

# NEW GORBALS

HOUSING ASSOCIATION

200 Crown Street, G5 9AY | admin@newgorbalsha.org.uk | 0141 429 3900

<b>Policy Name</b>	<b>Equality, Diversity and Inclusion Policy</b>
<b>Approved by</b>	<b>NGHA Management Committee</b>
<b>Date approved</b>	<b>27<sup>th</sup> August 2024</b>
<b>Latest date of Next Review</b>	<b>June 2027</b>

New Gorbals Housing Association will provide this policy on request at no cost, in larger print, in Braille, in audio or other non-written format, and in a variety of languages. Please contact the office.



**New Gorbals Housing Association (NGHA) is registered with the Scottish Housing Regulator (No. HAL 211), as a charity in Scotland (SC041164) and is a registered society under the Co-operative and Community Benefit Societies Act 2014 (No 2309 RS). In the Property Factors Register under section 6 of the Property Factors (Scotland) Act 2011, registration number PF000338.**

## 1. Introduction

- 1.1. New Gorbals Housing Association want everyone to have the same opportunities, irrespective of their background. We are committed to ensuring that anyone who wants to access the services we provide can do so by removing any barriers or obstacles which may prevent them accessing or obtaining the full benefit of our services.
- 1.2. We want to:
- 1.3. Ensure that our tenants, applicants, other service users, our employees and volunteers, and anyone who provides or receives a service from NGHA are treated fairly and with dignity and respect.
- 1.4. Eliminate any discrimination, either directly or indirectly, against any individual on the grounds of sex, race, disability, age, religion or belief, gender reassignment, sexual orientation, pregnancy and maternity, or marriage and civil partnership.
- 1.5. Promote Equality, Diversity, Inclusion and anti-discrimination in everything that we do. This includes in our service delivery, the influence we have with stakeholders, partners and contractors, and in the recruitment and retention of our employees.
- 1.6. Use our spending power to promote equality and good relations between protected characteristics in the way we procure services and contractors.

## 2. Purpose of this Policy

- 2.1. This Policy describes how New Gorbals Housing Association will promote equality, diversity and inclusion in our service delivery, and in the management of our organisation.
- 2.2. It also aims to ensure that an understanding of equality, diversity and inclusion is integrated into all aspects of NGHA's activities, and to ensure that tenants and other customers, employees, volunteers, contractors and other partners are treated with fairness and respect, and that they also treat others with fairness and respect.
- 2.3. The Policy takes account of the legal and regulatory requirements we must meet, and how we will translate our own mission and values into tangible outcomes that will benefit our tenants, applicants, employees and other people who use our services.
- 2.4. Through this policy we propose to promote and sustain a culture of dignity, fairness and equality of opportunity both in the services we provide and the working environment of our employees.

## 3. Key Definitions

- 3.1. **Equality** – Equality is not about treating everybody in the same way but recognises that their needs are met in different ways. Equality focuses on those areas covered by law and described in the Equality Act 2010 as 'Protected Characteristics' which are set out below.

3.2. **Diversity** – Diversity is about valuing individual differences to allow everybody to contribute and realise their potential. Diversity is also about recognising that individuals from a wide and varied range of backgrounds can bring different experiences, perspectives, and skills and can contribute new or fresh ideas. Diversity is also about everyone being able to be comfortable in being themselves.

3.3. **Inclusion** - Inclusion means creating an environment where everyone feels welcome and valued.

3.4. **Protected Characteristics** – The Equality Act 2010 introduced a range of characteristics which have special protection under Equality law. The Nine Protected Characteristics set out in the Equality Act 2010 are:

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

### 3.5. **Discrimination**

- Direct Discrimination is less favourable treatment of an individual or group, on account of a protected characteristic. An example of direct discrimination may be where an employer refuses to employ someone because they have an impairment which have no relevance to the job which they have applied for.
- Indirect Discrimination is when an apparently neutral requirement or condition impacts adversely or has a disproportionate effect on a particular group. An example of this could be a policy practice or procedure that applies to everyone in the same way but might disadvantage a particular group and which cannot be objectively justified in relation to it. For example, if everyone had to climb stairs to attend an event this would discriminate against people who couldn't do that because of a disability.
- Associated Discrimination is Direct Discrimination against someone because they are associated with another person who possesses a protected characteristic. For example, a non-disabled person is discriminated against because they have care responsibilities for a disabled person.

