



ORE VALLEY GROUP

EQUALITY AND DIVERSITY POLICY

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EQUALITY AND DIVERSITY POLICY

Introduction

Ore Valley Housing Association is the parent company of the Ore Valley Group, which has 3 subsidiary companies, namely Ore Valley Enterprises, Fife HARCA and Cardenden Heat and power (CHAP).

The Ore Valley Group is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. Throughout the Ore Valley Group there will be a consistent approach in promoting equality and diversity across all areas within the Group through the entire employment relationship from the recruitment process to termination and references.

All employees are required to abide by this policy. This policy also covers discrimination by and towards members of the public, Boards, members, contractors and staff from other agencies. The Ore Valley Group opposes all forms of unlawful discrimination in relation to employment.

This policy should be cross referenced with

- Equal Opportunities Policy
- Complaints and Comments Policy
- Communications Strategy
- Openness and Confidentiality Policy.
- Whistle blowing Policy
- Smoking at Work Policy
- Staff Training Policy
- Personal Relationships at Work
- Dignity at Work Policy
- Grievance procedures
- Disciplinary Procedures
- Staff Terms and Conditions

Background

Tackling inequality is not something new. UK Governments have been addressing equality and diversity issues for many years, and although progress has been made inequalities still exist in Scotland and throughout the UK.

As the government continues to tackle discrimination and promote equality a number of new and updated pieces of legislation have come into force in recent years. As a result it is vital that the Ore Valley Group has an equality and diversity policy to illustrate its compliance with legislation and also support the government in its aim in promoting a culture of dignity and respect for all and eliminating discrimination.

Lack of Equal Opportunities is not only a serious moral issue but also has a significant impact on business performance. Studies have shown that high levels of motivation are achieved in an environment of respect and fairness.

The Ore Valley Group will seek to prevent and eliminate discrimination, both direct and indirect, and to promote equality of opportunity in its provision of housing, services or

employment, regardless of Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or belief; Sex and Sexual Orientation under the under the Equalities Act 2010. Also to ensure that no individual is disadvantaged by any conditions or requirements which cannot be shown to be relevant to performance.

The Ore Valley Group will therefore ensure all employees are provided with equality of opportunity in the course of their employment including recruitment.

Legal Framework

The following details the specific acts relating to discrimination law.

[Equalities Act 2010](#)

[Disability Discrimination Act 1995](#)

[Disability Discrimination Act 2005](#)

[Employment Equality \(Age\) Regulations 2006](#)

[Employment Equality \(Religion or Belief\) Regulations 2003](#)

[Employment Equality \(Sexual Orientation\) Regulations 2003](#)

[Equality Act 2006](#)

[Equal Pay Act 1970](#)

[Human Rights Act 1998](#)

[Race relations Act 1976, 2000 Amendment and 2003 Amendment Regulations](#)

[Racial and Religious Hatred Act 2006](#)

[Rehabilitation of offenders Act 1974](#)

[Sex Discrimination Act 1975](#)

[Sex Discrimination \(Gender reassignment\) and Gender Recognition Act 2004](#)

[Special Educational Needs and Disability Act 2001](#)

[Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocol No. 11](#)

[Equality Bill and White Paper 2008](#)

Definitions

Diversity

Is about valuing individual differences. The Ore Valley Group is committed to valuing and managing people's difference to enable all employees to contribute and realise their full potential. The Ore Valley Group recognises that people with different backgrounds, skills, attitudes and experiences can bring fresh ideas and perceptions that will benefit Ore Valley as well as respect for all clients.

Equality

Is making sure people are treated fairly and given fair chances. **Equality is not about treating everyone in the same way, but recognises that their needs are met in different ways.** Equality focuses on those areas covered by the Equalities Act 2010, namely Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or belief; Sex and Sexual Orientation.

Direct Discrimination

Is treating someone less favourably than others based on their belonging to one of the groups covered by discrimination law.

Indirect Discrimination

A policy, practice, procedure, provision or criteria that applies to everyone in the same way but might disadvantage a particular group, and which cannot be objectively justified in relation to the job.

Harassment

Conduct that violates a person's dignity or creates an intimidating, hostile degrading, humiliating or offensive working environment. The intention of the perpetrator is irrelevant, it is the impact on the individual which determines whether harassment has taken place

Victimisation

Treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination, complained about the behaviour of someone harassing them or given evidence in someone else's discrimination complaint.

Positive Discrimination

Giving advantage to groups in society which are often underrepresented. Positive Discrimination is unlawful in the U.K.

