



Habinteg Housing Association (Ulster) Ltd

HUMAN RESOURCES
RECRUITMENT AND SELECTION

EQUALITY IMPACT ASSESSMENT

FINAL REPORT
DECEMBER 2008

DRAWN UP IN ACCORDANCE WITH SECTION 75 OF THE NORTHERN IRELAND ACT 1998

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1. EXECUTIVE SUMMARY

- 1.1 Habinteg Housing Association (Ulster) Ltd is committed to fulfilling its responsibilities under Section 75 of the Northern Ireland Act 1998. In its Equality Scheme, the Association gave an undertaking to carry out an Equality Impact Assessment (EQIA) on each policy, or group of related policies, where screening had indicated significant issues in relation to one or more of the nine equality dimensions.
- 1.2 As the representative body for housing associations, the Northern Ireland Federation of Housing Associations (NIFHA) has been assisting its members in the implementation of Section 75 of the Northern Ireland Act 1998 by co-ordinating a joint approach to the equality obligations. Habinteg Housing Association (Ulster) Ltd is part of this joint exercise which is intended to maximise resources for equality work and to minimise the administrative impact on consultee and/or stakeholder organisations.
- 1.3 The Association screened all of its policies during 2004-05. The results of this exercise, including the proposed EQIA programme, were subject to a 12 week period of public consultation between July and September 2005.
- 1.4 The aim of the Human Resources (HR) recruitment and Selection policy is:

To identify a suitable pool of candidates to meet the needs of the business (whilst operating within available resources).

This report provides the following information:

- Background information on the equality duties and Habinteg Housing Association (Ulster) Ltd
- A description of the Association's current HR Recruitment and Selection policy
- Information on the scope of this review
- The sources of quantitative and qualitative data considered during the review
- Assessment of the impact of the policy on the 9 equality dimensions. This includes potential differential impacts based on disability and race
- Proposed mitigating measures
- Details on the consultation process
- The next stages of the EQIA.

2. INTRODUCTION

Statutory Equality Duties

2.1 Section 75 of the Northern Ireland Act requires Habinteg Housing Association (Ulster) Ltd, in carrying out its functions, to have due regard to the need to promote equality of opportunity between:

- Persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- Men and women generally;
- Persons with a disability and persons without;
- Persons with dependants and persons without.

2.2 The Association must also, in carrying out its functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

2.3 In line with its equality scheme obligations, the Association screened all of its existing policies to assess whether they impacted on the promotion of equality of opportunity or the duty to promote good relations. The following questions were asked during the screening exercise:

- Is there any evidence of higher or lower participation or uptake by different groups?
- Is there evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy issue?
- Is there an opportunity to promote equality of opportunity between the relevant different groups, either by altering the policy, or by working with others in government or in the larger community, in the context of the policy?
- Have consultations with relevant groups, organisations or individuals indicated that policies of that type create problems specific to any relevant groups.

A report describing the results of the screening process is available from Habinteg Housing Association (Ulster) Ltd (see contact details on page 2).

2.4 Following this screening process and the associated consultation, the Association developed a 5 Year Equality Impact Assessment

programme. The HR Recruitment and Selection policy was scheduled for assessment in year three of this programme.

2.5 This impact assessment has been carried out in accordance with the procedure outlined in the Equality guidance. The eight separate stages of the Equality Impact Assessment are:

1. Determining the aims of the policy
2. Collecting available data
3. Assessing the impact of the policy
4. Consideration of measures to mitigate any adverse impacts and/or alternative policies that might better achieve the promotion of equality of opportunity
5. Formal Consultation
6. Analysis of responses and decision by Association
7. Publication of results of the Equality Impact Assessment
8. Ongoing monitoring of adverse impact.

2.6 The purpose of conducting the Equality Impact Assessment is as follows:

- To identify adverse impacts and to consider mitigating factors which will eliminate adverse impact
- To consider alternative policies which would better promote equality of opportunity.

2.7 This document is a draft for consultation and contains details of the first four elements of the Equality Impact Assessment. The remaining stages will be implemented following consideration of consultation responses.

2.8 **About Habinteg Housing Association (Ulster) Ltd**

Habinteg Housing Association (Ulster) Ltd is a registered housing association established in 1976 subject to the provisions of the housing Orders (NI) 1976, 1992 and 2003 and the Industrial and Provident Societies Act (NI) 1969 and 1976. In 1997 Habinteg was successfully assessed as an Investor in People organisation. In 2000, 2003 and 2005 we were successfully reassessed to the standard. In 2000 Habinteg was awarded a Charter Mark for excellence in customer services. We were successfully reassessed to Charter Mark status in 2003 and again in 2006.

Habinteg's Housing Association (Ulster) Ltd Staff Recruitment Policy

Habinteg is committed to ensuring equality of opportunity in our approach to recruitment of staff to all appointments within the Association. We aim to ensure that our recruitment policy is fully consistent with current legislation and best practice on employment and that:

- * the roles and responsibilities of both the Board of Management, Committees and staff are defined and understood by all, the extent of authority delegated by the Board of Management and Committees to staff and the procedures for reporting are defined and known, and that staff are able properly to carry out their duties.
- * a defined, impartial and fair practice in the recruitment of staff is operated, known to all concerned and followed.
- * when a vacancy occurs or a new post is created and after the employee specification is reviewed/drawn up a decision is made on whether to fill the post internally or advertise externally in the Job Market, with agencies and/or the press by the Chief Executive/ Deputy Chief Executive. External advertisement will be the normal procedure.
- * all vacancies temporary/permanent will be processed by the Human Resources Officer/ PA to the Chief Executive.
- * members of staff have job descriptions which set out their responsibilities.
- * our agreed organisational structure is regularly reviewed and developed, as appropriate, to meet our relevant needs as far as funding is available. This is to ensure that the quality and number of staff employed are appropriate to the tasks that need to be undertaken. We are committed to ensuring that staff are aware of proposed changes.
- * the salaries and additional benefits paid by Habinteg are broadly comparable to those of occupations requiring similar qualifications and experience. The conditions within which staff are expected to work are of a sufficient standard to ensure that they can properly perform their duties. The Association supports membership of relevant Trade Unions.

