



Public Policies

Group Equal Opportunities Policy

Our Commitment

Argyll Community Housing Association Group is committed to provide equal opportunities across all services and to avoid discrimination. This policy is intended to assist Argyll Community Housing Association (ACHA) and Argyll Homes for All (AHFA) to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

This policy can be made available in other formats, for example in large print, audio-format or Braille: the document may also be available in other languages, in full or summary form, as appropriate.

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Section 1: Context

Argyll Community Housing Association Group (ACHA and AHFA) has established this policy to implement its equal opportunity commitments effectively into practice. The equal opportunity policy is the main document by which the Group promotes social justice within its area of operations. Achieving social justice, indeed, is the objective of equal opportunities. This policy is, therefore, a key strategic policy that is part of organisational governance.

The policy ensures that we promote social justice through meeting and promoting:

- our legal obligations concerning equal opportunities and the rights of tenants and service users; and
- all relevant good practice guidance relating to equal opportunities.

This policy is developed in sections to enable regular updates as the law and guidance change. Each of the sections is explained below.

Note

ACHA and AHFA is referred to mainly as “we” throughout this document.

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- Section 2 is an important section that explains the main legal duties that we meet in providing our services, as well as relevant good practice. A more detailed summary of the legal and good practice framework is provided in Appendix 1.
- Section 3 is a core section that describes our core policy objectives. This section takes the form of a coherent set of policy principles that are applied to all relevant organisational services. This ensures, in turn, that we meet and promote law and good practice guidance.
- Section 4 describes how we implement our equality objectives into practice. This is done essentially through having a comprehensive action plan. Our action plan is an internal procedure that we use to mainstream equality objectives into practice. The word “mainstreaming” is a technical term that simply means embedding equality matters into all areas of service practice.
- Section 5 examines how we monitor equal opportunities in practice. This is done by incorporating a wide range of performance indicators across all of our housing services.
- Section 6 outlines the various types of development and training activities that we consider for employees and Board Members.
- Section 7 describes what actions we take to promote equal opportunities. The technical name for these actions is “positive action.”
- Section 8 sets out how tenants and/or service users can raise complaints if matters concern equal opportunity issues. This is in line with our organisational values to promote rights to a fair hearing.
- Section 9 describes our consultation methods with tenants and service users, as well as how we review the policy.
- Section 10 explains our commitments to confidentiality and data protection in respect of equal opportunity data that we collect.

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Section 2: Law and good practice guidance

Section 2 explains the main legal and good practice guidance framework that we meet and promote in delivering services. This serves as a plain language guide to tenants and service users of the main equality legal provisions, although the section does not provide a precise statement of the law.

The main issues that are dealt with in section 2 are:

- legal background and the Equality Act 2010;
- the Scotland Act 1998;
- the Housing (Scotland) Act 2010; and
- other law and guidance.

2.1. Legal background and the Equality Act 2010

Before 2010 there were many separate equality laws that covered issues such as disability, race and sex or gender. The Equality Act 2010 is now the key Act concerning equality legal issues and was introduced to:

- harmonise previous law; and
- strengthen equality commitments.

The Equality Act 2010 applies across the United Kingdom and was enacted through Westminster. This Act is now referred to simply as “the Act” throughout this policy for ease of reference.

The Act specifies a number “protected characteristics” – formerly called grounds - in respect of which discrimination, harassment and victimisation is unlawful.

The law is concerned with unlawful discrimination on these characteristics. Our policy, it is stressed, covers – not only unlawful discrimination – but also discrimination that is unfair.

The protected characteristics, in alphabetical order, are:

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

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- sex; and
- sexual orientation.

Note

The policy will also refer to the above as “grounds” to denote “protected characteristics” in the interests of plain language.

It is noted that the important concept of social class is omitted from this list but we include this in the range of issues that we address when promoting equal opportunities. This is explained below when we refer to the Scotland Act 1998 that is relevant in Scotland.

The Act requires us, when delivering our public functions, to adopt a pro-active stance to equality matters. For example, as well as taking steps to eliminate unlawful discrimination on the grounds above, we must also advance equality of opportunity and foster good relations between people. This is explained in section 4.

2.2. The Scotland Act 1998

The Scotland Act 1998 defines equal opportunity 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 is very important as social landlords such as the Group are required to take account of this definition when delivering their services under other law, for example, the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2010.

