



**West
Granton**

Housing Co-op

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West Granton Housing Co-operative

Equality and Diversity Policy

This policy was approved by the Committee of Management on 11th December 2019.

It should be reviewed again no later than 2023.

The policy has been assessed through the organisational impact assessment process.

We can produce this document in different formats such as larger print or audio-format; we can also translate the document into various languages, as appropriate.

This policy was developed jointly between West Granton Housing Co-operative and Doctor Stewart Montgomery, Montgomery Housing and Equality Services. If this document is copied, either in part or in full, then our joint authorship should be noted on any copy.

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Note: The equal opportunity and diversity policy is referred to below simply as “our policy” to promote plain language.

Section 1: Equality policy and its strategic aims

1.1. Equality policy and governance

Our equality policy is part of our governance policy framework and its values are applied to all organisational services.

We use this policy to address any form of discrimination, harassment or victimisation that may occur in either employment or housing services. This includes discrimination that is unlawful and discrimination that is unfair.

Our policy is used, not only to eliminate discrimination, but to promote our equality objectives. These objectives reflect our organisational values and are described in Section 2.

In order to implement our equality objectives, we have developed a comprehensive equality action plan. This plan covers a wide range of inter-dependent activities and is critical to incorporating equality matters throughout all organisational services. This process is often referred to as “equality mainstreaming.”

Our equality policy does not stand alone but is supported by various specialist equality procedures. Each of these procedures is explained in Section 3.

Our policy is supported by a range of other specialist procedures that are essential if our objectives are to be met in practice. This is explained in section 3.

Finally, we recognise that equality commitments will only be met by actively promoting values associated with social justice. For this reason, staff development and training is regarded as a vital component of our equality action plan.

Note

In the following sections, we use the term “equality” to include the terms “equal opportunity” and “diversity.”

1.2. Summary

Promoting equality objectives is a central aspect of our organisational governance strategy. Our equality policy and equality action plan through which we implement our equality objectives. And this is supported in practice by a number of equality procedures. These are explained in the Sections below.

Section 2: Law, regulation and guidance: a summary

Section 2 describes the law, regulatory and guidance framework that determines our equality practices. It is not intended as a precise statement of law, but simply as a plain language overview.

2.1. The legal framework

Equality law is complex and equality issues are covered in a diverse range of separate legislation. It is essential to note, too, the the legal framework is subject to ongoing change (see Appendix 1). For instance, in Scotland, a new duty in relation to addressing socio-economic disadvantage for specified public bodies came into force in 2018. This is very important as addressing poverty issues associated with social class is critical in the Scottish housing context (1)

2.2. Equality Act 2010 (as amended)

The most important Act that covers equality issues is the Equality Act 2010 (as amended). This Act addresses a broad range of equality issues, including rights and duties in respect of employment and service matters. Two main issues are now summarised, namely the protected characteristics and the public sector equality duty.

2.2.1 The protected characteristics

The protected characteristics are the grounds on which discrimination is unlawful (see note). The nine protected characteristics are:

- age;
- disability;
- gender re-assignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

Note: Discrimination has various meanings under this Act so that discrimination takes different legal forms. Harassment or victimisation of another person is also unlawful in terms of the legislation.

2.2.2. The Public Sector Equality Duty

SSI 2017 No. 403 The Equality Act 2010 (Commencement No. 13) (Scotland) Order 2017. The Order introduced the duty contained in the Equality Act 2010 from 1 April 2018.

The Equality Act 2010 requires relevant 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.

A key aspect of equality law is its focus, not simply on eliminating discrimination, but on adopting a proactive and/or preventative approach to addressing discrimination.

2.3. The Scotland Act 1998 (as amended)

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

“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)

This Act is very important, not simply because it defines equal opportunity thus giving this definition a statutory footing. It is important as it covers grounds that extend beyond the protected characteristics. For example, social origin (or social class) and personal attributes are both covered by this Act.

