



Equality and Diversity Policy

Linthouse Housing Association	
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Section 1: Introduction

1.1 Equality and Diversity

1.1.1 Linthouse Housing Association strives to ensure that equality and diversity are embedded throughout all of the services we provide, our policies and procedures, and our decision making.

1.1.2 The underpinning principle of the Equality and Diversity Policy is to ensure that we comply with the law and our regulatory requirements. This includes how we supply our housing services, how our recruitment and promotion activities operate, and our commitment to advancing equality of opportunity.

1.1.3 The Equality Act 2010 is the main piece of legislation that protects individuals from discrimination in the workplace and wider society generally. The Act prohibits discrimination, harassment and victimisation on the basis of nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

1.1.4 **Note:** In this Policy, the Equality Act 2010 is referred to as “the Act” and Linthouse Housing Association, “we,” “us” or “our”.

1.2 Scope

1.2.1 This Policy applies to all current and prospective customers, staff and committee members of Linthouse Housing Association.

1.2.2 The right to be treated equally also extends to our partners, outside contractors, their sub-contractors, and any other agencies (third parties) that we interact with.

1.3 Our Mission

1.3.1 The Equality Policy forms part of our mission to:

“deliver high quality and cost-effective housing services designed to meet the needs of existing and future customers. To work in partnership with others to create thriving communities that people want to live and work in”.

1.4 Our Vision and Values

1.4.1 Our vision is the creation and sustainment of lasting, unique, vibrant homes in stable, popular and ambitious urban communities. Our vision is underpinned by four core values which we apply to all areas of our business. These are to be:

- i. **Customer Driven**
- ii. **Honest**
- iii. **Accountable**
- iv. **Transparent**

1.5 Our Organisational Culture

1.5.1 Our **C.H.A.T** values as outlined, form the foundation of our **Listen, Hear, Act (L.H.A)** customer excellence and organisational culture programme. All staff receive training at induction on customer service standards and the organisational culture we promote. This includes reference to our equalities policy and a requirement to treat colleagues, tenants, contractors, service users, and any other stakeholders with dignity and respect.

1.5.2 The organisational culture we promote is based on finding solutions to suit customer needs regardless of individual differences. We will:

1. **Listen** - We are committed to listening to those we do business with, be that our customers, staff, stakeholders, regulators or funders, to ensure that our responses are reflective of what people are saying to us.
2. **Hear** - Once we listen and understand the need/demand/offer that is presented, we will ensure that we fully understand what is being said.
3. **Act** - Whilst we will think about what we do, we want to be known for acting swiftly to deliver solutions and for always keeping our promises.

1.5.3 Our Customer Service Charter aim is to ensure all of our service users receive an excellent standard of service. The Charter helps define what our customers can expect when contacting or engaging with the staff in our office. It is available on our website, direct from the office, or in other formats as required.

1.6 Applicable Definitions

1.6.1 Direct Discrimination

Direct discrimination involves treating an individual less favourably on the basis of a protected characteristic. An example is directly dismissing an employee because they have a health condition that constitutes an impairment.

1.6.2 Indirect Discrimination

Indirect discrimination is where something applies to everyone in the same way but disadvantages a certain group, and which cannot be objectively justified. An example of indirect discrimination is imposing a minimum height requirement for a job where height is not a relevant factor. This is likely to disproportionately discriminate against women, given that they are generally not as tall.

1.6.3 Reasonable Adjustments

A reasonable adjustment relates to arrangements which are made to ensure there is no disadvantage suffered by a person with an impairment. An example of a reasonable adjustment may include changing an impaired employee's working arrangements, so that they will not be disadvantaged in doing their job compared to colleagues who are not impaired. Failure to do so would amount to disability discrimination.

1.6.4 Associated Discrimination

Associated discrimination transpires where an individual is discriminated against because they have an association with another individual with a protected characteristic. An example of associated discrimination is withdrawing a job offer after a candidate has revealed that they have an impaired child who requires intense care.

1.6.5 Perceptive Discrimination

Perceptive discrimination occurs where the perpetrator thinks that a certain individual possesses a particular protected characteristic. An example of perceptive discrimination could involve rejecting a job application from a white woman because her name insinuates that she is African.

Section 2: The Legal Framework

2.1 The Equality Act 2010: Protected Characteristics

2.1.1 The Equality Act provides that discrimination will be deemed unlawful in relation to nine protected characteristics. Harassment and victimisation are also prohibited in this regard. To reiterate, the protected characteristics are:

- Age;
- Disability;
- Gender Reassignment;
- Marriage and Civil Partnership;
- Pregnancy and Maternity;
- Race;
- Religion or Belief;
- Sex; and
- Sexual Orientation.

