**Schedule 2: Equal Opportunities Policy and Procedures** Clause 1

1. INTRODUCTION

1.1 PETRA TMO acknowledges that discrimination and inequality occurs in the community and that we have a role as a service provider, employer and purchaser of goods and services to take positive action to tackle discrimination and promote equality, including:

* the delivering housing management services;
* handling racial and other forms of harassment;
* membership of PETRA TMO;
* procuring contractors and agents;
* membership of our Management Committee and Sub Committees; and

* the recruitment, employment and retention of staff.

All employees, and contractors, of PETRA TMO have a duty to promote equality and not to discriminate against anyone in carrying out their duties.

2. POLICY STATEMENT

2.1 PETRA TMO is committed to equal opportunities as a service provider, an employer and a democratic organisation. We will:

* Ensure that the needs of PETRA TMO’s residents are identified and taken into account in the planning and delivery of housing services;
* Work towards the elimination of harassment on our estate, supporting victims and taking action against perpetrators;
* Work towards increasing the representation of under-represented groups, such as BME residents and disabled residents, in our formal consultation mechanisms, our management and workforce;
* Ensure that information we provide is accessible to residents;
* Taking appropriate steps to make our services accessible by removing or altering physical barriers to access;
* Promote the value of diversity amongst staff and residents, recognising that people from different cultures and backgrounds add value to the housing service and the local community.

2.2 PETRA TMO aims to ensure that all residents, employees, contractors and agents are dealt with fairly and equitably on the basis of their merits, abilities and potential without any unjustified discrimination in relation to any of the following protected characteristics:

* Age. People of all ages are protected. However, different treatment because of age is not unlawful direct or indirect discrimination if it can be justified i.e. if it is a proportionate means of meeting a legitimate aim. Age is the only protected characteristic that allows employers to justify direct discrimination;
* Disability (including things arising from the disability). A person is disabled if they have a physical or mental impairment which has substantial and adverse long-term adverse effects on their ability to carry out normal day-to-day activities;
* Gender reassignment. A transsexual person is someone who proposes to, starts or has completed a process to change his or her gender. The person does not need to be under medical supervision to be protected so someone who permanently decides to live as the opposite sex but does not undergo any medical procedures would be covered. Transgender people such as cross dressers, who are not transsexuals because they do not intend to live permanently in the gender opposite to their birth sex, are not protected;
* Marriage and civil partnership;
* 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;
* Race (including colour, nationality, and ethnic or national origins). A racial group can be made up of two or more different racial groups;
* Religion or belief (including any religion, religious belief, similar philosophical belief, lack of religion and lack of belief);
* Sex. Both men and women are protected;
* Sexual orientation. Gay, heterosexual and lesbian people are protected.

2.2 PETRA TMO is committed to the following actions in order to fulfil this policy:

* Regarding membership of the Management Committee, encourage BME, disabled and younger residents who may be underrepresented to stand for election to the Management Committee and /or co-opt members where necessary in accordance with our rules.
* In the employment of staff to provide housing and related services, PETRA TMO will seek to ensure equality of opportunity and treatment for all persons;
* In employment and committee membership, PETRA TMO will make adjustments to its premises, facilities and working arrangements to avoid any substantial disadvantages being caused to any disabled member or prospective member of staff or management committee, where the disadvantages could be reduced or eliminated with reasonable effort and expenditure;
* PETRA TMO will endeavour to employ staff from disadvantaged groups and where appropriate will consider providing special training facilities to enable such individuals to compete or qualify for positions;
* Value and respect the identities and cultures of our residents and our employees, and encourage all employees to reach their full potential;
* Make sure the workplace is free from discrimination and harassment and act promptly on all complaints of such;
* Provide training and guidance and to our employees and Management Committee members to enable them to fulfil their responsibilities under this policy;
* PETRA TMO will keep records of gender, disability, ethnic or national origin, age of all those seeking employment; and implement changes to policy and procedures as necessary;
* PETRA TMO will be mindful of its commitment to equality of opportunity when employing contractors, consultants and suppliers, and will pass on its requirements in respect of staffing, customer satisfaction and dealing with racial harassment as a condition of doing business;
* PETRA TMO will also be mindful of its commitment to equality of opportunity in the composition and operation of its Management Committee, and will seek to ensure that the Management Committee reflects the demographic make-up of the estate community.

3. BREACH OF THE POLICY

3.1 A breach of the Equal Opportunities Policy occurs when:

* Any member or prospective member of PETRA TMO’s staff suffers unjustified discrimination on one or more of the prohibited grounds and the discrimination occurs on PETRA TMO’s premises or in relation to PETRA TMO’s activities; or
* Any individual as a member of the Management Committee or staff engages in conduct or activity which is contrary to the PETRA TMO Equal Opportunities Policy or which is likely to bring PETRA TMO into disrepute in relation to any equal opportunities issues.

3.2 Discrimination in breach of this Policy includes direct discrimination, associative discrimination, perceptive discrimination, indirect discrimination, victimisation and harassment.

