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| **Bridgewater Housing Association Policy** |
| **Policy name** | Equality, Diversity, and Inclusion |
| **Policy category** | Corporate (Governance/HR) |
| **Policy number** | CS13  |
| **Date adopted** | 2019 |
| **Last review** | 2019 |
| **This review** | 06 March 2024 |
| **Next review** | 06 March 2027 |
| **Equalities impact assessment required** | Yes |
| **Equalities impact assessment completed** | February 2024 |
| **Links to other documents** | Equalities Strategy, Code of Conduct for Staff, Code of Conduct for Governing Body Members, Dignity at Work Policy, Unacceptable Actions Policy, Disciplinary Procedures, Grievance Procedures, Recruitment & Selection Policy, Data Protection Policy, Data Retention Schedule, Complaints Policy |
| **Consultation** | Yes – Public and Staff |
| **Need for Procedure** | No |
| **Policy Owner** | Chief Executive |

***This policy can also be provided in large print, braille, audio, or other non-written format and in a variety of languages on request. Please contact the Association by emailing*** ***admin@bridgewaterha.org.uk*** ***or call 0141 812 2237 to request this.***

# 1. POLICY STATEMENT

1.1 The purpose of the Equality, Diversity, and Inclusion (EDI) Policy is to articulate Bridgewater Housing Association’s commitment to providing an environment where everyone is treated with dignity and respect, while recognising and welcoming diversity.

1.2 Bridgewater Housing Association believes in equality of opportunity, embracing diversity and promoting inclusiveness. We aim to embed equality into everything we do, not just because we are required to by law and our regulator, but because we believe in fairness, removing barriers to success, and enabling access for all to our services, recruitment and community work.

1.3 Furthermore, drawing on the differences and uniqueness of our individuals will add value to the way we provide our services, enabling us to anticipate the needs of our service users and stakeholders with more creativity.

1.4 This Policy is here to ensure the pursuit of greater equality and diversity for all employees, Board Members, contractors, service users and stakeholders.

1.5 Promoting equality and human rights is integral to our work. Our re-affirms our commitment to meeting our equality duties and performing our role in a way which encourages and recognises the importance of equality and human rights.

# 2. AIMS OF THE POLICY

2.1 The Policy aims to:

* Give clear guidance and responsibility to staff, Board and Contractors, including a commitment to training and development knowledge of EDI.
* Set our commitment to Equality Impact Assessments and data gathering.
* Inform our Complaints Policy and enable staff to work with protected characteristic groups to remove harassment and bullying both in the workplace and in our communities.
* Set out what and how we will publish in terms of our statistics on protected characteristics and complaints related to equality issues.

# 3. POLICY PRINCIPLES

3.1 We will contribute to ensuring that everyone has an equal chance to succeed in our communities by:

* Providing our services in ways that make them accessible to all who seek to use them.
* Working with protected characteristic groups to identify potential barriers to their participation in our activities.
* Supporting our staff and Board Members to help them recognise and meet a diverse range of needs and interests.
* Adopting recruitment and procurement practices that are open, fair, and transparent.

3.2 We aim to ensure that our services are accessible to all regardless of age, disability, gender or gender reassignment, marital or civil partnership status, pregnancy or maternity, religious or cultural beliefs, race or ethnic background, sex or sexual orientation.

3.3 We will ensure that all of our people receive appropriate training to support them in contributing to our aim of eliminating discrimination and ensuring equal access to everyone who wants to use our services, work for us, or become involved in our activities.

3.4 We will not tolerate discrimination and will challenge any discriminatory actions or behaviour from people who work for or with us, who use our services or who act on our behalf.

3.5 Wherever possible, we aim to make reasonable adjustments to meet the needs of people who are disabled to ensure equality of access to all who seek to use our services or to work with us.

3.6 We aim to ensure that everyone who lives in one of our properties feels part of their community and is able to participate in community life as fully as they choose. We will do this by treating everyone with dignity and respect and by providing information and access to services in ways that are informed by and meet the needs of the communities that we are active in.

3.7 We will respect the privacy of our staff, board members, tenants and applicants, and we will take all necessary steps to ensure that the equality information we collect, store and analyse is held securely and that confidentiality is maintained.

