



promoting equality in housing  
hybu cydraddoldeb ym maes tai

# Equality and Diversity Policy for Letting Agents

## CPS Homes

Date of Publication: *January 2025*

Date for Review: *January 2026*

**Should you require this document in an alternative format, please contact us.**

For further information about this policy please contact:

Name: Nikki Lewis  
Position: Director of Operations  
Email: [roath@cps homes.co.uk](mailto:roath@cps homes.co.uk)  
Telephone: 02920 454555



## **Who we are**

Tai Pawb (housing for all) is a registered charity and a company limited by guarantee. The organisation's mission is, "To promote equality and social justice in housing in Wales". It operates a membership system which is open to local authorities, registered social landlords, third (voluntary) sector organisations, other housing interests and individuals.

## **What we do**

Tai Pawb works closely with the Welsh Assembly Government and other key partners on national housing strategies and key working groups, to ensure that equality is an inherent consideration in national strategic development and implementation. The organisation also provides practical advice and assistance to its members on a range of equality and diversity issues in housing and related services.

## **Tai Pawb's vision is to be:**

The primary driver in the promotion of equality and diversity in housing, leading to the reduction of prejudice and disadvantage, as well as changing lives for the better.

A valued partner who supports housing providers and services to recognise, respect and respond appropriately to the diversity of housing needs and characteristics of people living in Wales, including those who are vulnerable and marginalised.

For further information visit: [www.taipawb.org](http://www.taipawb.org)

Charity registration no. 1110078

Company No. 5282554

## **Purpose of the Policy**

The purpose of this policy is to state our organisation's values on equality and diversity and show how the organisation will put these into practice. We want to show staff, potential staff and customers that CPS Homes is serious about fairness.

CPS Homes recognises and accepts its responsibility to ensure equality and diversity in all areas of operation.

## **Policy Aims and Objectives**

CPS Homes is committed to equality for all people. CPS Homes is committed to operating in accordance with the 2010 Equality Act in the implementation of this Policy, in addition to any associated legislation laid out in the appendices of this document and relevant Codes of Practice.

The organisation will monitor its policies and procedures to ensure that this policy and its principles are upheld. Every executive, manager and employee has the responsibility to implement this policy.

All staff have a responsibility not to discriminate or harass other staff, customers, landlords, tenants and contractors. Any behaviour of this manner should be reported to Nikki Lewis immediately.

CPS Homes is an equal opportunity employer and is committed to ensuring that the terms and conditions of employment of the employee and potential employee are equitable and non-discriminatory. All opportunities for and during employment will be awarded to individuals fairly and irrespective of age, disability, gender, gender reassignment, material or civil partnership status, maternity or pregnancy, race including colour, ethnic or national origins or nationality, religion or belief or sexual orientation ("the protected characteristics"). We aim to create a working environment that is free from discrimination and harassment in any form, in which staff, customers, landlords, tenants and contractors are treated with dignity and respect.

The organisation will seek to promote equal opportunities and prevent discrimination and harassment by communicating this policy; by providing appropriate training and guidelines for those with designated responsibilities and by raising awareness through staff development.

## **Protected Characteristics**

CPS Homes is committed to ensuring that everyone is treated fairly, has equal access to services and is not discriminated against, harassed or victimised in relation the following protected characteristics identified under the Equality Act 2010:

### **Age**

This refers to an individual of a specific age (e.g. 32) or an age range (e.g. 18 - 30).

### **Disability**

In the legislation, persons are defined as having a disability if they have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.

### **Gender Reassignment**

This refers to the process of changing from one gender to the other (change from male to female or female to male) and comes under the equality aspect described as gender identity.

### **Marriage and Civil Partnerships**

Marriage is defined as a formal union between a man and a woman or two people of the same sex. Same-sex couples can additionally have their relationships legally recognized as 'civil partnerships'. Civil partners must be treated in the same way as married couples in a wide range of legal matters.

## **Pregnancy and Maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period following birth, and is associated with maternity leave in the employment contract. In a context apart from work, women are protected from being discriminated against on the basis of maternity for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

## **Race**

In legislation, this refers to a group of people defined according to their race, colour, nationality (including citizenship), or their ethnic or national origin.

## **Religion and Belief**

Religion retains its usual meaning, but belief includes religious and philosophical creeds (e.g. Atheism). Generally, a belief should have an effect on your life choices or the way you live for it to be included in the definition. People with no religious belief are also protected,

## **Sex**

This refers to a man or a woman.

## **Sexual Orientation**

This refers to a person's sexual attraction – are they attracted by people of the same sex, the opposite sex or people of both sexes. Although it is defined in legislation as a person's sexual attraction, sexual orientation is a combination of emotional, romantic, sexual or affectionate attraction towards another person.