2.1.2 **Note:** We also consider, as unacceptable discrimination, other grounds that are not listed in the Act, such as language/social class and other personal attributes, as listed in the Scotland Act 1998. There is a complaints process in place regarding discrimination in the workplace. This is outlined in Section 4.

2.2 The Equality Act 2010: Public Sector Equality Duty

2.2.1 Whilst Linthouse Housing Association is not legally defined as a 'public authority', we are required to comply with the Public Sector Equality Duty if we perform public functions. This includes the provision, allocation and management of social housing.

2.2.2 The Public Sector Equality Duty therefore requires housing associations, in the exercise of their public functions, to have "due regard" to the need to:

- a) eliminate discrimination, harassment and victimisation;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2.3 The Scotland Act 1998: Defining 'Equal Opportunities'

2.3.1 The Scotland Act 1998 is significant because it defines "equal opportunities".

The definition includes additional grounds in relation to the protected characteristics. These are "language and social origin" and "other personal attributes".

2.3.2 The definition is as follows:

"the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on 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)

2.4 Scottish Social Housing Charter

2.4.1 The Scottish Social Housing Charter (SSHC) delineates a specific section that social landlords should aim to achieve in relation to equalities, 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."

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

(Scottish Social Housing Charter, 2012)

2.5 Regulatory Standards

2.5.1 In addition to the SSHC, the Scottish Housing Regulator provides six Regulatory Standards of Governance and Financial Management with respective guidance that RSL must comply with. This includes Standard 5 which states the RSL conducts its affairs with honesty and integrity.

2.5.2 In addition, the regulatory standards insist that registered social landlords must:

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

2.6 Miscellaneous: Additional Guidance

2.6.1 Given that there exists a large variety of guidance, the key legal requirements have been prioritised. Nonetheless, the Equality and Human Rights Commission guidance is particularly relevant in this regard.

Specific organisations within the Scottish context encompass:

➤ Employment:

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

➤ Services:

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

Section 3: Overarching Objectives and Implementation

This section outlines our overarching objectives, and how we will implement these.

3.1 Overarching Objectives

3.1.1 Our primary aim is to promote an inclusive culture that enshrines equality and diversity. In order to achieve this aim, we have the following objectives:

- to treat every individual with dignity, respect and fairness;
- to actively challenge and eliminate any unfair forms of discrimination;
- to support a diverse and inclusive workforce; and
- to advance equality of opportunity.

3.2 Implementation

3.2.1 Facilitating Equal Access

We are committed to ensuring that all customers are treated with dignity, respect and fairness. In order to provide an equal service for our customers, where necessary we will:

1. Arrange interpretation and translation services;
2. Arrange a community language interpreter or British Sign Language Interpreter;
3. Arrange written material into Braille, Large Print and Audio tape/CD ; and
4. Respond positively to any other reasonable requests to facilitate equality of access to our services.

3.2.2 Recruitment and Promotion: Enhancing Diversity

The Association seeks to ensure that all employment candidates are treated fairly and that our recruitment activities are entirely based upon the individual's abilities and merits. As an employer who welcomes diversity and is committed to equality of opportunity, the Association will follow the procedures below:

1. Widely publicise job advertisements to encourage individuals from all sectors of the community. This includes use of digital and social media platforms, job and recruitment fairs, and linking with partner agencies such as third sector support providers to promote internal vacancies;
2. Ask whether a job applicant needs any reasonable adjustments for any part of the recruitment process;
3. Outline our commitment to equality on all job advertisements and include any equality bodies that we are affiliated with;
4. Carry out the selection process consistently for all vacancies at all levels;
5. Job requirements/qualifications that would inhibit applications from individuals from a particular group will not be imposed unless it is justifiable for the particular nature of the job;
6. Only ask health-related questions before making a job offer, in the following circumstances:

- To determine whether the job applicant can carry out a function essential to the role;
 - To take 'positive action' to assist people with an impairment; and
 - To monitor the recruitment process.
7. Prohibit discriminatory questions within recruitment and promotion activities;
 8. Ensure that selection for recruitment or promotion are based on merit;
 9. Offer applicants with an impairment appropriate interview arrangements to enable them to compete on an equal basis;
 10. Monitor recruitment/promotion decisions against the protected characteristics, to ensure that equality and diversity practices are sufficiently integrated; and
 11. Ensure that everyone involved in recruitment and selection has received appropriate training.