3.8 We aim to comply with legislation and seek to meet best practice standards.

3.9 For us, EDI means:

* Equality – people with different characteristics are treated fairly and have access to the same opportunities to fulfil their potential. This recognises:
	+ - everyone has individual needs and the right to have those needs respected.
		- inequality exists and that unlawful discrimination needs to be tackled; and
		- employment and services should be accessible to all.
* Diversity – respecting and valuing individual differences and unique characteristics. This recognises:
	+ - everybody is different.
		- that we need to understand, value, and respect those differences; and
		- diversity can include individuals and groups with varying backgrounds, experiences, styles, perceptions, values, and beliefs.
* Inclusion – making sure our employees and customers feel comfortable being themselves and that they feel valued, respected, and heard. This recognises:
	+ - not everyone will feel able to be completely themselves all of the time.
		- that we need to actively promote an inclusive culture; and
		- individuals should feel a sense of belonging within our workforce and communities and trust their individual needs will be met and respected.
* Intersectionality - Viewing the lives of our people and customers as overlapping across inequalities related to race, sex, gender identity, sexual orientation, socio economic status, or religion.
	+ - It allows us to better understand that we do not exist in silos. Some people experience multiple discriminations within a society where multiple inequalities continue.

# 4. SCOPE

4.1 The policy applies to all employees, Board members, and those providing services on behalf of and in partnership with the Association.

# 5. SCOTTISH HOUSING REGULATOR (SHR) REGULATORY STANDARDS

5.1 The SHR sets standards for governance and financial management of Registered Social Landlords (RSLs) in Scotland. The SHR’s standards and guidance state that: “The RSL pays due regard to the need to eliminate discrimination, advance equality and foster good relations across the range of protected characteristics in all areas of its work, including its governance arrangements.”

5.2 The Scottish Social Housing Charter Outcome 1; Scottish Housing Regulator Regulatory Framework 2019 states that RSLs:

“Have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery. To comply with these duties, landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff.”

# 6. LEGAL, REGULATORY AND GOOD PRACTICE FRAMEWORK

6.1 This policy aims to be consistent with all relevant legal and regulatory requirements, including those set out below:

* SPSO Model Complaints Handling Procedure.
* The Data Protection Act 2018
* The Equality Act 2010
* The Housing (Scotland) Act 2001 and 2010
* The Human Rights Act 1998

6.2 In accordance with the Human Rights Act 1998 we will ensure that when we are providing services, developing policies, etc., which could be considered as a public function we will take account of advice from the Equality and Human Rights Commission (EHRC) as outlined in their “Human Rights at Home” publication. This guidance is available on the EHRC website: <https://www.equalityhumanrights.com/sites/default/files/human_rights_at_home.pdf>

# 7. UNDERSTANDING THE EQUALITIES ACT 2010

7.1 The Equalities Act 2010 contains nine protected characteristics against whom any discrimination is unlawful.

7.2 The nine Protected Characteristics are:

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

7.3 The 2010 Act contains seven types of discrimination.

7.3.1 Direct Discrimination

This is less favourable treatment of an individual or group 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.

7.3.2 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.

7.3.3 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.

7.3.4 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 that are inconvenient for people with childcare responsibilities and not providing crèche facilities.

7.3.5 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.

7.3.6 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.

7.3.7 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.

7.4 Positive Action

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

* General
* Recruitment and Promotion

If we believe 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.

7.5 Equality Impact Assessments

Under the Equalities Act 2010, Public Bodies are required to carry out Equality Impact Assessments (EIAs). The Scottish Housing Regulator has stated that it would expect Registered Social Landlords (RSLs) to carry out EIAs and Bridgewater has now set up an EIA procedure for Human Rights and customer service policies.

7.6 Human Rights

We are committed to ensuring that Human Rights are enshrined in our EDI work and are currently awaiting further guidance from the regulator on the best way to implement this in practice. See Section 10.

7.7 Statement on Modern Slavery

Bridgewater abhors any form of slavery. It is illegal and debases human life. We are a Living Wage employer. We will set an action to look at how the negation of Modern Slavery is dealt with through our procurement and supplier chains.

# 8. IMPLEMENTATION

8.1 Bridgewater will set out an action plan attached to the EDI Strategy that links directly to the following Business Plan Objectives:

* Strategic Objective 3: Deliver a quality, value for money, customer service experience, in partnership with our customers.
* Strategic Objective 4: Invest in our people.
* Strategic Objective 6: Demonstrate strong, strategic governance and financial control.

8.2 We will train and raise awareness with our staff and Board on Equalities issues.

8.3 We will set out a three-year plan of engagement with community groups linked to the nine protected characteristics, linking this to item 8.2.

8.4 During the operation of this policy, we will assess whether full EIAs are required on our customer facing and HR Policies.

8.5 At the point of reviewing policies, we will ensure an up-to-date Equalities and Diversity statement is written into the policy.

8.6 We will ensure our future Communications Strategy is Equality Impact Assessed.

8.7 We will aim to use plain language in all our communications.

8.8 We will ensure that the content of our website is easily accessible to all our service users and stakeholders.

8.9 We will ensure appropriate translation and interpretation services can be accessed as required.

8.10 We will ensure that contractors and suppliers employed by the Association have an acceptable Equality and Diversity policy and, if not, that they are willing to work in accordance with BHA’s.