-
- * Habinteg is committed, as an Investor in People organisation, to training and developing our staff in line with our objectives [see Training Policy – Appendix 9].

 - * Habinteg has established procedures to deal with the grievance of any member of staff [see Disciplinary Rules and Procedures – Appendix 4]. These procedures are set out in all conditions of employment and include a right to present a case in writing to the Board of Management, as a final resort.

3. THE POLICY

Description of Policy

The HR Recruitment and Selection policy describes the Recruitment and Selection service the Association provides to applicants and the wider community.

Policy Aim

3.1 The aim of the HR Recruitment and Selection Policy is:

To identify a suitable pool of candidates to meet the needs of the business whilst operating within available resources.

The scope of the HR Recruitment and Selection activities covered in the policy include:

- Job analysis – This means the process of identifying the need for a post
- Job Description and Person specification – This refers to assessing the requirements of the post and the competencies required for the post
- Advertising – This refers to the use of appropriate advertising methods and media when recruiting
- Selection process – This covers panel composition, shortlisting, interview procedures and testing
- Monitoring - This means complying with legal obligations in relation to collecting relevant statistical information about applications for employment
- Vetting and checking – This covers reference checks, criminal records checks by AccessNI, medical checks, Permit to Work, Qualification checks and relevant external bodies, where appropriate

Underpinning objectives include:

- Compliance with legislation, statutory codes of practice and internal policies
- Meeting the resource needs of the business

Scope of Review

3.2 The main stakeholders in relation to the policy include anyone seeking access to the Association's HR Recruitment and Selection service or any other stakeholder of the Association. This can be any of the following:

External

- Access NI
- Applicants for employment and potential recruits
- Department for Social Development (DSD)
- Elected representatives
- Equality Commission
- General public
- Inspection and assessment bodies
- Legislative Bodies
- Northern Ireland Housing Executive (NIHE)
- Other Housing Associations
- Other statutory agencies
- Partners or providers of Housing Support Services
- Recruitment Agencies
- S75 representative groups
- Tenants and Residents
- Trade Union Representatives

Internal

- Board members
- Management
- Staff

Department for Social Development

Housing Associations are subject to a high degree of regulation with the DSD having specific responsibility for monitoring their activities. The DSD gathers information on a wide range of Association services including HR Recruitment and Selection.

Inspection and Assessment bodies

There are also other bodies that can look at aspects of the Association's HR Recruitment and Selection service.

- Labour Relations Agency
- Tribunals Office

Ombudsman

Anyone dissatisfied with the way in which the Association carries out its HR Recruitment and Selection service (after having exhausted the Association's Complaints Procedure) can make a complaint directly to the Ombudsman for an independent review.

Other Third Parties

There may be occasions to deal with third parties when reviewing the Association's HR Recruitment and Selection policy. Some of the third parties providing services on behalf of the Association and that would be expected to comply with the policies of the Association include:

Edwards & Co
Solicitors
28 Hill Street
BELFAST

Catherine Williamson Associates
HR Consultants
16 Donegal Square
BELFAST

and our

Joint Management Partners

Board of Social Witness
Cedar Foundation
Edward Street Hostel
Extern
FHASS
Karuna
NIID
PHAB NI
Sense
Simon Community NI

The lists shown under 3.2 are not exhaustive. These lists are in alphabetical order.

What this EQIA does not cover

3.3 We anticipate that some aspects of HR Recruitment and Selection may be considered during all equality impact assessments. Whilst considered to be important by the Association, the following areas do not come under the scope of this equality impact assessment:

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- Access & Communications generally as the Year 1 EQIA on this policy dealt with overall issues relating to accessing the association's services (including employment) and communicating with the organisation.
 - Complaints about HR Recruitment and Selection – This was covered by the Year 1 EQIA on Complaints
 - The policies and procedures during employment – this will be covered in the EQIA in Year 4.
 - The recruitment of Board Members
 - The specific recruitment and selection policies of joint management partners and recruitment agencies

3.4 The HR Recruitment and Selection policy is intrinsically linked to all of the Association's key policies and processes, depending on the nature of the service.

Legislative and Regulatory Requirements

3.5 The Association is required to comply with a range of legislative and regulatory requirements. Those listed below are relevant to HR Recruitment and Selection service provision:

- The Equal Pay Act (NI) 1970
- The Sex Discrimination (NI) Order 1976
- The Rehabilitation of Offenders (NI) Order 1978
- The Rehabilitation of Offenders (Exceptions) Order (NI) 1979 (amended by 1987, 2001 & 2003 Orders)
- The Disability Discrimination Act 1995
- Employment Rights (NI) Order 1996
- The Race Relations (NI) Order 1997
- The Fair Employment and Treatment (NI) Order 1998
- Section 75 of the Northern Ireland Act 1998
- The Employment Equality (Sexual Orientation) Regulations (NI) 2003
- The Civil Partnership Act 2004
- The Equal Pay (Amendment) Regulations (NI) 2004
- The Employment Equality (Sex Discrimination) Regulations (NI) 2005
- The Disability Discrimination (NI) Order 2006
- The Employment Equality (Age) Regulations (NI) 2006
- Safeguarding Vulnerable Groups (NI) Order 2007
- Part V Police Act

This list is not exhaustive.

