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| <b>Policy on:</b>                                               | <b>Equality, Diversity, and Inclusion</b> |
| <b>Compliant with Charter Outcomes and Standards:</b>           | Yes                                       |
| <b>Compliant with Equalities:</b>                               | Yes                                       |
| <b>Compliant with Business Plan:</b>                            | Yes                                       |
| <b>Compliant with Risk:</b>                                     | Yes                                       |
| <b>Equalities Impact Assessment Completed as part of Review</b> | Yes                                       |
| <b>Date for Approval:</b>                                       | <b>October 2025</b>                       |
| <b>Date for Review:</b>                                         | <b>October 2028</b>                       |
| <b>Responsible Officers:</b>                                    | <b>Director of Housing</b>                |

This policy is available free of charge, on request, in different languages and in other formats such as large print, audio format and braille as required.



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## **1. Introduction**

To fulfil our vision of Great Homes, Great People and Vibrant Communities, Shire Housing Association is committed to putting our customers at the heart of what we do and how we do it.

We believe that a responsible landlord ensures that their role as an employer and housing provider includes safety and stability with the ability for our staff, governing body members, tenants, and communities to contribute and thrive. This policy outlines our commitment to advancing equality, eliminating discrimination and promoting good relations in terms of both the service we provide as a Registered Social Landlord (RSL) and as a responsible employer and embeds a consistent approach in promoting equality, diversity, inclusion and Human Rights across all areas within the Association.

We oppose all forms of unlawful discrimination, including discrimination by and towards members of the public, governing body members, contractors, and staff from other agencies and all our employees and governing body members are required to abide by this policy.

## **2. Policy Aims and Objectives**

**This Equality, Diversity and Inclusion policy aims to:**

1. Eliminate unlawful discrimination, harassment, and victimisation by advancing equality of opportunity between different groups and fostering good relations between groups in the provision of our services and employment practices.
2. Ensure integration with equality, diversity, and inclusive practices into all that we do, recognising our human rights responsibilities and taking a proactive role that seeks to support needs with strategies, policies, procedures and learning and development.
3. Foster a culture of inclusivity, celebrating differences and challenging our ways of working and thinking to ensure that employees, governing body members, contractors, tenants, communities and stakeholders are provided with an environment that respects and values each other's differences, promotes equality, diversity and inclusion and recognises human rights.
4. Recognise the many barriers to achieving true equality of opportunity from explicit prejudice to unaware ignorance of lifestyles, culture and needs and agree discrimination is not acceptable at any level by listening to employee and customer feedback and using this feedback to influence our activities, decisions and the wider environment.

## **3. Policy Principals**

This policy recognises the importance of incorporating a culture of equality, diversity and inclusion which reflects the Association's Business Plan vision of "Great Homes, Great People and Vibrant Communities,"



Tackling inequality is not something new, U.K Governments have proclaimed a commitment to addressing equality, diversity, and inclusion issues for many years. However, inequalities still exist in Scotland and within the UK. The Equality Act 2010 superseded previous discrimination legislation, replacing it with one single piece of legislation. This policy will be compliant with the current legislation and promote a culture of dignity and respect for all.

Lack of equal opportunities is not only a serious moral issue but also has a significant impact on business performance. Studies have shown that elevated levels of motivation are achieved in an environment of respect and fairness. We will aim to ensure that all employees, Board Members and customers are treated with fairness and respect and not be discriminated on the grounds of marriage & civil partnership, sex, race, disability, age, religion or belief, gender reassignment, pregnancy & maternity and sexual orientation, or disadvantaged by any conditions or requirements which cannot be shown to be relevant to performance. We will ensure all employees are provided with equality of opportunity in the course of their employment starting from recruitment.

#### 4. Human Rights

The Human Rights Act 1998 sets universal standards to ensure that a person's basic needs as a human being are recognised and met, and it is unlawful for an Organisation to act in a way that is incompatible with the Act. The Act urges public authorities to apply a human rights framework to decision making across public services to achieve better service provision, which is compatible with our equality, diversity and inclusion aims.

The United Nations has outlined seven standards of adequate housing as follows.

