

KNOWES HOUSING ASSOCIATION LTD	
<b>Policy Name</b>	Equalities and Diversity
<b>Policy Category</b>	Governance & Accountability
<b>Policy Number</b>	G09
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<b>Previous Reviews</b>	April 2014, October 2017
<b>Next Review Date</b>	February 2024
<b>Consultation</b>	Committee Staff
<b>Links to other policies</b>	Tenant Participation Policy Code of Conduct for Staff Code of Governance for Committee Members Terms and Conditions of Employment Dignity at Work Policy Recruitment Policy

## 1. POLICY AIMS

- 1.1 The aim of this Equalities and Diversity Policy is to demonstrate the commitment and approach of Knowes Housing Association and its staff towards Equalities Issues. The Housing (Scotland) Act 2001, and the Equality Act 2010 place a requirement on Registered Social Landlords to act in a manner that encourages equalities and diversity.

Knowes believe that **equality of opportunity** and **freedom from discrimination** are fundamental human rights and actively oppose all forms of discrimination.

This policy and associated action plan describes how Knowes Housing Association will work to understand the diverse needs of all members of our community, it will also highlight how Knowes' **equalities commitment** will be embedded in all areas of our work.

- 1.2 Knowes definition of equalities taken from the Equality Act 2010 is ***“the prevention, elimination or regulation of discrimination between persons on grounds of marriage & civil partnership, sex, race, disability, age, religion or belief, gender reassignment, pregnancy & maternity and sexual orientation.*”**
- 1.3 This policy will endeavour to mainstream equalities into practice. The key theme to embracing equality within our organisation is the development of a culture of diversity and fairness, and it is this, which Knowes will seek to achieve.
- 1.4 Knowes Housing Association aims to demonstrate and provide equal opportunities in every aspect of its business as :-

- An organisational manager
- A Registered Social Landlord and service provider
- An employer, and
- A procurer of services

## 2. EQUALITIES COMMITMENT

- 2.1 As a demonstration of our commitment to Equalities issues, the organisation will adopt a Statement of Intent, which will be referred to as our ***Equalities Commitment***. This will be as follows:-

***“Knowes’ seek to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work.”***

Through Knowes policies, nobody will be discriminated against on grounds of Age, Disability, Gender Reassignment, Marriage, and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

## 3. LEGAL AND REGULATORY FRAMEWORK

- 3.1 The Housing Scotland Act 2001 placed a number of new duties on local authorities and Registered Social Landlords and this policy seeks to outline these and provide guidance and raise awareness of the need to eliminate any incidents of discrimination, direct or inadvertent, in the course of service delivery by Knowes Housing Association or within its premises or operations.
- 3.2 Legislation provides a framework for anti-discriminatory practices in terms of employment law and service provision. The principal legal references are:
- The Equality Act 2010
  - Human Rights Act 1998
  - The Scotland Act 1998
  - Housing (Scotland) Act 2001
- 3.3 In addition to the above the Human Rights Act has since 2000 extended the application of the European Convention on Human Rights to all UK legislation. This has extended many provisions such as freedom of thought, conscience and religion, and the right to a peaceful enjoyment of possessions and protection of property.
- 3.4 The Housing (Scotland) Act 2001 referred to above contains overarching equalities provisions but also specifies particular areas where equalities should be at the forefront of formulation and implementation, for

example, Allocations, Homelessness and Local Housing Strategies, and Tenancy Management.

- 3.5 This policy considers the Code of Practice issued by the Commission for Racial Equality and Disability Rights Commission
- 3.6 This policy is informed by The Scottish Housing Regulator's Performance Standard, GS 2.1 Equal Opportunities: "we embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work."

The policy is also informed by Raising Standards Chapter 9 Equal Opportunities.

#### **4. RISK ASSESSMENT**

This policy and associated action plan set out a framework to minimise the risk of any person that comes into contact with the Association being treated unfairly. The policy also minimises the risk of the Association being prosecuted or pursued under any of the legislation noted above.

