colour, nationality and ethnic or national origins.

A person has the protected characteristic of race if they fall within a particular racial group. A *racial group* is a group of people who have or share a colour, nationality or ethnic or national origins. For example, a racial group could be 'British' people. A racial group can also be made up of two or more distinct racial groups, for example 'Black Briton' (people who are black and British citizens) or 'South Asian' (people from Indian, Pakistan, Bangladesh, Sri Lanka etc).

Nationality (or citizenship) is the specific legal relationship between a person and a state through birth or naturalisation. It is distinct from national origins.

National origins must have identifiable elements, both historic and geographic, which at least at some point in time indicate the existence or previous existence of a nation. For example, as England and Scotland were once separate nations, the English and the Scots have separate national origins.

Everyone has an *ethnic origin* but the provisions of the Equality Act only apply where a person belongs to an 'ethnic group' as defined by the courts. The courts have confirmed that the following are protected ethnic groups: Sikhs, Jews, Romany Gypsies, Irish Travellers, Scottish Gypsies, and Scottish Travellers.

Religion or Belief

Under the Equality Act a belief means any religious or philosophical belief, or lack of belief. Examples of philosophical beliefs include Humanism and Atheism.

While people have an absolute right to hold a particular religion or belief under Article 9 of the European Convention on Human Rights, manifestation of that religion or belief is a qualified right which may in certain circumstances be limited. For example, it may need to be balanced against other rights such as the right to respect for private and family life, or the right to freedom of expression.

Sex

Under the Equality Act sex refers to a man or woman, men or women. Both men and women are protected from discrimination under the Act.

Sexual Orientation

Under the Equality Act this refers to a person's sexual orientation towards:

- Persons of the same sex (a gay man or a lesbian);
- Persons of the opposite sex (someone who is heterosexual); or
- Persons of either sex (someone who is bisexual).

Sexual orientation discrimination includes discrimination because a person is of a particular sexual orientation, as well as manifestations of that sexual orientation. This may include someone's appearance, the places they visit or the people they associate with.

2. Discrimination and Harassment

Direct Discrimination

This is where someone is treated less favourably than another person because of a protected characteristic*.

Examples of Direct Discrimination:

- Male employees at an organisation get paid more than female employees doing the same job
- A gay employee is ignored for promotion because of their sexuality

*A different approach applies to the protected characteristic of age, because some age-based rules and practices are seen as justifiable.

Less favourable treatment of a person because of their age is not direct discrimination if it can be shown that the treatment is a 'proportionate means of achieving a legitimate aim'.

Indirect Discrimination

This occurs when there are rules, regulations or procedures in place that have a discriminatory effect on certain groups of people. This is a less obvious form of discrimination than direct discrimination.

Examples of Indirect Discrimination:

- Requiring that the employee be six feet tall - this would disproportionately disadvantage women
- Uniform requirements stating that employees may not wear any headwear – this would indirectly discriminate against Sikh men, Muslim women etc.

Associative Discrimination

This is direct discrimination against someone because they associate with another person who has a protected characteristic.

Examples of Associative Discrimination:

- An employee is not offered a promotion because they are the parent of a disabled child
- An employee is being discriminated against at work because they are the parent or the partner of somebody undergoing gender reassignment.

Discrimination by Perception

Perceptive discrimination means direct discrimination against someone because they are thought to possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic.

Examples of Discrimination by Perception:

- Someone is refused accommodation at a hotel because he/she is perceived to be gay, even though he/she is actually heterosexual.
- A job application is rejected because the employer assumes the candidate is black as they have an African name.

Positive Action

The Equality Act permits employers to take positive action measures to improve equality for people who share a protected characteristic.

For example, an employer might decide to take positive action if they find that the make up of their workforce is different from the make up of their local population. They decide to encourage people who share particular under-represented protected characteristics to apply for vacancies.

Note: There is no requirement to take positive action and there is no restriction on treating disabled people more favourably than non-disabled people. It is also permitted to take steps to meet the needs of people with a particular disability.

Genuine Occupational Requirement

Under the Equality Act, an employer may be able to show that a particular protected characteristic is essential to a particular job. This is called a genuine occupational requirement. For example, a women's refuge may want to employ women only counsellors as their client base is women who are experiencing domestic abuse committed by men.

For an employer to apply a genuine occupational requirement they must show that the requirement to discriminate is a 'proportionate means of meeting a legitimate aim'.

Bullying & Harassment

Harassment is defined as unwanted conduct related to a relevant protected characteristic. It has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may occur between two individuals, or it may involve groups of people. It may not necessarily be face to face, it can also occur through e-mail, text, telephone or over the internet. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Examples of bullying or harassing behaviour:

- Spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of a protected characteristic)
- Making inappropriate jokes or using offensive language
- Putting up offensive posters, graffiti, flags, bunting and emblems
- Deliberately excluding or isolating people
- Setting unachievable or impossible targets/deadlines

(See Northwards Dignity at Work Policy for more information about Bullying & Harassment)

Victimisation

This occurs when an employee is treated badly because they have made or supported a complaint or raised a grievance relating to discrimination, or because they are suspected of doing so.

For Example:

- A female employee raises a grievance against her manager as she feels he has discriminated against her because she is married. Even though the complaint is resolved through the grievance procedure, the employee is subsequently excluded by her colleagues, including her manager, for making the claim.

Note: Protection against victimisation is lost if the employee has made a malicious or untrue complaint