

EQUALITY POLICY

JANUARY 2024



LANARKSHIRE
HOUSING ASSOCIATION LTD



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EQUALITY POLICY

(*Note Lanarkshire Housing Association hereinafter referred to as LHA)

1.0 INTRODUCTION AND OBJECTIVES

1.1 Introduction

We recognise that Equality is not a standalone issue and seek to embed this concept into all our strategic planning activities and day to day services. The purpose of this policy is to ensure that LHA achieves its equality objectives and fully addresses current legal and regulatory requirements.

1.2 Our Overall Vision

“To benefit communities in Lanarkshire by protecting the global environment and engaging with stakeholders to find better ways to invest scarce resources in providing affordable homes for the future and delivering greater social value in our housing related services”

1.3 Aims of the Equality Policy

In our commitment to this policy, our specific Equality, Diversity and Human Rights objectives are to:

- Positively promote equal opportunities and human rights for all our customers and employees
- Ensure equality of opportunity underpins all our policies, procedures and processes
- Embrace diversity and eliminate any direct or indirect discrimination that we encounter

2.0 THE STATUTORY AND REGULATORY FRAMEWORK

2.1 The Equality Act 2010 (the Act) legally protects people in the workplace and in wider society. It replaced the previous anti-discrimination legislation and strengthens protection, whilst making the law easier to understand.

2.2 Under section 149 of the Act, parties who exercise public functions are subject to the general equality duty and they must seek to understand the effects of their activities on the specified 9 groups with protected characteristics.

- 2.3 To comply with this legislation, we must have 'due regard' (i.e. actively consider as part of the decision-making process) to the need to address the Act's 3 aims, which are;
1. To eliminate unlawful discrimination, harassment and victimisation
 2. To advance equality of opportunity between people who share a protected characteristic and people who do not share it
 3. To foster good relations between people who share a protected characteristic and people who do not share it
- 2.4 Prior to the Act's introduction, the emphasis of equality legislation was on rectifying discrimination after it occurred, however, in relation to the second aim i.e. to advance equality of opportunity between different groups; this places an obligation to positively promote equalities by:
- removing or minimising disadvantages suffered by people due to their protected characteristic
 - meeting the needs of people with protected characteristics and
 - encouraging participation from people with protected characteristics
- 2.5 In addition to the Act, other relevant legislation includes the Human Rights Act 1998 which prohibits discrimination and the Housing (Scotland) Acts of 2001 and 2010; which place legal obligations on housing associations to promote equal opportunities.
- 2.6 Besides legislation, we will also comply with the Scottish Housing Regulator's Regulatory Framework in relation to the performance of tenant services, financial well-being and standards of governance. As part of this process, LHA is required to confirm through its Annual Assurance Statement that it meets the requirements around equality and human rights, including the equalities outcome in the Scottish Government's Social Housing Charter.
- 2.7 LHA processes data in accordance with the UK GDPR and the Data Protection Act 2018, however, because equality data is collected on a purely anonymous basis which is not linked to the individual; this is not classed as personal data and data protection considerations do not apply.

3.0 HOW WE WILL ADDRESS OUR OBJECTIVES

- 3.1 We will address our objectives in our capacity as a Service Provider, an Employer and through Working with Others.

3.2 As a Service Provider we will:

- Deliver appropriate services that are equally accessible to all who use them and treat customers with respect, whilst tailoring services to their individual needs
- Ensure that Equality and Human Rights issues are at the core of the policies and procedures that guide our actions. To do this, we will assess the impact of our new or reviewed policies and procedures for any discriminatory effect, by carrying out Equality Impact Assessments – **Appendix 1**. These will be completed by the Management Team Member responsible for the policy area, at an early stage in the process
- Find ways to identify and address any unmet needs, aspirations and disproportionately low levels of engagement with people sharing protected characteristics. This will involve liaising with such customers (tenants, residents and other service users) and any community organisations that may represent their interests. Enhancing participation will allow us to better understand and meet the changing needs in our communities
- Remove physical barriers to housing by providing appropriate new build that meets 'Housing for Varying Needs' standards. Thereafter, carry out general adaptations to meet customers' individual needs, wherever feasible

3.3 As an Employer:

Recruitment – We will ensure that employment opportunities are equally accessible to all sections of the population, so that we encourage an inclusive and diverse workforce. All recruitment decisions will be fair and based entirely on the merits of the candidate.