#### **5. COMBATING DISCRIMINATION**

- 5.1 By endorsing the definition of Equal Opportunities as described above within our "Equalities Commitment", Knowes intends to ensure that it will act in a manner that promotes equality of opportunity in every relationship and every activity. This includes our employment practices, our service delivery to all customers regardless of their tenure or relationship and in our documentation, both internal and external.
- 5.2 Knowes can help ensure discrimination does not occur by:
- Ensuring all groups, particularly under-represented groups are involved in consultation and participation, where appropriate, in local community issues and decision making;
  - Ensuring that a sensitive and responsive service is provided to the needs of different members of our communities;
  - Ensuring that all venues used by the Association are suitable for access for wheelchair users and that, where appropriate, translation services are provided;
  - Establishing an Equalities culture throughout the organisation and ensuring that this underpins all of our policies under review.

#### **6. EQUALITIES IN PRACTICE**

Knowes seek to embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work. The following summarises Knowes approach under the 3 main headings: -

### 6.1. *Race, Ethnicity and Nationality*

Knowes will demonstrate its commitment to equality of practice in terms of race, ethnicity or nationality by ensuring that:

- Where appropriate, documents and correspondence are made available in languages other than English.
- We offer to provide interpreters for all individuals who do not feel that they can communicate effectively enough in spoken English.
- Advertise the availability of access to information in other languages.
- Ensure that staff, especially those dealing with tenants on a day-to-day basis, are sensitive to any cultural requirements that may exist, and act in a way that is sympathetic to these.
- Ensure that demands are being addressed and that the services that the Association can offer are known and understood.

### 6.2 *Disability and Age*

Knowes will not discriminate against anyone on the basis of his or her age or disability by ensuring that we:

- Provide documents and correspondence in large print, on audiotape and in Braille.
- Offer to provide sign interpreters for individuals who do not feel that they can communicate effectively in spoken English, but are able to sign.
- Advertise the availability of information and document in alternative formats and access to sign interpreters.
- In the allocation of houses, there will be no points awarded or deducted because of a person's age, and age will not be a factor in determining who should be made an offer.
- Where rehabilitation or new build programmes are being considered, barrier free standards will be adopted whenever possible, with adaptations and houses suitable for wheelchair users being provided where possible.

### 6.3 *Sexual Equality*

It is illegal to discriminate or victimise against anyone based on their gender or marital status. The 2010 Equality Act extends to any married person or individual who has chosen gender reassignment. Knowes' will therefore: -

- Accept applications for rehousing and offer sole or joint tenancies regardless of gender, marital status or whether the application is from a same sex couple.
- Ensure our recruitment and selection procedures do not discriminate directly or indirectly against an individual based on gender or marital status.
- Ensure that our services are provided in a way that is non-discriminatory and takes cognisance of different genders and varying sexual orientation.

## **7. EQUALITIES IN EMPLOYMENT**

Knowes Housing Association is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. Throughout Knowes Housing Association there will be a consistent approach in promoting equality and diversity across all areas of the organisation through the entire employment relationship from the recruitment process to termination and references.

All employees are required to abide by this policy. This policy also covers discrimination by and towards members of the public, governing body, members, contractors and staff from other agencies. Knowes Housing Association opposes all forms of unlawful discrimination in relation to employment.

### **DEFINITIONS**

#### **Diversity**

Is about valuing individual differences, Knowes is committed to valuing and managing people's differences to enable all employees to contribute and realise their full potential. Knowes recognises that people with different backgrounds, skills, attitudes and experiences can bring fresh ideas and perceptions that will benefit Knowes and its customers.

#### **Equality**

Is making sure people are treated fairly and given fair chances. **Equality is not about treating everyone in the same way, but recognises that their needs are met in different ways.** Equality focuses on those areas covered by the law, and described as the Protected Characteristics of race, sex, disability, age, gender reassignment, marriage & civil partnership, pregnancy & maternity, religion or belief and sexual orientation.

#### **Protected Characteristics**

The grounds on which discrimination claims can be made:

Age, Disability, Gender Reassignment, Marriage, and Civil Partnership, Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

### **Direct Discrimination**

Is 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.

### **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.

### **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.

### **Positive Action**

Addressing imbalances in the workforce, by encouraging members of underrepresented groups to apply for jobs. Positive action may be applicable in setting equality targets. No quotas will be set by Knowes but equality targets may be set to encourage people from a particular group or groups to apply for a vacancy in Knowes in comparison to the local community where they are underrepresented.

### **Failure to make Reasonable Adjustments**

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

**Associated Discrimination:** Discrimination against a person because they have an association with someone with a particular protected characteristic. E.g. a non-disabled person is discriminated against because of the action they need to take to care for a disabled dependent.

**Perceptive Discrimination:** Discrimination against a person because the discriminator **thinks** the person possesses that characteristic. E.g. 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-sounding name on their application form.