## **Defining Discrimination**

Discrimination is defined in several ways. It may be deliberate or unconscious. It may occur on an individual level (person to person) or on an institutional level.

The Equality Act (2010) expects that all staff and contractors of CPS Homes are aware of, and understand the different ways in which discrimination can happen.

### **Direct Discrimination**

Treating an individual less fairly/worse than another individual because of a protected characteristic.

e.g. – Refusing someone housing advice because of their sexual orientation.

### **Indirect Discrimination**

This happens when a service provider or employer sets out a rule, policy or way of doing things which is relevant to all, but has a worse effect on someone with a protected characteristic than on someone without such a characteristic, when this cannot be objectively justified.

e.g. A letting agency has a policy of reminding service users of coming appointments by phoning them. This puts deaf people who cannot use a phone at a disadvantage, since they will not be reminded of the appointment.

### **Harassment**

This happens when an individual behaves in an unpleasant manner which transgresses someone else's dignity, or is aggressive, degrading, insulting or humiliating towards someone with a protected characteristic. It may be of a sexual nature.

e.g. – A customer in reception happens to hear a staff member making racist remarks. This is an example of harassment since it creates a threatening and degrading atmosphere which humiliates the customer, and affronts his/her dignity.

## **Victimisation**

Treating someone unfavourably because they have taken (or possibly intend to take) steps under the 2010 Equality Act, or is supporting someone who is taking steps.

e.g. – A manager who refuses to consider someone for promotion because that individual has given evidence on behalf of a colleague who made a complaint about unlawful sexual discrimination.

## **Discrimination by Perception**

People are protected against someone (wrongly) perceiving that they have one of the protected characteristics and discriminating against them, and treating them less favourably/worse because of this.

## **Discrimination by Association**

People are protected against someone discriminating against them because of their association with someone who has a protected characteristic. This includes the parent of a disabled child or adult or someone else who is a carer for a disabled person.

## **Discrimination on the basis of matters arising from a disability**

Treating a disabled individual unfavourably because of something associated with the disability when this cannot be justified.

## **Working environment**

All individuals have a right to be treated with dignity and respect and CPS Homes takes reasonable steps to protect staff from discrimination, bullying or harassment and, in the event of a complaint, we will take appropriate action to prevent, as far as possible, a further occurrence.

All staff are encouraged to report any incidents of inappropriate or unacceptable behaviour at work or that occurs during the course of employment, on or off premises, including at work social events (whether

organised by the Company or not) or at formal or informal events involving staff, customers or other work-related contacts.

## **Raising Awareness and Providing Guidance**

CPS Homes will ensure that our employees, potential employees and customers are aware of this policy by distributing a copy to all employees, and to other workers on their engagement. Job seekers, applicants and customers will be sent a copy of the policy on request.

It is important that all of our staff are fully aware of this policy, and the importance of equality and diversity issues. To this end, all staff will receive training on this policy periodically.

This policy does not form part of the employment contract and may be changed at any time. The policy will be reviewed annually and changed accordingly.

## **Harassment and Bullying**

Harassment and discrimination in relation to age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation is unlawful, and employees and customers of CPS Homes have the right to be treated with dignity and respect. Harassment is not acceptable and CPS Homes will neither permit nor tolerate it.

CPS Homes as an employer, and employees as individuals may be open to legal challenges under equality and diversity legislation. As an employer, CPS Homes must be able to demonstrate that its employment policies and procedures are fair and effective across the organisation.

### **Staff Members**

Complaints regarding harassment or discrimination by another member of staff will be investigated in accordance with the Personal Harassment Policy,



and, if proven, action will be taken in accordance with the CPS Homes's disciplinary procedures.

### **Public**

Any complaint by a member of the public will be investigated in accordance with the company's complaints procedure.

### **Contractors**

Any complaint regarding harassment will be investigated in accordance with the company's complaints procedure.

### **Monitoring**

The Company will monitor the effectiveness of this policy to ensure it is achieving its objectives. In order to assess the success of the Equality and Diversity Policy, monitoring systems are essential.

As part of this process we will monitor compliance with this policy periodically and make necessary amendments as needed.

Information collected for monitoring purposes will be treated as confidential and will not be used for any other purpose.

## **Appendix 1 - Specific Issues for Letting and Estate Agents**

(taken from the Equality and Human Rights Commission:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-law-estate-agents-letting-agents-and-property-management-companies>)

### **Access to confidential information about a client's protected characteristics**

When you run an estate agency or similar business, you will often have access to people's homes. This means you may have knowledge about a client's or customer's protected characteristics which you would not have without this access. It is important you do not use your knowledge in a way that puts your client or customer at a disadvantage, such as by breaching client confidentiality, if this would count as providing them with a worse service or the same service on worse terms.