3.6 In addition to HR Recruitment and Selection generally, Habinteg Housing Association (Ulster) Ltd must also meet certain obligations, under its Equality Scheme, to ensure that complaints made about failure to meet its equality duties are dealt with effectively.

Reasons for Equality Impact Assessment

3.7 The screening report gave the following reasons for carrying out an impact assessment on the policy:

- (a) Whilst there is a HR Recruitment and Selection policy in place, as part of our commitment to delivering an excellent customer service the Equality Impact Assessment presented an opportunity to improve the existing policy and share best practice across the Housing Association sector.

-
- (b) The Association believes that access to services, including HR Recruitment and Selection, is of high importance to S75 groups.
 - (c) Habinteg Housing Association (Ulster) Ltd also believes that its HR Recruitment and Selection policy merited an equality impact assessment to demonstrate its commitment to providing an efficient and effective service.
 - (d) Due to the absence of available data at the time of screening the policy, the decision was taken to assess actual adverse impacts during the conduct of the equality impact assessment.

Implementation of the policy

3.8 The HR Recruitment policy has been defined by Habinteg Housing Association (Ulster) Ltd's Senior Management team and Board of Management. It is implemented by all staff throughout the Association and any changes to this policy are verified at Board/ Committee level and then issued to all staff for a 1 month consultation period prior to any changes becoming effective.

All staff members are given this policy in their induction packs prior to commencing duties with the Association.

Standards

3.9 HR Recruitment and Selection Policy documents are developed in compliance with any legal requirement and agreed by Habinteg Housing Association (Ulster) Ltd Board and Senior Management Team.

3.10 Habinteg Housing Association (Ulster) Ltd carries out the process of recruitment and selection in accordance with the Statutory Codes of Practice, set out by the Equality Commission and the Labour Relations Agency.

3.11 Job analysis

Jobs are planned through annual resource planning, staffing budgets, turnover of staff, natural wastage, as a possible outcome of a flexible working request or on a project basis.

3.12 Job Description and Person Specification

Job descriptions and person specifications are reviewed and if necessary, updated for all vacancies, as required. Skills and abilities are determined by the requirements of the post.

Consideration is given to the relevance of criteria required and account will be taken of equivalent standards.

3.13 Advertising

The type of advertising used by Habinteg Housing Association (Ulster) Ltd depends on the nature of the post and the circumstances of the job.

Consideration is given to accessibility of advertising methods for the widest pool of applicants. This includes screening adverts for negative or discriminatory language or imagery.

3.14 Selection process

This includes panel composition, shortlisting, interview procedures and testing.

Where available, panels will be constituted with due regard to a representative panel for recruitment exercises. The same panel will be used throughout the recruitment process.

Tests applied during the recruitment process for certain posts are screened to ensure they are non-discriminatory and relevant to the job and criteria required for the post.

3.15 Monitoring of recruitment and selection process

All registered employers must monitor their workforce by community or background, by gender, by Standard Occupational Classification, applicants, appointees and job leavers.

Applicants, appointees and job leavers will complete monitoring returns and this will form the basis of the Habinteg Housing Association (Ulster) Ltd's annual monitoring return to the Equality Commission.

3.16 Vetting and checking

In Habinteg Housing Association (Ulster) Ltd Housing Association this procedure includes reference checks, criminal records checks, medical checks, Permit to Work checks, Qualification checks and relevant external bodies, where appropriate. References clearance will be taken up for all posts and medical clearance where applicable.

All applicants for designated posts will be referred to the relevant statutory bodies, which may include criminal records checks (through

AccessNI), Home Office checks and qualification equivalencies checks with relevant education boards.

There are specific procedures for each vetting and checking process. These are largely determined by other statutory agencies or specific insurance requirements.

4. CONSIDERATION OF AVAILABLE DATA AND RESEARCH

Sources of information

4.1 The following were used in considering available data relevant to the impact of the HR Recruitment and Selection policy:

- a) Pre-consultation research commissioned by NIFHA and undertaken by IMS Consultants during March – April 2008
- b) Internal data collection events held as part of the joint exercise co-ordinated by NIFHA
- c) The Association's internal management information on the profile of applicants and/or job leavers
- d) Data collected for the Annual Regulatory Return to the DSD
- e) Data from the 2006 Life & Times Survey
- f) Data from benchmarking exercises
- g) Staff surveys – appraisals/exit interviews
- h) Qualitative Feedback from HR Recruitment and Selection staff
- i) Internal and external audits
- j) Complaints and compliments register
- k) Grievances about the association's Recruitment & Selection process
- l) Information collated for monitoring returns
- m) Equality Commission Codes of Practice
- n) General feedback to the association

The key issues highlighted by analysis of the above data sources are presented in the following sections.

IMS Pre-consultation Survey

4.2 A Report from IMS Consultants, prepared for NIFHA's EQIA Co-ordination Group (ECG), providing consultation feedback on the impact of Care and Support and Human Resource policies dated April 2008 highlighted various issues that may affect the groups within the Section 75 categories. The full report, which includes responses from the ECG, is available at Appendix A. The issues raised in relation to the respective S75 groups are detailed below.