1. **Security of tenure:** legal protection from forced eviction, harassment by landlords and other threats to having a settled home.
2. **Habitability:** A dwelling in a decent state of repair that provides a dry, warm home and adequate living space.
3. **Availability of services:** A dwelling has the facilities that makes it habitable, such as sanitation and waste disposal facilities, washing facilities, cooking facilities, storage, heating, and lighting.
4. **Affordability:** Housing costs are not so high that people struggle to pay for food, fuel, and other basics.
5. **Accessibility:** Suitable housing is available to those who require it, including housing that maximises the capacity of individuals with a disability or limiting illness to live independently.
6. **Location:** Housing is situated in areas that allow access to services (e.g., education, health, shops), paid work and participation in civic society. Housing should not be in an environment that is hazardous to health.
7. **Cultural adequacy:** Housing and its allocation should allow people to live in ways that express their cultural identity and does not disrupt their cultural affiliations.



Registered Social Landlords (RSL) have been tasked to understand and apply a human rights context to their activities, and we do this with our role in progressing the right to adequate housing. We apply supporting guidance as it continues to emerge and are working to have human rights embedded into our culture, service delivery and daily work ensuring that we involve tenants and other rights holders in safeguarding their rights and those of the wider community when developing strategy, policies, procedures and improving services.

## **5. Supporting Legislation, Regulations, Guidance, Strategies and Policies**

This policy takes account of legal, regulatory, and best practice requirements, including (but not limited to):

- The Equalities Act 2010
- Human Rights Act 1998
- The Housing (Scotland) Act 2010
- Hate Crime and Public Order (Scotland) Act 2021
- Data Protection Act 2018
- Section 9 of Raising Standards in Housing
- The Scottish Social Housing Charter

We have also considered relevant national reports about equality priorities for employment and service provision that has included research reports from the Equalities and Human Rights Commission's website and information pooled with other public authorities.

This policy is committed to the provisions of the Equality Act 2010 which consolidated fourteen previous major anti discriminatory legislative acts into a single piece of legislation. The Equality Act 2010 specifically protects individuals or groups from direct or indirect discrimination, harassment, or victimisation because they have a protected characteristic. The nine protected characteristics covered by the Equality Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including ethnic or national origins, colour, and nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

The Association is committed to fulfilling the specific Public Sector Equality Duty (PSED) outlined within the Equality Act 2010. While this is not a legislative obligation for RSL's,



we recognise our important role in eliminating unlawful discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations between different groups as best practice and an essential part of our guiding principles and commitment to equality, diversity and inclusion.

While there is no explicit legal requirement to collect and use equality information across the protected characteristics, we have due regard to the aims of the duty that public authorities are required to understand the impact of their policies and practices on people with protected characteristics and to have sufficient evidence to base consideration of the impact on policy and decisions. Collecting and analysing equality information is an important way for developing this understanding and we shall comply with all Data Protection legislation where we gather information of this sort.

We treat any personal data in line with our obligations under the current data protection regulations. Information regarding how personal data will be used and the basis for processing data is provided in our Privacy Notice.

## 6. Roles and Responsibilities

The Management Board is responsible for approving this policy and for overseeing its implementation. The Chief Executive has ultimate responsibility for compliance with the law in equality, diversity, inclusion and human rights and the Senior Leadership and Management Team have responsibility for overall compliance, as role models and for policy implementation and reporting outcomes to the Management Board. Board members and employees must embrace, promote, and comply with the values contained within this policy. It is a standard condition of our contracts that our agents and subcontractors also comply with the law and promote its principals.

We will ensure that all new employees and management board members will receive induction on this policy and will promote the policy and its ethos and aims including integrated into all relevant policies and procedures.

To ensure compliance with the policy, staff and Board members will be provided with equality, diversity, and inclusion training, in line with the policy review date.

This policy applies to all employees, and everyone has a responsibility to be alert to discriminatory behaviours and practices should they occur. Unacceptable behaviour and practices must not occur, however if a situation arises, it will be dealt with immediately. Breaches of the equality, diversity and inclusion policy will be regarded as misconduct and will lead to disciplinary action which may include dismissal.

## 7. Definitions and Types of Discrimination

**Equality** - Making sure employees and customers are treated fairly and given access to equal opportunities with recognition that everyone has individual needs and the right to have those needs respected. Equality focuses on those areas covered





by the law and described as the Protected Characteristics noted within the policy.

**Diversity** - Respecting and valuing individual differences and unique characteristics with recognition that everyone is different and we need to understand, value, and respect those differences, experiences, styles, and perceptions.

**Inclusion** - Making sure our employees and customers feel comfortable being themselves and that they feel valued, respected, and heard with recognition of the need to actively promote an inclusive culture where individuals have a sense of belonging and their individual needs will be met and respected.

**Human Rights** - The fundamental rights and freedoms everyone in the United Kingdom is entitled to. Section 4 of this policy outlines the relevance in a housing providers context.

