

'Providing you with the home that you need.'	Race Relations	Control ID	TPP ID P 100010
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		Approved By	<i>P. Woodcutt</i>

It is the policy of T.P Properties (TPP) not to discriminate against any person on the grounds of their colour, race, nationality, ethnic origin or any other element as defined by the legislation. This applies not only to employees, but to job applicants, customers, householders, suppliers and members of the public. The Company is committed to an environment that values and celebrates diversity. This policy outlines the TPP's commitment to the obligations under the 'Race Relations Act' (1976), and the 'Race Relations Amendment Act' (2000).

The Managing Director has overall responsibility for implementing this policy. This document is intended to help all individuals to deal with any incident or racial harassment, and to develop a working environment in which racial harassment is known to be unacceptable and where individuals are confident enough to bring complaints without fear of ridicule or reprisal.

Any incident of racial harassment, discrimination or bullying will be regarded very seriously and may lead to disciplinary action, up to and including dismissal.

DEFINITIONS

The 'Race Relations Act' is concerned with people's actions and the effects of their actions, not their opinions or beliefs. Employees are to recognise that racial discrimination differs from racial prejudice. In law it is irrelevant as to whether an individual intended to discriminate against another; instead, it only requires demonstration that a person received less favourable treatment as a result of an action. The 'Race Relations Act' defines that it is unlawful for an individual to discriminate on racial grounds against another. The Act provides definitions on, race, colour, nationality or ethnic or national origins. There are four principal categories of racial discrimination: direct, indirect, victimisation and harassment. The following describes the core elements as well as exploring other key concepts in order to assist employees with their understanding:

1. **Direct Racial Discrimination**
This happens when an individual is able to demonstrate that they have been dealt with in less favourably terms on racial grounds, than others in similar circumstances. To establish this, it is necessary to provide an example of someone from a different racial group who, in similar circumstances, has been, or would have been, treated more favourably than the person in question. Racist abuse and harassment are forms of direct discrimination.

2. **Indirect Racial Discrimination**
Indirect racial discrimination can be divided two classifications depending on the racial grounds of discrimination. The first concerns itself with colour or nationality, using the original definition in the 'Race Relations Act'. The second revolves around race, ethnic or national origin, as defined by the 'Race Relations Act (Amendment) Regulations' 2003 to comply with the 'EU Race Directive'.

3. **On Grounds Of Colour Or Nationality**
This happens when an apparently non-discriminatory requirement or condition which applies equally to everyone:
 - a. Can only be achieved by a markedly lesser proportion of persons from a specific racial group;
 - b. Is to the disadvantage of someone from a group as he or she cannot meet it; and,
 - c. The obligation or stipulation cannot be justified on non-racial justification.

For example, a rule that employees must not wear a head covering could exclude Sikh men and boys who wear a turban, or Jewish men or boys who wear a yarmulke, in accordance with practice within their racial group.

4. **On Grounds Of Race, Ethnic Or National Origin**
This occurs when a matter which, on the surface, has nothing to do with race and is applied equally to all:
 - a. Puts or would put people of the same race, ethnic or national origins at a particular disadvantage when compared with others; and,
 - b. Puts an individual of that race, ethnic or national origin at that disadvantage; and,
 - c. Cannot be demonstrated be a fair means of accomplishing a legitimate objective.

5. Victimisation

The term 'victimisation' has a unique official meaning under the 'Race Relations Act'. Victimisation occurs if a person is treated less favourably than others in the same circumstances because they have made a complaint about racial discrimination, or assisted another individual who has. A complaint of racial discrimination means that a person has:

- a. Brought measures under the 'Race Relations Act' in opposition to the discriminator or anyone else; or,
- b. Provided evidence concerned within a case brought by another under the Race Relations Act; or,
- c. Done something under the 'Race Relations Act' or with reference to it; or,
- d. Alleged that an individual has behaved in a manner which would breach the 'Race Relations Act'.

It is not necessary for the complainant to expressly claim discrimination when making the complaint.

6. Harassment

The 'Race Relations Act 1976 (Amendment) Regulations 2003' created a definition of harassment that applied when discrimination is concerned with race, ethnic or national origins, but not colour or nationality. Harassment on grounds of colour or nationality amounts to less favourable treatment and may be unlawful direct discrimination.