Internal Data collection events

4.3 Housing associations held two meetings during November 2007 where a range of staff undertook an assessment of the impact of both the Care and Support and the Human Resources – Recruitment and Selection policies.

The Feedback collected at those events has also been taken into account and when considering the impact of these policies.

The table shown below summarises the outcomes of the work detailed at 4.2 and 4.3.

Key issues highlighted for each of the nine Section 75 categories

S75 Category	Source of data	Issues highlighted
Age	IMS pre-consultation survey	Consultees considered there was a general bias against employing older people Consultees highlighted the fact that specifying timed experience can exclude some younger people
	Housing association meetings in Nov 2007	Legislation may require a person to be over 18 or 21 for certain jobs. Insurance (e.g. for drivers) may be difficult to get at certain ages which would restrict the employer's options
Dependents	IMS pre-consultation survey	No issues were cited by consultees
	Housing association meetings in Nov 2007	The need to have 24 hour provision in certain Care or Support services may cause adverse impact for some people with dependents – for example, providing night cover or having to work anti-social hours may be problematic for those with

		dependents The availability of flexible working practices can help to reduce adverse impact for staff with dependents Family friendly policies could help
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S75 Category	Source of data	Issues highlighted
Disability	IMS pre-consultation survey	Employers will fill quota as regards disabled employees but are not pro-active in employing from this group * Access to documentation and information in different formats or from different sources Difficulty in gaining suitable job experience faced by those with disabilities * Need to consider people with mental health issues * Limited opportunity for high level jobs * Disabled people are under represented in employment * * seemed to be general comments rather than about associations
	Housing association meetings in Nov 2007	Staff suggested there was potential for adverse impact in application processes Staff highlighted access issues generally and the need to make reasonable adjustments as key concerns for anyone with a disability Staff were also conscious that the nature of certain jobs had the potential to limit their suitability for some people with a physical disability
Gender	IMS pre-consultation survey	Limited choices for men at senior level
	Housing association meetings in Nov 2007	Staff noted that it was characteristic of the social care sector to have a higher proportion of females in the workforce although this is not the case for senior positions. Recruitment of staff at different starting salaries for same post, with the potential for claims under 'Equal Pay' especially where it affects those who have broken career experience (e.g. females having a family) or who are unaware of the potential to negotiate their starting salary as there tends to be greater awareness among males
Marital status	IMS pre-consultation survey	Application / monitoring forms should have sufficient boxes to allow someone to record a civil partnership
	Housing association meetings in Nov 2007	The main point highlighted was the impact of having to work on a rota system i.e for those employed in care or support work

S75 Category	Source of data	Issues highlighted
Political opinion	IMS pre-consultation survey	Consultees cited no issues
	Housing association meetings in Nov 2007	For those with convictions resulting from political activities the association should consider the context e.g. how long ago, nature of offence and impact on job / client group
Racial Group	IMS pre-consultation survey	Highlighted racism in employment (generally) i.e. employer pick 'local person if presented with 2 similar CVs Availability of documentation / information in appropriate languages People from such groups can only achieve basic levels due to communications issues
	Housing association meetings in Nov 2007	Ensure that processes used do not exclude people whose first language is not English Identified criminal records checks as an area where Migrant Workers were treated differently i.e. often checking is not possible – this may cause adverse impact for UK applicants Need to ensure educational equivalencies can be assessed to avoid causing adverse impact
Religious belief	IMS pre-consultation survey	Ensure suitable pool of candidates take 'Civil Service' like approach to recruitment and recruit internally
	Housing association meetings in Nov 2007	Increase understanding through training for Managers on differing religious beliefs and/or practices Many associations offer 24 hour services which may impact on employees' ability to practice their religion Consider things like holy days when arranging interviews
Sexual orientation	IMS pre-consultation survey	Consultees made general comments indicating that there are prejudices against this group within employment, seen and unseen and that there is discrimination due to sexual orientation.
	Housing association meetings in Nov 2007	No issues were raised in this area but participants in the events recognised that lack of monitoring in this area could make it more difficult to determine if there was adverse impact

Profile of Applicants for employment

4.4 The Association currently has appointed 46 members of staff between 2005 and 2008.

2005

Housing Quality Officer - CI date 14.1.05
Student Housing Officer – CI date May 2005
Student Housing Officer – CI date May 2005
Housing Officer - CI Date 17.08.05
Maintenance Officer –CI Date 17.08.05
Clerical Officer –CI Date 17.08.05
PA to the Chief Executive –CI Date 17.08.05
Development Officer – CI Date 23.12.05

2006

Maintenance and Asset Manager CI Date 20.03.2006
Community Assistant - Ardnacloy CI Date 19.04.2006
Development Officer CI Date 26.05.2006
Assistant Finance Officer (2 posts) CI Date 11.08.2006
Graduate Trainee Housing Officer –CI Date 11.08.2006
Community Assistant – Ballymacoss -- CI Date 22.12.2006
Community Assistant – Hazelbank – CI Date 22.12.2006
Administrative Assistant – Housing Management -- CI Date 22.12.2006