## **PRINCIPLES OF EQUALITY IN EMPLOYMENT**

- Ensure integration with equality and diversity practices into all Knowes does, and ensure that employees are treated with fairness and respect from each other and from members of the public, committee members, and contractors.
- Require Knowes to implement fair and just employment practices ensuring that no job applicant or employee will receive less favourable treatment on any grounds.
- Ensure people are recruited and employees promoted solely on the basis of their own merit, experience, ability and potential. This applies throughout the entire duration of employment as all decisions will be based on only relevant merits.
- Provide an environment appropriate to the needs of those from all walks of life, and offer a culture that respects and values each others differences and promotes dignity, equality and diversity.

## **RECRUITMENT & SELECTION**

It is Knowes policy that all recruitment decisions will be based completely on the merits and abilities of candidates alone and no other criteria will be used. In order to achieve this, equality and diversity practices will be integrated into every stage of the recruitment and selection process.

A fair recruitment process will remove barriers to the employment of people of different backgrounds. This will enable Knowes to recruit from the widest pool of talent, potentially raising the standard of their intake and therefore increasing the opportunity of a more diverse workforce which reflects the community it is serving. A more diverse workforce will improve the organisation's service delivery, as it will include staff with more knowledge and experience meet and aid in meeting the needs and aspirations of service users and potential service users.

To highlight Knowes commitment to promoting equality and diversity from the beginning of the employment relationship, all vacancies will be aimed at as wide a group as possible and any advertisement for a vacancy within Knowes will state that an equality and diversity policy is in place. In addition the advert will also display any signs of equality bodies that Knowes is affiliated with. The information contained in the advert and all vacancy literature will be clear and accurate to attract the most appropriate candidates from all groups across society, to allow them to decide their own suitability for the vacancy and whether they wish to proceed with applying. For those that wish to apply Knowes will ensure that all applications will have clear instructions for completion and application forms will be free from personal questions that are not relevant to the vacancy and that may lead to discrimination.

Knowes will ensure all staff involved at any stage in the recruitment and selection process will receive equality and diversity awareness training. This will ensure that those involved in the recruitment process will not discriminate either knowingly or unknowingly by asking any questions which may lead to discrimination.

## **TERMS AND CONDITIONS OF EMPLOYMENT**

As part of the employment relationship being covered under this equality and diversity 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.

## **TRAINING & DEVELOPMENT**

Equality and diversity 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 are able to 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 SELECTION**

Redundancy selection will be made according to the statutory requirements and in line with Knowes Redundancy Policy. Criteria will be discussed with the Trade Union and or nominated representatives. The criteria will be set out and will be objectively fair and consistent. 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.

## **IF YOU ARE BEING DISCRIMINATED AGAINST**

This procedure is complemented by Knowes Dignity at Work policy. For further details please refer to the policy.

Where an employee feels they have been discriminated against, victimised or harassed, there are different ways in which a claim can be dealt with depending on the circumstances. In the first instance the employee should raise the issue informally with their line manager (unless the claim is against their manager, in such circumstances the employee should raise the issue with the manager next in line.)



## **Informal Stage**

Initially the employee and manager should aim to resolve the matter informally as it may be that the discriminatory action is unconscious and easily resolved once the situation is highlighted. This is often the most efficient way with dealing with such circumstances in order to maintain good working relations.

However, even though the matter has been treated informally a file note should be kept on the complaining employee's file of the incident and should include a statement that the note will only be taken into account if further complaints are made. The file note may be necessary if there is a requirement at a later date, should any unacceptable behaviour or practice continue.

Dealing with the matter informally does not remove the individual's right to have the matter dealt with formally, should that be the most appropriate next course of action.

## **Formal Stage**

If the employee is dissatisfied with the outcome, or the complaint is very serious, the employee should raise the matter, in writing detailing the complaint. The complaint should then be actioned under Knowes Grievance Policy. In line with this process an investigation into the claim will be carried out. Employees who feel they are being subjected to harassment should raise the issue in line with Knowes Dignity at Work Policy.

If the outcome of the investigation is that a formal disciplinary hearing should take place this will be conducted in line with Knowes Disciplinary Procedures. Please refer to the appropriate policy for full details.