3.2.3 Responsibilities

Staff

The Chief Executive Officer is responsible for the operation and monitoring of this Policy.

All employees have a responsibility to apply this Policy in their daily work. All employee statements of terms and conditions of employment include a section on equal opportunities which reinforces this duty. Moreover, all employees are responsible for bringing any discriminatory behaviour/attitudes that they are aware of to their line manager's attention.

Management Committee

The Management Committee is responsible for ensuring that the organisation's policy and practices implement our commitment to equality.

3.2.4 Positive Action: Advancing Equality of Opportunity

An important aspect of equality of opportunity is positive action. LHA are committed to positive action, where possible, to promote equal opportunities.

This is a voluntary action that employers may implement to enable, or encourage, individuals to participate in an activity, in order to overcome any disparities that exist. We will continue to take positive action to address under representation of young people in housing (**Chartered Institute of Housing**, 2019) by providing an ongoing Modern Apprenticeship programme.

We use equalities monitoring information gathered about employees/our customer base to assess under-representation in certain groups and consider if positive action is required. This includes benchmarking performance against comparable service providers where possible. See Section 4.1.1.

Positive action is distinct from positive discrimination. Positive discrimination is unlawful, given that it favours individuals who possess a protected characteristic/who are from an under-represented group of society. Positive action involves a voluntary action to enable/encourage disadvantaged persons to participate in a particular activity on an equal basis.

3.2.5 Equality Training

We will ensure staff and members of our committees receive equality and diversity training at a level which reflects the responsibilities of their position.

3.2.6 Equality Impact Assessments

Equality and diversity issues are fundamental to all the policy decisions made by the association. For this reason, Equality Impact Assessments (EqIA) will be carried out on all new policy documents or as policy and processes are reviewed, including policies adapted to better advance equality.

EqIAs enable the Association to take proactive steps to identify and eliminate any potential discrimination and adapt a policy to advance equality. The equality impact assessment form is contained at Appendix 1.

Screening Process

We will adopt a screening process to determine which policies will be subject to an equality impact assessment. The following questions will be asked and where the answer to any one is “yes”, an assessment will be conducted:

- a) Does the policy affect customers, employees or the wider community, and therefore have a potentially significant effect with regards to equality?
- b) Is it a major policy that will significantly affect how LHA's functions are delivered with regards to equality?
- c) Does it relate to policy areas or issues that previous consultation or involvement activities have identified as being important to certain protected groups?
- d) Does it relate to an area where LHA has identified a need to improve equality outcomes?
- e) Does it relate to an area where there are known inequalities?
- f) Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?

Follow-up Action

If follow-up action is required, the relevant tasks and timeframe for achieving them will be outlined in this section.

Section 4: Compliance and Complaints

4.1 Compliance

4.1.1 Performance Monitoring

To ensure that we are complying with our regulatory requirements, we will submit equalities information to the Scottish Housing Regulator annually in the Annual Return on the Charter. This includes equality performance relating to the ethnicity of our staff, committee, tenants, housing applicants, the number of customer complaints with equality issues, and the number of lets we make to applicants with a protected characteristic.

We will also commit to providing a specific annual report on equalities information in relation to staff, applicants and tenants, in order to assess this information to address any issues if necessary.

We will use this data to monitor our demand for properties from BME persons. If we find that this is particularly low, we will advertise our available properties on Homeswapper. This is a national service available to customers seeking a mutual exchange, which would enable us to advertise to a wider audience.

Similarly, if we find that our data lacks diversity, we will ensure that the recruitment process is advertised as widely as possible for any positions in LHA. This will entail the use of digital platforms, recruitment fairs and linking with partner agencies (such as third sector support providers).

4.1.2 Regulatory Standards

One part of the Regulatory Standards of Governance and Financial Management is the requirement for housing associations to conduct their affairs with honesty and integrity. The Equality and Diversity Policy helps ensure that we meet our regulatory requirement to pay due regard to eliminate discrimination, advance equality and foster good relations across the range of protected characteristics.

4.1.3 Code of Conduct

In order to ensure compliance and enhance equality and diversity, all members of staff and governing body members must comply with the equalities' legislation, as required by the model Code of Conduct.

4.2 General Complaint Handling Procedure

4.2.1 Our complaint handling procedure was established by the Scottish Public Services Ombudsman (SPSO).

4.2.2 In accordance with housing law, we provide our tenants with thorough information pertaining to our complaint handling process. Moreover, we also advise all service users on their right to complain.