8.11 We will embed Equality and Diversity practices into every stage of our recruitment and selection process.

8.12 We will collect data from all our staff, Board and customers on the nine protected characteristics and then keep that data up to date on an ongoing basis. This is in line with the Scottish Housing Regulatory Standards.

# 9. GATHERING AND USING INFORMATION ABOUT OUR CUSTOMERS, STAFF AND BOARD MEMBERS

9.1 Bridgewater will collect and review data on a regular basis to inform us on our performance, measured against equality issues relating to governance, recruitment, staffing, letting, repairs, and complaints in accordance with Scottish Housing Regulator expectations. We will identify priority areas to action to ensure discrimination is eliminated, equalities advanced and good relations are fostered.

9.2 We will treat all personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy and Data Retention Schedule.

# 10. HUMAN RIGHTS APPROACH

10.1 The Human Rights Act 1998 sets universal standards to ensure that a person’s basic needs as a human being are recognised and met, and it is unlawful for an organisation to act in a way that is incompatible with the Act. While Bridgewater is not a public authority, the Act urges public authorities to apply a human rights framework to decision making across public services in order to achieve better service provision, which is compatible with our EDI aims.

10.2 We adopt a human rights approach in our work through treating individuals with fairness, respect, equality, dignity, and autonomy whilst also safeguarding the rights of the wider community when developing policies and procedures and carrying out our functions. Our EIA process includes consideration of Human Rights.

# 11. ROLES AND RESPONSIBILITIES

11.1 The Board has approved this policy and has overall responsibility for ensuring its effective implementation across all of BHA’s activities. On a day-to-day basis, this responsibility is delegated to the Chief Executive. Members of the Board and staff have an individual responsibility to uphold the terms of this policy in all of their activities on behalf of BHA. In particular, they have an individual responsibility to:

* Challenge any discriminatory behaviour or action that they become aware of (even challenging the more passive “non-racist” and instead encouraging people to be actively “anti-racist”),
* Report any potential breaches of this policy to the CEO or Head of Corporate Services or, where appropriate, to their line manager.

11.2 Members of Staff have specific responsibilities to:

* Treat all colleagues equally and fairly; consider their needs and provide appropriate support and co-operation.
* Assess and consider the needs of residents and provide appropriate support where necessary.
* Seek to develop an understanding of the communities that BHA works in; use and share that knowledge effectively.
* Identify and adopt effective and varied ways to engage with and involve all residents and receive feedback on service delivery from them.
* Ensure all buildings and public access areas that Bridgewater delivers services from are accessible to all who wish to use them and comply with regulatory requirements.
* Recognise the need to provide information in a range of formats (e.g. Braille, audio, signing, Type Talk, other languages as required) and secure their provision.
* Promote good relations between people of different backgrounds living in our communities.
* Consider the implications of policies, practices and potential or proposed changes to them on all protected characteristics.
* Monitor BHA’s practices to ensure equality and fairness and report any failings to the CEO, Head of Corporate Services, or their line manager.
* Actively engage with EDI learning and development.

11.3 Tenants and Service Users have specific responsibilities to:

* Meet the conditions of their tenancy or occupancy agreement or lease.
* Report any actions or behaviour which might breach this policy to their housing officer as soon as they become aware.
* Treat neighbours and those who live in their communities, BHA staff and anyone who acts on our behalf with courtesy and respect.
* Not to harass, victimise, discriminate against, or otherwise disturb or threaten neighbours, BHA staff, contractors or others acting on our behalf or people living in their community.

# 12. STAFF OR BOARD BREACHES OF POLICY

12.1 Staff and Board sign a Code of Conduct each year that includes awareness of the EDI Policy. Breach of this Code of Conduct can lead to disciplinary proceedings up to and including dismissal.

12.2 Any 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 into the office, the website, or through the customer portal MyBHA. 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 considered in accordance with the Dignity at Work Policy but could ultimately 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. A tenant found to be causing any of these issues could lead to a breach of tenancy.

# 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 the termination of the contract.

# 14. MONITORING AND REVIEW

14.1 We will publish statistics on the nine protected characteristics in our Annual Review from 2024.

14.2 As part of the Assurance Statement to the Regulator, we will include reference to our approach to equalities and human rights.

14.3 Bridgewater collects equalities information when it recruits, and this will be reported to the Finance & Corporate Services Sub-Committee as and when required in accordance with our Recruitment and Selection Policy.

14.4 We will review and update this policy every three years. More regular reviews will be considered where, for example, there is a need to respond to new legislation or regulatory guidance.