A person can be shown to harass another on grounds of race, ethnic or national origins when they engage in unwanted conduct that has the purpose or effect of:

- a. Violating that other's dignity; or,
- b. Producing an intimidatory, hostile, degrading, humiliating or offensive environment for another.

RACIAL EQUALITY GOOD PRACTICE

The following aspects of policy are intended to clearly educate all parties on what behaviour and culture is expected by TPP.

1. Inclusive Language

All should understand the power of language, in both verbal and written communication. Each and every employee has a responsibility to use language that respects and includes all communities, in order to prevent discrimination and go on to exclude people, and may, regardless of intent, cause offence. Such language misuse is also addressed through other Company policies and with penalties clearly shown in the 'Disciplinary' policy. However, for clarity, the Company believes the following to be clear concerns in this respect:

- a. Derogatory name calling, verbal abuse, threats;
- b. Insults and racist jokes;
- c. Racist graffiti;
- d. Lewd comments about dress or appearance.

2. Cultural Diversity

All employees are to avoid terms such as 'coloured', 'half-caste' and 'non-white', as they define race from a white perspective. The 'Commission for Racial Equality' now uses the terms 'Black', 'Asian' and 'Mixed Race'. No person should assume from another's appearance their nationality of cultural background.

It is recognised that people often choose to self-identify, and where it is relevant to refer to a person's cultural background, staff should try to use the term preferred by the individual e.g. Asian, Irish, Afro-Caribbean, etc. Terms such as black-market, black sheep, black spot, black list and black mark, may have destructive connotations to some.

3. Criminal Offences

There are many types of harassment, discrimination or bullying that can fall within the realms of criminal behaviour, such as unwanted physical contact, or the apprehension of it could constitute an assault or indecent assault; or persistent and unwanted contact by someone could be deemed to be 'stalking'. Staff are to report such matters to the Police. The Company may also investigate, although it reserves the right to suspend internal disciplinary action pending the outcome of any criminal charges.

4. Malicious Or Vexatious Complaints

To make false or unsubstantiated allegations with malicious intent could if proven, lead to disciplinary being taken, up to and including dismissal.

5. Breadth

This policy applies to employees not only whilst at work but also in their 'out of work' activities, insofar as these relate to employees, customers or suppliers of the Company or as regards any effect on employees' relationships in the work place or the Company's public relations. Any cases of racial discrimination or victimisation will be taken very seriously by the Company and will be treated as grounds for disciplinary action. All staff are responsible for:

- a. Promoting race equality and good race relations and not discriminating on racial grounds.
- b. Adopting and complying with this policy and associated monitoring activities.
- c. Attending training and challenging unacceptable behaviour.
- d. Reporting any incidences of concern in relation to race equality.

All sub-contractors and service providers are responsible for:

- a. Complying with this policy and all other race equality requirements as set out in contracts with the Company.

IMPLEMENTATION

The Company will periodically monitor all relevant activities that are related to staff recruitment and selection, career development and opportunities for promotion, and will include some or all of the following:

1. The selection and training of those involved in recruiting staff.
2. Applications and appointments.
3. The success rates for the different selection methods used by the Company.
4. Alleged racial discrimination during the selection procedure.
5. Training and development including applications and selection.
6. Staff numbers.
7. Staff leaving their employment.
8. The results of career development programmes.
9. Promotion, including selection methods and selection criteria.
10. Alleged racial discrimination, including harassment, during employment.
11. Discipline and grievances.

In addition, the Company will seek to achieve contracts that offer services to as broad a selection of communities as possible. This aspect of Company practice will also form part of the monitoring and review processes. All sub-contractors selected will be considered as part of any review to ascertain levels of compliance.

COMPLAINTS AND DISCIPLINARY ISSUES

Any cases of racial discrimination or victimisation will be taken very seriously by the Company and will be treated as grounds for disciplinary action.

All staff members, especially those who are involved in the appointment, review and promotion of staff, must observe this policy and must seek advice if unclear about any aspect. Disciplinary procedures may be invoked in the case of any breach of this policy by any staff member.

Personnel, who feel that they have not been treated fairly and in accordance with this policy, should raise issues with their line manager. If the situation is not resolved satisfactorily, then the Company's grievance procedure should be followed.

Any visitor, contractor, householder or the like, who feels that they have not been treated fairly and in accordance with this policy, should raise their issues with the Managing Director to work towards a suitable resolution.