|  |
| --- |
| **Cornwall Community Land Trust****Policy Handbook** |
| Policy | **Equality, Diversity and Inclusion Policy** | Issue Date: August 2019 |
| Ref | **Corporate and Governance** | Review Date:September 2022 (3 yearly or as required) |
| Approved by | **Board**  | **Date Approved** | September 2019 |
| Lead Officer | **Chief Executive** | **Version 1st Draft** |

|  |  |
| --- | --- |
| **Purpose****Aims** | Cornwall Community Land Trust (CCLT) is committed to supporting and promoting Equality, Diversity and Inclusion. (ED&I). This commitment is embraced by our Board and informs all of our activities and their impact on our customers, employees and other stakeholders.To prevent discrimination, eliminate prejudice, promote inclusion and celebrate diversity within the organisation.To be fair in our dealings with all people – board members, staff, customers, volunteers and partners – with whom we have relationships taking into account the diverse nature of their culture and backgrounds.To ensure that ED&I is embedded in everything we do.Our policy covers all aspects of equality including race, religion or belief, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, sexual orientation, disability and age. It applies to everyone who receives a service from CCLT, forms part of our governance, is employed by us or volunteers and their services. We will also seek to ensure that anyone who works on our behalf demonstrates commitment to ED&I.The policy will help us deliver our vision and uphold our values, particularly ‘focussing on customers’ and ‘respecting every individual’. It links closely with several dimensions of our corporate planning, particularly those associated with customer interactions and development of employees, board members and involved tenants and service users. It also aims to ensure that we comply with all our legal and regulatory responsibilities; current requirements are set out principally in the Equality Act 2010, Human Rights legislation and the regulatory framework that requires us to understand and respond to the diverse needs of tenants. |
| **References** | Equality Act 2010The Asylum and Immigration Act 1996The Housing Acts 1988, 1996 and 2004The Protection from Harassment Act 1997Human Rights Act 1998Data Protection Act 1998Freedom of Information Act 2000Equal Pay Act (1970) as amendedCivil Partnership Act 2004Regulating the Standards (The Regulator of Social Housing) March 2019Homes England Standards and Codes.CCLT Code of GovernanceCCLT Business PlanAll Job Descriptions and Person Specification documents |

**Equality and Diversity Policy**

|  |
| --- |
| **Arrangements of Sections**  **Page** |
| **1** | **Policy Statement** | **4** |
| **2** | **Legislation, Regulation and Application** | **5** |
| **3****4** | **Protected Characteristics;** **Prohibited Conduct, Discrimination, Harassment and Victimisation** | **5-6** |
| **5** | **Customers, Service Provision and Delivery** | **6-7** |
| **6****7****8** | **Human Resources****Working Environment****Training and Personal Development** | **7-8** |
| **9** | **Contractors and Consultants** | **9** |
| **10** | **Development** | **10** |
| **11** | **Governance and Leadership** | **10** |
| **12** | **Monitoring** | **10** |

**1. Policy Statement**

CCLT believes that all people should be treated fairly and with dignity and respect. We are working to ensure the elimination of discrimination, harassment and victimisation by demonstrating a fair and equitable approach to the rights and responsibilities of all individuals, groups, communities and organisations.

We promote equality of opportunity and respect and value for diversity through our services, employment and tendering opportunities by providing an environment free from unlawful practice.

We seek to ensure that people applying to our services for accommodation, employment or any other service do not receive less favourable treatment because of a protected characteristic(s).

The Organisation is committed to the equal treatment of all Service Users, Employees, Volunteers, Contractors and Consultants and Partner Agencies; without discrimination or prejudice on the grounds of social/economic status, age, disability, gender reassignment, marriage or civil partnership, race, colour, creed, religion or belief, sex or sexual orientation, caring responsibilities, HIV status, appearance, political belief, trade union membership, or criminal convictions, (where these have no relation to an individual’s ability and potential to receive our service or do a paid or unpaid role), or any other condition not justified in law.

The Organisation recognises the diversity of the population in terms of needs, cultures, and backgrounds. This understanding enables the Organisation to take positive measures where appropriate; to alleviate disadvantage experienced by groups of people who share a protected characteristic (Clause 152); within our demographic and service provision with the aim of ensuring that its commitment to equality of opportunity is a genuine standard that can be attained.

The Organisation aims to be proactive, welcoming the benefits of diversity. We recognise and value the diverse characteristics, skills, knowledge and experience in all parts of society. We believe that harnessing this will provide a better place to live, work and volunteer. Employing and serving people from diverse communities will benefit the Organisation and enable us to progress our objectives.