Note: Our equality strategy takes these additional grounds into account when implementing our equality action plan.

2.4. Housing (Scotland) Act 2010

The Housing (Scotland) Act 2010, section 39, requires every social landlord to “act in a manner to encourage equal opportunities.”

This is very important as this requirement covers all equality related law and is fundamental to the process of equality mainstreaming.

Note: As noted, other Acts deal with equality issues such as the Human Rights Act 1998, as well secondary legislation in the form of Statutory Instruments and/or Scottish Statutory Instruments (SSIs).

2.5. Codes of practice

The Equality and Human Rights Commission issues codes of practice that provide detailed guidance in respect of implanting legal duties effectively. These codes cover both employment and services.

2.6. Regulatory standards

2.6.1. Housing

The Scottish Social Housing Charter has an equality specifically related to housing services (for tenants and other customers).

This 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.”

(Scottish Social Housing Charter, 2017)

2.6.2. Finance and governance

The Scottish Government regulatory financial and governance standard requires us to conduct our affairs with honesty and integrity (Standard 5). This includes:

“ ..paying 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.”

(Scottish Government, 2019, page 14, Regulation of social housing in Scotland: Our framework).

Another important regulatory document concerning equal opportunity is in relation to assurance and notification requirements. Under this, we must:

“Have assurance and evidence that it considers equality and human rights issues properly when making all of (our) decisions, in the design and review of internal and external policies, and in (our) day-to-day service delivery; and

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. 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 service users.”

(Scottish Government, 2019, page 8, Regulation of social housing in Scotland: Our framework)

2.7. Summary

Equality law is complex and subject to ongoing evolution in the form of new legislation. Although equality law is United Kingdom legislation, other law is specific to Scotland.

Our policy takes account of codes of practice, as well as regulatory standards. This ensures that we incorporate, not just law, but good practice too into all of our services.

Section 3: Our Equality Policy Charter

3.1. Purpose of our equality policy charter

Our policy charter describes our key organisational objectives. These objectives reflect, in turn, the values that we promote to as an organisation.

Our charter is intended as a framework of activities that we implement through our equality action plan. This is done, in practice, by including these values throughout all of our policies, procedures and services.

3.2. Equality Charter objectives

Our ten main equality objectives are described below.

Objective 1

We meet all relevant law and guidance concerning equality matters.

Objective 2

We include equality issues throughout all organisational policies and practices; this is sometimes referred to by the technical term “equality mainstreaming.”

Objective 3

We use a number of equality procedures to implement our policy effectively, for example, our equality impact assessment procedure.

Objective 4

We gather equality data, not simply to monitor services, but to use this data to provide appropriate services to our staff, tenants and other customers.

Objective 5

We assess all of our information to ensure that it is accessible, accurate and appropriate, for instance, using positive language that promotes respect for other people.

Objective 6

We work in partnership with other organisations to promote our equality objectives such as Edinburgh City Council and the Glasgow Centre for Inclusive Living.

Objective 7

We provide a range of equality training courses for our staff, including consciousness raising training that is vital to address diverse forms of discrimination.

Objective 8

We manage our performance through our comprehensive equality impact assessment procedure and our equality performance management system.

Objective 9

We have established a tenant participation strategy and consult with tenants and other customers on our equality policy objectives.

Objective 10

We review our policy every four years, or sooner if this is needed because of changes in law and/or equality guidance.

3.3. Summary

Our equality charter reflects our organisational values and we use a range of documents to mainstream these values into organisational practice. A key method is our equality action plan, as complemented by a number of other equality procedures.

Section 4: Implementing our equality and diversity commitments

In order to implement our policy objectives comprehensively, we will use various equality procedures as listed below:

- equality action plan;
- equality data collection procedure;
- equality impact assessment procedure (EIA);
- harassment procedure; and
- appropriate language guide.

4.1. Our Equality Action Plan

Our equality action plan is extremely comprehensive, including an equality review section covering all organisational policies and procedures.

