

Equality, Diversity & Inclusion Policy

1. Purpose

1.1 Introduction

- 1.1.1 Clanmil is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all.
- 1.1.2 Our people, our tenants or our colleagues, will be respected and valued for who they are. We will support the diverse make up of all our people and embrace differences, similarities and we are committed to eliminating unlawful discrimination.

2. Policy Statement

2.1 Policy Aim

- 2.2 Clanmil respects the diversity of all individuals and have a desire that the diversity of our society is reflected in our workforce and among our tenants/residents and Board / Committee members.
- 2.3 At Clanmil, we believe that workforce diversity enriches what we do and enables us to further meet the needs of our diverse communities. We aspire to be an organisation in which the diversity of individuals is fully respected, celebrated and encouraged, and to ensure that equality and diversity permeates through everything we do and practices we adopt.
- 2.4 Clanmil aims to promote a good and harmonious working environment, and an atmosphere in which nobody feels under threat or intimidated for any reason. Our main aim is to provide accessible services to all, without bias or prejudice.
- 2.5 Clanmil will work towards eliminating all forms of discrimination and promoting equality of opportunity for everyone. Our aim is that all our colleagues, job applicants,

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tenants/residents, housing applicants and Board / Committee members feel valued and respected and are encouraged to participate and contribute.

3. The Legislative & Regulative Frameworks

3.1 Clanmil will abide by all the relevant equality legislation as consolidated by the Equality Act 2010 and take guidance from ECNI Codes of Practice which include:

- Employment Equality (Age) Regulations (NI) 2006
- Disability Discrimination Act 1995
- Equal Pay Act (NI) 1970
- Sex Discrimination (NI) Order 1976
- Race Relations (NI) Order 1997
- Fair Employment & Treatment (NI) Order 1998
- Fair Employment (Monitoring) Regulations (NI) 1999
- Employment Equality (Sexual Orientation) Regulations (NI) 2003
- Equality Act (Sexual Orientation) Regulations (NI) 2006
- Section 75 of the Northern Ireland Act 1998
- Section 76 of the Northern Ireland Act 1998
- Section 49A and 49B of the Disability Discrimination Act 1995
- Human Rights Act 1998

4. Standards Framework

4.1 All colleagues will agree to adhere to the Association's Fair Employment and Equal Opportunities Policy and commit to the principles and aims of the Equality Scheme S75 duties with regard to religious faith, political opinion, racial groups, men and women generally, marital status, age, persons with a disability, persons with dependants and sexual orientation.

5. Roles and responsibilities in Clanmil

The Board, Chief Executive & Executive Team – will provide leadership on this policy and act as overall champions to ensure it is implemented;

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Group Director of Corporate Services. – designated as senior member of the Exec Team with responsibility for Equality, Diversity & Inclusion;

HR Business Partner – designated as member of staff with day to day responsibility of Equality related policies and duties;

Line Managers & Recruiting Managers – responsible for all recruitment and selection activities and equality screening of policies and procedures as well as ensuring their team members act in accordance with the policy, providing guidance and support where needed;

All Staff – responsible for adhering to the policies and procedures.

6. Training

- 6.1 Clanmil will provide Equality and Diversity training for all our new colleagues within six months of commencement of employment.
- 6.2 All Line Managers will carry out regular one to ones or check ins to ensure that all employees feel respected and valued members of the team.
- 6.3 All Senior Managers/Line Managers/Recruiting colleagues and HR team will attend Recruitment & Selection training every 3 years to ensure equality of opportunity is applied for all applicants for new/internal and vacant job opportunities.
- 6.4 Our Executive Team, Assistant Directors and Line Managers will all attend S75 Equality Screening training.
- 6.5 Clanmil will seek new opportunities to create shared learning experiences about culture, identity and promote new ways to better understand the work we do and the impact we have.

7. Scope of the Policy

- 7.1 This policy applies to the following areas:
 - The overall approach Clanmil adopts in its day to day work including the provision of goods and services;

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- The recruitment, employment and training of all colleagues;
- The provision of housing (in line with the NIHE Common Selection Scheme) and all related services to tenants.

8. What is Equality?

8.1 Equality is:

- About making sure that everyone can access and use our services;
- Good for everyone;
- Not always about treating everyone the same;
- About fairness, dignity and respect;
- About how we treat each other.

8.2 The Equality Commission NI stated: 'In making any society a more equal place and a place where individuals and groups of people can relate well one to the other, there are some fundamental principles that must animate our thinking and our actions:

- All human beings are entitled to equal respect;
- Equality of opportunity is an entitlement that derives from our inherent humanity;
- Difference is a source of richness not the basis for unfair treatment;
- Treating everybody as if we were all identical is neither the meaning nor the measure of equality."

8.3 Equality means actively working towards equality of opportunity and equality of outcome in order to provide better treatment and better outcomes for all. It means treating people as well as we can, within our power and according to their individual needs.

8.4 In Northern Ireland, equality law protects everyone from being discriminated against because of a protected characteristic and Clanmil are committed to ensuring that everyone is treated fairly and are not discriminated against, harassed or victimised on any of the following 9 protected characteristics while working with us or accessing our services:

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- Gender;
- Marital Status;
- Religious Belief;
- Political Opinion;
- Disability;
- Race or Ethnic Origin;
- Family status (with or without dependents);
- Age;
- Sexual Orientation.

9. Duty of Good Relations

9.1 The Equality Commission for Northern Ireland describe Good Relations as:

- Having a high level of dignity, respect and mutual understanding;
- An absence of prejudice, hatred, hostility or harassment;
- A fair level of participation in society.

