

Equalities & Diversity Policy

Customer
Focus

Respect

Communication

Integrity



www.clochhousing.org.uk



SECTION A: INTRODUCTION

Cloch Housing Association believes in equality of opportunity, embracing diversity and promoting inclusiveness. Staff and Board believe that embedding equalities in everything we do is the right thing to do. We do not do it just because we are required to do it by law and by our regulator.

This Policy is here to ensure the integration of equality and diversity practices in all Cloch does and ensure that customers, employees, Board Members, contractors and the general public are treated with fairness and respect.

Cloch's values are respect, integrity, communication and customer focus. These are backed by our Equalities Commitment, which is:

"Cloch seeks to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work."

1. Our Aims

- We will remove barriers to ensure that access to our services, contracts, employment and voluntary Board is fully compliant with legislation and good practice.
- We will publish our statistics and our outcomes.
- We will train our staff and Board in equalities and diversity as well as make this policy part of our induction process.
- Contractors must abide by the principles of the policy.
- We will carry out Equality Impact Assessments for all our customer service policies.
- We will investigate all complaints and breaches of the policy in a fair and independent manner.

2. Legal, Regulatory and Good Practice Framework

This Policy takes account of the legislation, regulatory and best practice requirements for social housing providers.

The following applies:

- a. Equality Act 2010
- b. Human Rights Act 1998
- c. The Housing (Scotland) Act 2010
- d. Scottish Social Housing Charter Outcome 1
- e. Scottish Housing Regulator Regulatory Framework 2019

3. Understanding the Equalities Act 2010

The Equalities Act 2010 introduces 9 protected characteristics against whom any discrimination is unlawful.

3.1 The 9 Protected Characteristics are:

- Age
- Disability
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Gender (referred to as “sex” in the Act)
- Gender Reassignment
- Sexual Orientation

3.2 The 2010 Act contains seven types of discrimination.

a) Direct Discrimination

This is less favourable treatment of an individual or group and this treatment is because of a protected characteristic. An example of this would be to refuse to employ somebody because they had an impairment, which had no relevance to their ability to carry out the job they had applied for.

b) Associated Discrimination

This 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 need to take care of a disabled dependent.

c) Discrimination by Perception

This is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to. For example, a person is not shortlisted for a job on the basis that the recruiter assumes the applicant does not have the correct visa to work in the UK as they have a foreign looking name on their application form.

d) Indirect Discrimination

This is when an apparently neutral requirement or condition impacts adversely or has a disproportionate effect on a particular equality group. An example of this could be holding meetings at times which are inconvenient for people with child care responsibilities and not providing crèche facilities.

e) Harassment

This occurs when a person engages in unwanted conduct which is related to a protected characteristic, and which has the purpose or the effect of (i) violating the dignity of another person or (ii) creating for that person an intimidating, hostile, degrading, humiliating or offensive environment. An example might be displaying a topless calendar on a wall where this makes the workplace an offensive place to work for any employee.

f) Harassment by a Third Party

As an employer, the Association is potentially liable for the harassment of their staff or customers by people they do not themselves employ, for example a contractor or consultant.

g) Victimisation

This occurs 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 might be refusing to consider someone for a promotion because they gave evidence on behalf of a colleague who made a complaint of unlawful race discrimination.

3.3 Positive Action

The Equality Act 2010 outlines two types of positive action, which, in certain circumstances, are permissible:

- General
- Recruitment and Promotion

If the Association believes that 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 Act points out that any action should be proportionate.

3.4 Equality Impact Assessments

Under the Equalities Act 2010, Public Bodies are required to carry out Equality Impact Assessments. Cloch is not a public body, but has committed to carrying out assessments for our front facing, customer services policies, for example, the Customer Engagement Strategy.

Appendix 1 has a sample EIA form.

4. Risk Management

The Association recognises the potential risks if we fail to adhere to the Equality and Diversity Policy and/or the accompanying Action Plan. It is not only the Association's credibility that would be compromised, but that of the Board should there be a major deviation from policy, and possibly even the sector as a whole.

In order to combat this, Section 12 of this policy outlines the method of investigation that would be adopted should any allegation of a breach be made.

SECTION B: WHAT WE WILL DO

Cloch intends that our practices will be as good as our intentions. Everyone who has anything to do with Cloch and accesses our services will be confident that we are an equalities service provider and employer.

5. Policy and Procedure Development

- 5.1 Policies set the overarching principles around the activities at Cloch. Every policy will have an equalities statement and every customer focussed policy will have had an Equalities Impact Assessment carried out at every review of that policy.
- 5.2 The procedures often tie back to a policy and even if this is not the case, staff will be trained to ensure that when procedures are put in place, the practical aspects around removing barriers for those that participate in the activity outlined in the procedure.

