



**Draft**

***"Offering our community more than a home"***

## Equality & Diversity Policy

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### **CHA Objectives:**

- To promote social inclusion by applying principles of equality and diversity to everything we do.

### **Regulatory Standards:**

- The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.
- The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.
- The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.
- The governing body and senior officers have the skills and knowledge they need to be effective
- The RSL conducts its affairs with honesty and integrity.

***This policy can be made available on request in a variety of different formats, such as on tape, in large print and translated into other languages.***



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# 1. Introduction

*“Clydebank Housing Association is committed to promoting social inclusion by applying principles of equality and diversity to everything we do.”*

This policy is designed to reflect that commitment and to ensure that everyone is treated equally, that our services are accessible to all and that our practices are, at all times, within the law and free of discrimination of any kind.

The Association also recognises its equality obligations in terms of the Scottish Housing Regulator Regulatory Standards of Governance and Financial Management and other regulatory requirements and compliance thereof. The Association recognises that to meet these standards, the “Collecting equality information: Guidance for Scottish social landlords” document (Dec 2020) currently out for consultation, will be referred to. This guidance was commissioned to provide social landlords with advice regarding equality data collection. It is intended that the guide, once finalised, will aid understanding of how data can be used to develop and improve services, it will also assist effective implementation of the Scottish Housing Regulator’s regulatory requirements.

## Definitions

Tackling inequality is not something new. UK Governments have been addressing equality and diversity issues for many years. Although progress has been made, inequalities still exist in Scotland and in the UK. As the Government continues to tackle discrimination, promote equality, address inequalities, and inconsistencies that were present in the previous discrimination legislation, the Equality Act 2010 was introduced. The introduction of the Act saw previous discrimination legislation abolished and replaced with one single piece of legislation. This policy will be compliant with the current legislation and promote a culture of dignity and respect for all.

## Diversity

Diversity is about valuing individual differences. Clydebank Housing Association is committed to valuing and managing people’s differences to enable all employees to contribute and realise their full potential. The Association recognises that people with different backgrounds, skills, attitudes and experiences can bring fresh ideas and perceptions that will benefit Clydebank Housing Association and its customers.

## Equality

Equality is making sure people are treated fairly and given fair chances. **Equality is not about treating everyone in the same way, but recognises that their needs are met in different ways.** Equality focuses on those areas covered by the law, and described as the Protected Characteristics of race, sex, disability, age, gender reassignment, marriage & civil partnership, pregnancy & maternity, religion or belief and sexual orientation.

## Protected Characteristics

The grounds on which discrimination claims can be made:

Race, sex, disability, age, gender reassignment, marriage & civil partnership, pregnancy & maternity, religion or belief and sexual orientation.

### **Direct Discrimination**

Direct Discrimination is treating someone less favourably than others, based on a protected characteristic.

### **Indirect Discrimination**

Indirect Discrimination is where a policy, practice, procedure, provision or criteria that applies to everyone in the same way might disadvantage a particular protected group, and which cannot be objectively justified in relation to the job. E.g. an advertisement for a job as a cleaner requires an applicant to speak and read English fluently. This may disadvantage a person on the basis of their race. The requirement may not be reasonable if speaking and reading English fluently is not necessary to perform the job.

### **Harassment**

Harassment is conduct that violates a person's dignity or creates an intimidating, hostile degrading, humiliating or offensive working environment. The intention of the perpetrator is irrelevant; it is the impact on the individual which determines whether harassment has taken place.

### **Victimisation**

Victimisation is treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination, complained about the behaviour of someone harassing them or given evidence in someone else's discrimination complaint.

### **Positive Action**

Positive Action addresses imbalances in the workforce, by encouraging members of under represented groups to apply for jobs. Positive action may be applicable in setting equality targets. No quotas will be set by Clydebank Housing Association but equality targets may be set to encourage people from a particular group or groups to apply for a vacancy in the Association in comparison to the local community where they are under represented.

### **Failure to make Reasonable Adjustments**

Where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

### **Associated Discrimination**

Associated Discrimination is discrimination against a person because they have an association with someone with a particular protected characteristic. E.g. a non disabled person is discriminated against because of the action they need to take care of disabled dependent.