The plan is based on a robust theoretical framework to promote effective equality rights implementation. This framework is explained in the equality action plan itself.

Note: Our equality action plan is reviewed by our Committee each year.

4.2. Our Equality Data Collection Procedure

We have established a comprehensive equality data collection procedure that is applied to our employment and housing services. This procedure is a key element within our equality action plan.

The equality data collection involves a multi-disciplinary approach and draws on the following legal and guidance sources:

- data protection law and guidance (including the General Data Protection Regulation, 2016);
- equality law and guidance;
- family law and guidance;
- freedom of information law and guidance;
- housing law and guidance; and
- human rights law and guidance.

As a central element within the equality action plan, equality data collection is used to ensure that our services, not only comply with law and regulatory standards, but promote good practice.

For example, by understanding the accessibility requirements of our disabled tenants and/or other customers, then we can make reasonable adjustments to address their needs.

4.3. Our Equality Impact Assessment Procedure (EIA)

We use our equality impact assessment procedure to ensure that a range of equality related standards are included throughout organisational policies, procedures and other documentation.

The benefits of this approach are as follows: firstly, our equality impact assessment incorporates compliance with law and good practice throughout all documents. Secondly, through this method of assessment, our documentation not only eliminates unlawful and unfair forms of discrimination, but promotes equality objectives too.

4.4. Our Harassment Procedure

Equality related harassment can occur in relation to the protected characteristics. Rather than treating such harassment in isolation, though, we recognise that it is fitting to address such harassment strategically.

Thus, we address all forms of discrimination and harassment – unlawful and/or unfair forms too – as part of our antisocial behaviour strategy.

Finally, we address such behaviour by first identifying and assessing its nature before applying the appropriate remedy.

Remedies, it is stressed, can include management and/or judicial actions to redress the unwanted behaviour or conduct.

Finally, we support people who experience discrimination and/or harassment and advise them of options available. This allows people to address their particular situation and seek what is appropriate for them.

4.5. Our Appropriate Language Guide

We will promote the Scottish Housing Regulatory equality standard through our appropriate language guide. This guide recognises how language can promote respect for other people or be used as a method of discrimination and harassment. As such, our guide encourages staff to reflect on language use and how language is central to promoting equality values.

4.6. Summary

Our equality policy is the framework of values that we promote. But this policy is implemented into practice through its related action plan and our five specialist procedures. These documents operate systemically to promote the mainstreaming of equality objectives into practice.

Section 5: Staff Development

5.1. Equality training and effective policy implementation

Equality training is essential if we are to implement our equality policy objectives effectively.

We recognise, too, that equality training involves many types of topics and learning options.

Before delivering training, we take account of training needs assessments that are carried out for individual staff. This assessment is carried out in relation to actual job roles, as well as future development needs.

This assessment is then used to select appropriate equality training and thus ensuring value for money.

5.2. Examples of equality training

Examples of equality training for different categories are shown below under the headings law and guidance, policy and procedural training, technical training and consciousness raising.

5.2.1. Law and guidance

Law and guidance training would cover issues such as:

- equality law in relation to employment and services, for example, the Equality Act 2010;
- codes of practice and other good practice guidance, for instance, information produced by the Equality and Human Rights Commission; and
- regulatory standards in housing produced by the Scottish Housing Regulator.

5.2.2. Policy and procedural training

Policy and procedural training would cover issues such as:

- equality policy and action plan training; and
- our equality procedures.

5.2.3. Technical training

Technical training would cover issues such as:

- how to carry out equality impact assessments and mainstream equality objectives throughout policies and procedures;
- assessing the accessibility of our website; and
- how to carry out anonymous equality data monitoring which is essential for committee members who monitor policies.

5.2.4. Consciousness raising training

Consciousness raising training would cover issues such as:

- recognising and assessing the different forms of discrimination and harassment and how to address them; and
- promoting awareness of theoretical perspectives that are promoted by the Equality and Human Rights Commission, for example, the social model of disability.

