

# Equal Opportunities Policy

*We will provide this policy on request at no cost, in large print, in Braille, on tape or in another non written format.*

# Equal Opportunities Policy

## POLICY STATEMENT AND APPLICABILITY

Wheatley Solutions is committed to promoting equality of opportunity for all current and potential secondees. We aim to create a working environment in which all individuals are able to make best use of their skills, free from discrimination, victimisation, or harassment, and in which all decisions are based on merit.

It is Wheatley Solutions' policy not to discriminate against secondees or any applicants on the basis of age, disability, trans/gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex, gender, sexual orientation, socio-economic disadvantage, or HIV status ("protected characteristics").

The principles of non-discrimination and equality of opportunity also apply to the way in which secondees treat visitors, clients, customers, suppliers, existing and former staff members.

All secondees have a duty to act in accordance with this policy and treat colleagues with dignity at all times, and not to discriminate against, victimise or harass other secondees or members of Wheatley Group staff, regardless of their status.

This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of our relationship with secondees and to relations between secondees at all levels. This includes job advertisements, recruitment and selection, training and development, opportunities for promotion, secondment opportunities, conditions of service, pay and benefits, conduct at work, appraisals, disciplinary and grievance procedures, and termination of secondment and/or employment. We will take appropriate steps to accommodate the requirements of different religions, cultures, and domestic responsibilities. Employee Relations is responsible for this policy and any necessary training on equal opportunities.

This policy applies to all secondees to Wheatley Solutions, agency workers and self-employed contractors. This policy does not form part of any secondee's secondment arrangement or underlying contract of employment and may be amended at any time in consultation with our recognised Trade Unions.

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## SECTION A - WHEATLEY SOLUTIONS GENERAL RESPONSIBILITIES

To ensure compliance with this policy and to monitor its effectiveness, Wheatley Solutions will:-

- comply with relevant legislation including the Equality Act 2010, the Human Rights Act 1998 and applicable statutory codes of practice and codes of guidance on equal opportunities, in particular the Commission for Racial Equality's Statutory Code of Practice on Racial Equality in Housing in Scotland;
- Ensure that this policy is made available to every secondee and clearly communicated through training and induction courses.
- provide training and guidance for supervisory secondees and other relevant decision makers to ensure that they understand their responsibilities under this policy and require that committee members and senior members of staff attend training and national consultative events to ensure that they are kept up-to-date with priorities in the field of equal opportunities;
- liaise and consult, where appropriate, with relevant organisations in the field of equal opportunities;
- have recruitment and staff development strategies which include positive action measures and targets to tackle discrimination;
- ensure that the principles of this policy underpin all policies and procedures that concern secondees;
- establish a process for monitoring compliance with this policy, reporting on the outcomes and, where necessary, reviewing other policies;
- Collect feedback each year on the findings of the annual report on equal opportunities.

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## SECTION B - FORMS OF DISCRIMINATION

Secondees must not unlawfully discriminate against or harass other people including current and former secondees and employees, job applicants, clients, customers, suppliers and visitors. This applies in the workplace, outside the workplace (when dealing with customers, suppliers or other work-related contacts), and on work-related trips or events including social events.

The following forms of discrimination are prohibited under this policy and are unlawful:

**Direct discrimination** occurs where someone is treated less favourably because of one or more of the protected characteristics set out above. For example, rejecting an

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applicant on the grounds of their race because they would not "fit in" would be direct discrimination.

**Indirect discrimination** occurs where there is a provision, criterion or practice that applies to everyone but adversely affects people with a particular Protected Characteristic more than others, and is not justified. For example, a requirement for staff without children to work more unsociable shifts such as night shifts and/or Bank Holiday shifts may put unmarried and/or single employees at a particular disadvantage as they are less likely to have children and/or young family. Such a requirement will need to be objectively justified.

**Harassment** related to any of the protected characteristics is prohibited. Harassment is unwanted conduct that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Harassment is dealt with further in our Dignity at Work Policy.

**Victimisation** is also prohibited. This is less favourable treatment of someone who has complained or given information about discrimination or harassment, or supported someone else's complaint.

Disability discrimination includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

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### SECTION C - RECRUITMENT AND SELECTION

We aim to ensure that no potential secondee suffers discrimination because of any of the protected characteristics above.

Recruitment, promotion, and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination.

Vacancies should generally be advertised to a diverse section of the labour market. Advertisements should avoid stereotyping or using wording that may discourage particular groups from applying.

Job applicants should not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants should not be asked about the gender of their partner or spouse.

Job applicants should not be asked about health or disability before a job offer is made, except in the very limited circumstances allowed by law: for example, to check that the applicant could perform an intrinsic part of the job (taking account of any reasonable adjustments), or to see if any adjustments might be needed at interview because of a disability. Where necessary, job offers can be made conditional on a satisfactory medical check. Health or disability questions may be included in equal opportunities monitoring forms, which must not be used for selection or decision-making purposes.

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Please refer to our Recruitment and Selection Policy and our Code of Practice on the Engagement of Disabled People for further details. Our recruitment and selection procedures are reviewed regularly to ensure that individuals are treated on the basis of their relevant merits and abilities.