2007

Acting Up Position – Housing Manager – CL Date 21.03.2007
Deputy Chief Executive/ Director of Operations - CI Date 5.02.2007
Clerical Officer Secretariat – CI Date 22.12.2007
Maintenance Officer – North West – CI Date 29.05.2007
Development Officer – CI Date 18.05.2007
Maintenance Officer – CI Date 29.05.2007
PA to Chief Executive– CI Date 29.06.2007
Student Housing Officer – CI Date 19.06.2007
Housing Quality Officer – CI Date 4.05.2007
Development Officer – CI Date 29.06.2007
Development Officer (2 posts)– CI Date 20.08.2007
Director of Development – CI Date 20.08.2007
Clerical Officer – NW – CI Date 20.08.2007
Housing Manager – CI Date 20.08.2007
Housing Officer (2 posts) – CI Date 01.10.2007

Housing Manager – CI Date 12.11.2007
Maintenance & Asset Manager - CI Date 29.10. 2007
Development Officer (North West) – . CI Date 3.12.2007
Building Inspector – CI. Date 3.12.2007
Clerical Officer – Sec – CI Date 1.10.2007
Assistant Finance Officer- CI Date 29.10.2007
Development Officer – CI Date 3.12.2007

2008

Quality & Performance Manager – J123 CI Date 20.08.2007
Clerical Officer – J139 CI Date 18.03.2008
ICT Support Officer – J136 CI Date 10.03.2008
Housing Officer – J138 CI Date 18.03.2008
Assistant Finance Officer – J137 CI Date 10.03.2008
Student Housing Officer – J141. CI Date 19.05.2008

All relevant monitoring returns were submitted.

- 4.5 At present, Habinteg Housing Association (Ulster) Ltd does not collect data on political opinion or sexual orientation.
- 4.6 Some statistics from the 2006 Northern Ireland Life and Times Survey in relation to the S75 categories are shown at Appendix B
- 4.7 A research report by Youthnet argues that analysis of the Census 2001 indicates that between 2 and 10% of the population may be lesbian, gay or bisexual.
- 4.8 Research from the Belfast Islamic Centre in 2007 estimates circa 6,000 residents who are Muslim as opposed to 1,943 cited in the 2001 census.

Complaints

- 4.9 As stated at 3.3 the overall handling of complaints was dealt with in a previous EQIA. However, during the last 3 years the Association has received 1 complaint about its HR Recruitment and Selection service but this indicated that adverse impact did not result from these policies. The Recruitment and Selection policy continues to be reviewed annually.

Staff Surveys

- 4.10 The Association carries out biennial staff surveys collecting information anonymously from each employee on the area of the organisation they work in, their perception of the organisation as an employer and how satisfied they are in their job.

Information is gathered from employees on their thoughts and/or feelings about the Association, including opinions on how the organisation is managed, how they feel about and are coping with their workload and generally their experience of the organisation's practices and procedures. Employees are also given the opportunity to express if there are any other issues that they believe may be affecting their work, such as the support they are receiving from their Line Manager. Other such questions include asking if they feel that they are encouraged to express alternative ideas and are given the opportunity to use their skills or abilities.

Whilst the biennial staff survey questions are reflective of the questions asked of employees through the staff appraisal system, the surveys allow employees to remain anonymous if they wish to and provide general feedback and suggestions for consideration as an employee of the Association. Feedback from the surveys requiring responses is usually reported through the Association's staff magazine, at relevant staff events, by email or memo.

Ombudsman Report

- 4.11 There have been no complaints raised with the Ombudsman in relation to the HR Recruitment and Selection practices of this association.

General Feedback

Habinteg Housing Association (Ulster) Ltd is accredited with Investors in People and Charter Mark standards.

5. ASSESSMENT OF IMPACT

- 5.1 This section outlines our assessment of the impact of the Association's HR Recruitment and Selection policy on the 9 Section 75 groups based on the evidence considered above.

-
- 5.2 It has become apparent, following the conduct of this EQIA, that there are few adverse impacts that are directly related to the HR Recruitment and Selection policy.
- 5.3 Many of the issues raised during the IMS Pre-consultation survey highlighted concerns around Access & Communications in relation to services rather than specifically to HR Recruitment and Selection. Access & Communications was addressed as part of the associations' Year 1 EQIAs. As a result the majority of the concerns mentioned by respondents were either covered by the Mitigating Measures proposed at that time or have been identified for action as part of that process.
- 5.4 Other issues reflect general concerns but are not a specific comment on housing associations. We recognise the validity of some of these comments, especially as many associations were originally formed to tackle adverse impact and are committed to providing high quality services for the whole community.
- 5.5 Where we indicate that there is no evidence of adverse impact, this does not mean that no action will be taken. The Association is committed to promoting equality of opportunity for all and excellence in customer service, and will seek, where possible, to put measures in place to ensure that all sections of society have an equal opportunity to access appropriate redress when problems occur.

6. CONSIDERATION OF MEASURES TO MITIGATE AGAINST ADVERSE IMPACT

The following are options that could potentially mitigate adverse impact arising from the HR Recruitment and Selection policies:

- Implementation of guidance regarding the extension of monitoring requirements
- Continue to consider a range of flexible working options to make posts more suitable for those with caring commitments
- Consider the use of 'Welcome' statements to redress under-representation when necessary
- Employee attitude survey (include section or questions on recruitment and selection processes and procedures)
- Further quantitative and qualitative analysis of employees leaving the association
- Annual review of policy subsequently authorised at Board level
- IIP re-accreditation
- Further in-depth diversity awareness training for all recruitment panel members
- Consider feasibility of including representatives of the 9 groups on selection panels
- Highlight the fact that applications can be made available in different formats
- Ensure the commitments made in Disability Action Plans are mainstreamed into Recruitment and Selection practices
- Disability – keep under review accessibility issues/language/disability etc

