

# Equality – meeting our duty

## Jargon Buster

We have had to use some of the words that are contained in the equality laws, so here is a description of the words and their meanings.

### Protected characteristics

These are individual characteristics that are protected under the law. They are:

- **Age**
- **Disability** (this includes mobility, visual, hearing and speech impairments, mental health issues, learning disabilities and living with HIV or AIDs)
- **Gender reassignment** (this is someone who has, or is considering moving to or living in a gender which is different to their birth gender)
- **Marriage and civil partnership** (civil partnerships are unions between couples of the same sex)
- **Pregnancy and maternity**
- **Race** (this includes colour, nationality and ethnic origin)
- **Religion and belief**
- **Sex**
- **Sexual orientation** (this means people who are attracted to the same sex or both sexes, as in gay men, lesbians or gay women or bisexual people and people attracted to the opposite sex, as in heterosexual)

### Discrimination

Direct discrimination means treating a person or group less favourably than another in the same situation, usually on account of their protected characteristic. For example, not giving promotion to someone because they are disabled. This is illegal.

Indirect discrimination is where a provision or condition that appears neutral in fact disadvantages a person or group of people. For example, only providing leaflets in one format and not offering an alternative. This might be illegal unless it can be justified for some reason.

### Harassment

Harassment is defined as any unwanted conduct related to a protected characteristic that has the purpose or effect of either:

- violating the dignity of an individual
- creating an intimidating, hostile, degrading, humiliating or offensive atmosphere for an individual

Also, an employee can claim harassment even if the harassment was not actually directed at them, for example, where a worker overhears a colleague being verbally harassed because they are gay and it violates the employee's dignity.

### **Victimisation**

Victimisation is being treated badly because someone has made, intends to make, or has helped someone else make a complaint, refused to breach the Equality Act or because they have provided information about a complaint. It also includes someone who has agreed to be a witness.

## What is the duty?

The **Equality Act 2010** came into force in October 2010, and the **Public Sector Equality Duty** came into force in April 2011.

This legislation requires organisations like Berneslai Homes to do certain things, because we carry out a public function in managing council housing. (Some other examples of public functions are education, health, policing, fire and rescue, council services and these organisations also have to meet the duties described here.)

There are **general** and **specific** duties, and although Berneslai Homes legally only has to meet the general duties, our Board of Directors decided we should also meet the specific duties, as we believe that equality is central to our delivering excellent customer services, and being the best employer possible.

### The general duty

To meet this duty, we must, when carrying out our functions, consider how to:

- ✓ Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- ✓ Advance equality of opportunity between people who share a protected characteristic and those who do not.
- ✓ Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims of the general equality duty. The Act explains that having due regard for advancing equality involves:

- ✓ Removing or minimising disadvantages suffered by people due to their protected characteristics.
- ✓ Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- ✓ Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

### The specific duty

- ✓ Publish sufficient information to demonstrate its compliance with the general equality duty across its functions, from 31 January 2012 and annually after that from the first date of publication.

- ✓ Prepare and publish equality objectives, from 6 April 2012 and then every 4 years. This means we must prepare and include objectives that we reasonably think we should achieve to meet one or more aims of the general equality duty.
- ✓ Details of the engagement that we undertook, in developing our objectives, with people whom we consider to have an interest in furthering the aims of the general equality duty.

We must also:

- Consider the information that we published before preparing our objectives.
- Ensure the objectives are specific and measurable.
- Set out how progress will be measured.
- Publish information about our employees who share protected characteristics because we have more than 150 employees
- Publish information about our customers who share protected characteristics, as they are affected by our policies and practices

The information on equality objectives must be published at least every four years.

## How are we meeting the duty?

In Berneslai Homes we already meet the duty in a number of ways:

- ✓ We carry out equality analysis on all our functions and services, to make sure every one of our customers, whatever their characteristics, can fairly access our jobs and services
- ✓ The outcomes of each analysis are used to develop our equality priorities, which are published in our Corporate Equality Action Plan, and are available on our website.
- ✓ Our Equality and Inclusion Policy and Corporate Equality Action Plan set out our approach to equality and show how we meet the general duty. We refresh the Corporate Equality Action Plan every year.
- ✓ We publish information on our web site and staff intranet site about how we take steps to remove barriers to access and what we do to include all customers and staff.

Following are charts with details of each of the requirements of the duties, and specific examples of some of the ways in which we are meeting them. (These are just some examples of the ways we meet the duty - we have many others.)