Positive Action

Addressing imbalances in the workforce, by encouraging members of under represented groups to apply for jobs. Positive action may be applicable in setting equality targets. No quotas will be set by the Ore Valley Group but equality targets may be set to encourage people from a particular group or groups to apply for a vacancy within the Group in comparison to the local community where they are under represented.

Failure to make Reasonable Adjustments

Where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

Policy Principles

This Equality and Diversity policy aims to:

- Ensure integration with equality and diversity practices into everything Ore Valley does, and ensure that employees are treated with fairness and respect from each other and from members of the public, Board and Committee members, contractors and staff.
- Require the Ore Valley Group to implement fair and just employment practices

ensuring that no job applicant or employee will receive less favourable treatment on the grounds of Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or belief; Sex and Sexual Orientation

- Ensure people are recruited and employees promoted solely on the basis of their own merit, experience, ability and potential. This applies throughout the entire duration of employment as all decisions will be based on only relevant merits.
- Provide an environment appropriate to the needs of those from all walks of life, and offer a culture that respects and values each others differences and promotes dignity, equality and diversity.

Implementation of the Policy

The Depute CEO is responsible for the policy's day to day implementation.

The Ore Valley group will ensure that all new employees and Board members will receive induction on this policy. The policy will be widely promoted and integrated into all policies and procedures within the Ore Valley Group. Copies of the policy will also be freely available and displayed in Ore Valley offices.

Appropriate training and guidance will be available to promote equality and diversity among existing staff.

This policy applies to everyone within the Ore Valley Group and all have a responsibility to be alert to discriminatory behaviours and practices when they occur. Unacceptable behaviour and practices must not occur, however if or when a situation arises it will be dealt with immediately, as inaction is not an option. Breaches of the equality and diversity policy will be regarded as misconduct and will lead to disciplinary action which may include dismissal.

Recruitment & Selection

It is an Ore Valley Group goal that all recruitment decisions will be based completely on the merits and abilities of candidates alone and no other criteria will be used. In order to achieve this, equality and diversity practices will be integrated into every stage of the recruitment and selection process.

A fair recruitment process will remove barriers where possible to the employment of people of different backgrounds. This will enable the organisation in recruiting from the widest pool of talent, potentially raising the standard of their intake and therefore increasing the opportunity of a more diverse workforce which reflects the community it is serving. A more diverse workforce should improve the organisations service delivery, as it will include staff with more knowledge and experience about meeting the needs and aspirations of service users and potential service users.

To highlight the Groups commitment to promoting equality and diversity from the beginning of the employment relationship, all vacancies will be aimed at as wide a

group as possible and any advertisement for a vacancy within the group will state that an equality and diversity policy is in place. In addition, the advert will also display any signs of equality bodies that the Ore Valley Group is affiliated with. The information contained in the advert and all vacancy literature will be clear and accurate to attract the most appropriate candidates from all groups across society, to allow them to decide their own suitability for the vacancy and whether they wish to proceed with applying. For those that wish to apply Ore Valley will ensure that all applications will have clear instructions for completion and application forms will be free from personal questions that are not relevant to the vacancy and that may lead to discrimination.

Ore Valley will ensure all staff involved at any stage in the recruitment and selection process will receive equality and diversity awareness training. This will ensure that those involved in the recruitment process will not discriminate either knowingly or unknowingly by asking any questions which may lead to discrimination.

Terms and Conditions of Employment

As part of the employment relationship being covered under this equality and diversity policy all contracts of employment will be issued in accordance with the job role and not the job holder. Employee's terms and conditions will be standard across all employees regardless of their Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or belief; Sex and Sexual Orientation. Employees will not receive less favourable terms and conditions for any reason other than relating specifically to the job role and the grade it attracts.

Training and Development

Equality and diversity will apply throughout all training activities and resources. Training and development opportunities will be given to all employees according to their job role with their line manager. It is crucial that all employees are able to participate and enjoy any training opportunities or activities without discrimination or fear of harassment. Every attempt will be made to ensure learning materials will provide a positive image of people reinforcing an image and of equality of opportunity.

Redundancy and Selection

Redundancy selection will be made according to the statutory requirements and in line with Ore Valley H.A Redundancy Policy. Criteria will be discussed with the Trade Union and or nominated representatives. The criteria will be set out and will be objectively fair and consistent. This will ensure that employees selected for redundancy are selected according to the chosen selection criteria and not in any discriminatory way either indirectly or directly.

If you are being discriminated against

This procedure is complemented by the Ore Valley Group Equal Opportunities Policy, Complaints and Comments Policy and Dignity at Work policy.