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### **SECTION D - STAFF TRAINING AND PROMOTION AND CONDITIONS OF SERVICE**

Secondees training needs will be identified through regular appraisals. All secondees will be given appropriate access to training to enable them to progress within Wheatley Solutions and all promotion decisions will be made on the basis of merit.

Our conditions of service, benefits and facilities are reviewed regularly to ensure that they are available to all secondees who should have access to them and that there are no unlawful obstacles to accessing them.

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### **SECTION E - TERMINATION OF EMPLOYMENT**

We will ensure that redundancy criteria and procedures are fair and objective and are not directly or indirectly discriminatory.

We will also ensure that disciplinary procedures and penalties are applied without discrimination, whether they result in disciplinary warnings, dismissal, or other disciplinary action.

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### **SECTION F - DISABILITY DISCRIMINATION**

We encourage secondees who are disabled or become disabled to tell us about their condition so that we can support them as appropriate. If a secondee experiences difficulties during their secondment because of a disability, they may wish to contact their line manager to discuss any reasonable adjustments that would help overcome or minimise the difficulty. The secondee's line manager or Employee Relations may wish to consult with them and their medical adviser(s) about possible adjustments. As detailed in our Code of Practice on the Engagement of Disabled People, we will consider the matter carefully and try to accommodate secondees' needs within reason. If we consider a particular adjustment would not be reasonable, we will explain our reasons and try to find an alternative solution where possible.

We will monitor the physical features of our premises to consider whether we place disabled secondees, job applicants or service users at a substantial disadvantage compared to other secondees. Where reasonable, we will take steps to improve access for disabled secondees and service users.

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### **SECTION G - FIXED-TERM SECONDEES**

Fixed-term secondees should be treated the same as comparable permanent secondees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

Wheatley Solutions will monitor its use of fixed-term secondees, and their conditions of service, to ensure that they are being offered appropriate access to benefits, training, and promotion opportunities. We will, where relevant, monitor their progress to ensure that they are accessing vacancies.

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### **SECTION H - PART-TIME WORK**

Part-time secondees should be treated the same as comparable full-time secondees and enjoy no less favourable terms and conditions (on a pro-rata basis where appropriate), unless different treatment is justified.

We will monitor the conditions of service of part-time secondees and their progression to ensure that they are being offered appropriate access to benefits and training and promotion opportunities. We will ensure that requests to alter working hours are dealt with appropriately under Wheatley Solutions' Policy on Hours of Work, Overtime, Related Allowances and Flexible Working Hours (incorporating job sharing and part-time working policies).

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### **SECTION I - EQUAL OPPORTUNITIES MONITORING**

We will review the effectiveness of this policy to ensure it is achieving its objectives. As part of this process we will monitor the composition of our workforce by:-

- maintaining records to inform evaluation and review of secondment processes for at least twelve months after an appointment has been made;
- recording the composition of selection panels;
- requesting that all applicants for secondment opportunities complete an equal opportunities monitoring form;
- analysing Wheatley Solutions by ethnic origin, sex, age, disability, etc, identifying any underrepresented groups and taking appropriate action;
- carrying out detailed analysis of all recruitment, promotion, transfer and training (including a summary of the post specification, the number of applications issued, the number returned, detailed breakdown of those short-listed and/or interviewed, and successful applicants).

However, there are certain areas where we believe that to ask for individual details would be inappropriate and intrusive and, as such, it is our policy not to ask them. These include questions relating to sexual orientation, religion and political beliefs. Therefore, we will not set targets or monitor performance in these areas. Wheatley Solutions' approach in these areas will be reactive; discrimination will not be

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tolerated, and action will be taken to ensure that discrimination on the basis of any of Protected Characteristics is not tolerated.

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### **SECTION J - CONFIDENTIALITY**

All information given in relation to this policy will be treated as strictly confidential and will not be discussed with external parties without their permission. Wheatley Solutions will comply with the requirements of the Data Protection Act 1998 in this regard.

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### **SECTION K - BREACHES OF THIS POLICY**

Any individual who believes that they have been discriminated against is encouraged to raise the matter through Wheatley Solutions' Grievance Policy or, in relation to recruitment and selection matters, through the complaints procedure detailed on our Recruitment and Selection Policy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the relevant procedure. Secondees who make such allegations in good faith will not be victimised or treated less favourably as a result.

Secondees must not be victimised or retaliated against for complaining about discrimination. If it is believed that any allegations made under this policy are unwarranted and/or made by an individual which they know is untrue (e.g. spite, malicious intent or personal gain), or that any secondee involved has deliberately provided false information, the secondee(s) in question may be liable to disciplinary action (up to and including dismissal by the employing organisation)

Any secondee who is found to have committed an act of discrimination or harassment will be subject to disciplinary action in accordance with our Disciplinary Procedure. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. We take a strict approach to serious breaches of this policy.

We will ensure appropriate action is taken if any secondee makes an allegation against a resident of Wheatley Group's property according to the Tenancy Agreement and Neighbour Relation Policy.

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