



Yenaa Housing

Equality & Diversity Policy

February 2022



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Policy Checklist	
Date of Implementation	Feb 22
Date of Last Review	Feb 26
Date of Next Review	Feb 28

Equality and Diversity Introduction

Yenaa Housing Ltd is wholly committed to anti-discriminatory practice. We will strive to ensure equality of opportunity for everyone regardless of his or her race, nationality, religion or belief, gender, sexuality, disability, age, or marital status. Therefore, this policy applies to the best interests of Service Users and adults.

We are committed to promoting equality and diversity, which embraces a broader definition than equal opportunities.

Understanding the Law

The following characteristics are protected characteristics:

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex;
- Sexual orientation.

Protected Characteristics

Age

The Act protects people of all ages. However, different treatment because of age is not unlawful direct or indirect discrimination if it can be justified, i.e. "If it can be demonstrated that it is a proportionate means of meeting a legitimate aim." Age is the only protected characteristic that allows employers to justify direct discrimination.

Disability

The Equality Act has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone or using public transport.

The Act has made it easier for a person to show that they are disabled and protected from disability discrimination. Under the Act, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport.

The Act puts a duty on Yenaa Housing Ltd to make reasonable adjustments for staff to help them overcome disadvantage resulting from impairment (e.g. by providing assistive technologies). The Act includes protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim.

Additionally, indirect discrimination covers disabled people. This means that a job applicant or employee could claim that a specific rule or requirement you have in place disadvantages people with the same disability. The Act also includes a provision, which makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work.

Gender Reassignment

The Equality Act provides protection for transsexual people. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The Act no longer requires a person to be under medical supervision to be protected – so a woman who decides to live as a man but does not undergo any medical procedures would be covered.

It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured.

Marriage and Civil Partnership

The Act protects employees who are married or in a civil partnership against discrimination.

Pregnancy and Maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

Yenna Housing Ltd will not into account an employee's period of absence due to pregnancy-related illness when deciding upon her employment.

Race

For the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.

Religion or Belief System

In the Equality Act, religion includes any religion. It also includes a lack of religion, in other words employees or applicants/job seekers are protected if they do not follow a certain religion or have no religion at all. Additionally, a religion must have a clear structure and belief system. Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

Denominations or sects within a religion can be considered a protected religion or religious belief.

Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

Sex

The Act protects bisexual, gay, heterosexual and lesbian people.

Types of Discrimination

Discrimination is defined by the following areas:

- Direct discrimination;
- Discrimination by association;
- Perception Discrimination;
- Indirect discrimination;
- Harassment;
- Harassment by others;
- Victimisation.

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 (Please see *Perception Discrimination* below), or because they associate with someone who has a protected characteristic.

Discrimination by Association

Applies to age, race, religion or belief, sexual orientation, disability, gender reassignment, and sex. This is direct discrimination against someone because they associate with another person who possesses a protected characteristic.

Perception Discrimination

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

Indirect Discrimination

Applies to age, race, religion or belief, sex, sexual orientation, marriage and civil partnership, 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 it can be demonstrated that an organisation acted reasonably (in managing the business), i.e. that it is 'a proportionate means of achieving a legitimate aim'. Being proportionate really means being fair and reasonable, including showing that 'less discriminatory' alternatives to any decision made have been explored.

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.

Harassment by Others

Applies to age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

The Equality Act makes YENAA HOUSING LTD potentially liable for harassment of staff by people who are not employees of your company, such as customers or clients. To ensure that YENAA HOUSING LTD remains fully compliant, as soon as a (Line) Manager or supervisor is made aware that harassment has taken place,

YENAA HOUSING LTD will take 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.

A complainant will not need to compare their treatment with that of a person who has not made or supported a claim under the Equality Act.

Equality and Diversity Staff Procedures

To support, promote and maintain a culture of tolerance and respect. YENAA HOUSING LTD is committed to anti-discriminatory practice. The company will strive to ensure equality of opportunity for everyone regardless of his or her race, nationality, religion or belief, gender, sexuality, disability, age, or marital status. Therefore, this policy applies to the best interests of Service Users and adults.

As such, all staff are expected to:

- Treat people – Service Users and adults - as individuals with consideration and respect for their needs;
- Provide services and opportunities that are open to all;
- Provide a welcoming, supportive and safe environment for all staff and Service Users ;
- Commit to developing an organisational culture that values all people and the individual contributions that they make;
- Provide appropriate training and development opportunities to facilitate the effective delivery of services;
- Inform and consult Service Users , staff and their representatives in relation to policy development;
- Encourage the recruitment of employees from all parts of the community;
- Influence other employers and agencies to be aware of their responsibilities under relevant legislation and through this help to create a culture that encourages and promotes diversity.
- Incorporate equality actions and targets into service planning across all departments and services;
- Accept our responsibilities and work within the requirements set out in all relevant legislation.

IMPORTANT

Extremism and exploitation will not be tolerated and are not applicable to the concept of celebrating diversity or valuing and promoting equality.

We value individual moral, ethical and spiritual choices, with specific regard to respecting the choices people make so long as they do not impact detrimentally upon others. Yenaa Housing Ltd remains firm that no partisan views will be promoted either formally or informally.

- Equality Act 2010
- The Service Users 's Homes Regulations 2015
- Service Users Acts 1989 and 2004
- Service Users Act 1989 Volume 5
- Every Child Matters
- Statement of Purpose
- OCC Report July 2012

Specific Guidance

- ACAS website www.acas.org.uk
- The Equalities and human rights Commission www.equalityhumanrights.com
- The Government Equalities Office www.equalities.gov.uk