### **Perceptive Discrimination**

Perceptive Discrimination is discrimination against a person because the discriminator **thinks** the person possesses that characteristic. E.g. a person is not shortlisted for a job on the basis that the recruiter assumes the applicant does not have the correct Visa to work in the UK as they have a foreign looking name on their application form.

## 1.1 Context

Scotland is a multi-racial society. People are living longer. Women account for nearly half of the working population and it is recognised that people with disabilities can make a full contribution to working life.

In West Dunbartonshire, although the percentage of BME households is relatively low but rising (1.5% in West Dunbartonshire compared to almost 4% in Scotland, 2011 Census), the ongoing asylum seekers dispersal programme could dramatically change this trend, bringing the need to eradicate racial discrimination to the fore.

## 1.2 Relevant Legislation

The intent of this policy is to ensure compliance with all equalities legislation, and to promote a culture of equality and diversity through all of our activities. The key piece of legislation referred to is: -

The Equality Act 2010  
[The Human Rights Act 1998](#)

## 1.3 Equal Opportunities Statement

“Clydebank Housing Association will ensure equality of opportunity across the full range of our activities, including both employment and service provision.

We will not discriminate on the grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

Accordingly, we will monitor the composition of our Governing Body, our Staff and our Tenants and other customers to enable positive action to be taken, where necessary, ensuring that our services are accessible to all.

The office premises of the Association are centrally located and we will regularly audit them to ensure that physical barriers do not exist, which may impede access to anyone.

Key policies, newsletters and other information will be made available on the Internet and in large print, Braille and foreign languages, on request.” – Please refer to Information in Different Formats Procedure.

## 2. Policy

It is recognised that as well as on a personal level, discrimination can be practised on an institutional level and can be both “direct” and “indirect”.

### 1) Direct Discrimination:

Treating a person less favourably on grounds of Age, Disability, Gender Reassignment, Marriage, and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

## 2) Indirect Discrimination

Applying any requirement or condition which, although applied equally to everybody, is such that a considerably smaller number of people of one group can comply with it than the proportion of all other people, unless the requirement or condition can be shown to be justifiable irrespective of Age, Disability, Gender Reassignment, Marriage, and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

Clydebank Housing Association will not discriminate against anyone on grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

We are members of both the SFHA and EVH and are regulated by the Scottish Housing Regulator and as such, will adhere to published Codes of Conduct and Employment Practice (including Harassment and Disciplinary Procedures), which may be amended from time to time, in accordance with new legislation or other good practise guidelines.

### **2.1 Accountability**

The Management Committee has overall responsibility for the Association's policy as it relates to Equality and Diversity. It will review the Policy, Action Plans and Statement on an annual basis to ensure compliance with legislation and their continuing appropriateness to the range and scale of the Association's activities and to measure progress against Action Plan targets.

Day to day responsibility for the implementation of the Equality and Diversity Policy is delegated to the Chief Executive who, together with the relevant section heads will draft and implement Action Plans for both Race Equality and Disability Equality to ensure that all Equality objectives are met.

### **2.2 Service Provision**

The Association opposes all forms of discrimination and we will take action to ensure that all of our policies and procedures encourage equality of opportunity. Some key policies include: -

- Membership Policy
- Tenant Participation Policy
- Recruitment & Selection Procedure
- Training Policy
- Allocations Policy
- Rent Arrears
- Repairs and Maintenance Policy & Procedures
- Factoring Policy
- Procurement Policy
- Conditions of Service
- Harassment Policy
- Customer Care Policy

The Management Committee will review these policies in accordance with the aforementioned action plans to ensure equality in service provision and recruitment and where necessary, identify opportunities for “positive action” to encourage participation and employment amongst disadvantaged groups.

Equality Impact Assessments will be carried out in all policy/service reviews and when new policies/services are being implemented. The Equality Impact Assessment process aims to prevent discrimination against people who are categorised as being disadvantaged or vulnerable within society.

#### 2.2.1. Development

The type and size of houses we build will be determined by a needs assessment, which will take account of the population profile and social trends, ensuring that the identified needs of all groups are recognised and included.

The Association will specify, that all new houses and flats built should conform to the standards described in the publication “Housing for Varying Needs”, which will ensure that they can be easily adapted if necessary, if the needs of the occupants change over time.

