

FORTH HOUSING ASSOCIATION LIMITED

Equality, Diversity and Inclusion Policy

Code: GOV 09

Approval: February 2024

Review Date: February 2027

Cross Reference:

- A14 EVH T&C Grievance**
- A39 EVH T&C Redundancy**
- HR30 Disciplinary Policy**
- GOV 24 Data Protection**
- GOV10 Unacceptable Behaviour Policy**
- GOV 28 Whistleblowing Policy**
- HR05 Dignity at work**
- HR04 Code of Conduct for Staff**
- GOV02 Code of Conduct Committee Members**
- GOV05 Complaints Policy**
- HR29 Recruitment Policy**
- HM09 Harassment**
- HM03 Allocations Policy**
- GOV06 Customer Experience Policy**

FORTH HOUSING ASSOCIATION LIMITED

Policy Summary

The purpose of the Equality, Diversity and Inclusion Policy is to set out how Forth aims to comply with the Equality Act 2010 and ensure that we are recognised as being a diverse and inclusive employer.

Equalities

There is no requirement to do a full Equality Impact Assessment as there is no significant changes to the policy.

The Policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.

Privacy

There is no requirement to do a full Privacy Impact Assessment.

Policy Owner

Name: Head of Corporate Services

Date of Next Review: March 2027

Equality, Diversity and Inclusion Policy

Diversity and Inclusion Statement

Individuals with different cultures, perspectives and experiences are at the heart of the way we work. We want to recruit, develop and retain the most talented people, regardless of their background and make best use of their talents.

At Forth we are guided by our values in everything we do and recognise that being a diverse and inclusive employer helps us fulfil our responsibility to make a difference for tenants.

We want to make sure that there are no barriers for tenants and future tenants accessing our services and we want to develop a work environment where we treat all our people as individuals, fairly and in a consistent way. We work within the spirit and the practice of the Equality Act 2010 by promoting a culture of respect and dignity and actively challenging discrimination, should it ever arise.

We will remove unnecessary barriers for our people seeking opportunities through training and development. We will continue to support all our people to demonstrate the principles of diversity and inclusion in their everyday activities, roles and functions.

1.0 Introduction

1.1 The equality diversion and inclusion policy represents a key strategic policy of Forth Housing Association. Our values of dignity, respect and choice apply to tenants, staff, management committee and all our partners and we pride ourselves on valuing the diversity all around us. We seek to develop sustainable communities and commit to equal opportunities in our role as a provider of housing to those in housing need, and, as an employer. The Association is referred to generally as “we” throughout this document.

1.2 Equal opportunities defined

The Scotland Act 1998 defines equal opportunities to mean:

“... 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.”

(Schedule 5, L2)

This means that all of our services should address discrimination based on any of these grounds.

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 namely the key areas of race, gender disability, nationality, religion, belief, sexual orientation and age.

2. Principles

2.1 The following principles govern this policy

- ensure that our services meet law and good practice requirements;
- satisfy principles of effective governance;
- address any form of discrimination or harassment in our area of operation; and
- promote equality throughout all of our services by ensuring that no one is excluded from access to our services through discrimination.

The policy outlines our strategy for achieving effective implementation of our equality policy objectives.

The method of implementing this strategy is incorporated into our Business Plan objectives.

2.2 The individual sections of this policy explain key components of our equality strategy.

These components are:

- our policy aims and objectives;
- the policy focus and action planning;
- committee and staff training;
- monitoring performance;
- promoting equality; and
- policy review.

3. Aims and Objectives

3.1 The aims and objectives of this policy are to:

- Ensure integration with equality and diversity practices into all that we do, and ensure that all our people, that is our staff committee members, tenants and other customers and all stakeholders are treated with fairness and respect from each other and from members of the public, committee members and contractors.
- Our equality objectives detail the principles that we will implement throughout all housing services. These reflect, in effect, our standards that we use to measure policy implementation. The principles express general commitments and these are then integrated throughout actual organisational services. Each individual policy contains, therefore, its own specific equality commitments that derive from the objectives detailed below. These elements are implemented into our action plan that is the practical document used to mainstream equality diversity and inclusion effectively.

- 3.2 This policy is also aimed at supporting our employment practices and that we implement fair and just employment practices ensuring that no job applicant or employee will receive less favourable treatment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 3.3 This policy also promotes a culture and an environment that respects and values people's differences and promotes dignity, equality and diversity and inclusion.