6. Our Office environment

- 6.1 Cloch's office environment is currently being improved. Where practical, the design of the office will meet the needs of current staff and Board members and incoming staff and Board members. This includes access for wheelchairs, meeting the needs of staff with long term and recurring illnesses such as migraines and bad backs and providing technology to assist with work. Cloch also works with staff to access equipment and other support through the government scheme "Access to Work". It is acknowledged that currently the middle and upper floors are not accessible to wheelchair users so accommodation will be made for any staff who cannot use these floors on the ground floor.
- 6.2 Access to our reception and other public areas is fully disabled friendly. The reception area is inviting and welcoming. We can provide on asking, translation services and documents in other formats. We can provide access to toilets and private interview rooms.

7. Recruitment and Selection

- 7.1 Our intention is always to make our job vacancies as open to as many applicants as we can.
- 7.2 Our job adverts will always state we have an equalities and diversity policy and welcome applications for all backgrounds.
- 7.3 Our application form is designed to remove bias and ensure everyone gets a chance to fully tell us about themselves and their relevant experience for the job.

- 7.4 Shortlisting endeavours to remove bias and ensure it is carried out to assess the merits, skills and experience of each applicant.
- 7.5 Interviews will be in an inclusive environment and will try to ensure we meet reasonable requests for adjustment if required.

8. Employment Practices

- 8.1 Cloch is committed to providing an inclusive and fair workplace for all our staff.
- 8.2 All staff are encouraged to report any acts of discrimination, victimisation or harassment.
- 8.3 Staff should be confident to approach their line manager or another leadership team member to discuss any complaint.
- 8.3 Staff also have access to a volunteer group run by their peers called “Listening Ear”.
- 8.4 Staff will be supported to ask for any reasonable adjustment in the workplace.

9 Working with our Voluntary Board

- 9.1 We encourage applications to join our Board from everybody in our community.
- 9.2 We will provide support, training and development through the time that a Board Member is with Cloch, from recruitment and selection to the Board, through to full participation in Board meetings and events.
- 9.3 All Board Members will be given a copy of this policy and training on equalities and diversity and are encouraged to report any acts of discrimination, victimisation or harassment.
- 9.5 Board Members can complain to the Director or the Chair.

10 Ensuring everyone knows about the policy

- 10.1 Staff and Board are given a copy of this policy as part of their induction and training is given every 3 years to all staff and Board Members at the time of reviewing the policy or when legislation and best practice changes.
- 10.2 All job adverts will include a statement on our commitment to equalities and equal access to jobs.
- 10.3 This policy will be held on our website, be available on request from the office and routinely talked about through our social media. Alternative formats are available on request such as larger font, audio, translations and braille.
- 10.4 All contractors will be issued this policy and any updates.

11 Service Provision

- 11.1. All our services are provided in different formats and in different venues to allow all customers to access the services. This ranges from house visits, access through our web portal and visits to the office.
- 11.2 Customers can complain about any breaches.
- 11.3 All our contractors are asked to abide by the principles of the policy in every interaction they have with Cloch staff and Board and customers.

12. Staff or Board Breaches of Policy

- 12.1 Staff and Board sign a Code of Conduct each year which includes awareness of equalities and diversity policy. Breach of this Code of Conduct can lead disciplinary proceedings and in the worse cases, dismissal.
- 12.2 Anyone customer, contractor or member of the public who wishes to complain about discrimination, victimisation or harassment by a member of staff or Board Member should contact the office by letter, phone, coming in to the office, the website or through the customer web portal. The complaint will be dealt with through our Complaints Handling Procedure.
- 12.3 Any member of staff or Board Member who experiences discrimination, victimisation or harassment should speak to their Line Manager or another member of the Leadership Team in the first instance. For complaints against staff, this will be treated as a disciplinary matter and will follow the procedures in the terms and conditions of employment. For a complaint against a Board Member, this will be treated under the Breach Procedure in the Board Code of Conduct.

13. Contractor Breach of Policy

- 13.1 If a complaint about discrimination, victimisation or harassment is made against a contractor, it will be dealt with through our Complaints Handling Procedure and appropriate action will be taken which could mean the dismissal of a contractor's employee or to the termination of the Contract.

14. Reporting on the outcomes of Equalities and Diversity

- 14.1 Every year, Cloch reports to the Scottish Housing Regulator on the ethnicity and disability of its tenants, Staff and Board Members. This information, once published by the regulator, is freely available on their website. Cloch also publishes this information annually on its website.
- 14.2 As part of the Assurance Statement to the regulator, Oak Tree H.A., our parent organisation must make an Assurance Statement to the Scottish Housing Regulator which will include our approach to equalities.