5.3. Summary

Equality training is vital to the mainstreaming of equality process and covers a diverse range of activities. We recognise that equality training must be incorporated within our staff development review system as equality training is a mandatory activity.

Section 6: Performance management

Section 6 describes:

- our rationale for monitoring equality data;
- what equality data we monitor;
- how we monitor equality data; and
- who has access to equality data.

6.1. Our rationale for monitoring equality data

Examples of why we monitor equality data are:

- to meet our legal duties, for instance, seeking equality data about the accessibility requirements of disabled tenants so we can make reasonable adjustments;
- to adhere to regulatory standards;
- to identify any form of unlawful discrimination and then take steps to address such conduct; and
- to evaluate areas for further development, including promoting positive action initiatives (see Section 7).

6.2. What equality data we monitor

We monitor data in line with law and guidance; this includes the protected characteristics and other local data, for example, socio-economic patterns.

When monitoring data, we ensure that our processing complies with relevant data protection provisions.

Note: We report regularly on equality issues to our committee.

6.3. How we monitor equality data

We monitor equality data when gathering information from tenants and other customers about equality issues. This includes informing people of why we gather this information. We gather equality information through three main ways, namely:

- application forms (for housing and/or employment);

- tenants and employees; and
- surveys.

6.4. Who has access to equality data

We control access to personal data in line with our data protection policy and practices. This means that access is only granted to staff who use this information.

Anonymised equality data that does not enable individuals to be identified, on the other hand, is provided to committee members through equality reports.

Note: We also compile annual written information to the Scottish Housing Regulator, for example, through our annual Assurance Statement.

6.5. Summary

Equality monitoring is an essential element within our equality action plan. Equality information is used for practical reasons, including demonstrating compliance with statutory duties. But the main ethical purpose of equality monitoring is to ensure that we address the needs of individual employees, tenants and other customers. Finally, we only process equality data if this satisfies the strict rules covered in data protection law, including processing of sensitive equality data (now known in law as “special category data”).

Section 7: Positive action initiatives

7.1. Background

Positive action is promoted in law and guidance to support people with relevant protected characteristics. This must be distinguished from positive discrimination that is generally unlawful. These terms are explained below before describing our equality actions to promote our equality objectives.

7.2 Positive action

Positive action initiatives are used to promote access to employment and training opportunities to persons who are under-represented in employment in housing.

For example, a positive action initiative could be to encourage women to apply for jobs in maintenance. This would apply as this is a field in which men have traditionally comprised most employees.

Positive action initiatives can also relate to service provision, for instance, encouraging under-represented groups to apply for housing. This might include people from black and minority groups.

Note: Within this policy, we also promote positive action to cover persons who are disadvantaged due to social class and relative poverty. For example, we provide advice and support to support tenants to maximise the income to which they are entitled.

7.3 Positive discrimination

Positive discrimination is, in general, unlawful as this involves treating people more favourably on in relation to one of the relevant protected characteristics, for example, due to their sex or racial group. This can apply in respect of services and/or employment.

Appointments on the basis of sex or racial groups could be permitted in law, for example, if these are deemed to be essential for the specific post in question. These are referred to as “genuine occupational requirements.”

One example of this could be appointing a Somali woman to provide domestic abuse counselling advice to Somali women who are victims of domestic abuse.

Note: Positive discrimination could also apply to housing services that we provide.

7.4. Our positive action initiatives

We implement positive action initiatives, as appropriate. Examples of such initiatives include working in partnership with Glasgow Centre for Inclusive Living Equality Academy to develop a comprehensive equality strategy.

7.5. Summary

We develop positive action initiatives, as appropriate, as part of our equality action plan. These are based on an assessment of local and national equality patterns so that we can address patterns of disadvantage. Through this approach, we address barriers to employment, services and training opportunities that can affect those with protected characteristics and those without such characteristics.