The Organisation recognises the particular needs of individuals and groupsand will aim to meet these wherever possible and viable, recognising that not all members of particular groups will share the same aspirations.

The Organisation believes that equality and diversity are key to delivering good performance. Achieving the highest standard is important because of our responsibility to work to, and encourage, a just and tolerant society, and the legal and regulatory framework in which we work.

The issues within this policy are integral elements of everything the Organisation does; therefore we have adopted a strategy of “mainstreaming” equality and diversity; addressing it within the corporate planning process, setting of policy objectives, service delivery and performance review which feeds into all aspects of continuous improvement, and therefore applies to all the Organisation ’s activities and all aspects of the Organisation ’s work to address discrimination of an individual, group or systemic nature.

1. **Legislation, Regulation and Application**
	1. The Equality Act 2010 brings together all existing Acts and Statutory Instruments that currently make up UK equality law whilst adding to the characteristics of current protection. The Act intends to harmonise definitions and concepts of discrimination, harassment and victimisation. Therefore a ‘Single Equality Duty’ will be imposed on public bodies from October 2010, although the Organisation is not a public body.

* 1. The organisation will seek to comply with the requirements of regulatory requirements for an organisation the size and nature of CCLT. These include the following consumer standards:
* Home Standard (2015)
* Tenancy Standard (2015)
* Neighbourhood and Community Standard (2015)
* Tenant Involvement and Empowerment Standard (2017)
	1. In respect of the law and regulation the Organisation will fulfil its statutory and regulatory duties and comply with all relevant laws.
	2. Liability for prosecution under equal opportunities and discrimination legislation can lie with the Organisation as an employer, the Board of Management and individual employees. The Organisation must therefore be able to demonstrate that its policies and procedures are applied fairly and effectively throughout the Organisation.
	3. The Organisation will apply the Equality Act legislation and regulation to all its policies, procedures and practices throughout the organisation without exception. Our undertaking will; taking into consideration service(s), size and community demographics; develop, review and monitor the effectiveness, purpose and quality of all policies and procedures to ensure the advancement of equality.
1. **Protected Characteristics and Prohibited Conduct**
	1. Protected Characteristics
* Age
* Disability
* Gender reassignment
* Marriage & Civil Partnerships
* Pregnancy & Maternity
* Race
* Religion or Belief
* Sex
* Sexual Orientation

**4** **Prohibited Conduct: Discrimination, Harassment and Victimisation**

**Definitions**

1. **Direct Discrimination** - is describes as: ‘A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others’ (Clause 14)’ (Certain circumstances in which this is moderated: Age & Disability can be shown as proportionate means to achieving a legitimate aim). (Disability Disclosure)
2. **Indirect Discrimination** – is defined as: ‘A person (A) discriminates against another (B) if A applies a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B’s’ (Clause 18).
3. **Combined Discrimination**, is defined as more than one protected characteristic, and is either combined or dual.
4. **Harassment –** A person (A) harasses person (B) if A engages in unwanted contact relevant to a protected characteristic And the conduct has the purpose or effect of – violating B’s dignity or – creates an intimidating, hostile, degrading, humiliating or offensive environment for B, including acts of a sexual nature
5. **Victimisation –** A person (A) victimises a person (B) if A subjects B to a detriment because – B does a protected act – A believes that B has done, or may do a protected act.
6. **A protected act is**
* Bringing proceedings under this Act
* Is giving evidence or information in connection with proceedings under this Act
* Doing any other thing for the purposes or in connection with this Act
* Making an allegation (whether or not to express) that A or another person has contravened this Act

4.1 The Organisation recognises protected characteristics, definitions of discrimination, harassment and victimisation of individuals, groups, communities, organisations and society. There is a duty on the Organisation to help change that situation as an employer, landlord, service provider, partner, procurer and contractor. We respect and respond to the diverse requirements and needs of different individuals. We believe that increasing diversity emphasises the value to business by respecting and understanding individual differences and individuality whilst maximising the unique contributions to the Organisation’s activities.

4.2 All people have a right to be treated with dignity and respect. Discrimination, Harassment or Victimisation of any kind is not tolerated by the Organisation. Any allegations of discrimination made against our tenants, service users, employees, Board members, suppliers or service providers will be taken seriously and investigated urgently in accordance with discrimination, harassment and victimisation complaints, grievances and disciplinary policies and procedures.

1. **Customers, Service Provision and Delivery**

5.1 The Organisation understands that recognising the diversity of customers and their needs is at the heart of any effective system of delivering high quality services. Individuals and tenants expect and should be confident that the service delivered to them to be on the basis of equality and equity.

