



Putting People 1st

EQUALITY AND DIVERSITY POLICY

G.03

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This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

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Note: Pineview Housing Association is generally referred to as “we” in this document; and the equality and diversity policy is also called simply “policy.”

Section 1: Governance and strategy

Pineview Housing Association Limited has established various organisational policies to promote strategic objectives. Such policies can be called governance policies.

Our policy is a key governance policy as it sets out our organisational commitments to eliminate discrimination and to promote equality matters. This approach reflects the national policy of the Scottish Government to promote social justice.

Our policy is supported, in practice, by other specialist procedures. This point is explained in section 3. This is important as the equality and diversity policy is a framework of principles only; and these other documents are necessary to achieve effective implementation of policy objectives.

We use our equality action plan to incorporate equality matters throughout all our housing services. This is referred to as “mainstreaming” of equality. The action plan enables us to make progress in a structured and comprehensive fashion.

Equality and diversity policy statement

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers. This statement is now explained in section 2.

Section 2: Our equality and diversity policy statement

This section describes our core equality principles. These principles reflect our organisational values and commitments to incorporate equality themes into all of our operational services.

Equality and diversity policy statement

We promote our equality objectives by:

- meeting all relevant equality law and guidance;
- using a comprehensive action plan to implement our equality commitments effectively;
- collecting equality data to provide appropriate services to employees, tenants and other customers;
- providing accurate and clear information to all employees, tenants and other customers;
- working in partnership with other organisations to promote our equality commitments;
- providing various training programmes linked to the roles of employees and committee members;
- using a number of performance indicators to monitor how effectively we are meeting our equality objectives;
- establishing positive action programmes to promote access to our housing and employment services;
- consulting with tenants on our equality and diversity policy principles through our tenant participation strategy; and
- reviewing the policy every three years, or sooner, for instance, to take into account any changes in law or guidance.

Section 3: Implementing policy commitments

We implement our equality policy principles through our equality action procedure. This plan contains a range of inter-dependent activities that cover all housing policies and practices, including organisational documentation.

Our equality policy is implemented into practice using four other specialist equality procedures, namely:

- accessibility procedure;
- equality data collection procedure;
- harassment procedure; and
- appropriate language procedural guide.

Each of these documents is explained to show how they link together.

Accessibility procedure

This procedure applies a wide a range of standards to assess the quality of our public information, as well as our IT systems. These standards cover issues such as accuracy, design and plain language.

Equality data collection procedure

This is an important procedure that explains why we gather equality data, how we gather data and what we do with that data. This is closely linked to other governance policies such as our data protection policy. All information is processed in line with the Data Protection Act 2018 and the UK GDPR.

Harassment procedure

This procedure explains what actions we should take to address harassment, for example, harassment relating to one of the relevant protected characteristics.

Appropriate language procedural guide

This procedural guide is critical to promoting respect for other people; this is a core aspect of the regulatory framework too, that is, the Scottish Social Housing Charter. This guide describes language that should be used to promote respect to other people. This includes using language that is promoted in good practice guidance. For instance, we promote the use of language that supports the interests of disabled people.

Section 4: Development and training

Equality training covers many different activities issues and in practice we tailor training to the needs of different employees and committee members.

Our development and training programme

Our training programmes covers equality issues such as:

- induction programmes;
- law, regulation and guidance;
- policies, procedures, including equality action planning;

- consciousness raising, for example, promoting awareness of the nature – and forms- of discrimination, as well as the social model of disability; and
- committee members’ training, including monitoring report information.

Section 5: Managing performance

How we manage performance

We manage our performance in relation to equality matters using **three** main methods.

Firstly, we gather a range of equality information to show we are meeting the Scottish Social Housing Charter and its related technical guidance. We produce yearly reports, as may be required, through our Annual Return on the Charter (ARC).

Secondly, we include equality performance indicators within our organisational services, including employment.

Finally, we consult with tenants and other customers to ask their views about our service standards.

Type of monitoring

Our monitoring system includes quantitative and qualitative monitoring.

Quantitative equality monitoring

Quantitative monitoring is used to assess our performance with regard to “numbers of things.” For instance, we assess numbers of employees by reference to issues such as their sex or gender, numbers of disabled employees and so on. This enables us to assess employment patterns, in particular to evaluate and address any form of discrimination that might be taking place.

Qualitative equality monitoring

Qualitative monitoring considers the quality of our services so that we are meeting our equality policy principles. For example, we assess the public documentation that we produce such as newsletters so that it is accurate, in plain language, or in a range of formats. Qualitative monitoring also covers the quality of advice that we provide to tenants and other customers.

How we use equality data that we gather

We gather equality data for practical purposes only and wholly in line with relevant law. Reasons why we gather data include:

- monitoring practice to ensure that no unlawful discrimination is happening;
- using data to provide appropriate services to address the needs of staff, tenants and other customers; and
- using information to improve existing organisational services.

Section 6: Consultation

We have established a tenant participation strategy that sets out what issues we consult upon with tenants and other customers. An important part of this strategy involves addressing barriers to participation and promoting equality opportunity.

For example, we encourage tenants with all protected characteristics to become involved in organisational service development.

We also take account of the protected characteristics of tenants and other customers in implementing the participation strategy.

