



# Rural Stirling

Housing Association



Quality property  
management services

## Group Equality, Diversity and Human Rights Policy

<b>Rural Stirling Housing Association, Stirling Road, Doune, FK16 6AA. Registered as a Scottish Charity No. SC037849</b>	
<b>Policy Name</b>	Group Equality, Diversity and Human Rights Policy
<b>Policy Category</b>	Corporate
<b>Date Approved by Board</b>	17 March 2022
<b>Review Period</b>	3 years
<b>Review Date</b>	March 2025
<b>Equality Impact Assessment</b>	Attached

## **1. Equality, Diversity and Human Rights Policy**

1.1 The Rural Stirling Group (RSG) is committed to promoting equality, valuing diversity, and challenging prejudice and discrimination in all its forms. This policy supports and sustains our aim of being an inclusive organisation where tenants, service users and staff have a real sense of belonging.

## **2. Policy Principles**

2.1 We will put equality at the heart of our service provision so that our tenants and service users have their individual needs recognised, are treated fairly and with respect, and receive fair access to housing and housing services<sup>1</sup>. Further, we will take action to ensure that potential tenants and service users are aware of our services and are able to access these.

2.2 We will put equality at the heart of our people policies so that the people we employ share our values and that our recruitment efforts attract talented applicants who reflect the diversity of the communities we serve.

2.3 We will put equality at the heart of our procurement policies so that we can influence others to promote equality and tackle discriminatory practice.

2.4 We will endeavour to create and maintain an inclusive organisational culture that enables our staff to thrive, knowing that they can safely bring their whole selves to work.

2.5 We will deliver equality training to support staff members undertake their jobs in an inclusive and respectful way.

2.6 We will ensure that our procedures and practices for appointments to our Governing Body are open and accessible to all.

2.7 We will respect the privacy of our staff, tenants, and service users, 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.

2.8 We will set equality objectives that seek to address identified inequalities and we will measure, assess, and reflect on our progress annually.

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<sup>1</sup> This statement reflects the equality requirement of the Scottish Social Housing Charter.

2.9 We will take a zero-tolerance approach<sup>2</sup> to hate crime in any form and we will take an anti-racist<sup>3</sup> approach to our work.

2.10 We will encourage people who witness or experience discrimination in any aspect of our activities, to raise these with us.

2.11 We will treat all concerns and complaints seriously and we will report quarterly on the work we do to address concerns and complaints.

### **3. Scottish Housing Regulator (SHR) Regulatory Standards**

3.1 The SHR's regulatory framework sets out Regulatory Standards of Governance and Financial Management to be achieved by all Registered Social Landlords (RSLs). Social Landlords must meet the requirements of relevant equalities and human rights legislation. The Board accepts that it is responsible for ensuring that the RSG complies with these standards. The standards of direct relevance to this policy are noted below:

- *Standard 1: The Governing Body leads and directs the RSL to achieve good outcomes for its tenants and other service users.*
- *Standard 2: The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.*
- *Standard 4: The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.*
- *Standard 5: The RSL conducts its affairs with honesty and integrity.*
- *Standard 6: The governing body and senior officers have the skills and knowledge they need to be effective.*

3.2 We report on our performance against the Scottish Social Housing Charter (SSHC) quarterly to our Board of Management, and annually to our tenants (and other customers) and the SHR via the Annual Return on the Charter (ARC).

3.3 The regulatory requirements also require social landlords to collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members, staff members and job applicants.

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<sup>2</sup> A zero-tolerance approach means that we will not tolerate any hate crime. It is a criminal offence which is perceived by the victim or any other person as being motivated by prejudice or hate, based on a person's race, religion or belief, sexual orientation, disability or transgender or a person's perceived race, religious belief, sexual orientation, disability, or gender identity. It can involve damage to property, arson, dumping of rubbish or offensive or dangerous materials or substances posted through letterboxes.

<sup>3</sup> Being anti-racist requires the association to actively and consciously address structural bias and privilege and to call out racism in all its forms.

## 4. Equality & Diversity Statement

4.1 We will ensure that this policy is applied fairly and consistently. In implementing this policy, we will not directly or indirectly discriminate against any person or group of people because of their age, disability, gender, race, religion or belief, or sexual orientation, or any other grounds. Our commitment to equality and fairness will apply irrespective of factors such as age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or other personal attributes.

This policy and any other RSG publication is available in other formats e.g., other languages, Braille, large print, audio.

## 5. Relevant legislation (Scottish or UK Government)

5.1 This policy takes account of the following legislation;

- **Data Protection Act 2018**
- **The Equality Act 2010**
- **The Human Rights Act 1998**

5.2 Although the Human Rights Act 1998 applies to public bodies and not directly to housing associations, case law mean actions could be brought against associations carrying out duties deemed to be a function of a public body (e.g., allocations, evictions, etc.). We will therefore 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 [here](https://www.equalityhumanrights.com/sites/default/files/human_rights_at_home.pdf) and also available on the EHRC website;

[https://www.equalityhumanrights.com/sites/default/files/human\\_rights\\_at\\_home.pdf](https://www.equalityhumanrights.com/sites/default/files/human_rights_at_home.pdf)

## 6. Scope

6.1 This policy applies to all members of the RSG, tenants and applicants, prospective employees and to others with whom we work.