Conditions of Employment – Our employment practices are unbiased and will create an environment where everyone is encouraged to realise their full potential. Family-friendly initiatives have been developed and we have policy statements on Dignity at Work, including related policy and procedures to deal with harassment and bullying in the workplace.

Workplace – We will carry out an annual assessment of the workplace in relation to parties with disabilities, to ascertain whether any 'reasonable adjustments' are required in accordance with the Act.

Our people – We will ensure that staff and governing body members are aware of this policy and receive appropriate guidance and training on their associated responsibilities. Our people must also alert a member of the Management Team or an Office Bearer of any situation or practice which appears to be contrary to the principles of this Policy.

3.4 **Whilst Working with Others we will:**

- Liaise with agencies, including Police Scotland and local residents' groups, in an effort to promote harmony in the community, eradicate discrimination and ensure our tenants enjoy their tenancies free from harassment
- Take appropriate action to combat any unlawful discrimination, including enforcing our Anti-Social Behaviour Strategy, pursuing legal remedies against perpetrators and providing or assisting in the provision of support for victims of such harassment
- Ensure that those we work with and parties we commission or procure services from, such as contractors and consultants, also have appropriate equality policies and practices

4.0 **HOW WE WILL ACHIEVE OUR OBJECTIVES**

4.1 **Collecting Equalities Information**

Under the general equality duty we are required to analyse the effects of our functions in relation to the protected characteristics. To meet this duty, we will build a sound evidence base, by collating sufficient usable equality data.

Data will be collected in relation to this policy using the model equality monitoring form (anonymous version) included within the Equality data collection: National guidance for Scottish social landlords, updated June 2022 and produced by the SFHA, Scottish Housing Regulator and others (**Appendix 2**).

Information will be collected for the following Key Areas of Activity:

- Applications for housing
- Existing tenancies (tenant/joint tenants only)
- New tenancies (tenants/joint tenants only)
- General membership
- Governing body membership
- Job applications
- LHA employees

We will ensure that the collected data can be returned anonymously and not linked to an individual, with paper copies being issued along with a confidential envelope.

To keep the information current, forms for housing applicants, existing tenancies and general membership will be re-issued every three years and information for the other groups will be collected annually.

4.2 The Protected Characteristics

We will collect equalities information from the above key areas of activity, on a voluntary basis, in relation to the protected characteristics as outlined in the Act. These are age, disability, gender reassignment, marriage & civil partnership status, pregnancy & maternity (excluded from the monitoring process), race, religion or belief, gender and sexual orientation.

These protected characteristics can be further described as follows:

1. **AGE**

This refers to being a particular age or age group and includes all ages. As a protected characteristic, age can affect the way people access services and employment.

2. **DISABILITY**

A disabled person is someone who has a physical or mental impairment that can have a substantial and lasting adverse effect on their ability to carry out normal daily activities. The Act explicitly recognises that disabled people's needs are different and public bodies need to take account of impairments when making decisions about policies or services.

3. **GENDER REASSIGNMENT**

A trans/transgender is a person whose gender identity does not correspond with the sex registered for them at birth.

4. **MARRIAGE & CIVIL PARTNERSHIP STATUS** (only in respect of the first aim i.e. the need to eliminate discrimination)

A person has this protected characteristic if they are in a marriage or civil partnership.

5. **PREGNANCY & MATERNITY**

This prohibits less favourable treatment on grounds of pregnancy, birth and breastfeeding. We currently ask our housing applicants whether a member of their household is pregnant and take this into account when allocating properties. We also have policies to ensure that our employees understand their maternity and paternity rights. This information is of a transitory nature and is not collected for monitoring purposes.

6. **RACE**

This refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origin.

7. **RELIGION OR BELIEF**

Religion means any religion and belief is any religious or philosophical belief. A reference to religion includes a lack of religion and reference to belief also includes a lack of belief.

