



# Equality & Diversity Policy

## 1. Aim of Policy

- 1.1 We are committed to promoting equality of opportunity and creating housing services that are inclusive to all and free from unlawful discrimination and harassment.
- 1.2 We acknowledge the benefits of promoting equality and diversity amongst all our stakeholders.
- 1.3 This policy demonstrates how we meet our regulatory obligations and carry out best practice.

## 2. Scope of Policy

- 2.1 This policy applies to all our staff, Board members, formally involved residents, any affiliated companies within the organisation, consultants, contractors, sub-contractors and suppliers. These stakeholders will be made aware of and encouraged to comply with this policy.
- 2.2 This policy shall be used in conjunction with other related policies detailed in Section 4.
- 2.3 This policy applies to the services we deliver rather than VIVID as an employer which is covered in the People Policy.

## 3. Policy Statement

- 3.1 We are committed to prevention, detection and reporting of activities related to unlawful discrimination against our staff, customers and other stakeholders. This policy provides guidance on how all stakeholders should report concerns about potentially discriminatory practices and have confidence that they will be promptly and fairly handled.

## 4. Policy

- 4.1 We comply with all relevant legislation and obligations: as outlined in Appendix A
- 4.2 We will address the equality and diversity legislation and obligations detailed in Appendix A as follows:

### Communication and Engagement

We will:

- maintain accurate customer profile records to enable tailoring of communication to their needs.
- provide a website that is accessible to the widest possible audience.
- provide a wide range of customer consultation methods.
- continually monitor and develop methods of communication to ensure the support we offer remains relevant.
- where possible and reasonable, engage with tenants through their preferred method of communication and take into account specific instructions and requirements regarding communications.

### Repairs/Adaptions

We will:

- prioritise heat and hot water repair requests from residents with relevant support needs.
- engage with occupational therapists and the appropriate authorities to assess and action disabled adaptations.
- maintain accurate records of adapted properties.

Tenancy/Lettings

We shall:

- use tenancy agreements that recognise the rights of same-sex partner relationships.
- operate and monitor lettings practices that reduce the chance of unlawful discrimination.
- provide support to tenants to help them maintain their tenancies.

Harassment/Victimisation

- We shall ensure harassment and victimisation allegations are investigated and appropriate action taken.

VIVID as a customer

- We will monitor compliance of all contractors and sub-contractors with our Code of Conduct when working in customers' homes.

VIVID in the community

We will:

- promote awareness of equality and diversity in the community in order to build relationships with diverse groups and partners.
- encourage positive relations between different groups to promote community cohesion and integration.
- work in partnership with public and voluntary sector organisations to promote community cohesion and integration.

## 5. Responsibilities

Board and Executive

The Board and Executive are responsible for ensuring:

- all services, facilities and activities and opportunities for employment are equally accessible to all members of the community.
- diversity is promoted positively.
- all reports and policies are appropriately assessed to reflect the implications for equality and diversity.
- equality issues and the annual equality and diversity performance report are reviewed, and mitigating actions undertaken where possible.

The Chief Executive

The Chief Executive is responsible for ensuring:

- adequate systems are in place to comply with legislation and deliver where reasonable personalised services that meet the needs and aspirations of individuals and communities.
- prompt investigation and handling of any customer complaint alleging discrimination, harassment or victimisation.

The Executive and Heads of Service

The Executive and Heads of Service are responsible for ensuring:

- the policy is publicised, and awareness raised with communities, customers and employees.
- employees are appropriately trained.
- services are monitored, and that appropriate action is taken against anyone whose actions are inconsistent with the policy.

#### Managers/Team leaders

All managers/ supervisors are responsible for ensuring:

- they use their positions of leadership to demonstrate best practice and to identify and where possible prevent unacceptable behaviour.
- the policy is applied within their service area.
- an awareness of VIVID's customer base and the communities they serve is demonstrated.
- services are reasonably personalised to meet the needs and aspirations of individual customers and communities.
- information from satisfaction surveys to assess the suitability of services against the needs of diverse customers is monitored.
- accurate records are kept, and performance is regularly and consistently monitored and reported.
- prevention of unlawful discrimination where possible.
- breaches are dealt with appropriately through the Disciplinary Policy and Procedure.
- policies, procedures, and practices are regularly reviewed (with customer and partner involvement) to make sure they do not discriminate.
- contractors uphold the policy.
- awareness of the policy with customers, staff and communities is promoted.

#### All Staff

All staff are responsible for ensuring:

- equality of opportunity and diversity is considered within their role.
- they work in a non-discriminatory way in line with this policy.
- they deliver personalised services whenever possible.
- they include colleagues to make all staff feel comfortable during their work.

#### Customers, resident groups and other supported groups

Customers, resident groups and other supported groups are responsible for ensuring:

- the Equality and Diversity principles within this policy are upheld.
- they comply with legislation and don't unlawfully discriminate or induce unlawful discrimination.

#### Contractors, Consultants, Suppliers and Partners

Contractors, Consultants, Suppliers and Partners are responsible for ensuring:

- the principles of the Equality and Diversity policy are upheld.
- they don't unlawfully discriminate nor induce unlawful discrimination.

## 6. Related Policies/Associated Documents

6.1 Many VIVID Policies and documents are connected to the Equality and Diversity policy, these include but are not limited to:

- Adaptions Policy
- Allocations, Lettings and Voids Policy/ Starter Tenancy Policy
- Anti-Slavery and Human Trafficking Policy
- Anti-Social Behaviour Policy
- Code of Conduct
- Customer Engagement Policy
- Procurement Policy

## 7. Monitor and Review Process

We will:

- 7.1 monitor and analyse the issues raised regarding potential unlawful discrimination, harassment and victimisation events and the way they have been handled.
- 7.2 monitor and analyse the issues raised and ensure that the VIVID policy is fit for purpose, the process is being managed in a fair and consistent manner and staff training is appropriate.
- 7.3 This policy will be approved by the Executive and reviewed annually.