Where an employee feels they have been discriminated against, victimised or harassed, there are different ways in which a claim can be dealt with depending on the circumstances. In the first instance the employee should raise the issue informally with

their line manager, unless the claim is against their manager, in such circumstances the employee should raise the issue with the depute CEO or CEO.

Informal Stage

Initially the employee and manager should aim to resolve the matter informally as it may be that the discriminatory action is unconscious and easily resolved once the situation is highlighted. This is often the most efficient way with dealing with such circumstances in order to maintain current working relations.

However, even though the matter has been treated informally a file note should be kept on the complaining employee's file of the incident and should include a statement that the note will only be taken into account if further complaints are made. The file note may be necessary if there is a requirement at a later date, should any unacceptable behaviour or practice continue.

Dealing with the matter informally does not remove the individual's right to have the matter dealt with formally should that be the most appropriate next course of action.

Formal Stage

If the employee is dissatisfied with the outcome, or the complaint is very serious, the employee should raise the matter, in writing detailing the complaint. The complaint should then be actioned under Ore Valley H.A's grievance policy. In line with this process an investigation into the claim will be carried out. Employees who feel they are being subjected to harassment should raise the issue in line with the Ore Valley Groups Dignity at Work Policy.

If the outcome of the investigation is that a formal disciplinary hearing should take place this should be conducted in line with Ore Valley H.A's disciplinary procedures. Please refer to the policy for full details.

Discrimination involving members of the public, Board/Committee Members, Contractors and staff from other Agencies

The right to be treated equally with dignity and respect extends to outside contractors, committee members and other agencies whilst at work. They can complain and the complaint will be investigated by Ore Valley and appropriate action will be taken. Employees also have a right to complain if they feel they are being discriminated against by those not directly employed by the Ore Valley Group.

If a staff member or colleague feels that they are being discriminated against in the course of their working day from any of the above, the following procedure should be adopted.

Informal Stage

Where possible, incidents should be dealt with informally. If the employee, member of the public, Board/Committee member, contractor or agency worker feels able to do so they should inform the bully or harasser if possible at the time, that they find their actions/remarks and behaviour to be unacceptable. If the situation warrants the need for

a witness individuals are advised to approach a colleague to accompany them when approaching the alleged bully or harasser. The individual should then report the matter to their line manager if the employee is the victim or the matter should be reported to any manager should the behaviour be directed at a member of the public, Board/Committee member, contractor or agency worker from a member of staff at Ore Valley as soon as possible. As with before it maybe that the discriminatory action is unconscious and easily resolved once the situation is highlighted. However, again a file note should be kept on the complaining employee's file of the details of the situation and the outcome.

If the employee does not feel able to speak to the individual in person they can ask their manager or where appropriate any manager to do so and it will be the responsibility of the manager to discuss the situation and explain what will happen if any further incidents occur. It will be made clear to the individual that continuation of conducting themselves in this way may be deemed to be refusing services altogether which could result in either the withdrawal of a service or refusal of access to the Ore Valley Group's premises. Where the situation involves an employee of Ore Valley H.A being the bully/harasser then this could lead to disciplinary action. Any action will be carried out in line with Ore Valley H.A's disciplinary and grievance policy. Regardless of future action a file note will be kept in the complaining employees file providing details of the incident and the action taken where applicable.

If informal action proves insufficient to deal with persistent inappropriate behaviour, the employee or management may instigate formal action.

Formal Stage

Where formal action is the most appropriate way to deal with the person in question, they will be written to officially by the relevant senior manager informing them that their comments, actions, behaviours are not acceptable and are potentially discriminatory.

The letter will state that further incidents will not be tolerated and that they may result in the withdrawal of services. In the situation of an employee acting inappropriately towards a member of the public, Board/Committee member, contractor or agency worker, then they will be investigated under Ore Valley H.A's disciplinary procedures, where disciplinary action may be an outcome including dismissal. In cases of physical violence or serious threats the senior manager should also involve the police if appropriate.

In cases where the discrimination involves contractors or staff from other agencies the stages as detailed above will be carried out. However, due to the specific nature of the relationship between the organisation and these individuals/organisations, the following additional step should be included in the informal stage.

The manager will contact the appropriate senior person within the Group, to advise them that this type of behaviour is unacceptable and that if it is repeated then the individual concerned may be refused entry to organisation premises.

Monitoring and Review of Policy

Responsibility for monitoring the application of this policy will rest with the Senior Management Team of Ore Valley H.A.

The policy will be reviewed every 5 years alongside the Groups Equal Opportunities Policy, with the amendments being made as appropriate.