5.2 As a service provider we aim to provide choice to our customers through our premises and services. The Organisation is therefore committed to ensuring that the quality of homes and services provided to all customers is equally good for all residents and tenants.

We recognised that equality and diversity are integral to the asset management strategy, taking into account housing design, size and adaptations to ensure that the Organisation’s stock is suitable for current needs and can respond to changes in people’s physical and personal circumstances in the longer term. We recognise our duty to make reasonable adjustments to our homes for disabled persons and others where appropriate and allocate specific funds to ensure this.

5.3 We will ensure that our customers are allocated appropriate housing in a suitable community; that will not put our customers at risk, where they may be vulnerable either to abuse or attack, or in properties unsuitable for a particular individual’s needs. The Organisation adopts a fair and equal application and allocation policy.

The Organisation recognises the benefits of other relevant service providers; therefore we are committed to working in partnership within the community and wider society providers to enable tenants and other customers to receive an appropriately diverse community-wide and effective service.

5.4 We accept that as a service provider we need to ensure that we continue to be responsive to the needs of the communities in which we work; therefore our services must be kept relevant to these needs; taking account of the diversity of customers and the aspirations of these communities is crucial to developing the right products and services. The appeal of these products and services will be kept as broad as possible to help sustain choice and long-term demand.

5.6 To help us ensure choice and diversity we will involve and consult with vulnerable and marginalised customers, service users, partners and communities when embarking on tenant consultation and participation.

5.7 We respect every resident’s right to live in peace and safety. The Organisation will seek to protect tenants’ rights in relation to discrimination, harassment and victimisation through our tenancy agreements and all other related policies.

The Organisation commits to take appropriate action against tenants or customers who discriminate, harass, victimise and/or cause anti-social behaviour in line with this policy and our Anti-Social Behaviour policy.

1. **Human Resources**

6.1 The Organisation understands that only by drawing the best talent from all sections of the community can we ensure that we have the best staff, board members, volunteers, contractors, consultants and partners for the organisation and service we provide to our customers. We aim to ensure equality and diversity by following; a fair and transparent recruitment process, a corporate commitment to the active encouragement of applications from a diverse range of people; ensuring, as far as is possible, that the workforce reflects the composition of the population it is responsible for; and making reasonable adjustments to the working environment and physical accessibility of the workplace.

6.2 All vacancies will be scoped and advertised in a way that does not discourage disadvantaged or marginalised individuals from applying for paid or unpaid posts, we will ensure our advertisements and application procedures enable and maximise all applicants to succeed by providing accessible and supporting literature and advertising posts in the broadest spectrum appropriate to the service and role.

6.3 In scoping all roles required within the Organisation specific qualifications or experience will be called for only where they are necessary to carry out the role effectively. Requirements for posts will be neither onerous nor inappropriate and will not adversely discriminate against individuals or groups. Our selection procedures will ensure that people are appointed or commissioned on the basis of suitability for the role.

6.3 The Equality and Diversity policy will be made available to all those who provide or wish to provide a service to the organisation whether paid or unpaid, including contractors, consultants and partners. The Organisation insists on adherence to, and the promotion of, the equality and diversity policy and requires full commitment to its practice as a condition of service.

6.4 Training will be available for staff, board members, volunteers and contractors as required and where applicable, in accordance with positive action (Clause 153), we will offer training to applicants from significantly disadvantage groups to enable them to acquire the skills necessary to compete for roles at all levels.

6.5 We acknowledge the Organisations responsibility for successful implementation of the equality and diversity policy through our practice and service delivery. The Board and Management Team will therefore promote enhanced awareness and identify potential or actual discriminatory practices, attitudes and behaviours to eliminate breaches of this policy.

6.6 The Organisation will take action, via appropriate policy, against any; staff member, board member, volunteer, contractor, consultant, partnership or other agency; working for or with the Organisation, whose conduct or actions are prohibited and outside the Organisation’s policy commitment to the equality of opportunity, positive enhancement of diversity, protected characteristic(s), discrimination, harassment or victimisation.

**7 Working Environment**

7.1 Where appropriate and practicable, reasonable adjustments and support will be made available to facilitate work tasks for staff, board members and volunteers who have additional needs, in order that they may achieve their role effectively within the Organisation.

7.2 Premises and equipment will be adapted, wherever reasonably practicable, to accommodate people with physical, mental or any other condition or disability.

7.3 The Organisation will, as far as is reasonable, have regard for staff/board members’ and volunteers responsibility as carers of dependents and/or their individual personal circumstances. We will enable flexibility within the workplace in order to facilitate a diverse workforce through home-working and flexible hours where appropriate to the role.

