Name of Policy: Equality and Diversity Policy
(Ref: G08)

Purpose of Policy: To ensure a consistent approach to promoting equality and diversity in all aspects of our work.

Policy Monitoring Details	
Department	Group
Author	Claire Ironside
Status	Group
Date Board Approval	August 2022
Update	
Planned Review Date	Generally 5 years after approval
Regulatory Outcomes Being Achieved	Regulatory standard 5 "The RSL conducts its affairs with honesty and integrity"
Legislative References	Human Rights Act 1988 Equality Act 2010
Tenant Consultation Required	NA
Equalities Impact Assessment	Initial
HRA Implications	Complies with HRA 1988

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1. Introduction

1.1 Manor Estates Housing Association is committed to promoting an environment of respect and understanding; encouraging diversity and eliminating discrimination by providing equality of opportunity for all. Throughout Manor Estates there is a consistent approach to promoting equality and diversity in all aspects of our work.

1.2 Legal Framework

As a Registered Social Landlord, we have a duty to comply with the Human Rights 1998 Act, as a result we are expected by the Scottish Housing Regulator to give "due regard to equality and human rights legislation in their decision- making" and "to deliver services that recognise and meet the individual needs of tenants and other service users"

The Equality Act 2010 was introduced to bring together all relevant previous legislation to strengthen the law to support improvement on equality. It defines protected characteristics[1] and sets duties for specified public bodies. This policy complies with the current legislation and promotes a culture of dignity and respect for all.

1.3 We will not tolerate any form of prejudice, direct or indirect discrimination, harassment or victimisation. Board members, all staff directly employed by the Association and anyone who acts on our behalf are required to abide by this policy and support us in its application.

2. Aims and Objectives

2.1 The aim of this policy is to promote equality and diversity in all aspects of our business and applies to everyone in the organisation. All have a responsibility to be alert to discriminatory behaviours and practices should they occur. Our commitment to equality and diversity is clearly set out in our respective Codes of Conduct for Board members and staff.

3. Policy Principles

3.1 Unacceptable behaviour and practices will not be tolerated and will be dealt with immediately. Breaches of the equality and diversity policy will be regarded as misconduct and will lead to disciplinary action which may include dismissal.

3.2 The Association's Senior Management Team is responsible for this policy's day to day implementation. The organisation will ensure that all new members of staff or the Board receive induction on this

[1] See Appendix 1

policy. The policy will be widely promoted and integrated into all policies and procedures within the organisation.

3.3 Appropriate training and guidance will be available to promote equality, diversity and human rights amongst staff and Board members and this will inform our work and how we interact with tenants and stakeholders. We will develop mechanisms so that our tenants and other external stakeholders have a voice and help shape our policies and service delivery.

4. Data Collection

4.1 In order to take account of equalities issues when developing policies and services, we will collect data from:

- Existing tenants;
- New tenants;
- Prospective employees;
- Current employees;
- Prospective Board members; and
- Existing Board members.

Access to information will be restricted to those staff members who require it for the purpose of their job.

5. Implementation

5.1 This policy will be implemented across all our areas of activity. No quotas will be set by Manor Estates but we will seek to encourage people from a particular group or groups not currently represented to:

- Seek employment with the Association
- Seek to access membership or membership of the Board
- Seek to access any of our services.

5.2 Service Providers

All procurement exercises require a declaration from the Service Provider that they comply with the Equalities Act. The SMT Procurement Lead will be responsible for ensuring that the Service Provider will be undertaking the work in line with relevant Equalities legislation or has agreed to adopt the Associations Equality and Diversity Policy. All Service Providers must accept our Code of Conduct, including to not discriminate against anyone in line with protected characteristics, before carrying out any work for the Association.

5.3 **Governance**

We have an open Membership Policy which welcomes applications from all sections of the community.

5.4 **Complaints**

We will handle all complaints with dignity and respect. We will respond quickly to any complaints that involve allegations of discrimination or harassment.

5.5 **Access to Services**

We are committed to ensuring all customers can access our services and to make sure this happens in practice we will:

- Aim to ensure that all members of the community are aware of the services we provide and how to access them.
- Regularly review the extent to which all our services are accessible to current and prospective customers. This includes access to our office, other facilities and the ways in which we provide information to customers.
- Identify any individual requirements that may need to be met to enable a customer to fully access our services and will record such information in our Special Considerations Register.
- Ensure that all written material is clear and jargon free. In preparing written material we will ensure that the content is open and inclusive and does not discriminate against any group or individual
- Make appropriate translation services available to service users as required through our membership of Happy to Translate

5.6 **Provision of Services**

- We provide and manage housing and deliver services to a wide range of customers. To implement this policy in our role of service providers we will:
- Be aware of, and proactive about, managing the diverse needs of customers to ensure we are able to provide the right services to meet the right needs.
- Aim to meet the needs of our customers by creating a work culture which values diversity, inclusiveness and respect. Our staff will reflect these values in their dealings with customers
- Ensure we comply with the requirements of the Scottish Social Housing Charter which requires that we 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