8. **GENDER** (referred to as 'sex' in the Act)

This means a man or a woman.

9. **SEXUAL ORIENTATION**

This relates to a person's sexual orientation and can be:

- towards persons of the same-sex (lesbians and gay men)
- towards persons of the opposite sex (heterosexual)
- towards persons of either sex (bisexual)

4.3 **Analysing Equalities Information**

Assessing the impact of our actions involves carrying out effective analysis of the gathered equality information.

The collected data will be analysed to enable us to:

- Profile our Key Areas of Activity base in relation to the protected characteristics and, where appropriate, compare it with relevant statistical data (ie census information or other suitable figures)
- Identify any shortfalls or imbalances in equality information between our Key Areas of Activity and relevant statistical data for the local community
- Identify any key changes or trends in our data and use this to inform service provision and strategic direction
- Identify and pursue any required action, such as setting equalities objectives and targets or undertaking positive action initiatives (i.e. lawfully treating some people more favourably than others to overcome or minimise disadvantages that those who share a protected characteristic have experienced, or to meet their different needs) in accordance with equality law
- Monitor progress in relation to objectives and targets

To enable effective analysis of the equality information; an Equality Action Strategy Report (**Appendix 3**), will be compiled by the Chief Executive, or other party they delegate, and this will be presented annually to the Human Resources and Equality Sub Committee (the HRESC). **Appendix 4** is used for the evaluation of information collected from the monitoring form.

5.0 COMPLAINTS AND GRIEVANCES RELATING TO THIS POLICY

- 5.1 LHA has implemented a Complaints Handling Procedure to ensure that all complaints, including those relating to equalities issues, are thoroughly investigated in a fair and thorough manner.
- 5.2 Any person who considers that they have not been afforded an equal opportunity in line with this policy may pursue a complaint through the Complaints Handling Procedure. This will be recorded as an equality issue complaint for the purposes of reporting to the Scottish Housing Regulator. This process can be accessed from our website or by approaching the Association.
- 5.3 Employment concerns may be raised through the Grievance Procedures and staff are also able to report appropriate concerns through the policy for dealing with Whistleblowers.
- 5.4 Swift action will be taken, in accordance with the Complaints Handling Procedure, to address any issues uncovered following investigation and if the conduct of an employee or governing body member is found to be contrary to this policy; it will be considered a serious disciplinary matter and may lead to dismissal from employment or removal from the Management Committee.

6.0 COMMUNICATION OF THE POLICY

- 6.1 As a public body, LHA will always seek to provide appropriate communications to its tenants and customers as well as ensuring equal access to information, regardless of disability or impairment. We offer to interpret and translate through a translation service and make communications available in alternative formats (braille, large print, mini loop etc) which are accessible to the intended audiences.
- 6.2 To maximise awareness of this policy; it will be communicated to employees, governing body members, tenants, customers and contractors & consultants employed by the Association. It will also be available on request, free of charge, to any member of the public.
- 6.3 LHA will report its equality monitoring to tenants and other customers on an annual basis through its Newsletter or other communication.

7.0 RESPONSIBILITY FOR THE POLICY

- 7.1 The Governing Body has ultimate responsibility for ensuring that the Association complies with the principles of this policy in all its activities. The policy will be overseen by the Human Resources & Equality Sub Committee, which will meet at least three times per year, and there will also be an annual review by the Management Committee; unless a change in legislation, or similar, requires an earlier revision.
- 7.2 The day to day responsibility for implementing the policy is delegated to the Management Team for their respective departments; with the Chief Executive retaining the overall responsibility for the policy's operation.