7. CONSULTATION

- 7.1 Habinteg Housing Association (Ulster) Ltd has endeavoured to give careful consideration to the measures that might be taken to make the HR Recruitment and Selection policy most efficient, effective and equitable. The measures outlined in section 6 are not intended to be definitive or exhaustive. The Association formally consulted on its findings over a 12 week period, which ended on 29 August 2008
- 7.2 Habinteg Housing Association (Ulster) Ltd received no comments in relation to this report directly. Responses were received by NIFHA through the joint exercise. These responses were from Disability Action with reference to another housing association's EQIA and the Equality Commission for Northern Ireland, who commented on the joint process and one individual.
- 7.3 If you require any further information, you may contact the Association using the contact details given in page 2.
- 7.4 If you require information about housing associations generally or about the Joint Equality Exercise co-ordinated by NIFHA please contact:

The Northern Ireland Federation of housing Associations

38 Hill Street

Belfast

BT1 2LB

☎ 028 9023 0446

💻 www.nifha.org

8. RESULTS OF THE EQIA CONSULTATION

- 8.1** The comments made generally on behalf of Disability Action include recommending that staff receive Disability Awareness training. Habinteg Housing Association [Ulster] Ltd ensures that all staff receive regular training in this area and we remain steadfast in our principles and Vision 'Homes for All'. Not only is the Association committed to providing internal training in this area for all staff members we have arrange external specialists to provide training also.
- 8.2** The comments made by the Equality Commission for NI were taken into consideration in relation to relevant training which could be delivered to housing associations through themed workshops, focusing on specific areas of legislation or recent case law, sessions for different levels of management and development of employer bulletins on equality. Habinteg Housing Association [Ulster] Ltd would welcome involvement in all areas if and when it becomes available.

Appendix B

The following tables have been taken from the 2006 Northern Ireland Life and Times survey. This survey has been used only to give indicative information in relation to the 9 Section 75 categories. Fieldwork for the 2006 survey was carried out between October 2006 and mid March 2007. 1230 adults were interviewed. The modules included were:

- Informal carers
- Community relations
- Healthcare
- Attitudes to Minority Ethnic People
- Political attitudes
- Background information on the respondents

AGE

Age of respondent (in age categories)

	%
18-24	14
25-34	14
35-44	19
45-54	20
55-64	15
65+	19

DEPENDENTS

Some people have extra family responsibilities because they look after someone who's sick, handicapped or elderly. May I check, is there anyone living with you who is sick, handicapped or elderly whom you look after or give special help to (for example, a sick, disabled or elderly relative, wife, husband, child, friend)?

	%
Yes	11
No	89

What about people not living with you, do you provide some regular service or help for any sick, disabled or elderly relative, friend or neighbour not living with you?

	%
Yes	14
No	86

DISABILITY

Do you have a long-standing illness, disability or infirmity? By long-standing I mean anything that has troubled you over a period of time or that is likely to affect you over a period of time?

	%
Yes	32

No	68
----	----

GENDER

Sex of respondent

	%
Male	43
Female	57

MARITAL STATUS

Marital status of respondent

	%
Single (never married)	28
Married	53
Living as married	4
Separated	4
Divorced	4
Widowed	7

POLITICAL OPINION

Generally speaking, do you think of yourself as a unionist, a nationalist or neither?

	%
Unionist	36
Nationalist	23
Neither	40
Don't know	1

RACIAL GROUP

To which of these groups do you consider you belong?

	Number of respondents*
White	1206
Black	2
Asian	5
Chinese	2
Irish Traveller	2
Other (please specify)	8
None of these	4
Don't know	1

RELIGIOUS BELIEF

Do you regard yourself as belonging to any particular religion? If yes, which?

	%
No religion	13
Catholic	40
Church of Ireland or Anglican or Episcopal	15
Baptist	1
Methodist	3
Presbyterian	22
Free Presbyterian	2
Brethren	0
United Reform Church (URC) or Congregational	1
Pentecostal	1
Church of Scotland	0
Elim Pentecostal	0
Reformed Presbyterian	0
Non-subscribing Presbyterian	0
Church of Nazarene	0
Jehovah s Witness	0
Protestant - no-denomination	0
Christian - no denomination	1
Hindu	0
Other, please specify	0
Don't know	0
Refused	0

SEXUAL ORIENTATION

Can you tell me which of these best describes you?

	%
I am 'gay' or 'lesbian' (homosexual)	0
I am heterosexual or 'straight'	98
I am bi-sexual	0
I do not wish to answer this question	2

HABINTEG HOUSING ASSOCIATION [ULSTER] LTD

TRAINING POLICY

1. **Your attention is drawn to the Association formalising its approach to training arrangements. The Association's Board has agreed the following training policy statement was agreed:**

That the Association should provide facilities, advice, financial support and opportunities to all staff to enable their acquisition of suitable skills, knowledge, and formal qualifications for their effective performance of existing and proposed duties and tasks in line with the Association's objectives.

2. **Consistent with this approach relevant related personnel systems have been refined to ensure that our training policy is implemented appropriately.**
3. The Association accepts that training is an important element of our personnel policies and recognises it as an important element of the Association's corporate planning activities. Thus, an increased emphasis has been given to training at the strategic planning level and an appropriate increase in the budget for this activity has been accepted.
4. To implement this approach training is to be provided in as systematic a way as possible where objectives, costs and benefits are clarified. There is, therefore, to be a clear training programme for the Association which is to be produced annually.