As the above definition shows, it covers grounds that are additional to those in the Equality Act 2010. For example, the Scotland Act 1998 covers discrimination on grounds of language, personal characteristics and social origin that may include social class.

We incorporate these issues into our equality action plan, therefore, to ensure that we address all possible forms of discrimination.

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2.3. The Housing (Scotland) Act 2010

The Housing (Scotland) Act 2010 is extremely important as it requires us to act in a manner to encourage equal opportunities. This applies when we are carrying out all of our housing services. This requirement takes account of all relevant equality law, as well as the grounds covered in the Scotland Act 1998.

2.4. Other law and guidance

There is a wide range of other law that is relevant to equality matters. For example, the Protection from Harassment Act 1997 sets out the rights of individuals to be free from harassment and provides for legal remedies to address harassment. It is emphasised, then, that the Equality Act 2010 is the main equality Act but not the only law that we take into account when implementing our equality policy.

Other good practice guidance exists that relates to all of the grounds covered in law. Of particular relevance to housing is the guidance that is produced by the Scottish Housing Regulator. Indeed, this agency has established a standard to which our services should comply. The Scottish Housing Regulator has also developed a number of self-assessment questions that we use to evaluate the quality of our services from an equality perspective.

The Scottish Housing Regulator's standard is as follows:

"We embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work."

(Standard GS 2.1.)

2.5. Summary

Section 2 has summarised, in plain language, the legal and good practice guidance that we apply to:

- eliminate unlawful and unfair forms of discrimination; and
- promote equality of opportunity.

Information on other law and guidance that we take into account in developing our equality policy is provided in Appendix 1.

Section 3 now describes our policy objectives that are the principles that we use to mainstream equal opportunities throughout all of our organisational services.

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Section 3: Our policy objectives

We have established **twelve** core policy objectives to ensure we eliminate discrimination and promote social justice through our services. This document also serves as our “Equality Charter” that can be provided to tenants, service users and other organisations.

Objective 1

Our services comply with all relevant legal and good practice standards relating to equal opportunities.

Objective 2

Our policies and procedures include equality commitments to ensure that we promote equality commitments throughout all of our services. This is done through our equality action plan.

Objective 3

We work in partnership with local and national agencies, if appropriate, to promote our equality commitments.

Objective 4

We deliver accessible services that take account of the needs of individual tenants and service users by:

- making information available in plain language and/or other languages as appropriate;
- providing interpreting and signing services; and
- making reasonable adjustments to services, as appropriate.

Objective 5

We provide tenants and service users with accurate and quality information about equality matters through handbooks and leaflets.

Objective 6

We ensure that all consultants and contractors appointed by us take account of our equality standards.

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Objective 7

We provide equality training to employees and Board members that is tailored to their role and developmental needs. We may also provide training to tenants as part of our tenant participation strategy.

Objective 8

We develop our services to meet appropriate standards of quality, for example, meeting plain language standards.

Objective 9

We monitor if our equality policy is effective in practice through our performance indicators that are incorporated throughout individual organisational policies.

Objective 10

We promote organisational initiatives to encourage people to use our services or seek employment with the Group. This is known as positive action and is promoted as good practice within law and other guidance.

Objective 11

We address any complaints relating to equality matters as part of our complaint policy and procedure and within time scales set out in our service standards.

Objective 12

We consult with tenants and other service users in developing and reviewing the equality policy as agreed through our Tenant Participation Strategy.

Note

Sections 4 to 8 explain how we implement these objectives as part of our services.

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Section 4: Implementing our policy objectives

Section 4 describes how we implement our equality policy objectives into practice. The main issues covered are as follows:

- our action plan;
- our equality impact assessment (EIA);
- other specialist equality policies; and
- meeting the single equality duty.