9.2 Promoting Good Relations is about embracing diversity and tackling sectarianism and racism. The duty to promote Good Relations is specific to Northern Ireland and exists given our history of political turmoil and community conflict. The Good Friday/Belfast Agreement recognised a need for a statutory intervention, situated within a framework of equality, to promote good relations. Section 75 of the Northern Ireland Act 1998 places a duty on public authorities to put good relations at the heart of public policy and its implementation.

10. Forms of Discrimination

10.1. Discrimination occurs when someone is treated less favourably than someone else because of a certain characteristic they have. There are two main forms:

- ❖ **Direct** - This is when a person (or organisation) treats or would treat someone less favourably than others on one of the grounds listed on the previous page in the same or similar circumstances. Direct discrimination is unlawful whether it is intentional or not.

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- ❖ **Indirect** - Indirect discrimination is a form of discrimination that can arise when an employer or service provider:
 - Treats everyone the same (e.g. applies the same practice, policy or rule to everyone), but by doing so it puts certain groups of people at a disadvantage because of a shared characteristic that they have (e.g. like sex, religion or race) compared to other people (e.g. women find it harder to comply with the rule than men; or, black people find it harder to comply than white people)
 - The practice, policy or rule cannot be lawfully justified (i.e. it cannot be shown to be a proportionate means of achieving a legitimate aim).

11. Types of Discrimination

- 11.1 **Harassment** - Harassment is unwanted conduct related to the equality grounds which damages, or which is done with the aim of damaging, a person's dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.
- 11.2 **Victimisation** - This occurs when someone is treated less favourably because they have:
 - Already made a complaint of discrimination under the relevant legislation (e.g. undertook proceedings or threatened to bring proceedings);
 - Helped someone else to do so (e.g. provided evidence in proceedings or acted as a witness);
 - Alleged that a service provider or others have committed an unlawful act under the law.
- 11.3 **Disability reasonable adjustment duty** - The Disability Discrimination Act says that one-way discrimination can occur is when an employer or service provider fails to comply with a duty to make reasonable adjustments in relation to a disabled person. Reasonable adjustments are practical ways to remove or reduce certain disadvantages faced by a person who is disabled and enable them to carry out the duties of their job or to access a service. They are not always costly or complex. An employer / service provider is required to make a 'reasonable' adjustment to a barrier which prevents or adversely affects a disabled person from working or accessing a service.

The aim of adjustments is to ensure the workplace and services/facilities/

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goods are accessible / inclusive. Adjustments may be made to:

- The physical environment;
- Policies, procedures and practices;
- Methods of communication.

Adjustments may also require the provision of ancillary aids such as hearing loops or assistive technology including zoom text software or high visibility multimedia keyboards.

- 11.4 **Liability for discrimination** – Clanmil have a responsibility for the actions of [its](#) employees carried out in the course of employment and therefore can be held accountable for any acts of discrimination. Colleagues are also personally liable for their own actions and could be held individually or jointly liable in a legal case in addition to action against them under the organisation’s policies and procedures.

12. Public sector Section 75 Equality Duties

- 12.1 All public authorities in Northern Ireland, including Housing Associations, have specific duties for promoting equality of opportunity under both Section 75, Northern Ireland Act 1998 and Section 49a Disability Discrimination Act 1995. Duties include:

- Section 75(1) states that we must, when carrying out our functions, have due regard to the need to promote equality of opportunity in relation to nine categories of people. We comply with this duty by following the procedures outlined in our equality scheme.
- Section 75(2) states that we must also have regard to the desirability of promoting good relations between persons of different religious belief,
- political opinion and racial group. We comply with this duty too by following the procedures outlined in our equality scheme.
- Section 49A states that we must also have due regard to (a) the need to promote positive attitudes towards disabled persons, and to (b) the need to encourage participation by disabled persons in public life. We comply with this duty by following the procedures outlined in our disability action plan.

These duties aim to ensure that we place considerations of promoting equality and good relations at the heart of our decision-making and planning processes.

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13. How Clanmil Meet the Equality Duties

- 13.1 Equality Scheme** – The Equality Scheme is a legal document that is approved by the Equality Commission of Northern Ireland and tracks our actions against the responsibilities placed on Clanmil under the Section 75 duties. It is published on the website and reported against annually. Under the scheme, complaints or investigations can be undertaken if the organisation is not meeting the obligations of the Equality Scheme.
- 13.2 Equality Screening** – Equality Screening is an equality and management tool that ensures that all our policies, strategies and decisions are drafted and implemented with consideration given to the public sector duties. Once screened a policy or project will be determined on whether any mitigation has been identified or not. Where it has been identified that a project or policy has a major impact on any of the 9 protected categories under Section 75, an Equality Impact Assessment (EQIA) must be carried out.
- 13.3 Fair Employment Monitoring** is applicable to all registered organisations in Northern Ireland. Clanmil will monitor the composition of our work force and anyone who applies to work within the business. We are required to monitor, record and report the community background and gender of all our staff and applicants to the Equality Commission NI on annual basis. We also monitor all applicants and staff on all the 9 protected categories for internal monitoring purposes.

14. Monitoring and review

- 14.1** This policy will be reviewed within a three-year period.

15. APPENDICES

15.1 Supporting Procedures

Procedure	Procedure Reference		Location
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Monitoring for the Equality Commission	CS036	
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15.2 Policies

Policy Title	Policy Reference	Location
Recruitment & Selection Manual		
Apprenticeships Policy		
Dignity at Work Policy		
Code of Conduct		

16. Reference Links

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