**Direct discrimination** occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perceptive discrimination below) or because they associate with someone who has a protected characteristic (see associative discrimination below). It applies to all protected characteristics.

**Associative discrimination** This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. It applies to race, religion orbelief, sexual orientation, age, disability, gender reassignment and sex.

**Perceptive discrimination** is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies torace, religion orbelief, sexual orientation, age, disability, gender reassignment and sex.

**Indirect discrimination** occurs when a condition, provision, intention, rule, policy or practice exists that applies to everyone but particularly disadvantages, whether intentionally or not, people who share a particular protected characteristic and cannot be objectively justified. It applies torace, religion orbelief, sexual orientation, age, disability, gender reassignment, sex and marriage and civil partnership. Indirect discrimination can be justified if it can be shown that an organisation acted reasonably in managing its business i.e. that is a proportionate means of achieving a legitimate aim’.

**Victimisation** occurs when a person is treated less favourably than others, because of having brought a complaint of unjustified discrimination under this Policy/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.

**Harassment** occurs where there 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 are able to complain of behaviour 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 by association.

**Third Party Harassment** occurs when employees are harassed by people (third parties) who are not employees of the organisation such as tenants, customers, clients. Employers are potentially liable for such harassment but only when the harassment has occurred on at least two previous occasions, the employer is aware it has taken place and has not taken reasonable steps to prevent it from happening again. It applies torace, religion orbelief, sexual orientation, age, disability, gender reassignment and sex.

3.3 PETRA TMO will regularly review its practice and procedures to ensure that it does not discriminate, whether directly or indirectly. Changes will be made where it is found that practice and procedures are or may be contravening any relevant legislation or good practice.

3.4 PETRA TMO may invoke disciplinary measures against any member of staff who is found to have breached the Equal Opportunities Policy. Serious breach of the Policy may result in the dismissal of a member of staff. Such measures may be taken as a result of a complaint, or on PETRA TMO's own initiative.

4. ACTION TO ELIMINATE DISCRIMINATION

4.1 PETRA TMO will take action to eliminate discrimination. This will include the following:

4.2 **Recruitment of employees**

* Vacancies will be advertised in a way which does not discourage traditionally disadvantaged groups from applying for the posts;
* All job applicants will be made aware of the equal opportunities policy;
* When recruiting staff, specific qualifications or experience will be called for only where they are really necessary to the job;
* Training will be given to all staff involved in recruitment to ensure they understand and apply the Equal Opportunities Policy.

4.3 **Training**

* As part of the induction programme for new staff, PETRA TMO’s equal opportunities policy will be clearly explained;
* All staff will receive training to ensure they understand and implement all aspects of the Equal Opportunities Policy;
* As permitted under the relevant legislation, training schemes may be set up for staff from disadvantaged groups to enable them to acquire the skills necessary to compete for jobs at all levels and grades within PETRA TMO.

4.4 **Working Environment**

* Wherever practicable, suitable access for staff with disabilities will be provided throughout all work places, along with a programme of improvements to existing arrangements where necessary;
* Where practicable, the special needs of staff with disabilities will be met, including providing adapted equipment and changes of working methods;
* While it is essential that PETRA TMO is able to provide high-quality services at all times, working arrangements will have regard to staff members’ responsibility for dependants and / or personal circumstances;
* PETRA TMO will ensure that a supportive working environment is created for all staff so as to prevent the occurrence of any direct or indirect discriminatory working practices. Where necessary, managers will receive training to enable them to meet these ends;

4.5 **Harassment**

* Action will be taken to eliminate harassment, as it is considered to be a breach of the organisation’s procedures, and will therefore be subject to formal action;
* PETRA TMO’s literature will not contain any form of sexist, racist, or otherwise discriminatory language;
* PETRA TMO will not tolerate the harassment or victimisation of staff by other staff, customers, contractors or members of the public in any circumstances and will take appropriate action against the perpetrators.

5. MONITORING

5.1 A framework for monitoring equalities performance against this policy and any relevant performance indicators will be established. The composition of the workforce will be monitored in terms of ethnic origin, gender, age and disability to measure the effectiveness of equal opportunity policies and practices. Applicants for jobs will be monitored in terms of ethnic origin, gender, age and disability to assess the effectiveness of recruitment practices.

5.2 Information gained through monitoring will be subject to the requirements of data protection and other relevant legislation. Subject to those requirements, PETRA TMO will use this information to revise its policy, procedures and practice relating to equal opportunities policies.

5.3 PETRA TMO will produce regular reports to the Management Committee, on the effectiveness of its policies. Reports will recommend action where appropriate.

5.4 The Management Committee will be responsible for ensuring the monitoring of PETRA TMO’s activities in relation to equal opportunities takes place.

6. REVIEW

6.1 PETRA TMO will undertake regular reviews of this policy and procedures related to it and Management committee and staff training needs, to ensure that it is compliant with legislation and in line with best practice.

6.2 There will be a review of this policy whenever there is a change of legislation.