4.1. Our action plan

The action plan is a separate internal organisational document that we use to review our services on an ongoing basis. This document is divided into a number of inter-related sections as follows:

- assessing the needs of individual tenants and other service users to ensure that we provide a service that is appropriate to their needs;
- evaluating all organisational policies and related procedures, including employment and human resource policies, to ensure that they incorporate relevant equality themes and commitments;
- developing quality organisational standards to ensure that information that we provide is accurate, in plain language and accessible to individual needs, for example, availability of documentation in larger print;
- promoting partnership working to address equality matters in which multi-agency working might be more effective, for instance, addressing discrimination and/or harassment of other people;
- establishing a range of training programmes to cover and address different equality training needs;
- establishing positive action programmes to promote equal opportunities that focus on locally identified priorities and using local information (first bullet above) to inform these programmes;
- monitoring the effectiveness of our equality policy by incorporating performance indicators throughout all housing services; and
- consulting with tenants and other service users to consider equality issues of local interest and importance.

The management of our action plan is carried out by the Director of Human Resources and Corporate Services and their team.

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Each activity is assigned a time scale for completing that can be short term, medium term or long term depending on the nature of the activity and resources available to complete it. It is emphasised, though, that an action plan is never completed as many issues are ongoing, for example, gathering information on tenants and service users. Equality action plans are also subject to review as equality law changes or as good practice evolves.

4.2. Our equality impact assessment (EIA)

An equality impact assessment (EIA) is the technical term for assessing the effects of our policies and practices in meeting equality objectives. This involves a two stage process that includes assessment of:

- our policy documentation against our accessibility standard; and
- measuring the effects of policies through our performance management system and surveys of tenants and other service users.

4.3. Other specialist equality policies

We have developed three specialist policies in addition to our action plan and EIA system; these are our accessibility, harassment and appropriate language use policies.

4.3.1. Accessibility policy

Our accessibility policy sets out the standards that our policies and procedures must attain before they are approved in practice. For example, this takes account of key principles such as accuracy, coherence and being accessible to the needs of individual tenants and other service users.

4.3.2. Harassment policy

This policy explains how we address harassment that occurs on any of the protected characteristics, or other grounds that are covered in the Scotland Act 1998.

4.3.3. Appropriate language use policy

This policy describes language that we deem to be appropriate for use in public documentation. This adheres to our commitment to promote positive attitudes and respect towards other people. For example, we promote the social model of disability by using language that is deemed to be appropriate by disabled people.

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4.4. Meeting the Single Equality Duty

Annex 1 highlights examples of steps that we take to meet the single equality duty in service provision for each of the protected characteristics as well as on grounds of social origin or class. These actions are embedded throughout a wide range of organisational policies as part of our commitment to mainstreaming of equality.

4.5. Summary

This section has explained the framework of activities that we undertake to implement our equality policy objectives effectively. The key emphasis is to embed equality commitments throughout all organisational policies and their related procedures.

Section 5: Performance management

5.1. Methods of performance management

We have established a system of performance management that is based on two main methods. Firstly, we include performance indicators within individual policies that assess equality matters. Examples are provided below. Secondly, we carry out surveys on an ongoing basis to:

- assess the views of tenants and other service users regarding how well our services meet their needs; and
- use information received to improve our services.

The information that we gather can be either quantitative or qualitative information.

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Quantitative monitoring

This involves monitoring of information on things such as numbers of disabled applicants on our housing list, or numbers of people from black and minority ethnic communities.

Qualitative monitoring

This type of monitoring is concerned with the quality of our services against equality standards. For example, this type of monitoring considers the quality of advice and information that we provide to tenants and applicants. With reference to equality matters, this could be about things such as how to address discrimination and/or harassment effectively. Again, we monitor if our public information meets quality standards such as being written in plain language.

5.2. Using performance management information

In line with our legal duties under the Data Protection Act 1998, we gather performance information for specific purposes (see Section 10). These purposes are to:

- ensure that identify any form of discrimination that is unlawful and unfair; and
- take steps to amend or alter policies or practices to remove any discriminatory practices.

5.3. Summary

Our performance management system provides an important organisational check on our practices and is also used to improve services on a continuous basis.

Section 6: Development and training

6.1. Background

Development and training of employees and Board members is critical to effective implementation of equality objectives. Employees, if they are to promote organisational objectives must be trained on a wide range of issues, while Board members are responsible for equality policy development and its monitoring. Training for tenants and other service users, it is noted, is dealt with under our tenant participation strategy.

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6.2. Nature of development and training activities

The purpose of training and development is to ensure that employees and Board members can carry out their roles effectively. This means, therefore, that different employees and Board members may require different types of equality training.