5. The Association accepts the importance of continuing professional development for all staff and that there should, therefore, be regular appraisals of training needs with the Chief Executive and appropriate section heads. This training assessment review will be undertaken on a frequent basis and is to be formalised with an initial assessment on appointment with further assessments in line with Annual Training Programme.
6. The Association will continue to support financially and by providing day-release facilities, staff undertaking appropriate professional qualifications, particularly the Chartered Institute of Housing's professional qualification for which training opportunities will continue to be offered to housing management staff who have served an appropriate two-year period with the Association.
7. Training needs will continue to be met by the combination of a range of on-the-job training involving in-house activities and training provided by outside bodies. As part of the systematic approach to training, comprehensive records of training are to be maintained.

Updated by Finance Committee 31 January 2006
Approved by Board of Management 1 February 2006
APPENDIX 9

HABINTEG HOUSING ASSOCIATION [ULSTER] LTD

DISCIPLINARY RULES AND PROCEDURE

1. OBJECTIVE

- 1.1 This procedure has been drafted in the context of the Association's belief that the vast majority of its employees have always observed, and will continue to observe, acceptable standards of behaviour. The following are guidelines for dealing with those employees who fail to comply with the Code of Conduct laid down by the Association or who fail to reach or maintain acceptable standards. The object of the procedure which is described is to give employees the opportunity to improve their behaviour. The procedure identifies those who have the authority to take disciplinary action [Annex 2] and aims to ensure that employees are protected against unfair, unjustified or inconsistent disciplinary action. It also identifies the type of offence which will result in disciplinary action being taken and what that action will be; it establishes what further action will result if there is no improvement or if the offence recurs.
- 1.2 Although the procedure outlined below refers to misconduct it is the Association's intention to apply the procedure to employees who fail to reach and maintain an acceptable standard of job performance. The procedure will not be invoked until the employee has been advised of any allegation of unsatisfactory performance and has been given every reasonable assistance by way of advice, information, guidance or training to achieve the desired standards.
- 1.3 If the employee subject to disciplinary action is a section head then the principles enshrined in this document will be followed. The disciplinary authority will be the Chief Executive and the designated Senior Officer acting together or individually.

2. GENERAL PRINCIPLES

- 2.1 The Association requires all its employees to abide by the terms and conditions of their employment and the Code of Conduct established by the Association.**
- 2.2 Prior to taking any form of disciplinary action there will be a reasonable investigation into any allegation of misconduct or poor performance.
- 2.3 The reasons for taking disciplinary action or dismissal will be detailed in writing to the employee.
- 2.4 In such cases of alleged misconduct the Association recognises that employees have:
- [a] the right to a fair hearing, with the opportunity to state their case;
 - [b] the right to be accompanied at such a hearing by a fellow employee or Union Representative, if desired, before any disciplinary action is taken.**
- 2.5 The Association is responsible for ensuring that the disciplinary rules and procedure are applied fairly and consistently.
- 2.6 The Association further acknowledges the right of individuals to appeal against what might appear to be an unjust or unfair penalty.

3. DISCIPLINARY RULES

Any disciplinary action taken by the Association will be appropriate to the degree of seriousness of the misconduct and will take account of any mitigating circumstances. Guidelines on the categorisation of the levels of misconduct are shown in Annex 1.

4. PROCEDURE FOR MINOR MISCONDUCT

4.1 VERBAL WARNING

Committing minor misconduct will lead to an interview with the Head of Section and at this interview the employee will have the opportunity to offer an explanation. If it is decided that an offence has occurred a verbal warning will be given. It will be recorded and placed on the employee's file for a period of six months.

4.2 FIRST WRITTEN WARNING

Committing the same or similar misconduct within six months will lead to an interview with the Head of Section or nominated deputy and at this interview the employee will have the opportunity to offer an explanation. If it is decided that an offence has occurred a first written warning will be given to the employee. It will be recorded and placed on the employee's file for a period of twelve months.

4.3 FINAL WRITTEN WARNING

If the same or similar misconduct is committed within the next twelve months this will lead to an interview with the Head of Section and at this interview the employee will be given the opportunity to offer an explanation. If it is decided that an offence has occurred a final written warning, which will be recorded, will be issued to the employee containing clear notice that a repeat of the misconduct within 24 months will result in further disciplinary action.

4.4 FURTHER DISCIPLINARY ACTION

In the event that an employee fails to respond to a final written warning or allegedly commits the same or similar misconduct during the next 24 months, this will lead to an interview with the Head of Section and, at this interview, the employee will have the opportunity to offer an explanation. If it is considered that an offence has occurred, the employee

will be subject to further disciplinary action, which may include suspension without pay, demotion or dismissal.

5. PROCEDURE FOR SERIOUS MISCONDUCT

5.1 FINAL WRITTEN WARNING

Committing serious misconduct will lead to an interview with the Head of Section and at this interview the employee will have the opportunity to offer an explanation. If it is decided that an offence has occurred a final written warning, which will be recorded, will be given to the employee containing clear notice that the same or similar misconduct within 24 months will result in further disciplinary action.

5.2 FURTHER DISCIPLINARY ACTION

In the event that an employee fails to respond to a final written warning or allegedly commits the same or similar misconduct during the next 24 months, this will lead to an interview with the Head of Section and, at this interview, the employee will have the opportunity to offer an explanation. If it is considered that an offence has occurred, the employee will be subject to further disciplinary action which may include suspension without pay, demotion or dismissal.