- Provide customers with clear and accurate information about the services we provide.
- Ensure that anyone applying for housing is dealt with fairly and without discrimination. We will adhere to our Allocations policy and monitor the outcomes and the service we provide to tenants and applicants. The Association is a member of EdIndex which operates the common housing register for Edinburgh. All members of EdIndex endorse and implement the principles of this policy.
- Ensure that any new housing we build complies with the basic criteria of Housing for Varying Needs as far as possible
- Assist tenants in identifying adaptations they may require to continue living in their home and provide these within the funding available
- Recognise that harassment is a serious breach of tenancy and if it occurs we will deal with it appropriately through our policy on Anti-Social Behaviour
- Consult customers on any proposed changes to services, policies and procedures which affect them. We will be aware of the variety of individual needs and use a range of methods to consult individuals and groups

5.7 **Employment**

- We integrate equality and diversity practices into all we do, and ensure that staff are treated with fairness and respect by each other and by customers, Board members and service providers
- We implement fair and just employment practices ensuring that no job applicant or member of staff will receive less favourable treatment on any grounds
- Staff are not discriminated against or disadvantaged by any conditions or requirements which cannot be shown to be relevant to work performance.
- People are recruited and promoted solely on the basis of their own merit, experience, ability and potential. This applies throughout the entire duration of employment as all decisions are based solely on relevant criteria
- We operate a fair recruitment process which removes barriers where possible to the employment of people of different backgrounds. This will enable us to recruit from the widest pool of talent and increase the opportunity for a more diverse workforce
- All vacancies are advertised as widely as possible. We will ensure that recruitment information is clear and application forms are free from personal questions that are not relevant to the vacancy and could lead to discrimination

- All staff involved in the recruitment process are fully aware of this policy and have appropriate training and guidance.
- Terms and conditions of employment for all staff will be in line with the standard set by EVH in consultation with the recognised trade union (except where TUPE prevents this)
- We provide an environment appropriate to the needs of those from all backgrounds and ensure a culture that respects and values difference and promotes dignity, equality and diversity.
- We keep the workplace free from any form of discrimination or harassment and have policies and procedures in place to deal with these if they arise.
- Training and development opportunities will be given to all employees according to their job role and in agreement with their line manager through the staff appraisal system

6. Action Plan

6.1 In order for the Association to continue to develop high quality services, we must understand the needs of our customers, including equality data, and use that data to provide appropriate services, tailored to the needs of the individual.

6.2 To ensure compliance with this Policy, we have developed an Action Plan. This will be reviewed annually and progress reported to the Board.

7. Other Relevant or Related Policies

AMR 22 Framework for Service Providers Policy
PS19 Code of Conduct – Staff, Contractors, Customers
HR/19 Staff Recruitment and Selection Policy

APPENDIX 1

Definitions

TERM	DEFINITION
Diversity	*Valuing individual differences*
Equality	*Making sure all people are treated fairly and given equal opportunity to access employment, membership, Board membership and our services.* *Equality is not about treating everyone in the same way but recognising that people's different needs require to be met in different ways.* *Equality focuses on those areas covered by law and described as protected characteristics*
Protected Characteristics	*Specific aspects of a person's identity defined by the Equality Act 2010. The reference to 'protection' means protection from discrimination.* *The protected characteristics are:* ▪ *Age* ▪ *Disability* ▪ *Gender reassignment* ▪ *Marriage and civil partnership* ▪ *Pregnancy and maternity* ▪ *Race* ▪ *Religion or belief* ▪ *Sex* ▪ *Sexual orientation* Note: we will not routinely collect information regarding pregnancy and maternity. Information would be out of date very quickly and we have other systems in place to identify and address any issues relevant to this characteristic
Direct Discrimination	*Treating someone less favourably than others based on a protected characteristic.*
Indirect Discrimination	*Occurs where a policy, procedure, provision or criteria applies to everyone in the same way but might disadvantage a particular protected group and cannot be justified objectively*
Associative Discrimination	*Discriminating against a person because they have an association with someone who has a protected characteristic. For example, a person with no disability is discriminated*

TERM	DEFINITION
	against due to their caring responsibilities for a dependent who has a disability.
Perceptive Discrimination	*Discrimination as a result of the discriminator believes that a person possesses a particular characteristic. For example, a person is not shortlisted for a job as the recruiter assumes they do not have the right to work in the UK due to the name on their application form.*
Harassment	*Conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The intention of the perpetrator is irrelevant, it is the impact on the individual which determines whether discrimination has taken place.*
Victimisation	*Treating someone less favourably and discriminating against them because they:* ▪ *Have pursued or intend to pursue their rights relating to alleged discrimination; or* ▪ *Complained about the behaviour of someone harassing them; or* ▪ *Given evidence in someone else's discrimination complaint.*
Positive Discrimination	*Giving advantages to groups in society which are under-represented. Positive discrimination is illegal in the UK.*
Positive Action	*Addressing imbalances by encouraging members of underrepresented groups to apply for job, housing, membership or Board membership. Positive action may be applicable in setting equality targets.*
Failure to Make Reasonable Adjustments	*Where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.*
Human Rights	*The rights people are entitled to simply because they are human beings, irrespective of their nationality, race, ethnicity, language, sex, sexuality or abilities.* Article 8 of the Human Rights Act includes the right to respect for your home. The article specifies that the right to respect for your home does not give you a right to housing.