We have, therefore, established a portfolio of varying sorts of equality training that is matched to the individual needs of employees and/or Board members. Training, it is stressed, is not something that is optional but is deemed to be part of the job role. Development and training needs are identified as part of our personal development plan review process.

6.3. Specific development and training activities

Examples of the development and training activities that we promote include:

- induction training for new staff and Board members so they are aware of our organisational policy and commitments to equality;
- cultural and attitudinal training to emphasise organisational values, including what is permitted in the workplace;
- law and good practice guidance training regarding equality matters, for instance, making employees aware of the main provisions of the Equality Act 2010 and other law;
- training that evaluates the various forms – and causes of discrimination - to enhance staff consciousness about the nature of discrimination;
- training on our specialist policies relating to accessibility standards, harassment and appropriate language use to improve service quality; and
- training on how to assess equality performance information that is of particular relevance to Board members.

6.4. Summary

Equality training and development activities cover a wide range of different albeit related topics. Training that we provide is aligned to the needs of individual employees and Board members.

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Section 7: Our positive action initiatives

Positive action is encouraged, in law, and is used to address historic patterns of discrimination on any of the protected characteristics. Initiatives that we are undertaking are covered in detail in our equality action plan.

Examples that we promote relate to both employment and housing services. With reference to employment, for instance, we encourage applications for employment from disabled people who are historically under-represented in housing employment in Scotland. In terms of service provision, we promote a quality advice and information service to tenants and other service users to maximise access opportunities to our services.

Section 8: Dealing with complaints

All complaints are dealt with in line with our complaints procedure. In terms of this policy, complaints can be made if we fail to apply this policy properly, or don't meet our organisational standards.

We give tenants a copy of our complaints procedure when they become tenants of the Group. We also advise any other service users of our complaints procedure if they want to make a complaint. Details of our complaint procedure are available at all of our housing offices.

We also provide information about the Scottish Public Services Ombudsman. The Ombudsman deals with complaints involving maladministration, that is, bad practice. Tenants and service users must, in general, use our complaints procedure before contacting the Ombudsman.

Section 9: Consultation and review procedures

Our procedure for consulting with tenants and other service users in developing organisational policies is contained in our tenant participation strategy. This strategy also sets out how we review existing policies and practices. In general, we review our equality policy every three years or as required due to changes to law or good practice guidance.

Section 10: Confidentiality and data protection

Processing of information that is held manually or in electronic format is governed by the Data Protection Act 1998. Under this Act, we are permitted to gather equality

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related data that are necessary for monitoring purposes. Equality data are deemed to be sensitive data and access to this information is controlled strictly within the Group. This is covered under our separate data protection policy.

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Appendices

Appendix 1: Summary of equality law and good practice guidance

Appendix 2: Other relevant policies and practices

Appendix 1: Appendix 1: Summary of equality law and good practice guidance

This Appendix summarises laws covering equality that are of particular relevance to our services; this list is not, however, exhaustive. This is followed by noting good practice guidance relevant to housing practice.

Key legislation

The Equality Act 2010

The Scotland Act 1998

Other relevant laws

The Protection from Harassment Act 1997

The Housing (Scotland) Act 2001

The Housing (Scotland) Act 2010

Note

There are also many Statutory Instruments, that is, secondary legislation that deal with implementation of legal provisions.

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Good practice guidance

Guidance in relation to equality matters is extensive. Core guidance to which we have regard is the Equality and Human Rights Commission's Statutory Code of Practice (2011) entitled "Services, public functions and Groups" and the Equality and Human Rights Commission's Statutory Code of Practice (2011) entitled "Employment."

The guidance relating to housing that we promote is the Scottish Housing Regulator's standard as noted in the equality policy. This includes meeting the following self-assessment questions.

Scottish Housing Regulator's Self-Assessment Questions

In order to meet equality objectives, we must address a number of key issues/questions. These are as follows:

- Have we published documents that clearly and specifically set out our commitment and approach to equalities issues?
- Do we have comprehensive and up to date information on our population and related equalities issues?
- Do we link into local planning and information networks on equalities issues and are we represented by staff at appropriately senior levels?
- Have we carried out a needs/requirements assessment for all of the relevant equalities groups covering all aspects of our services?
- Have we translated the objectives in our equalities planning/policy documents into ambitious but realistic targets which relate to service outcomes and access to services?
- Do we include objectives and targets relating to equal access and outcomes for all service users in contracts with agents who deliver services on our behalf?
- Do we have agreement on these targets from our partners in any relevant local partnerships?
- Do we identify responsibility for achieving targets?