**Protected Characteristic** - The grounds on which discrimination claims can be made and include, Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

**Reasonable Adjustments** - Where arrangements disadvantage an individual because of a disability, there is a requirement subject to legal precedent, to make reasonable adjustments to help overcome the disadvantage.

**Failure to make reasonable adjustments** - Where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

**Direct Discrimination** - Treating someone less favourably than others based on a protected characteristic.

**Indirect Discrimination** - A policy, practice, procedure, provision, or criteria that applies to everyone in the same way but might disadvantage a particular protected group, and which cannot be objectively justified in relation to the job.

**Positive Action** – Seeks to address imbalances, for example within the management board and workforce, by encouraging members of under-represented groups to apply for board positions or jobs. Positive action may be applicable in setting equality targets where relevant we may set equality targets to encourage people from a particular group or groups where they are under-represented.

**Objective Justification** – Applies where there is a proportionate means of achieving a legitimate aim for example, where an employer might need to make certain decisions that lead to discrimination. Only certain types of discrimination can be justified in this way and under the law, the employer must prove both of the following:



- there's a 'legitimate aim', such as a genuine business need or a health and safety need.
- the discrimination is 'proportionate, appropriate and necessary' – this means the legitimate aim is more important than any discriminatory effect.

**Association Discrimination** - Discrimination against a person because they have an association with someone with a particular protected characteristic. For example, where a non-disabled person is discriminated against because of the action they need to take care of disabled dependent.

**Perceptive Discrimination** - Discrimination against a person because the discriminator thinks the person possess a particular characteristic. For example, where a person is not shortlisted for a job on the basis that the recruiter assumes from the applicant's name, that the applicant does not have the correct VISA to work in the UK.

**Institutionalised Discrimination** - We extend the above to cover all actions where these are related to a protected characteristic, but it was first defined in the context of racism as a collective failure to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected from processes, attitudes and behaviours which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantages minority ethnic people."

**Harassment** - Conduct that violates a person's dignity or creates an intimidating, hostile degrading, humiliating or offensive working environment. The intention of the perpetrator is irrelevant; it is the impact on the individual which determines whether harassment has taken place.

**Harassment by a Third Party** - As an employer, the Association could be held liable for the harassment of their staff or customers by people they do not themselves employ, for example a contractor or consultant.

**Victimisation** - Treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination, complained about the behaviour of someone harassing them or given evidence in someone else's discrimination complaint.

**Hate Crime** - Hate crime is a type of crime that can have a significant detrimental impact on the lives of those who are affected by it and can take many forms including stirring up hate and extends protection to include anyone who has an association with the groups listed. Any criminal offence can be a hate crime, if it was motivated by and carried out because of hostility or prejudice based on an individual's protected characteristic of race, religion, disability, sexual orientation and recently also includes age with an updated definition of transgender identity, with a separate provision for 'variations in sex characteristics' as a protected characteristic.





## 8. Implementation of Policy

**Community Engagement and Cohesion** - We understand our role in community engagement and cohesion, and we deliver, invest and support a range of tenant empowerment, local relationship building and people centric services that seek to offer a common vision and sense of belonging to all, positively valuing diversity and providing equal opportunities for people of different backgrounds.

We promote equality and tackle inequalities by fostering good relations across and between communities, supporting efforts to prevent extremism and hate crime for example by supporting new migrants and English language learning.

**Misinformation** – We seek to challenge and tackle misinformation within our communities and networks, using our powers of enforcement where necessary and promote local gatherings as positive means of relationship building, sharing and storytelling.

**Safeguarding** – We take our role in safeguarding employees and customers from intimidation and hate seriously and have a zero-tolerance approach to anti-social behaviour including racism and xenophobia within our Anti-Social Behaviour and Unacceptable Behaviour policies. We foster relationships and support other agencies in learning and development, diversionary activities and enforcement where needed.

**Housing Access and Allocation** – We are members of East Ayrshire Common Housing Register (Search) which maximises customers access and opportunities for housing within a greater number of social landlords and areas of choice.

**Rent Arrears and Tenancy Enforcement** – We have policies for managing rent arrears and tenancy enforcement that seek to support tenants with a range of assistance and advice, including access to our Financial Inclusion Officer and signposting to relevant agencies prior to any enforcement action.