6. PROCEDURE FOR GROSS MISCONDUCT

6.1 Gross Misconduct is misconduct of such a serious nature that will, in the absence of mitigating circumstances, result in summary dismissal.

6.2 The alleged committing of gross misconduct will lead to an interview with the Head of Section during which the employee will be given the opportunity to offer an explanation.

[a] If the disciplinary hearing finds that the allegation of gross misconduct has been proven but there are mitigating circumstances, the employee will be subject

to further disciplinary action which will include suspension without pay, demotion or dismissal.

[b] If the disciplinary hearing finds that the allegation of gross misconduct has been proven and there are no mitigating circumstances the employee will be summarily dismissed, i.e. without notice and without wages in lieu of notice.

7. PRECAUTIONARY SUSPENSION

In certain situations, where serious or gross misconduct is suspected, the Association may need time to carry out a full investigation. In such circumstances the employee may be suspended pending a decision. Such suspension will be with pay for a period of up to two months and thereafter subject to monthly review.

8. DISCIPLINARY INTERVIEWS

The appropriate member of the management team conducting disciplinary interviews shall be entitled to be accompanied or deputised at such interviews by another member of the management team, if desired. The employee also has the right to be accompanied by a fellow employee or union representative at any stage, if so desired.

9. DISCIPLINARY WARNINGS

Warnings normally relate to the same or similar misconduct and are not generally transferable between different types of misconduct.

Where a number of warnings are called for in respect of different types of misconduct this will entitle the Association to review the employee's overall suitability for continued employment and if necessary to issue a final general warning irrespective of the offence.

All warnings will clearly state the misconduct concerned with details of any relevant facts, times, dates, events and names and clearly indicate what the eventual outcome will be if there is no improvement on the employee's part or a recurrence takes place.

Once the warnings have lapsed through time they will be cleared from the employee's personnel file.

10. APPEALS PROCEDURE

Where an employee feels that action taken under this procedure is unjustified or unfair there will be a right of appeal. All appeals must be made in writing within seven days, to the appropriate person, stating the basis of the appeal. Staff and hourly paid employees will appeal, in the first instance, to the Chief Executive; should the Chief Executive not be available then the appeal may be heard by the designated Senior Officer. Section heads will appeal in the first instance to an Appeal Committee of the Board of Management. Appeal hearings will normally be held within 10 working days of receipt of appeal. Where Board members are involved this period may be extended.

Except in the case of gross misconduct, the disciplinary penalties such as dismissal, demotion or suspension shall not be imposed until the internal appeals machinery has been exhausted.

The employee concerned will have the right to be accompanied by a fellow employee or Union representative, if desired.

There will be a further right of appeal, against further disciplinary action. Such an appeal will be heard by an Appeal Sub-Committee who will have the power to:

- confirm the disciplinary penalty, or
- set aside the disciplinary penalty, or

- substitute a lesser penalty.

Where an appeal has been wholly upheld all records will be removed from the employee's personnel file.

The result of appeal hearings will be notified in writing to the employee within five working days.

Approved after Staff Consultation 16 March 2006

HABINTEG HOUSING ASSOCIATION [ULSTER] LTD

ANNEX NO 1 TO DISCIPLINARY PROCEDURE

The following lists, while neither exhaustive nor exclusive, give examples of how the Association has categorised certain types of misconduct.

- [a] Minor Misconduct
(verbal warnings)
- unauthorised absence
 - lateness
 - failure to follow Absence Notification Procedure
 - poor effort at work
- [b] Serious Misconduct
(written warning)
- persistent absenteeism
 - dangerous physical behaviour
 - unsatisfactory attitude to tenants, applicants, contractors, suppliers, consultants or colleagues
 - use of abusive or offensive language
 - impairment of work due to alcohol or drugs
 - refusal to carry out a reasonable instruction
 - falsifying any returns in connection with work
 - displaying flags, emblems or posters or circulating literature of a political or sectarian nature
 - insubordination
 - breach of confidentiality
 - persistent minor misconduct

- [b] Gross Misconduct (final written warnings, dismissal demotion, suspension)
- persistent serious misconduct
 - assault
 - serious impairment of work due to alcohol or drugs
 - fraud and/or theft
 - accepting loans or gifts without official permission
 - wilful breach of safety rules or action which seriously endangers the health and safety of another person whilst at work
 - religious, political or sexual discrimination, intimidation, or harassment
 - obscene behaviour.

Approved after Staff Consultation 16 March 2006

HABINTEG HOUSING ASSOCIATION [ULSTER] LTD

Annex No 2 to Disciplinary Procedure

DISCIPLINARY AND APPEALS AUTHORITY

<u>GRADE OF EMPLOYEE</u> [verbal	<u>DISCIPLINARY AUTHORITY</u> [written warnings]	<u>DISCIPLINARY AUTHORITY</u> warnings, dismissals]	<u>APPEAL AUTHORITY I</u>	<u>APPEAL AUTHORITY</u>
<u>Chief Executive</u>	Disciplinary Committee	Disciplinary Committee	Board of Management	
<u>Management</u> [ie Section Heads]	Chief Executive	Chief Executive	Appeal Committee	Board of Management
<u>Office Staff and Building Inspector</u>	Section Head	Section Head	Chief Executive	Board of Management
<u>Scheme Staff</u> Wardens Cleaners Gardeners Handy-persons	Housing Manager	Deputy Chief Executive	Chief Executive	Board of Management
<u>Clerk of Works</u>	Chief Executive	Chief Executive	Appeal Committee	Board of Management