4. Policy Framework

4.1 Responsibilities

We are committed to promoting an environment of respect, understanding, and eliminating discrimination by providing equal opportunity for all. As the Government continues to tackle discrimination and promote equality a number of new and updated pieces of legislation have come into force. We support the Government in its aim in promoting a culture of dignity and respect for all and eliminating discrimination.

Sustainable communities are communities that are areas in which people want to live and work and that are free from discrimination and harassment.

A commitment to this policy is required from all staff, Committee members and others with whom we may work (e.g. contractors). We also expect the same commitment from all those who receive a service from us and we will promote this policy in all our dealings with them.

4.2 Legal framework

Promoting social inclusion through comprehensive equality programmes is central to Scottish Parliament strategy. This commitment to equality is reflected in the current legal framework that has evolved to address many forms of discrimination. The law relating to equality covers both employment and service issues, as does this policy.

Although the law is complex and increasingly diverse in the issues that it embraces, we integrate legal requirements throughout our services. This means that legal duties are built into general policies and practices thus ensuring that we meet our legal obligations. This process is sometimes referred to as "equality mainstreaming."

The Equality Act 2010

Legislative and Regulatory requirements of The Equality Act 2010 consolidated existing equality legislation for equal pay, sex discrimination, disability as well as employment and rehabilitation of offenders. The Act specifies how individuals and groups are to be protected from direct or indirect discrimination, harassment or victimisation.

Section 149 of the Equality Act requires the Association to comply with a general equality duty that we strive to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not share it. There are nine protected characteristics covered by the 2010 Act. 3

- Race: A group of people defined by their race, colour, and nationality including citizenship, ethnic or national origins.
- Sex: A man or a woman.
- Sexual orientation: Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes, including lesbian, gay, bisexual or heterosexual
- Being a trans sexual person: Where someone has changed or is changing or has proposed changing their sex, called 'gender reassignment' in law
- Disability: A person has a disability if s/he has a physical or mental impairment that has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- Religion and Belief: Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
- Age: Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 – 30 year olds).
- Pregnancy and Maternity: Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth and includes treating a woman unfavourably because she is breastfeeding.
- Marriage and Civil Partnership: Marriage is a union between a man and a woman or between a same-sex couple. Same sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Housing (Scotland) Act 2010

Scottish Housing Charter The refreshed Charter (2017) identifies equalities obligations to be met by social landlords:

- Performing all aspects of their housing services so that every tenant and other customer has their individual needs recognized, is treated fairly and with respect and receives fair access to housing and housing services
- Complying with equalities legislation
- Understanding the needs of different customers and delivering services that recognise and meet these needs.

Regulatory Standards on Equality 4 The Scottish Housing Regulator standards and guidance state that:

- The RSL pays 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.

Human Rights Act 1998

Good housing is a basic human need. It supports good health and opportunities for individuals and contributes to sustainable places and quality of life for communities.

The Human Rights Act 1998 provides for an individual to have the right to own and enjoy the ownership of property; the right to respect for private life; the right to respect for family life; and the right to respect for their home. The Act provides protection against discrimination with regard to any of these rights.

There are many aspects of FHA's role in providing housing and housing services that could be affected by the Human Rights Act. For example:

- Housing allocations
- Tenancy agreements
- Housing conditions
- Adaptations
- Rent arrears and other breaches of tenancy conditions
- Anti-social behaviour
- Relationship breakdown
- Tenancy termination, successions and evictions

Post-Brexit, the United Kingdom is party to the European Convention on Human Rights which contains articles setting out the rights that are protected. Breaches of the articles are heard by the European Court of Human Rights.

The Equality and Human Rights Commission has published a guide for social landlords on complying with the Human Rights Act.

4.3 Policies, procedures and practices

We integrate equality matters throughout organisational policies, procedures and practices. This includes incorporation of legal and good practice guidance in all our service delivery and our recruitment practices

4.4 Service provision

We provide services to meet the needs of individual service users, including making reasonable adjustments, as required. This is called providing "accessible services."

For example, we hold meetings in venues that are accessible to disabled people.

Again, we provide public documents in plain language, will translate into relevant languages and in other formats such as large print and audio-tape, on request.

4.5 Information

We ensure that public information is accurate and reflects law and good practice in plain language. This is essential to ensure that service users are aware of their rights. We also provide information in appropriate languages, on request.

4.6 Working with other agencies

We work with a range of local agencies, in particular Stirling Council and Happy to Translate, to promote our equality objectives.