## 8. References/Appendices

- The Equality Act 2010 - <http://www.legislation.gov.uk/ukpga/2010/15/contents>
- HCA Regulatory Standards - <https://www.gov.uk/government/publications/regulatory-standards>
- Pre-Action Protocol for Possession Claims by Social Landlords - <https://www.justice.gov.uk/courts/procedure-rules/civil/protocol/pre-action-protocol-forpossession-claims-by-social-landlords>
- The Human Rights Act 1998 - <http://www.legislation.gov.uk/ukpga/1998/42/contents>

Consultation requirements	Last Consultation Date	Date for next consultation
Customers	March 2021	
Equality Impact Assessment required?	Last EIA date completed	
Yes		

Author	Owner	Approval level e.g. Board	Date approved	Review date
Head of Communities, Standards and Partnerships	Head of Communities, Standards and Partnerships	Board	17 Nov 22	Nov 23
Head of Communities, Standards and Partnerships	Head of Communities, Standards and Partnerships	Exec	19 Sept 23	Nov 24 Extension agreed by The Executive 29/11/24  Review will be undertaken May 2025

**Please see Appendix B for the Equality Impact Assessment**

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## Appendix A

### Relevant Legislation and Obligations

- The Equality Act 2010
    - The Act prohibits unlawful discrimination (whether direct or indirect), harassment and victimisation against people who possess one of the protected characteristics:
      - Age
      - Disability
      - Gender re-assignment
      - Marriage and civil partnerships
      - Pregnancy and maternity
      - Race
      - Religion or belief
      - Sex
      - Sexual orientation
      - o
    - In addition, employers service providers and landlords are under a duty to make reasonable adjustments to their workplaces service provision and management of lettings to overcome barriers experienced by disabled people.
    - Nothing in this policy shall be read as extending the duties of Vivid as a landlord under the Equality Act 2010 or implying consent for alterations, adaptations or improvements where Vivid can reasonably withhold consent, for whatever reason.
    - 
    - • Regulator of Social Housing's Homes and Communities Agency Regulatory Standards (July 2017) o The "Tenant Involvement and Empowerment Standard (2017- Understanding & Responding to Diverse Needs" requires VIVID to:
      - Understand and respond to the diverse needs of tenants:
        - (a) treat all tenants with fairness and respect
        - (b) demonstrate an understanding of the different needs of tenants, including in relation to the equality strands and tenants with additional support needs.
      - Demonstrate how it responds to tenants' needs in the way services are provided and how it communicates with tenants.
- Pre-Action Protocol for Possession Claims by Social Landlords (2015)
  - Requires that if the landlord is aware of any difficulty the tenant may have in reading or understanding any information given, the landlord is expected to take reasonable steps to ensure that the tenant understands the information. The landlord may be required to demonstrate that they took reasonable steps to ensure that the information has been communicated in a way the tenant can understand.
  - If the landlord is aware that the tenant is under the age of 18 or is particularly vulnerable, the landlord is expected to consider at an early stage the following matters:
    - whether the tenant has the mental capacity to defend any possession proceedings. If the landlord considers that the tenant does not have such capacity he is expected to notify the court that Part 21 of the Civil Procedure Rules apply and the Court will need to apply to the Court for the appointment of a litigation friend;
    - whether or not any issues arise under the Equalities Act 2010; and
    - whether, in the case of a local authority landlord, there is a need for a community care assessment of the tenant in accordance with the Care Act 2014
- Public Sector Equality Duty

- Private organisations and charities are subject to the public-sector equality duty when they carry out public functions as per the Equality Act.
- When carrying out public functions such as allocating and managing social housing, setting rent levels, terminating tenancies and applying policy and processes in respect of Anti-Social Behaviour, the organisation must have regard to the following:
  - eliminating unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
  - advancing equality of opportunity between people who share a protected characteristic and those who do not
  - fostering good relations between people who share a protected characteristic and those who do not
- We must
  - remove or minimise disadvantages suffered by people due to their protected characteristics
  - take steps to meet the needs of people from protected groups where these are different from the needs of other people
  - encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low
  - positively promote equality, not merely avoid discrimination
  - treat some people more favourably than others to comply with equality duty
- The Human Rights Act 1998
  - We must:
    - respect private life, family life and the home i.e., this extends tenants the right to live their lives with privacy, have and maintain family relationships, protects the home they already have and allows them to enjoy their home peacefully.
    - respect the right to a fair trial
    - prohibit discrimination
    - ensure they act legally, fairly, transparently, and proportionately within their policies.

## Appendix B

### Equality Impact Assessment

**Question 1) Is it possible the proposed policy could discriminate, unfairly disadvantage, or advantage people from the protected characteristic groups below?**

Disability/ Gender/ Marital status/ Pregnancy and maternity/ Race/ Religion and belief/ Sexual orientation/ Gender reassignment/ Age

Tick as appropriate:

Positively impact

Negatively impact

N/A

Comments:

**Question 2) Final decision and action to address impact where appropriate**

Tick as appropriate

**Proceed**

No barriers identified; therefore, activity will proceed.

**Proceed with caution**

Barriers and impact(s) identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy. Therefore, proceed with caution with this policy knowing that it may favour some people less than others, providing justification for this decision.

**Adapt**

Adapt the policy in a way which will eliminate the bias.

Comments:

No further comments.