For example:

An estate agent visits a client's home to draw up the property details so the house can be put on the market. From letters about medical appointments pinned on a notice board, the estate agent becomes aware that the client is a disabled person who has multiple sclerosis. The estate agent mentions this to a colleague and when the client next contacts the office, the colleague takes the call and asks about their symptoms, which makes the client feel upset that their privacy has been invaded. Even though the colleague did not mean any harm, the client is receiving the service on worse terms than a non-disabled person who would not have been treated in this way and it is therefore possible that this is unlawful discrimination because of disability. The right sort of approach is for the estate agent to avoid commenting on the client's personal circumstances where these relate to a protected characteristic, and avoiding this sort of breach of client confidentiality.

### **Reasonable adjustments to remove barriers for disabled people**

When you are acting for clients in letting and selling property, you need to think particularly about different communication and accessibility needs that

disabled people may have. Depending on the circumstances, meeting people's needs in this way may be a reasonable adjustment.

For example:

An estate agent checks with potential purchasers how they would like to receive property particulars. This gives an opportunity for disabled people with a visual impairment to ask for them to be sent electronically. Providing the chance to request the information in a particular format and then sending the information in that format are examples of reasonable adjustments the estate agent has made.

A letting agent works out of a first floor office without a lift. The agent's marketing material makes it clear that they will make home visits to potential clients who have a mobility impairment who would not otherwise be able to access their services. The letting agent has made a reasonable adjustment.

### **Instructions to discriminate**

As well as not unlawfully discriminating against a client yourself, you must not accept an instruction to discriminate from a property seller or landlord.

If you accept an instruction from a property seller or landlord to discriminate in disposing of housing premises (which includes letting or selling), this would be against equality law, and the person could bring a legal claim against you.

For example:

A landlord asks a letting agent to say that their flat to let has been taken if a lesbian or gay couple ask about renting it. If the letting agent agrees, they would be just as liable as the landlord for direct discrimination because of sexual orientation.

A property seller asks an estate agent to say that the asking price of a property has gone up if a person of a particular national or ethnic origin expresses interest in viewing the property. If the estate agent agrees, this would be direct

discrimination because of race, and both the property owner and the estate agent could be taken to court by the would-be buyer.

## **Managing Premises**

If you are managing premises as part of your business, whether those are residential or commercial premises, you must not unlawfully discriminate against, harass or victimise someone who occupies the property in the way you allow the person to use a benefit or facility associated with the property, by evicting the person or by otherwise treating them unfavourably.

For example:

A property management company manages and controls a residential block of flats on behalf of the landlord-owner. The block has a basement swimming pool and a communal garden for use by the tenants. A disabled tenant with a severe disfigurement is told by the company that they can only use the swimming pool at restricted times because other tenants feel uncomfortable in their presence. This would almost certainly be direct discrimination because of disability and/or discrimination arising from disability.

A property management company refuses to allow a lesbian tenant to use facilities which are available to other tenants, or deliberately neglects to inform her about facilities which are available for the use of other tenants, because she had previously made a claim of discrimination against the manager. This would almost certainly be victimisation.

A property management company responds to requests for maintenance issues more slowly or less favourably for one tenant than similar requests from other tenants, because the tenant has a learning disability. This would almost certainly be direct discrimination because of disability in the management of premises.

You may in some circumstances be required to make reasonable adjustments to the premises you manage or the way you manage them to remove barriers for disabled people.

## **No DSS policies**

Letting agents and landlords must not impose blanket bans that discriminate against tenants on benefits. Landlords should assess all potential tenancies individually, and that decisions must be made fairly on a case by case basis, considering all the risks.

Whilst the legal position is currently unclear, a blanket ban is potentially unlawful, unless of course a landlord's lender specifically prohibits them renting to people in receipt of benefits in their mortgage conditions.

## **Appendix 2- Summary of Relevant Legislation**

This is not an exhaustive list. CPS Homes will comply with all amendments and future legislations and regulations.

### **Equality Act 2010**

The Equality Act 2010 provides a legislative framework to protect the rights of individuals and advance equality of opportunity for all. The act identifies the following protected characteristics; age, disability, gender re-assignment, marriage and civil partnerships, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Act protects individuals with protected characteristics from direct and indirect discrimination, harassment and victimisation in employment and the provision of goods and services. Under the legislation organisations have duties to make reasonable adjustments for disabled people in employment and service provision.

### **Protection from Harassment Act 1997**

Harassment is both a criminal offence and a civil action under the Protection from Harassment Act 1997. This means that someone can be prosecuted in the criminal courts if they harass someone. It also means the person being harassed can take action against the person in the civil courts. Generally speaking harassment is behaviour which causes a person distress or alarm. The Act also says that the person must have experienced at least two incidents by the same person or group of people for it to be harassment. It's the courts that decide if something is harassment under the Act. The courts will look at whether most people or a reasonable person would think the behaviour amounts to harassment.