### 3.6. Harassment

- When a person engages in unwanted conduct which is related to a protected characteristic and which has the purpose or effect of i) violating the dignity of another person, or ii) creating for that person an intimidating, hostile, degrading, humiliating or offensive environment. It may be intentional bullying, which is obvious or violent, but it can also be unintentional or subtle and insidious. It may involve nicknames, teasing, name calling or other behaviour which may not be intended to be malicious but is nevertheless upsetting.
- Harassment by a third party – An employer is potentially liable for the harassment of their staff or customers by people they do not themselves employ e.g. a contractor or consultant.

3.7. **Victimisation** – is when someone faces discrimination because she or he has made an allegation of unlawful discrimination or because of assisting or supporting a complainant. An example of victimisation may be refusing to consider someone for a promotion because they gave evidence on behalf of a colleague who had made a complaint of unlawful race discrimination.

3.8. **Positive Action** – The Equality Act 2010 sets out two types of Positive Action which in certain circumstances are permissible.

- General – where persons who share a protected characteristic suffer a disadvantage, or have different needs because of that characteristic, then action may be taken to help overcome the disadvantage or address the needs. The Equality Act sets out that any action must be proportionate.
- Recruitment and Promotion – In this context an example may be addressing imbalances in the workforce or Management Committee by 'positive discrimination' to encourage individuals from underrepresented groups to apply for employment or positions on the Management Committee. Positive action may be applicable in setting equality targets aimed at encouraging people from a particular group or groups to apply for a vacancy, but not to set a quota.

3.9. **Reasonable Adjustments** – A positive change to remove or reduce the effect of an employee's disability to do their job in the employment context. Reasonable adjustments relate more generally to positive changes to remove or mitigate barriers to customers accessing a service.

## 4. Legal and Regulatory Requirements

4.1. There are a number of key pieces of legislation in relation to Equality, Diversity and Inclusion and which inform this policy. NGHHA will meet all its legal obligations as set out in the following legislation:

- The Equality Act 2010
- The Human Rights Act 1998

- The Scotland Act 1998
- The Housing (Scotland) Acts 2001 and 2010

4.2. Appendix 1 provides a commentary on each piece of legislation and what it means for NGHA. This section of the Policy provides a brief overview of the Equality Act 2010 which is the key piece of equality law in the United Kingdom.

### **Regulatory Standards on Equality**

4.3. *The Scottish Social Housing Charter* contains an Equalities outcome as one of the Charter's sixteen outcomes which social landlords must meet. The Equalities Outcome 1 of the Charter requires that: "Social landlords perform all aspects of their 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."

4.4. *The Scottish Housing Regulator's (SHR) Regulation of Social Housing in Scotland: Our Approach (The Regulatory Framework)* sets out the Standards of Governance and Financial Management and other Regulatory Requirements for social landlords in Scotland.

4.5. Regulatory Standard 5.3 sets out that: "The RSL pays due regard to the need to eliminate discrimination, harassment and victimisation, 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".

4.6. Regulatory Requirement EH1 and EH2 also set out requirements and standards in relation to Equalities and Human Rights which social landlords must meet:

- EH1 – Each landlord must have assurance and evidence that it considers equality and human rights issues properly when making all its decisions in the design and review of internal and external policies, and in its day-to-day service delivery.
- EH2 – To comply with these duties, landlords must collect data in relation to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff.

## **5. Our Equality Objectives**

5.1. As part of our policy aims, set out at section 2, and to illustrate NGHA's commitment to embedding Equality, Diversity and Inclusion into everything that we do, we have established the following Equality Objectives:

- To eliminate unlawful and unfair forms of discrimination.
- To treat all the people who use our services, and all our staff, with dignity and respect.
- To value and respond appropriately to diversity in the people who use our services, our staff and our community.