4.2.3 A complaint is defined as:

“An expression of dissatisfaction by one or more members of the public about the housing association’s action or lack of action, or about the standard of service provided by or on behalf of the housing association”.

4.2.4 Our complaints handling process includes explicit reference to customer complaints relating to equalities issues. In addition, we have a regulatory requirement to provide information to the Scottish Housing Regulator on the number of customer complaints we receive that relate to equalities issues in the Annual Return on the Charter (ARC).

4.3 Complaints regarding Discrimination in the Workplace

4.3.1 If an employee feels that they have experienced discrimination, they should aim to resolve the issue informally, given that this often maintains relations.

4.3.2 Discriminatory behaviour may be inadvertent in nature and easily resolved once highlighted; however, it is still necessary to maintain a file note in the event a further complaint is lodged. The individual can subsequently initiate formal action where this represents the most appropriate course of action and raise the matter in writing. The complaint will then be actioned in accordance with the Association’s Grievance Policy and an investigation is then conducted.

4.4 Complaints regarding Discrimination involving Members of the Public, Contractors and Staff from Other Agencies

4.4.1 The right to be treated equally extends to outside contractors, committee members and other agencies (third parties). Employees also have a right to complain if they feel they have been discriminated by someone who is not directly employed by the Association.

4.4.2 Similarly, incidents should be dealt with informally where possible. The complainant should firstly approach the individual. If the situation warrants a witness, complainants are advised to ensure that someone accompanies them. They should then report the incident to their line manager. Likewise, a file note must be maintained, detailing the situation and the outcome.

4.4.3 It will be made clear that the continuation of such conduct may result in a refusal of services, or disciplinary action in the case of an employee. Again, this will be actioned in accordance with the Association's Disciplinary and Grievance Policy.

4.4.4 If informal action proves insufficient, formal action may be instigated. An official letter will be prepared by the relevant manager, informing the individual that their conduct is unacceptable and potentially discriminatory. The letter will detail that further incidents may result in the withdrawal of services or dismissal. In cases of physical violence/serious threats, the manager will involve the police if appropriate.

Section 5: Review of Equality Policy

5.1 This policy will be reviewed **every 3 years** to ensure that the appropriate amendments are made. All staff and relevant third parties will be informed. Continuously subjecting our Policy to review will ensure that its effectiveness is maintained, and that feedback can be acted upon in a reasonable time frame.

APPENDIX 1: EQUALITY IMPACT ASSESSMENT

TITLE OF POLICY:	Equality and Diversity Policy
Strategic Outcome:	To work in partnership with others to create thriving communities that people want to live and work in.
What is the purpose of the proposed Policy?	To ensure our policies and practices do not discriminate or disadvantage any of our internal or external customers, including staff
Protected Characteristic Groups affected by the Policy	<ul style="list-style-type: none"> • Age; • Disability; • Gender Reassignment; • Marriage and Civil Partnership; • Pregnancy and Maternity; • Race; • Religion or Belief; • Sex; • Sexual Orientation • language and social origin; and • other personal attributes
Who is the target audience of this policy or who is intended to benefit from the proposed policy and how? (ie. employees, service users, management committee etc.)	This Policy applies to all current and prospective customers, staff and committee members of Linthouse Housing Association
List any existing documents, evidence, research which have been used to inform the EqIA (this must include relevant data used in this assessment)	Equalities Statement 2015-2018 (SHR, 2015) Use of Equality and Diversity Information by Scottish Social Landlords A thematic inquiry (SHR, 2016) Equality and Diversity (CIH, 2012) ACAS Managers Guide to Equality Impact Statements
Has any consultation involvement been undertaken with the Protected Characteristic Groups to inform this assessment? (please provide details of who and how consulted)	No.
What is the actual likely impact?	The Equalities and Diversity Policy is designed to have a positive impact on the services we provide, our policy and procedures, and our decision making by ensuring they promote equality of opportunity.
How have you, or will you, put the Policy into practice, and who is or will be responsible for delivering it?	The Head of Customer Solutions is responsible for the introduction of the policy and arranging training and review from the appropriate agencies.

<p>How does the Policy fit into our wider or related policy initiatives?</p>	<p>The Equality and Diversity Policy fits into all of our new and reviewed policies and practices to ensure that we do not discriminate anyone based on the protected characteristics listed and that every internal and external customer is treated with dignity and respect.</p>
<p>Do you have a set budget for this work?</p>	