#### 2.2.2. Allocations

Information on disability and ethnic status of all applicants is monitored and recorded, on receipt of the application. Statistics are reported to the Housing Services Sub-committee on a monthly basis. Similarly, the number of allocations to people with disabilities and ethnic minority applicants is recorded and reported to the Sub-committee on a monthly basis.

#### 2.2.3. Rent Arrears

All tenants with rent arrears will be dealt with sensitively and fairly. Rent arrears will not be a barrier to rehousing someone who needs rehousing due to harassment or domestic abuse or someone who is a statutory Homeless Referral from the local authority. We will, in all cases, give information and advice that should help tenants to keep their tenancy. Eviction will always be seen as a last resort. Information will be provided in a different format to tenants who need this service.

#### 2.2.4. Maintenance

The maintenance service is offered to all Clydebank Housing Association tenants on an equal basis and the parts of the service that are provided by external contractors will be subject to the same scrutiny in this respect. Commitment to anti-discrimination will be one of the parameters used to determine whether applicant contractors will be accepted on to the approved list.

#### 2.2.5 Factoring

The Association’s factoring service provides information and advice to owner-occupiers throughout the year via Chit Chat, with “special” issues distributed when required. The Associations’ new Factoring Complaints Handling Procedure is

regularly advertised by this method. These are offered in a variety of formats including tape, large print, Braille and foreign languages.

A variety of payment methods are offered to ensure that all service users have the widest choice possible. In the event of any owner experiencing difficulty, staff will deal this with in a sensitive and sympathetic manner. The option of repayment instalments over a manageable period, taking into account the special circumstances of each case, will be offered.

#### 2.2.6 Customer Care

The offices of the Association are centrally located and fully wheelchair accessible. The reception counter has a lower counter for wheelchair access and cards in a variety of languages and formats are placed at reception to enable visitors with special requirements to indicate their preferred method of communication.

The Association recognises that people with disabilities and those from minority and disadvantaged groups can have a valuable contribution to make. We will, wherever possible, remove barriers to participation. The Management and Sub-committees meet in the Associations' fully accessible boardroom, which benefits from wheelchair accessible toilet facilities and will have additional aids for those with impaired hearing.

#### 2.2.7 Complaints

A monitoring system has been developed to determine that complaints from all tenants, regardless of Age, Disability, Gender Reassignment, Marriage, and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation are being dealt with in a satisfactory manner. Complaints surrounding equality issues are highlighted and reported on on a quarterly basis to the Management Committee and to the Scottish Housing Regulator via the Annual Return on the Charter (ARC).

### 2.3. Employment

EVH's Model Equality and Diversity Policy for employment (2010) was adopted by the Association for the first time, in November 2011. ~~(updated December 2016 2018)~~

The Association will ensure equality of access to employment opportunities and training for people from under represented and disadvantaged groups. As members of EVH, we will adhere to its Recruitment and Selection Policy agreed by the Management Committee in September 2018.

All job advertising will carry the disability symbol or a statement that applicants with disabilities, who meet the essential criteria for any post, will be guaranteed an interview, as well as a general summary statement of our commitment to Equality and Diversity.



Members of staff are subject to EVH Model Conditions of Service, which detail our commitment, as employers, to equality and states that any instance of discrimination by a member of staff will result in disciplinary action.

All members of staff will receive induction training on commencement of employment, which ensures awareness of our policies on equality. Further, specific training on Disability and Race equality is carried out on a regular basis.

The Department of Work and Pensions, to ensure compliance with the requirements of the “Disability Confident Employer”, reviews our employment practises ~~periodically~~on an annual basis.

### 2.3.1 Retention

We will ensure that all workplaces are fully disabled accessible and that hearing loops are installed in all meeting spaces. In the event of a non-disabled member of staff becoming disabled, we will consider redeployment or flexible working.

## 2.4. Procurement of Goods and Services

The Association will seek to ensure that external suppliers of goods or services comply with Equality legislation and that they have adequate policy, procedures and track record in this regard.