7.4 The Organisation will ensure that a supportive working environment is created for all; we wish to facilitate and support our employees, board members and volunteers in order that they are able to maximise and achieve their full potential. We are mindful that our practice is positive and preventative against the occurrence of any direct or indirect discriminatory through our working practices and the environment in which we work.

**8 Training and Personal Development**

8.1 We are committed to all our staff, board members and volunteers who make a valid contribution to the Organisation through their role. The Organisation will provide relevant, appropriate and effective training to all, thus ensuring that human resources are equipped in knowledge, skill and practice to achieve their remit to the best of their potential, without direct or indirect discrimination.

8.2 Training, Support, Supervision and Appraisal will be provided to all members and delivered in a manner that is accessible and equal to all; reasonable adjustments will be made, where applicable and practical, to ensure that all staff, board members and volunteers have equal access and opportunity to professional and personal development.

**9 Contractors and Consultants**

9.1 The Organisation will, through its Maintenance and Financial Regulations Policies, ensure that all procurement, tendering and contracting processes are in accordance with the Equality and Diversity Policy.

9.2 The Organisation operates an open and transparent ‘Approved Supplier’ process for contractors for any professionals who wish to apply for contracted employment. The Organisation will advise contractors, consultants and other agencies working with the Organisation of its commitment to equal opportunities and request details of their own equal opportunities policies and expect them to fully accept and adhere to policy, procedure and practice. This requirement forms part of the Organisations ‘Code of Conduct’ to ensure good non-discriminatory practice; all procured contractors, consultants or other agencies will be informed of the process of challenge to any reported or actual breach of the agreement.

9.3 The Organisation wishes to provide access, in line with positive action, to contracting opportunities for small and / or local contractors, consultants, suppliers and agencies and in particular those whose workforce and senior management are represented by the protected characteristics stated in this policy.

**10 Development**

10.1 The principal objective of development for the Organisation is to improve and develop homes and services for our customers and stakeholders that meet the current and anticipated needs and aspirations of the local communities which we serve.

10.2 The Organisation adopts a local area co-operation approach with local authorities and other partners to develop strategies which are inclusive of the diversity of the demographic, to ensure that we can meet the housing needs and local objectives of the communities in the areas of our operation.

10.3 The Organisation will take all reasonable steps and respond to our duty to make adjustments for disabled persons and to enable tenants’ homes to be adapted to meet their changing needs.

10.4 The design brief for new build units promotes the use of Lifetimes Homes and mobility standards and addresses issues of security and anti-harassment features for particular client groups.

10.5 The design brief for improvements and redevelopments will promote the same standards and issues, wherever this is reasonably practicable and permissible.

**11 Governance and Leadership**

11.1 The Organisation understands that good governance and effective leadership is essential to achieving an equal, diverse and accountable organisation. We aim to ensure that the senior staff and the Board reflect the diversity of the communities in which we work.

11.2 We acknowledge that the Board is ultimately responsible and accountable for the Organisation and needs to provide the leadership that will ensure that the equality and diversity policy is upheld across all levels of the organisation.

**12 Monitoring**

12.1 The Organisation will monitor its performance against the equality and diversity and underpinning policies, to assess our impact and effectiveness against protected characteristics and discrimination, harassment and victimisation including the use of Equality Impact Assessment (EIA).

12.2 We aim to identify any area of failing practice whilst assessing the effectiveness of the policy against specific measurable targets and performance indicators to identify and ensure the best use of our resources.

12.3 The Organisation is committed to identifying and removing any practice or procedure which would breach the policy or the law and will take remedial or positive action where necessary.

12.4 The composition of the workforce as whole, job applicants, housing applicants and those housed by the Organisation will be monitored in terms of protected characteristics whilst demographic data will be sought from the serving area.

12.5 All monitoring information will be reported to the Board of Management on an annual basis to ensure accountability and that findings inform the further development of policy and practice throughout the Organisation.

12.6 The Organisation’s practice, performance and outcomes in relation to Equality and Diversity will be externally monitored by the Homes England and The Regulator of Social Housing through the Regulatory Standards; comprising of Tenant Involvement and Empowerment, Home, Tenancy, Neighbourhood and Community, Value for Money and Governance and Financial Viability Standard. The Regulators aim is to support improvement through monitoring.

12.7 An annual report will be provided to the board covering all metrics in relation to lettings, rent arrears, anti-social behaviour, repairs and maintenance, disabled adaptations and Board and employment related matters. The Board may wish to set targets against these metrics.

**13 Review**

13.1 The Chief Executive shall undertake a review of this policy whenever there are relevant changes to legislation or good practice that may impact on it. In the absence of any other trigger for a review, the policy shall be reviewed at three yearly intervals or such other period as the Board may from time to time determine