- To show zero tolerance of harassment and hate crime.
- To promote tolerance and community cohesion in the Gorbals.
- To comply with legislation and seek to meet best practice standards.
- To encourage our contractors and suppliers to promote equality, respect diversity and prevent discrimination.

5.2. To help us meet these objectives NGHA will:

- Require all staff and Management Committee members to show a positive commitment to equality.
- Develop good quality information about the people who use our services.
- Consider equality and opportunity for all in the design and delivery of our services.
- Engage with and seek feedback from all sections of our community when we are developing or conducting a review of our key services.
- Seek to ensure that our Management Committee and workforce is broadly representative of the community we serve.

5.3. The individual actions we will take to deliver our Equality Objectives will be set out in our Equality Action Plan for 2024 – 2027.

## **6. Gathering and Using Information about the people who use our services, our staff, and volunteers.**

6.1. In delivering the objectives of this policy it is important that we know who our tenants and other service users, employees and volunteers are.

Effective systems for collecting information and monitoring performance are a key part of this Policy, because good quality and accurate data help us to achieve our objectives, identify gaps and barriers to equality, diversity and inclusion, and inform our service delivery to target our services where they are required and where they will bring the greatest benefit.

6.2. The Scottish Housing Regulator's thematic inquiry *Use of Equality and Diversity Information by Scottish Social Landlords* recommends that social landlords should take the following actions:

- Use equalities data to help inform their understanding of the individual needs of their tenants and other service users.
- Consider whether satisfaction surveys – with the permission of the relevant tenants – could be used to gather specific information about the opinions of those with protected characteristics; and
- Use equalities data to tailor and target their approach to communicating with tenants and other service users.

NGHA accepts these recommendations.

6.3. NGHA's data collection systems will seek information about all nine protected characteristics, for the following groups:

- Management Committee members
- Members of NGHA
- NGHA Employees
- NGHA Social Housing Tenants
- Applications and appointments of new NGHA employees and volunteers

- Applicants for Social Housing

6.4. We will collect data in the following ways:

- Management Committee Members - through annual equalities profiling.
- Employees and Volunteers - through successful applications for employment and from our employee engagement surveys.
- Housing Applicants and New Tenants – through housing application, or housing offer or tenancy sign up, or settling-in visit.
- Existing Tenants - through our three-yearly large scale Tenant Satisfaction Survey and data collection alongside Communication Preference survey.

6.5. In asking for co-operation, we will make clear that the customer can choose not to provide some or all the information requested. We will also clearly explain the reasons for asking for the information and how it will be used, i.e. the data collected will help NGHHA to:

- Understand the needs of individual customers, so that we can provide a better service that meets the customer's needs.
- Identify any areas of possible discrimination and plan our services in a way that meets our equality and diversity objectives.
- Meet our legal duties to prevent discrimination and promote equality.

6.6. As part of our Equality, Diversity and Inclusion Action Plan 2024-27, we will review the effectiveness of our systems for collecting and analysing equalities information.

6.7. In collecting equalities data, we will also consider the *Scottish Federation of Housing Association's (SFHA) Collecting Equality Information: National Guidance for Scottish Social Landlords*.

## **7. Policy Implementation and Responsibilities**

7.1. The Management Committee is responsible for approving this Policy and for overseeing its implementation, including monitoring the progress of the Equality, Diversity and Inclusion Action Plan annually.

7.2. The Director and Senior Management Team have operational responsibility for policy implementation, and for reporting the outcomes NGHHA is achieving, equality related trends in performance and service delivery including complaints, and any changes in NGHHA's legal and regulatory obligations, to the Management Committee.

7.3. As part of our Equality, Diversity and Inclusion Action Plan 2024-27 we will establish an Equality Diversity and Inclusion Working Group which will have a responsibility for monitoring progress against the Equality, Diversity and Inclusion Action Plan, reporting progress to the Senior Management Team.

7.4. All NGHHA employees and volunteers must always act in accordance with this policy, and, where responsible, ensure it is applied in practice. Failure to do so could result in disciplinary action.