### **Human Rights Act 1998**

This Act contains a number of Articles with particular relevance for the way organisations handle equality and diversity of opportunity taken from the European Convention on Human Rights, they include:

- Right to life
- Prohibition of torture
- Prohibition of slavery and forced labour
- Right to liberty and security
- Right to a fair trial
- No punishment without law
- Right to respect for private and family life
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of assembly and association
- Right to marry
- Prohibition of discrimination

### **Gender Recognition Act 2004**

Allows transsexual people to apply for full legal recognition in their acquired gender. Following a successful application, the law regards the transsexual person, for all purposes, as being of the acquired gender.

Section 22 of the Act provides that it is an offence for person who has acquired protected information in an official capacity to disclose the information to any other person. “Protected information” is defined in section 22(2) as information relating to a person who has applied for a gender recognition certificate under the Act, and which concerns that application (or a subsequent application by them), or their gender prior to being granted a full GRC. Section 22(3) defines where a person acquires protected information “in an official capacity”.

Section 22 of the Act is designed to protect the privacy rights of transsexual people under Article 8 of the European Convention on Human Rights by criminalising the disclosure of information relating to their gender history by a person who acquired that information in an official capacity. Section 22 sets out a series of exceptions, where disclosure is considered to be justified.

Staff should not ask to see a person’s Gender Recognition Certificate.

## **Employment Act 2002**

The Employment Act is wide ranging, covering work and parents, dispute resolution in the workplace, improvements to employment tribunal procedures, including the introduction of an equal pay questionnaire, provisions to implement the Fixed Term Work Directive, a new right to time off work for union learning representatives, work focused interviews for partners of people receiving working-age benefits and some data sharing provisions. It also empowers the Secretary of State to make regulations to enable workers on short term contracts to enjoy the rights and benefits of permanent workers, including pay

## **The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011**

The Default Retirement Age (DRA) changed on 6 April 2011.

The DRA was phased out over a transitional period running until 30 September 2011. Under the regulations:

- Workers retire when they are ready to, enforced retirement will only be possible if it is objectively justified.
- You must avoid discriminating against all workers on the grounds of age.
- This legislation is applicable to all employers and all company sizes and sectors.

These changes do not affect an employee's state pension age and entitlements, which may well be separate from the age at which they retire.



## **Children and Families Act 2014**

Provisions in Part 7 of the Act create a new employment right to shared parental leave and statutory shared parental pay for eligible working parents. Women continue to be eligible for maternity leave and statutory maternity pay or allowance in the same way as previously. If they choose to bring their leave and pay or allowance to an early end, eligible working parents can share up to the balance of the remaining leave and pay as shared parental leave and pay. Eligible adopters can use the new system for shared parental leave and pay. Adoption leave and pay include prospective parents in the “Fostering for Adoption” system, and parents in a surrogacy arrangement who are eligible, and intend to apply, for a parental order.

Part 8 creates a new right for employees and qualifying agency workers to take unpaid time off work to attend up to two ante-natal appointments with a pregnant woman. The right is available to the pregnant woman’s husband, civil partner or partner, the father or parent of the pregnant woman’s child, and intended parents in a surrogacy situation who meet specified conditions.

Provision is made for paid and unpaid time off work for adopters to attend meetings in advance of a child being placed with them for adoption.

Part 9 provides for the expansion of the right to request flexible working from employees who are parents or carers to all employees, and the removal of the statutory process that employers must currently follow when considering requests for flexible working. Changes enable employers to consider requests using their existing HR processes instead of having to follow a statutory procedure.

## **Work and Families Act 2006**

The Act’s main purposes are to:

- extend the maximum period that may be prescribed in regulations as the period for which statutory maternity pay, maternity allowance and statutory adoption pay are payable from 26 weeks to 52 weeks;

- introduce a new scheme that will provide certain employees (generally fathers) with a new entitlement to take leave to care for a child and a new entitlement to receive pay while they are on leave, if certain conditions are met;
- widen the scope of the existing law on flexible working to enable more people with caring responsibilities to request to work flexibly

### **The Shared Parental Leave Regulations 2014**

The Shared Parental Leave Regulations 2014 (“the Leave Regulations”) and the Statutory Shared Parental Pay (General) Regulations 2014 (“the Pay Regulations”) provide an entitlement for a mother/adopter and a child’s father/adoptive parent or a mother’s or adopter’s partner to take shared parental leave and pay. The right to shared parental leave and statutory shared parental pay are new statutory rights for employees with a partner who is working, or has recently been working (whether employed or self-employed). Eligible employees will be able to share up to 50 weeks of shared parental leave and up to 37 weeks of statutory shared parental pay.