Section 8: Partnership working

8.1 Partnership working and promoting equality objectives

Partnership working is key to comprehensive equality action planning as joint working enables resources to be pooled.

Advantages of partnership working involve, of course, more than financial advantages. For instance, effective partnership working assists in disseminating information about – and access to our services.

Again, partnership working encourages a holistic approach to service delivery and can facilitate greater accessibility for individual people.

8.2. Our partner organisations

We consult or work with a range of organisations to promote equality objectives. Examples of these organisations are the Equality and Human Rights Commission and Glasgow Centre for Inclusive Living Equality Academy.

8.3. Summary

Partnership working is central to an effective equality strategy. We work with agencies, both locally and nationally, to promote our equality objectives.

Section 9: Appeals or complaints

9.1. Appeals

We provide information to employees, tenants and other customers of how to access advice and assistance who wish to appeal equality issues.

In the case of employees, appeals about employment matters would be to employment tribunals.

In the case of tenants and other customers, appeals about housing services would be to the Sheriff Court.

9.2. Complaints

We address any equality related complaints through our complaint handling procedure. We give information about our complaint procedure to all of our tenants and other service users.

A complaint is quite distinct from an appeal against a decision.

WGHC define a complaint as “An expression of dissatisfaction by one or more members of the public about West Granton Housing Co-operative's action or lack of action, or about the standard of service provided by or on behalf of West Granton Housing Co-operative.”

In the context of equality, a complaint would concern the way we applied our equality policy or administered the process.

Complaints are processed in accordance with [WGHC's Complaints Handling Policy](#)

9.3. Summary

We advise anyone seeking to appeal equality matters with information as to where she/he can obtain independent legal advice. This is in line with our commitment to promote human rights, in particular to ensure that people can access a fair and independent hearing. We also provide tenants and other customers with information about our complaint process.

Section 10: Consultation and review of policy

10.1. Consultation on our equality policy

Consultation is part of our tenant participation strategy and we use a wide range of consultation methods to reflect the needs of people in our community. These methods also take into account of accessibility requirements of disabled people.

10.2. Review of equality policy

We review our allocation policy every four years or sooner, as appropriate. For instance, we may review our allocation policy because of changes to law, or monitoring / reporting reveals that a change is required sooner.

10.3. Summary

We consult with tenants and other people when developing our equality policy in line with good practice. We review equality policy, as required, and plan reviews in a structured and comprehensive manner.

Appendices

Appendix 1: Law and guidance

Appendix 1: Law and guidance

This section notes two key laws and where guidance is available relating to equality matters. A more complete list of relevant laws and guidance is not provided as this is quickly outdated due to ongoing changes as law and guidance evolve.

Key laws

Equality Act 2010 (as amended).

Human Rights Act 1998 (as amended)

Secondary legislation

There is a large number of statutory instruments (and Scottish statutory instruments) available on the Scottish Government website.

Equality and Human Rights Commission

The statutory and non-statutory codes are available on the Equality and Human Rights Commission's website.

Research

Montgomery, S, Dr, 2011, "A critical assessment of factors that are necessary for the effective implementation of equality rights within services provided by Glasgow's housing associations," Master of Philosophy Thesis presented to the University of West of Scotland: Glasgow.

Housing guidance

Guidance on equality practices is comprehensive and covers many issues, both specialist and general.

With reference to housing specifically, examples of guidance and research are as follows:

CIH (2010) Equalities and Diversity in housing, CIH Scotland.

CIH (2011) Delivering the Equality Act 2010, CIH.

CIH (2009) Equality, Diversity and Good Relations in Housing, Good Practice Brief, CIH.

Eglinton, S and Barbour, P (2011) Equalities Guidance "Getting the balance right," Glasgow: SFHA.

Jeffrey, J and Seager, R, 2011, Equality and diversity: a framework for review and action (3rd edition), National Federation of Housing Associations.