**Repair, Maintenance and investment** – Our approach to repair, maintenance and investment in tenants' homes includes dedicated customer liaison support that can be tailored to individual tenants needs whenever possible. We also have a policy on Adis and Adaptations that outlines our approach to adapting properties following referral from an occupational therapist.

**Governance** – Our governance documents include conditions that support non-discrimination in membership that comply with legislation and guidance. We monitor complaints and respond promptly and efficiently using lessons learned to improve service delivery.

**Recruitment and Selection** – Our Recruitment policy outlines our commitment that equality, diversity and inclusion practices are integrated into every stage of the recruitment and selection process and that all recruitment decisions are based completely on the merits and abilities of candidates alone, removing barriers to the employment of people of different backgrounds and



creating a diverse workforce. This includes regular learning and development for any employees involved at any stage in the recruitment and selection process.

**Terms and Conditions of Employment** - As part of the employment relationship covered under this equality, diversity and inclusion policy, all contracts of employment will be issued in accordance with the job role and not the job holder. Employee's terms and conditions will be standard across all employees regardless of any of the protected characteristics. Employees will not receive less favourable terms and conditions for any reason other than relating specifically to the job role and the grade it attracts.

**Learning and Development** - Equality, diversity, inclusion, and human rights will apply throughout all training activities and resources. Training and development opportunities will be given to all employees according to their job role. It is crucial that all employees can 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.

**Redundancy and Selection** - Redundancy selection will be made according to the statutory requirements and in line with Employers in Voluntary Housing's Redundancy Policy. The criteria will be discussed with the Trade Union and/or nominated representatives and set out in as objectively fair and consistent manner. 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.

## 9. Complaint Process

We operate a Complaints Policy that is open and transparent. Should any customer or service user feel the need to make a complaint against an individual or the Association, the complaints policy and procedure will be implemented. All complaints will be recorded and dealt with under Complaints Policy and Procedures, which meet the requirements of the Scottish Public Services Ombudsman with the exceptions outlined below:

**Complaints: Colleagues** - Where a complaint is made against employee by another colleague, Board Member, or stakeholder, it will be investigated and dealt with by a manager or appropriate person under the Associations Terms and Conditions of Employment or stakeholder contractual agreement.

**Complaints: Board Members** - If a Board Member feels they are in receipt of inappropriate behaviour from another Board Member, employee, colleague or any stakeholder in connection with the Association, it should be reported to the Chief Executive or Board Chairperson and the Chief Executive or an appropriate manager will investigate and deal with the complaint under the Associations Terms and Conditions of Employment or stakeholder contractual agreement.



Where a complaint is made against a Board Member, our Complaints Procedure/Code of Conduct will be used as appropriate. The complaint will be investigated by the Chairperson, Chief Executive, or another authorised person. If it is found that inappropriate behaviour occurred, the Board Member will be warned and informed of the consequences of failure to comply with the expected standards of behaviour, which may include removal from the Board.

Where stakeholders are in receipt of inappropriate behaviour from a colleague of the Association, a Board Member, or another stakeholder in connection with the Associations business, the stakeholder should also raise the issue with their lead contact. The lead contact will then investigate the complaint and deal with it in accordance with the appropriate procedure (depending on whether the complaint is against an employee, a Board Member, a contractor, a partner).

## **10. Equality Impact Assessment**

This Policy complies fully with Shire Housing Association' Equality, Diversity, and inclusion Policy. Shire Housing Association will be proactive in valuing and promoting diversity, fairness, social justice, and equality of opportunity by adopting and promoting fair policies and procedures.

We are committed to providing fair and equal treatment for all our stakeholders including customers and will not discriminate against anyone on the grounds of age; disability; gender reassignment; being married or in a civil partnership; being pregnant or on maternity leave; race; religion and belief; sex; and sexual orientation.

We carry out Equality Impact Assessments when we review our policies. We check policies and associated procedures regularly to ensure accessibility for all. We take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures. Our Screening, impact assessment and declaration can be found at [Appendix 1](#).

## **11. Feedback**

Shire Housing Association strives to always provide an excellent customer service and welcomes feedback and comments from our customers. We will seek feedback via our website, e-mail, in writing and verbally to learn from service users' experiences, using them to influence our decisions, improve and develop our services.

## **12. Performance Monitoring and Review**

In addition to the annual submission of performance against the Annual Return on the Charter to the Scottish Housing Regulator, the Management Board will review and approve Key Performance Indicators and targets on an annual basis, and outcomes will be monitored at quarterly meetings.



This policy will be reviewed every 3 years or earlier if deemed necessary due to legislative, best practice or other changes.