## **DISCRIMINATION INVOLVING MEMBERS OF THE PUBLIC, COMMITTEE MEMBERS, CONTRACTORS AND STAFF FROM OTHER AGENCIES**

The right to be treated equally with dignity and respect extends to outside contractors, committee members and other agencies whilst at work who are sometimes referred to as third parties. They can complain and the complaint will be investigated by Knowes and appropriate action will be taken. Employees also have a right to complain if they feel they are being discriminated against by those not directly employed by Knowes.

If a staff member or colleague feels that they are being discriminated against in the course of their working day, the following procedure should be adopted.

## **Informal Stage**

Where possible, incidents should be dealt with informally. If the employee, member of the public, committee member, contractor or agency worker feels able to do so, they should inform the bully or harasser if possible at the time,

that they find their actions/remarks and behaviour to be unacceptable. If the situation warrants the need for a witness individuals are advised to ask a colleague to accompany them when approaching the alleged bully or harasser. The individual should then report the matter to their line manager if the employee is the victim or the matter should be reported to any manager should the behaviour be directed at a member of the public, committee member, contractor or agency worker from a member of staff at Knowes, as soon as possible. It maybe that the discriminatory action is unconscious and easily resolved once the situation is highlighted. However, a file note should be kept on the complaining employee's file of the details of the situation and the outcome.

If the employee does not feel able to speak to the individual in person, they can ask their manager or where appropriate another manager to do this. It will then be the responsibility of the manager to discuss the situation and explain what will happen if any further incidents occur. It will be made clear to the individual that continuation of such conduct may result in refusing services altogether which could result in either the withdrawal of a service or refusal of access to Knowes premises. Where the situation involves an employee of Knowes being the bully/harasser then this could lead to disciplinary action. Any action will be carried out in line with Knowes Disciplinary and Grievance policy. Regardless of future action a file note will be kept in the complaining employee's file providing details of the incident and the action taken, where applicable.

If informal action proves insufficient to deal with persistent inappropriate behaviour, the employee or management may instigate formal action.

### **Formal Stage**

Where formal action is the most appropriate way to deal with the person in question, they will be written to officially by the relevant senior manager informing them that their comments, actions, behaviours are not acceptable and are potentially discriminatory. The letter will state that further incidents will not be tolerated and that they may result in the withdrawal of services. In the situation of an employee of Knowes acting inappropriately towards a member of the public, committee member, contractor or agency worker, then they will be investigated under Knowes *Disciplinary Procedures*, where formal disciplinary action may be an outcome including dismissal. In cases of physical violence or serious threats the senior manager should also involve the police, if appropriate.

In cases where the discrimination involves contractors or staff from other agencies, the stages as detailed above will be carried out. However, due to the specific nature of the relationship between the organisation and these individuals/organisations, the following additional step should be included in the informal stage.

The manager will contact the appropriate senior person within the company/organisation concerned to advise them that this type of behaviour is

unacceptable and that if it is repeated then the individual concerned may be refused entry to the organisation's premises.

## 8. PLAN OF ACTION

A vital part of this Equalities and Diversity policy is to develop a set of actions to support the objectives that have been outlined above.

Progress of this plan will be reported to the Management Committee and the Management Team annually.

<b>Corporate Commitment</b>		
Objective	Action / Task	Person(s) Responsible
Adopt a clear corporate vision and commitment for equality and diversity	<ul style="list-style-type: none"> <li>✓ Produce an equality and diversity policy that is understood throughout the organisation</li> <li>✓ Provide training to all staff to ensure awareness of equalities and diversity</li> <li>✓ Promote our commitment to equalities and diversity to our customers</li> <li>✓ Use all opportunities to raise awareness and publicise</li> </ul>	Director / Senior Management Team/Senior Corporate Services Officer  Director / Senior Corporate Services Officer
Meet Scottish Housing Regulator performance standard 2.1	<ul style="list-style-type: none"> <li>✓ Management Committee adopt the Equality and Diversity Policy</li> <li>✓ Policy to incorporate monitoring arrangements on: lettings, tenant satisfaction, racial harassment, governing body membership, staffing.</li> </ul>	Director / Senior Management Team
Partnership Working	<ul style="list-style-type: none"> <li>✓ Knowes will work with other agencies to promote equalities within Faifley, Duntocher and Hardgate</li> </ul>	Senior Management Team
<b>Governance</b>		
Objective	Action / Task	Person(s) Responsible
To ensure that the management committee	<ul style="list-style-type: none"> <li>✓ Monitor committee representation</li> </ul>	Director / Senior Corporate