General duties	What are we doing to meet these?
<ul style="list-style-type: none"> <li>▪ Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.</li> </ul>	<ul style="list-style-type: none"> <li>✓ All our policies functions and procedures comply with the Equality Act and Public Sector Equality Duty</li> <li>✓ Our Equality and Inclusion Policy sets out our values and that staff must comply with these.</li> <li>✓ All staff undertake equality and diversity training at induction and various staff attend specific training around other protected characteristics annually.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Advance equality of opportunity between people who share a protected characteristic and those who do not.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We ensure in access to jobs and services that we remove any barriers to access for people with protected characteristics. We give advice and guidance and examples in our recruitment and selection policy.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Foster good relations between people who share a protected characteristic and those who do not.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We encourage protected groups to participate together in various events such as the Equality Forums, Equality events, and Gay Prides.</li> <li>✓ Groups can apply for financial support to hold events, if they meet our equality aims.</li> <li>✓ We encourage diverse customers to get involved in our numerous engagement activities and we monitor who is taking part.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Removing or minimising disadvantages suffered by people due to their protected characteristics.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We ensure all venues and activities are accessible wherever possible</li> <li>✓ We make adjustments when interviewing people for jobs if they are disabled</li> <li>✓ We hold equality and diversity training for all staff, Board and customers to ensure they understand issues for protected groups and to ensure they are aware of our inclusive culture</li> <li>✓ Our web site meets the WC3 standard for accessibility.</li> </ul>

General duties	What are we doing to meet these?
<ul style="list-style-type: none"> <li>■ Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We provide information in different formats such as large print, audio, Braille or other languages, on request.</li> <li>✓ We ensure customers can understand all our published information through interpreters, translations, or alternative formats.</li> <li>✓ We provide interpreters for people who struggle with English and Deaf people who use British Sign Language (BSL)</li> <li>✓ We meet access needs such as waiting for access, knocking loudly, using specific doors, making appointments</li> <li>✓ We have specific employment policies covering people with protected characteristics</li> </ul>
<ul style="list-style-type: none"> <li>■ Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We encourage our diverse customers to get involved in our engagement activities, and we monitor this so we can take action if we need to.</li> <li>✓ Diverse customers are involved in our customer panel, our mystery shopping, void inspections, reviewing complaints, challenge panels and Diversity Advisory Panel.</li> <li>✓ We work successfully with equality forums to encourage people from under-represented groups to get involved in our engagement activities and stand for board.</li> </ul>

Specific Duties	What are we doing to meet these?
<ul style="list-style-type: none"> <li>▪ Publish sufficient information to demonstrate its compliance with the general equality duty across its functions, from 31 January 2012, and annually after that from the first date of publication.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We have an equality and diversity section on our web site and staff intranet site which includes information about our services and how we make them accessible.</li> <li>✓ We have a customer involvement section on our website which describes how customers can get involved in ways that suit them.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Prepare and publish equality objectives, from 6 April 2012, and then every 4 years. This means we must prepare and include <b>objectives</b> that we reasonably think we should achieve to meet one or more aims of the general equality duty.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We refresh our Corporate Equality Action Plan every year and publish this on our website and intranet, with objectives and milestones.</li> <li>✓ We report regularly on how we are making progress with the actions to the Customer Diversity Advisory Panel and Staff Diversity Champions.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Details of the engagement that we undertook, in developing our objectives, with people whom we consider to have an interest in furthering the aims of the general equality duty.</li> </ul>	<ul style="list-style-type: none"> <li>✓ We carry out equality analysis (EA) on all our policies and functions, to make sure there are no detrimental impacts on customers or staff with protected characteristics. We identify actions to progress and issues that we need to consult on.</li> <li>✓ Our customer Diversity Advisory panel and staff Diversity Champions meet annually to help us set our equality objectives. We use results from our EAs to help develop the objectives. We meet both groups regularly to monitor progress.</li> <li>✓ Our engagement activities are promoted to all customers through our website and equality forums, and we successfully encourage diverse customers to get involved in mainstream engagement activities.</li> </ul>



## Published Information

Alongside this document, you can find the following information on our website:

- ✓ The Berneslai Homes Family – information about our customers and staff
- ✓ Corporate Equality Action Plan including our equality objectives
- ✓ Equality and Inclusion Policy.

You can click on any of the links to see the information. If you would like copies of any of our documents, please contact us by ringing 01226 772709 or e-mailing [BHHumanResources@berneslaihomes.co.uk](mailto:BHHumanResources@berneslaihomes.co.uk)