For example, to support people to participate actively in policy meetings, we provide:

- accessible venues;
- crèche facilities for people with family support responsibilities; and
- interpreting services.

We also consult with staff members on an ongoing basis, including about equality and diversity.

We will consult with staff and service users, taking account of their individual requirements when providing services, to ensure that we make reasonable adjustments where possible.

Section 7: Addressing complaints

We deal with complaints through our organisational complaint handling procedure. Information about our procedure is given to all tenants and is available for other customers.

Section 8: Policy review

In general, we review our equality policy every three years, or as required, due to changes in law or good practice guidance.

Appendices

Appendix 1: Law and good practice framework

This Appendix provides a plain language summary of some key equality law, regulatory standards and guidance. It is not intended as a precise statement of law; nor of a statement of all relevant equality law.

The statutory framework

The Equality Act 2010 (as amended)

The Equality Act 2010 is the key Act that covers a broad range of equality issues, in particular the rights of individuals and the duties of employers. A very important concept within this Act is that of “protected characteristic; the protected characteristics are the grounds on which discrimination is unlawful.

The nine protected characteristics are:

Disability	Age	Gender reassignment
Marriage and civil partnership	Pregnancy and maternity	Race
Religion or belief	Sex	Sexual orientation

Note: Harassment or victimisation of another person on these protected characteristics is also prohibited.

The Equality Act 2010 requires public authorities to meet the Public Sector Equality Duty. This Duty contains three elements, namely:

- eliminating unlawful discrimination;
- advancing equality of opportunity between persons with – and those without – a protected characteristic; and
- fostering good relations between persons with – and those without - a protected characteristic.

The Scotland Act 1998 (as amended)

The Scotland Act 1998 defines equal opportunities in Scotland. The statutory definition is:

“Equal opportunities” means the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions”

(The **Scotland Act 1998**, Schedule 5, L2)

Housing (Scotland) Act 2010

The Housing (Scotland) Act 2010 requires every social landlord to “act in a manner to encourage equal opportunities.”

Note: Other law

Other law is relevant to equality issues such as the Human Rights Act 1998, as well as various Statutory Instruments and/or Scottish Statutory Instruments (SSIs). These are secondary legislation. Some law has been developed in relation to Scotland such as the SSI No. 101 The Equality Act 2010 (Authorities subject to the Socioeconomic Inequality Duty) (Scotland) Regulations 2018. This SSI is very important as it imposes duties on specified bodies to address disadvantage stemming from socio-economic issues.

Regulatory standards

Scottish Social Housing Charter

The Scottish Social Housing Charter (2017) has a specific standard that requires us to perform all aspects of our housing services so that:

“Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

This outcome describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers regardless of age, disability, gender re-assignment, marriage and civil partnership, race, religion or belief, sex or sexual orientation. It includes landlords’ responsibility for finding ways of understanding the different needs of different customers and delivering services that recognise and meet these needs.”

SHR Regulation of Social Housing in Scotland Framework, February 2019

Another important regulatory standard concerning equal opportunity is the SHR regulatory framework.

Requirement for Local Authorities and RSLs - Equality and Human Rights

- Have assurance and evidence that it considers equality and human rights issues properly when making all of its decision, in the design and review of internal and external policies, and in its day-to-day service delivery.
- To comply with these duties, landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff.

The Standards of Governance and Financial Management for RSLs - Standard 5.3 that states:

“The RSL pays due regard to the need to eliminate discrimination, advance equality and human rights, and foster good relations across the range of protected characteristics in all areas of its work, including its governance arrangements.”

As part of the regulatory framework, we must also:

“... collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. Local authorities must also collect data on protected characteristics for people who apply to them as homeless. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these customers”

Other guidance

Guidance on equality practices is wide ranging and is derived from many sources. Of particular relevance is the guidance produced by the Equality and Human Rights Commission.

Specific organisations in the Scottish context that provide guidance are:

Employment

- ACAS;
- Scottish Federation of Housing Associations; and
- Employers in Voluntary Housing.

Services

- Chartered Institute of Housing;
- Glasgow Centre for Inclusive Living Equality Academy;
- Path (Scotland); and
- Positive Action in Housing.

Appendix 2: Promoting equality initiatives

How we promote our equality objectives

Our equality strategy is concerned, not only with eliminating unlawful (and unfair) forms of discrimination, but also in promoting equal opportunities. Within the equality field, an important part of promoting equality objectives is known as positive action. This is covered in the Equality Act 2010, as well as being supported in other guidance.

Positive action involves activities that are intended to address historic patterns of discrimination against certain groups. For instance, research shows that certain groups have experienced discrimination in the workplace and being under-represented in senior posts such as:

- disabled people;
- people from black and minority ethnic groups; and
- women.

Positive action is not the same as positive discrimination. This point is explained below using an example about women in employment.

Positive discrimination or positive action?

Positive discrimination is, in general, unlawful. One example could be appointing a woman to a senior post in housing because an applicant is a woman; if this were the only criterion, this would be positive discrimination and not lawful.

A positive action that would be legitimate, on the other hand, might involve encouraging women to apply for senior posts in housing if women were under-represented in such positions.

Our initiatives to promote equality objectives

We promote positive action initiatives through our individual policies and procedures; these cover employment and service issues.