is as representative as possible	<ul style="list-style-type: none"> <li>✓ Actively encourage under represented groups to participate in committee</li> <li>✓ Advertise in newsletters the role of the Committee and the opportunities both this and Share Membership of the Association can bring</li> <li>✓ Childcare facilities are available for Committee Members to attend meetings and other Association related events</li> <li>✓ Transport provision is available for Committee Members to attend Meetings, and other Association related events</li> </ul>	Services Officer
Committee commitment to Equality and Diversity objectives	<ul style="list-style-type: none"> <li>✓ Establish a programme of training for all committee members</li> <li>✓ Annual reports to committee on Equality and Diversity performance</li> </ul>	Director / Senior Corporate Services Officer
<b>Resident and Community Involvement</b>		
<b>Objective</b>	<b>Action / Task</b>	<b>Person(s) Responsible</b>
Maximise and develop opportunities to work with under represented groups	<ul style="list-style-type: none"> <li>✓ Encourage BME residents to participate in committee and become share members</li> <li>✓ Engage with residents with special needs and ensure they have access to our information</li> </ul>	Senior Corporate Services Officer
Ensure all residents have access to our information	<ul style="list-style-type: none"> <li>✓ Provide information in various formats and languages. Including audio and Braille</li> <li>✓ Provide transport for residents to enable attendance at meetings</li> <li>✓ Establish a resident database to allow us to positively target residents with special needs</li> <li>✓ Provide induction loop at reception and meetings</li> </ul>	Senior Corporate Services Officer

Maximise opportunities for residents to comment on services	<ul style="list-style-type: none"> <li>✓ Ensure questionnaires are in large print or other formats where we are aware of residents needs</li> <li>✓ Review our complaints reporting procedures in order that they are accessible to all in January 2011</li> </ul>	Senior Corporate Services Officer
<b>Service Provision</b>		
<b>Objective</b>	<b>Action / Task</b>	<b>Person(s) Responsible</b>
Housing allocations are dealt with in accordance with our equalities principles	<ul style="list-style-type: none"> <li>✓ All applications for housing will include an Equal Opportunities Monitoring form, and applicants will be encouraged to complete this. This information will be collated and used for statistical and reporting purposes</li> <li>✓ We will maintain an up to date database of all our adapted stock</li> <li>✓ The Association's Allocation Policy will allow discretion to be exercised to ensure an allocation or referral can be expedited in cases of racial harassment , or other serious harassment cases</li> <li>✓ We will ensure our complaints policy is accessible and easy to use</li> <li>✓ Any allegations of racial abuse or harassment will be dealt with as an emergency, both in terms of anti-social behaviour, and removing any graffiti</li> </ul>	Housing Manager
Housing Management		
Adaptations	<ul style="list-style-type: none"> <li>✓ The association will adapt properties where funding is available, to enable tenants with disabilities to continue living in their home</li> </ul>	Property Services Manager
Repairs and Maintenance Service	<ul style="list-style-type: none"> <li>✓ Information on the service will be made available in various formats on request.</li> </ul>	Senior Corporate Services Officer

	<ul style="list-style-type: none"> <li>✓ The service will be available 24 hours of every day</li> <li>✓ Induction loop available at reception</li> </ul>	
<b>Procurement</b>		
Contractors	<ul style="list-style-type: none"> <li>✓ All contractors employed will require to present an Equalities Policy or adopt Knowes'</li> </ul>	Property Services Manager
<b>New Housing Provision</b>		
Standards for Housing	<ul style="list-style-type: none"> <li>✓ All new build will comply with Housing for Varying Needs as a minimum</li> <li>✓ New build housing will be specially adapted for tenant's needs where possible</li> </ul>	Director

## **IMPLEMENTATION OF THE POLICY**

The Director is responsible for the policy's day to day implementation.

Knowes will ensure that all new employees and management committee members will receive induction on this policy. The policy will be widely promoted and integrated into all policies and procedures within Knowes. Copies of the policy will also be freely available and displayed in Knowes offices.

Appropriate training and guidance will be available to promote equality and diversity among staff.

This policy applies to everyone in Knowes and all have 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 and diversity policy will be regarded as misconduct and will lead to disciplinary action which may include dismissal.

## **MONITORING AND REVIEW OF POLICY**

Responsibility for monitoring the application of this policy will rest with The Director of Knowes Housing Association