4.7 Appointing consultants and contractors

We require any consultants and contractors that we appoint to have an equality policy that reflects our equality commitments or to agree to abide by our policy.

4.8 Training and Development

Equality and diversity will apply throughout all training activities and resources. Training and development opportunities will be given to all employees and committee members in accordance with annual reviews or to meet the needs of the role. It is crucial that all our people are able to participate and enjoy any training opportunities or activities without discrimination or fear of harassment. Every attempt will be made to ensure learning materials will provide a positive image of people reinforcing an image and of equality of opportunity.

4.9 Redundancy Selection

Redundancy selection will be made according to the statutory requirements and in line with our Redundancy Policy. Criteria will be discussed with the Trade Union and or nominated representatives. The criteria will be set out and will be objectively fair and consistent. This will ensure that employees selected for redundancy are selected according to the chosen selection criteria and not in any discriminatory way either indirectly or directly.

5 Monitoring of the Policy

- 5.1 In developing our approach to the collection of equality information, the Association will refer to the guidance, Collecting Equality Information: National guidance for Scottish social landlords. This guide was originally produced in

August 2021 and revised in April 2022 on behalf of the Scottish Federation of Housing Associations (SFHA), Glasgow and West of Scotland Forum of Housing Associations (GWSF), Association of Local Authority Chief Housing Officers (ALACHO) and the Scottish Housing Regulator (SHR). Data collated from the equality surveys will be reported to the management committee and will be used to inform our service delivery.

- 5.2 The Management Committee will review this policy at least every 3 years and staff are responsible for ensuring that it meets legal and good practice requirements.

6.0 Complaints and Appeals

- 6.1 Forth Housing Association welcomes complaints and positive feedback, both of which provide information which helps us to improve our services. We use a complaints procedure developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The complaints procedure allows for most complaints to be resolved by front line staff within a five day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20 day limit (second stage). At the end of the second stage our response will be made by a director. If the customer remains dissatisfied, he/ she may then refer the matter to the SPSO.

At each stage we will advise the customer how the complaint should be taken forward and advise which agency would be most appropriate to consider the case.

7.0 Equalities

- 7.1 This policy covers our approach to ensure we deliver our services without discrimination and that we promote diverse and inclusive communities.

8.0 Data Protection - Privacy

- 8.1 We recognise the importance of data protection legislation, including the General Data Protection Regulation, in protecting the rights of individuals in relation to personal information that we may handle, use and disclose about them, whether on computer or in paper format. We will ensure that our practices in the handling, use and disclosure of personal information as part of the processes and procedures outlined in this policy comply fully with data protection legislation. More information is available from our Data Protection Officer

9.0 Availability

9.1 This policy is available on our website and can be made available in a number of other languages and other formats on request

10.0 Policy review

10.1 This policy will be reviewed at least every 3 years by the Management Committee and staff are responsible for ensuring that it meets legal and good practice requirements.

Appendix 1 Equality Impact Assessment Screening Questions

Equalities Policy

Will the implementation of this policy have an impact on any of the following protected characteristics?

- | | | |
|-----------------------------------|------------------------------|--|
| 1. Age | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Disability | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Gender reassignment | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Marriage and Civil Partnership | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 5. Pregnancy and Maternity | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 6. Race | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 7. Religion or belief | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 8. Sex | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 9. Sexual orientation | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If you have answered 'Yes' to any of these points, please complete a full Equality Impact Assessment. If you have answered 'No', you need take no further action in completing an Equality Impact Assessment

Forth Housing Association - Privacy Impact Assessment

Equalities Policy

1. A substantial change to an existing policy, process or system that involves personal information Yes No
2. A new collection of personal information Yes No
3. A new way of collecting personal information (for example collecting it online) Yes No
4. A change in the way personal information is stored or secured Yes No
5. A change to how sensitive information is managed Yes No
6. Transferring personal information outside the EEA or using a third-party contractor Yes No
7. A decision to keep personal information for longer than you have previously Yes No
8. A new use or disclosure of personal information you already hold Yes No
9. A change of policy that results in people having less access to information you hold about them Yes No
10. Surveillance, tracking or monitoring of movements, behaviour or communication Yes No
11. Changes to your premises involving private spaces where clients or customers may disclose their personal information (reception areas, for example) Yes No

If you have answered 'Yes' to any of these points, please complete a full Privacy Impact Assessment. If you have answered 'No', you need take no further action in completing a Privacy Impact Assessment.