**Lanarkshire Housing Association
Equality Impact Assessment Tool**



Name of the policy / proposal to be assessed		Is this a new policy / proposal or a revision?	
Person(s) responsible for the assessment			
1. Briefly describe the aims, objectives, and purpose of the policy / proposal			
2. Who is intended to benefit from the policy / proposal? (e.g. applicants, tenants, staff, contractors)			
3. What outcomes are wanted from this policy / proposal? (e.g. the benefits to customers)			

4. Which **protected characteristics could be **affected** by the proposal? (*tick all that apply*)**

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

5. If the policy / proposal is not relevant to any of the **protected characteristics listed in part 4, state why and end the process here.**

6. Describe the **likely positive or negative impact(s) the policy / proposal could have on the groups identified in part 4.**

	Positive impact(s)	Negative impact(s)

<p>7. What actions are required to address the impacts arising from this assessment? <i>(This might include collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).</i></p>	
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Signed: _____ Job title: _____

Date the Equality Impact Assessment was completed: _____

Please attach the completed document as an appendix to your policy / proposal report

LANARKSHIRE HOUSING ASSOCIATION LIMITED



EQUALITY MONITORING FORM

Information for those completing the form

Why are we asking for equality information?

We collect equality information to help us plan and deliver effective services. This also assists us in ensuring that we meet our legal and regulatory obligations.

What do we do with equality information?

We use equality information for a range of purposes, including to help us:

- Protect and promote your rights and interests
- Promote equality objectives across our services
- Identify and address our customers' needs and improve our services
- Identify and eliminate any form of discrimination

Do you need to answer every question?

By answering as many questions as possible you will help us meet your needs better, but we provide options throughout this form to allow you to provide only the information you want to give us. You can complete some questions and not others or you can complete parts of questions. The form also has space to tell us more about your needs, if you wish.

We may ask for some information in other forms where this is required by law. For example, where we need to know your age if you are applying for a home, as only persons over 16 years old can be registered on our housing list.

Are the answers I provide anonymous?

Yes – the answers you provide are completely anonymous and will not be linked back to you in any way.

Who do we gather equality data about?

We gather this from:

- People who apply for a home
- Tenants
- People who apply for a job with us
- Our employees
- Committee Members

We can provide this form in large print, braille, audio format or other languages and further information or assistance to complete this form is available on request by telephoning, emailing or visiting our office.

1. AGE

What age are you? Prefer not to say (please tick)

2. SEX

What is your sex?

- Female
- Male
- Intersex
- Prefer not to say

3. GENDER RE-ASSIGNMENT (TRANS/TRANGENDER)

Do you consider yourself as transgender?

- Yes
- No
- Prefer not to say

4. SEXUAL ORIENTATION

What is your sexual orientation?

- Heterosexual/straight
- Gay man
- Lesbian
- Bisexual
- Other
- Prefer not to say

5. DISABILITY

Are you a disabled person?

- Yes
- No
- Prefer not to say

If Yes, please tick the box from the following list which you would use to best describe why you are a disabled person:

- Autoimmune (i.e. Multiple Sclerosis/HIV/Crohn's)
- Sensory impairment - hearing impairment
- Learning difficulties (i.e. Downs Syndrome)
- Sensory impairment - visual impairment
- Mental health issue (i.e. Depression/Bi-polar)
- Neuro-divergent condition (i.e. Autistic Spectrum/Dyslexia)
- Physical impairments (i.e. wheelchair user/Cerebral Palsy)
- Other (please specify) _____

6. ETHNICITY

Please indicate your particular ethnic group:

African

- African, African Scottish or African British
- Other African background (please specify) _____

White

- Scottish
- English
- Other British
- Irish
- Gypsy traveller
- Polish
- Roma
- Welsh

Mixed Groups

- Mixed or multiple ethnic background (please specify) _____

Asian, Scottish Asian or British Asian

- Indian, Indian Scottish or Indian British
- Pakistani, Pakistani Scottish or Pakistani British
- Bangladeshi, Bangladeshi Scottish or Bangladeshi British
- Chinese, Chinese Scottish or Chinese British
- Any other Asian background (please specify) _____

Black or Caribbean

- Caribbean, Caribbean Scottish or Caribbean British
- Black, Black Scottish or Black British
- Any other Caribbean or Black background (please specify) _____

Other

- Other group (please specify) _____
- Prefer not to say

7. MARRIAGE AND CIVIL PARTNERSHIP STATUS

Are you currently in a marriage?

- Yes
- No
- Prefer not to say

Are you presently in a civil partnership?