14.3 Cloch collects equalities information when it recruits and this is reported to the Board after each recruitment.

15 **Policy Review**

This policy will be reviewed every three years.

Appendix 1: Template Equalities Impact Assessment

Assessment is based around the 9 Protected Characteristics.

Please tick, Positive, negative or None where appropriate and comment if required.

1. Do you think that the policy impacts on people because of their age?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

2. Do you think that the policy impacts disabled people?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

3. Do you think that the policy impacts on people because of gender?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

4. Do you think that the policy impacts on people because of their sexual orientation?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and | | | | |

| | | | | |
|-----------------------------------|--|--|--|--|
| victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

5. Do you think that the policy impacts on people because of religion or beliefs?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

6. Do you think that the policy impacts on women because of pregnancy and maternity?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

7. Do you think that the policy impacts anyone because of their marriage or civil partnership?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

8. Do you think that the policy impacts on people because of their race?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |

| | | | | |
|-----------------------------------|--|--|--|--|
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

9. Do you think that the policy impacts on people because of gender re-assignment?

| | Positive | Negative | None | Reason for decision |
|---|----------|----------|------|---------------------|
| Eliminating unlawful discrimination, harassment and victimisation | | | | |
| Advancing equality of opportunity | | | | |
| Promoting good relations | | | | |

10. Was any consultation carried out to assess the above:

| | | | |
|-----|--|----|--|
| Yes | | No | |
|-----|--|----|--|

If yes, describe the consultation:

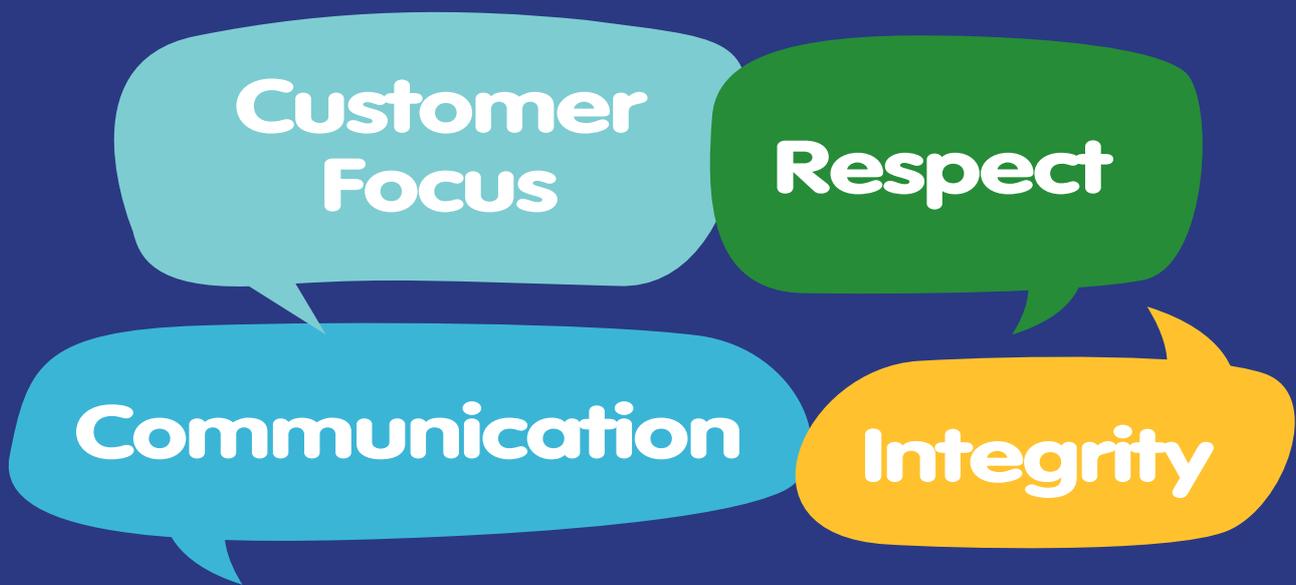
11. Are there any actions needed to address the comments above:

| Protected characteristic | Action required | Person responsible | Target Date | Actual Date |
|--------------------------|-----------------|--------------------|-------------|-------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Signed:
(by the person carrying out the EIA)

Print Name

Date:



| CLOCH HOUSING ASSOCIATION LTD | |
|--|---|
| Policy Name | Equalities & Diversity Policy |
| Policy Category | GOV |
| Policy Number | 056 |
| Date Adopted | 01/12/2007 |
| This Review | 23/04/2019 |
| Next Review | April 2022 |
| Equalities Impact Assessment Required | |
| Link to other policies | Code of Conduct for Staff, Code of Conduct for Governing Body Members, Dignity at Work, Communications Strategy (currently under development) |
| Consultation | Internal & External Peer Review |
| Need for Procedure | |