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- And do we adequately resource the required action by giving staff appropriate training, support and time to carry them out?
- Do we communicate objectives, targets and actions to staff, actual or potential service users and more widely for public scrutiny?
- Do elected members or governing body members understand and actively endorse our approach to equalities?
- Do we reflect equalities objectives in managers' individual performance agreements and do we appraise managers against these?
- Do our staff understand our commitments on equalities documents, and know that they are expected to put them into practice?
- Does our published Race Equality Scheme (from November 2002) address equality issues in our landlord, homelessness and factoring roles?

You may wish to ask the following self-assessment questions about your approach to consultation and participation on equality issues:

- Have we made a commitment to ongoing and systematic consultation with service users?
- Do we develop our equalities policies and approach in consultation with a range of individual service-users and/or representative groups?
- Have we committed resources and support to the set up of standing groups or forums or have we established links with equalities groups in the wider community, to facilitate ongoing contact and consultation?
- Have we made it easy for all parts of the community to feed in their views about our services and policies?
- Do we analyse collected information to identify patterns of responses by different groups within the community?
- Do we feed back to consultees, service-users and the wider community?

You may wish to ask the following self-assessment questions about your approach to monitoring equality issues:

- Do we have comprehensive systems to monitor equality issues?

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- Does the information we collect allow us to assess our ongoing performance against our objectives and targets, including the effectiveness of mainstreaming?
- Do we collect qualitative and quantitative information from an appropriate range of sources, e.g?
 - Information on satisfaction with services across different groups?
 - Analysis of complaints?
 - Feedback from consultative groups?
 - Numerical outputs such as houses allocated?
- Do we use self-classification methods wherever possible?
- Do our monitoring systems extend to contracts with agents and partnership arrangements in relation to service access and delivery targets?
- Do we consult with appropriate stakeholder and representative groups about what information will be collected and how it will be used?
- Do we report regularly to relevant employees, elected members/governing body members, partners and agents where appropriate, and service users and the wider community?
- Do we feed back results of monitoring exercises into the corporate and service-planning system?
- Do we regularly review and update objectives and targets using monitoring information?
- Do we use monitoring information to update service-user profiles?

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You may wish to ask the following self-assessment questions about your approach to the review of equality issues in your delivery of services:

- Have we made a commitment to self-assessment, scrutiny and audit of equalities issues?
- How do we know that we comply with legislative requirements and statutory guidance on equalities issues?
- Do we review all areas of service delivery, with reference to the information we hold on:
 - The profile and diverse needs of the target population?
 - How this compares with the outcomes currently being achieved?
- Are our service and policy reviews carried out in consultation with affected service users and the wider community?
- Do we benchmark our performance against other comparable organisations?
- Do we identify and share examples of good practice in our service delivery?
- Do we know the demand for information in alternative formats?
- Do we provide good quality and easily accessible information on the services we deliver and how to access them, in formats, languages and locations which suit the needs of our target population?
- Is there evidence that we have mainstreamed equalities issues throughout all of our service areas?
- Have we taken action to identify any actual or potential disparities in service outcomes for equalities groups?
- Have we given consideration to any possible barriers to access or equal outcomes for individuals belonging to these groups?
- Can we demonstrate that our services are accessible to all sectors of our community?

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- Can we demonstrate that there are no systematic or unjustifiable differences in quality of service provided to any particular group of service users?
- Have we taken action to respond to any gaps, disparities and concerns identified?
- Have we taken action to remove or reduce the impact of any barriers to access or equal outcomes?
- Do we have quick and effective procedures to respond to any incidence of discriminatory behaviour, harassment or attack on any member of an equalities group?

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Appendix 2: Other relevant policies and practices

Other relevant equality policies that we have developed are:

- the equality impact assessment procedures, including meeting accessibility standards;
- the equality action plan;
- our harassment policy; and
- our appropriate language use guide.

Policy Owner	Human Resources and Corporate Services
Author	Marina MacArthur
Last Review Date	May 2016
Review Period	3 yearly
Review Committee	Policy Committee
Next Review Date	May 2019