- Yes
- No
- Prefer not to say

8. BELIEF OR RELIGION

Please tick the box which best describes your belief or religion from the list below?

- Buddhism
- Christian – Catholic
- Christian – Protestant
- Christian – Other (please specify) _____
- Hinduism
- Judaism
- Islam
- Sikhism
- No specific belief or religion
- Prefer not to say
- Any other religion or belief (please specify) _____

PARTICULAR REQUIREMENTS

If you have any particular requirements relating to any of the questions you have answered and you would like to discuss these further in confidence, please contact the Association.

THANK YOU FOR TAKING THE TIME TO COMPLETE THIS FORM

EQUALITY ACTION STRATEGY

This Strategy should be read in conjunction with the Equality Policy with a view to:

- Better understand the profile of our customers, staff and governing body
- Identify any imbalances in the Equality data that may indicate potential discrimination resulting from LHA's processes
- Pursue any required action to address imbalances

Check figures against the latest Scottish Census statistics (2022) for the area or other relevant data

No. / Function	Action	In Place	Date Due
1. Governance	<ul style="list-style-type: none"> ▪ Collect annual equality data on governing body and employees and three yearly for membership to better understand the profile of these groups ▪ Compare the collected equality information with local Census figures and carry out an analysis to identify any imbalances in the Key Areas of Activity ▪ Set objectives, required actions and targets to address any identified issues ▪ Record the process as 'evidence' of having paid 'due regard' ▪ Monitor progress in relation to objectives and targets ▪ Implement appropriate staff and committee training on equality and diversity issues on a regular basis ▪ Complete an Equality Impact Assessment on all new and reviewed policies and procedures ▪ Use the Scottish Housing Regulator and EHRC as a source of information and advice 		
2. Recruitment Practices	<ul style="list-style-type: none"> ▪ Monitor recruitment and progression against protected characteristics 		

No. / Function	Action	In Place	Date Due
	<ul style="list-style-type: none"> ▪ Set objectives, required actions and targets where any shortfalls are identified ▪ Record the process as 'evidence' of having paid 'due regard' ▪ Monitor progress in relation to objectives and targets ▪ Ensure job advertisements highlight LHA's commitment by stating that an Equality Policy is in place ▪ Ensure all recruitment decisions are based entirely on the merits of the candidate and provide guidance to interview panels involved in selection ▪ In accordance with the key commitments of 'Positive about Disabled People' we undertake: <ol style="list-style-type: none"> 1. To interview all disabled applicants who meet the minimum criteria for a job vacancy and consider them on their abilities 2. To ensure there is a mechanism in place to discuss, at any time but at least once a year, with disabled employees what they can do to make sure they can develop and use their abilities 3. To make every effort when employees become disabled to make sure they stay in employment 4. To take action to ensure that all employees develop the appropriate level of disability awareness needed to make our commitments work. 5. Each year, to review the commitments and achievements, to plan improvements and inform employees and Jobcentre Plus about progress and future plans. ▪ Subject LHA's recruitment and selection processes to Equality Impact Assessments 		

No. / Function	Action	In Place	Date Due
3. Personal Development	<ul style="list-style-type: none"> ▪ Implement staff training on equality and diversity issues on a regular basis ▪ Ensure access to a counselling service is available to our staff for personal/work issues 		<p style="text-align: center;">Annual</p>
4. People Policies	<ul style="list-style-type: none"> ▪ Maintain a satisfactory Equality Policy ▪ Maintain a satisfactory Harassment at Work Policy ▪ Discrimination and harassment to be treated as gross misconduct for employees, breach of Code of Conduct for committee members and breach of tenancy conditions for tenants ▪ Make provisions for principal communications to be available in different community languages, audio tape, large print and Braille ▪ Staff Handbook contains a summary statement on equality and harassment ▪ Ensure completion of appropriate workplace adjustments for people with disabilities, and ensure suitable wheelchair access to offices 		
5. Performance Management	<ul style="list-style-type: none"> ▪ Managerial performance to include understanding of equality and diversity issues as a specific part of the competency framework ▪ Ensure data collected is monitored and reported within Key Performance Indicators (KPIs) ▪ Ensure Employment Law advice line is available to management ▪ Annual progress reports to Governing Body on monitoring of protected characteristics 		