7.5. Equality, Diversity and Inclusion awareness training will be delivered to all employees and volunteers as part of the NGHHA's induction process, and refresher training will be delivered on a programmed basis.

- 7.6. NGHA as an organisation will reflect our equality, diversity and inclusion objectives in everything that we do, as set out at section 2 of this policy.
- 7.7. NGHA will produce an Equalities Action Plan to deliver on the objectives of this policy, normally covering a period of three years. This will:
- State our top priorities for development or improvement.
  - Describe how these priorities will be implemented, and how success will be measured.
  - Be reviewed annually by Management Committee.

## **8. Assessing and Monitoring Equality and Human Rights Impacts**

- 8.1. In line with our obligation to ensure we are delivering our services as a landlord and an employer equally and fairly, we will measure and monitor the impacts, both positive and negative, of our policies, proposals and services.
- 8.2. NGHA will measure the impact of our key policies, procedures and services upon protected characteristics through carrying out an Equality and Human Rights Impact Assessment (EqIA) as part of NGHA's policy or service development and/or review programme.
- 8.3. Although the Public Sector Equality General Duty does not make an EqIA mandatory, an EqIA is a very effective tool in measuring the impact of our policies, services and other major proposals. This is important to identify where our policies, proposals or services may, directly or indirectly, adversely impact a protected characteristic group or have unintended negative impacts.
- 8.4. Through this process NGHA will decide whether to continue with a policy, service or proposal, or present mitigating actions to address any inequality or adverse impact found through the EqIA process.
- 8.5. NGHA employees involved in the development or review of policies, proposals or services will have responsibility for completing an EqIA in relation to a particular policy, service or proposal.
- 8.6. Consideration and approval of the EqIA will normally be the responsibility of Management Committee or a Sub-Committee or other body with delegated authority to approve policies, services or proposals.
- 8.7. A revised specimen NGHA EqIA template document is included at Appendix 2. of this policy.

## **9. Publicising Our Equality, Diversity and Inclusion Policy**

- 9.1. In meeting our duties to promote equality we will ensure that this policy is widely publicised to tenants, other customers, employees, volunteers, contractors, partners and other stakeholders through our website, tenant engagement activities, social media platforms and in our day-to-day business activities.



- 9.2. A copy of this policy will be included in induction packs for new employees and volunteers and be made visible and available to visitors to our offices and on request.
- 9.3. Through this policy our commitments and expectations will be communicated, including through our procurement processes, to contractors providing a service on behalf of NGHHA.

## **10. Communication**

- 10.1 We are committed to removing barriers to customer accessing this and other corporate documents, whether those barriers are because of language, sensory impairments or other barriers to access.
- 10.2 We will consider providing documents in different formats on request, this includes in a different language, audio format, large type, easy read or other formats.
- 10.3 We will provide access to translation and interpretation services where an individual whose main language is not English requests this and where an individual does not have the translation or interpretation assistance of family or friends.
- 10.4 We will not use children under the age of sixteen years as interpreters for family members when sensitive issues such as rent arrears, court proceedings or domestic violence are being discussed.
- 10.5 We will use our any relevant data which we collect to improve how we communicate with our customers.

## **11 Data Protection**

- 11.1 NGHHA will collect personal data and equalities information about individuals we employ or receive a service from to inform our service delivery and ensure that we are treating everyone fairly and not discriminating against any person with a protected characteristic.
- 11.2 Equalities data will be collected and processed in line with our obligations in terms of the UK Data Protection Regulation (UKGDPR), Data Protection Act 2018, the NGHHA Privacy Policy and our Privacy Notices (or alternatively Fair Processing Notice). We will only collect and process sensitive personal data where we have the appropriate lawful bases for processing that type of data.
- 11.3 Personal equalities data will be only used in an anonymised / aggregated way. Personal data will be controlled and stored in a secure way as set out in the NGHHA Privacy Notice. This also sets out how and why we may share data and who we may share it with.
- 11.4 The NGHHA Data Retention Schedule sets out how long we will retain equalities data.
- 11.5 We will consider the Scottish Federation of Housing Association's (SFHA) Collecting Equality Information: National Guidance for Scottish Social Landlords.