

## Equality and Diversity Policy

Herts Young Homeless (**hyh**) recognises that unlawful discrimination can adversely affect sections of our community, both in regard to their general wellbeing, e.g. income, housing, health, education, and in their access to public services.

**hyh** is committed to promoting equal treatment, equal opportunity, and diversity in both employment and access to our services and to eliminating discrimination on unlawful grounds.

All individuals, employees and service users have a right to expect, and **hyh** has a responsibility to ensure, that no-one is disadvantaged or treated adversely as a consequence of a protected characteristic, i.e. their sex, colour, race, ethnic or national origin, age, disability, religion or belief, marriage or civil partnership, pregnancy and maternity, sexual orientation, or gender reassignment. The only exception to this is that our organisation exists to provide services to 16 to 24 year olds who are either homeless or threatened with homelessness.

All employees (whether part-time or full-time, permanent or temporary), service users and volunteers will be treated fairly, and with respect and dignity. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

**hyh** is committed to compliance with all relevant equality legislation, including the Equality Act 2010, Codes of Practice and relevant best practice guidance. This policy pursues and builds on the statutory position to ensure that we have in place effective measures to promote equality and diversity.

### Diversity

By accessing, recruiting and developing talent from the widest possible range of people we can gain different perspectives and generate greater creativity in meeting the needs of service users. We will constantly strive to create a productive environment, representative of and responsive to different cultures and groups, where everyone has an equal chance to succeed.

### Our commitment

- To create an environment in which individual differences and the contributions of all our employees and volunteers are recognised and valued
- Every employee and volunteer is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- Training, development and opportunities for progression are available to all employees
- Equality in the workplace is good management practice and makes sound business sense
- We will review all our employment practices and procedures to ensure fairness
- Breaches of this policy will be regarded as either misconduct or gross misconduct, depending on the nature of the breach, and will lead to formal disciplinary action
- This policy is fully supported by management and will be subject to regular monitoring and review

### **Types of unlawful discrimination**

Unlawful discrimination can take various forms. The types of unlawful discrimination described within the Equality Act 2010 are:

**Direct discrimination** - occurs where a person is treated less favourably than another because of 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 a proportionate means of achieving a legitimate aim.

**Indirect discrimination** - occurs when an organisation's practices, policies or procedures have the effect of disadvantaging people who share certain protected characteristics, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

**Harassment** - occurs when a person is subjected to unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It can consist of verbal abuse, racist jokes, insensitive comments, leering, physical contact, unwanted sexual advances, ridicule or isolation. It does not matter whether or not this effect was intended by the person responsible for the behaviour. **hyh** has a separate Bullying and Harassment Policy, which deals with these issues.

**Associative discrimination** - occurs where a person is directly discriminated against or harassed for association with another person who has a protected characteristic (other than marriage and civil partnership).

**Perceptive discrimination** - occurs where a person is directly discriminated against or harassed because others think that they possess a particular protected characteristic (other than marriage and civil partnership). It applies even if the person does not actually possess that protected characteristic.

**Victimisation** - occurs where a person is treated less favourably because they have made or supported a complaint of discrimination, e.g. raised a grievance, given evidence, or acted as a companion; or that it is suspected that they intend to do so.

A person is not protected from victimisation if they act in bad faith, i.e. where they give information that they know to be false.

**Failure to make reasonable adjustments** - occurs 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.

Examples of the kind of reasonable adjustments that **hyh** will consider in order to fulfil its legal duty are:

- Making adjustments to premises
- Re-allocating some or all of a disabled employee's duties
- Transferring a disabled employee to a role better suited to their disability

- Relocating a disabled employee to a more suitable office
- Giving a disabled employee time off work for medical treatment or rehabilitation
- Providing training or mentoring for a disabled employee
- Supplying or modifying equipment, instruction and training manuals for disabled employees; or
- Any other adjustments that **hyh** considers reasonable and necessary provided such adjustments are within the financial means of the organisation.

If an employee has a disability and feels that any such adjustments could be made by **hyh**, they should discuss this with their Line Manager.

### **Positive Action in Recruitment**

'Positive action' in recruitment and promotion means the steps that **hyh** can take to encourage and improve equality for people who share a protected characteristic to apply for positions within **hyh**. For example, people from groups with different needs or with a past record of disadvantage.

If **hyh** chooses to use positive action in recruitment this will not be used to treat people with a protected characteristic more favourably, but in the event of a 'tie-break' situation, when there are two candidates of equal merit applying for the same position.

### **Acting on discriminatory behaviour**

If you consider that you have been the subject of, or witness to, the type of discriminatory behaviour described in this policy, please refer to either **hyh**'s Grievance Procedure or the Bullying and Harassment Policy as appropriate. **hyh** takes all complaints seriously.

Employees can be held personally liable as well as, or instead of, **hyh** for any act of unlawful discrimination. Employees who commit serious acts of harassment may also be guilty of a criminal offence.

Acts of discrimination, harassment, bullying or victimisation against employees, volunteers or service users are disciplinary offences and will be dealt with under **hyh**'s Disciplinary Procedure. Serious acts of discrimination, harassment, bullying or victimisation are considered gross misconduct and will result in dismissal without notice or pay in lieu of notice.

### **Responsibilities for the implementation of this Policy**

All employees, volunteers, and trustees of **hyh** are required to adhere to, and assist the organisation in achieving, the aims of this policy. **hyh** will provide equality and diversity training to Managers and employees to help them understand their rights, responsibilities and what they can do to help the organisation achieve the aims of this policy.

This policy will be monitored periodically by **hyh** to evaluate its impact and will be updated in accordance with changes in the law. As part of the monitoring process the organisation may gather information on the composition of the workforce and job applicants, such as gender, race, disability and age. **hyh** will review the policy in accordance with the results gathered and implement any necessary changes accordingly.

Information provided by applicants and employees for monitoring purposes will be used only for these purposes and will be dealt with in accordance with the Data Protection Act 2018.