No. / Function	Action	In Place	Date Due
<p>6. Service Provision</p>	<ul style="list-style-type: none"> • Collect equality data for housing applicants (3 yearly) and new & existing tenants (yearly and 3 yearly respectively) • Compare the equality data with Scottish Census information for area of operations and carry out an analysis to identify any imbalances or unmet needs • Set objectives, any required actions and targets where shortfalls identified • Monitor progress in relation to objectives and targets • Maintain website to include provision in different community languages, audio tape, large print and Braille • Carry out general property adaptations to meet individuals' needs, where feasible • Use equality data to identify any disproportionately low levels of engagement with people sharing protected characteristics. Assess the Tenant Participation Strategy and find ways to improve the level of engagement • Use collected equality data to inform the Customer Care Strategy and ensure effective resource planning which delivers appropriate services • Management Team members to ensure that all new and reviewed policies and procedures are Equality Impact Assessed for their respective departments 		
<p>7. Relationships with Agents/ Contractors</p>	<ul style="list-style-type: none"> ▪ Ensure there is a requirement for agents, consultants and contractors to have satisfactory equality strategies in place before appointments or contracts are concluded 		

No. / Function	Action	In Place	Date Due
	<ul style="list-style-type: none">▪ Attitude and commitment to equality and diversity addressed as part of consultant and contractor selection process		

EQUALITY MONITORING RESULTS FORM
KEY AREA OF ACTIVITY

Number of Forms Issued:	Number of Forms Returned:	Return Percentage:	%
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1. AGE	16 – 24		25 – 34		35 – 44	
	No. 0	0%	No. 0	0%	No.	%
	45 – 54		55 – 64		65 +	
	No.	%	No.	%	No.	%
	PREFER NOT TO SAY					
	No.	%				

2. SEX	FEMALE		MALE		INTERSEX	
	No.	%	No.	%	No.	%
	PREFER NOT TO SAY					
	No.	%				

3. GENDER RE-ASSIGNMENT (TRANS/TRANSGENDER)	TRANSGENDER		NON TRANSGENDER		PREFER NOT TO SAY	
	No.	%	No.	%	No.	%

4. SEXUAL ORIENTATION	HETEROSEXUAL		GAY MAN		LESBIAN/GAY WOMAN	
	No.	%	No.	%	No.	%
	BI-SEXUAL		OTHER		PREFER NOT TO SAY	
	No.	%	No.	%	No.	%

Group (i) – African	Group (ii) - White	Group (iii) – Mixed or multiple ethnic background	Group (iv) – Asian, Scottish Asian or British Asian	Group (v) – Black or Caribbean	Group (vi) Other Group / Prefer not to say
(a) African, African Scottish or African British (b) Other African Background	(a) Scottish (b) English (c) Other British (d) Irish (e) Gypsy Traveller (f) Polish (g) Roma (h) Welsh	(a) mixed or multiple ethnic background	(a) Indian, Indian Scottish or Indian British (b) Pakistani, Pakistani Scottish or Pakistani British (c) Bangladeshi, Bangladeshi Scottish or Bangladeshi British (d) Chinese, Chinese Scottish or Chinese British (e) Any other Asian background	(a) Caribbean, Caribbean Scottish or Caribbean British (b) Black, Black Scottish or Black British (c) Any other Caribbean or Black background	(a) Other Group (b) Prefer not to say

7. MARRIAGE STATUS	IN A MARRIAGE		NOT IN A MARRIAGE		PREFER NOT TO SAY	
	No.	%	No.	%	No.	%

CIVIL PARTNERSHIP STATUS	IN A CIVIL PARTNERSHIP		NOT IN A CIVIL PARTNERSHIP		PREFER NOT TO SAY	
	No.	%	No.	%	No.	%

8. RELIGION OR BELIEF					
	No.	%		No.	%
Buddhist			Islam		
Christian – Catholic			Sikkism		
Christian – Protestant			No specific belief or religion		
Christian – Other			Prefer not to say		
Hinduism			Any other religion or belief		
Judaism					