Pre-qualification questionnaires or European Single Procurement Documents for consultants and contractors will establish compliance with the goods and services code of practice issued under the Equality legislation

Instructions to General Maintenance Contractors issued to maintenance contractors, together with tender documents, stipulate the Association’s expectations in respect of equal opportunities and contractors are required to submit details of their own equal opportunities policies.

Some smaller contractors, employing less than 15 staff, may not have written policy, relative to equal opportunities. In such cases, it is a condition of acceptance that the Association’s policy be adopted and implemented by those contractors.

## 3. Publicity

The Association publishes its commitment to Equality and Diversity by means of a statement on the Association website. All advertising carries the “Disability Confident” symbol and/or a summary statement of our policy.

Quarterly newsletters are published, which, from time to time, include changes to, or developments in policy. All newsletters, key documents and publications are offered in a variety of formats including tape, Braille, large print and foreign languages. The Association maintains a current register of people who require information in different formats.

## 4. Objectives and Targets

One of the Associations key objectives is: - *“to promote social inclusion by applying principles of equality and diversity to everything we do”*.

### 4.1 Equality Plans

The Association has action plans and targets in place for equality in respect of both race and disability, which are reviewed on an annual basis and published within the Business Plan.

## 5. Monitoring

### 5.1 Recruitment

The Association monitors its own performance in equal opportunities in recruitment at the end of the recruitment process for every vacancy. Information collected from applicants is recorded at each stage of the process (from initial application, through shortlisting, interviewing and on appointment).

The results are analysed and reported to the Management Committee to enable to monitor the composition of the staff and to identify any areas of under representation. All personal information submitted by applicants is retained for 6 months and subsequently destroyed.

The Association will also comply with the monitoring and reporting requirements contained with the Regulatory Standards of Governance and Financial Management and any guidance published by the Scottish Housing Regulator in terms of all aspects of service provision/Association activities.

Please also refer to Equality and Diversity Policy – Employment ([20192020](#)).

### 5.2 Service Provision

The equality of each service provided by the Association is monitored by function and in a variety of ways, which are described below. The resulting analysis of outcomes is reported by staff from each section to their respective sub-committees on a regular basis.

The Association will also comply with the monitoring and reporting requirements contained with the Regulatory Standards of Governance and Financial Management and any guidance published by the Scottish Housing Regulator in terms of all aspects of service provision/Association activities.

#### 5.2.1. Development

Tenant satisfaction is measured in respect of various aspects of each new development by means of post-completion satisfaction surveys. These monitor satisfaction with design; location, room sizes etc. and the results are reported to the

Development Sub-committee on a scheme-by-scheme basis and included in the Association's Annual Report as well as the Annual Report on the Charter (ARC).

Contractors' performance is also monitored and recorded in a post-completion report to the Development Sub-committee/Management Committee.

### 5.2.2. Housing Management

Levels of satisfaction with the allocations process and the quality of accommodation provided are measured by means of a post-allocation survey. Tenants, who had transferred from other Association property, including those who had transferred on medical grounds, would be included. The resulting statistics are published in the Association's Annual Report as well as the Annual Report on the Charter (ARC).

The handling of arrears and complaints will also be monitored to ensure that all are dealt with fairly and in a non-discriminatory manner.

### 5.2.3 Maintenance

Contractors' performance is monitored by rigorous, pre and post inspection, to ensure that a high quality of workmanship and materials is consistent.

Tenants' satisfaction with the repairs service is measured by surveying a minimum of 20% of tenants, who have had repairs carried out.

### 5.2.4 Finance & Administration

Owner-occupiers' satisfaction with the factoring service is monitored on at least a 3-yearly cycle and the results acted upon and published thereafter. .

### 5.2.5 Customer Satisfaction Survey

The Association will carry out ~~at least 3-yearly~~ customer satisfaction surveys at least every 3 years, carried out by an independent company. The results returned to the Association will be published to staff, committee and tenants. Benchmarking information will be reported in the Annual Report, the ARC, newsletters and on the Association's website.

#### **For Office Use Only – Required Actions**

Customer Consultation Required/Arranged	No
Intranet Update	Yes
F Drive Update	Yes
Website Update	Yes
Leaflet change required?	No
Newsletter Promotion?	No
Other information updated, e.g. posters, automatic email responses, post cards, answering machine messages, etc.	No
Equality Impact Assessment completed	Yes