## 7. Definitions

- **Protected Characteristics:** The Equality Act 2010 specifies **nine** protected characteristics which are the grounds on which discrimination is prohibited by law. Claims of discrimination cannot be made on any grounds other than **age, disability,**

**gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex & sexual orientation.**

- **Diversity:** This means valuing individual differences. RSG is committed to valuing and managing people's differences to enable all employees and governing body members to contribute and realise their full potential. We recognise that people with different backgrounds, skills, attitudes, and experiences, can bring fresh ideas that can enhance our organisation and the services we provide.
- **Equality:** This means making sure people are treated fairly and given fair chances. It is not about treating everyone in the same way but recognising that different needs may have to be met in different ways.
- **Discrimination:** The term discrimination refers to the unfavourable or unfair treatment of people who are different, or from minorities within society. Challenging discrimination is a principle of equality, and central to the ethos of the RSG.
- **Direct Discrimination:** This means treating someone less favourably than others based on a protected characteristic.
- **Indirect Discrimination:** This can occur where a policy, procedure or practice applies to everyone in the same way, but might disadvantage a particular protected group, and cannot be objectively justified.
- **Associated Discrimination:** This is discriminating against a person because they have an association with someone with a protected characteristic. For example, a non-disabled person is discriminated against because of the action they need to take to care for a disabled dependent.
- **Perceptive Discrimination:** This is when a person is discriminated against because the discriminator thinks the person possess a protected characteristic. For example, a person is not shortlisted for a job because the recruiter assumes that they don't have the correct Visa to work in the UK as they have a foreign looking name on their application form.
- **Harassment:** This is conduct that violates a person's dignity or creates an intimidating, hostile degrading, humiliating or offensive environment. The intention of the perpetrator is irrelevant; it is the impact on the individual which determines whether harassment has taken place.
- **Victimisation:** This is 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:** This means addressing imbalances, for example in the workforce by encouraging members of under-represented groups to apply for jobs. Positive action may be applicable in setting equality targets.
- **Failure to make Reasonable Adjustments:** This is where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

## **8. Implementation of the Policy**

- 8.1 All staff are responsible for the policy's day to day implementation and are expected to abide by our Code of Conduct at all times.
- 8.2 We will ensure that all new employee and Management Board members receive induction on this policy. The policy will be widely promoted and integrated into all our policies and procedures. A copy of the policy will be available on our website.
- 8.3 We will make sure that existing staff receive appropriate training and guidance to promote equality and diversity and compliance with the Equality Act 2010. We expect discriminating behaviour to be challenged and consider any form of discrimination on the grounds of age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex & sexual orientation, to be unacceptable.
- 8.4 The Management Board has the overall responsibility for ensuring that this policy is implemented across all areas of our activities. The Chief Executive is responsible for the day-to-day implementation of this policy and is responsible for ensuring that all staff implement the policy.

## **9. Equality Impact Assessment (EIA)**

- 9.4 We will use EIA to help ensure that our policies, practices, and services do not discriminate against anyone and that, where possible, we promote equality of opportunity.

## **10. Access to Services**

- 10.1 We will, as far as practical, make sure that access to our office, meeting venues and housing comply with the provisions of the Equality Act 2010.
- 10.2 We will take positive action to make sure that all members of the community are aware of the services we provide and how to access them.

## **11. Provision of Services**

- 11.1 In providing and managing housing and delivering services to customers, we will ensure equality of opportunity in relation to the quality of housing, access to housing, policies relating to harassment and nuisance, provision of services and complaints. In developing new houses, we will provide housing wherever possible that complies with the basic criteria of Housing for Varying Needs.

- 11.2 We will continue to support positive action to address identified housing needs within particular equality groups and to provide housing opportunities reflecting the diversity of the local population.
- 11.3 We will ensure that all written material we produce is clear, simple and jargon free. In preparing written material we will ensure that the content is open and inclusive and does not discriminate against any group or individual.
- 11.4 We will ensure that the content of our website is easily accessible to all our service users and stakeholders.
- 11.5 We will ensure that appropriate translation and interpretation services can be accessed by our service users as required.
- 11.6 We recognise that harassment is a serious breach of tenancy and if it occurs, we will make sure that it is dealt with appropriately in accordance with our Antisocial Behaviour Policy.
- 11.7 We will engage in regular consultation with service users and encourage tenants to be involved in our activities. We will publicise our commitment to equality and diversity through our newsletters and our website and include signposting to local and other external support services.

## **12. Contracting Role**

- 12.1 We will ensure that all contractors we use comply with relevant Health & Safety, employment and equality legislation.
- 12.2 We will ask for equality policy declarations to be made during procurement exercises.
- 12.3 We will ensure that where practicable, a wide range of contractors and consultants provide services. We will include equality clauses relating to the behaviour of the contractor and their employees when we award a contract. If required, we will offer training to contractors and their staff to ensure that they reflect the ethos of the organisation.

## **13. Governance**

- 13.1 We aim to ensure that membership and participation in the governance of our organisation is open to everyone.

13.2 We will provide training to our Management Board members on equality and diversity awareness and practice as required by the Board Learning and Development Plan (informed by the annual Board Appraisal Review process).

#### **14. Our role as Employer**

14.1 Equality and diversity practices will be embedded into every stage of our recruitment and selection process. We will base all recruitment decisions completely on the merits and abilities of candidates in relation to the job available and no other criteria will be used. We will make reasonable adjustments to allow new and existing employees with disabilities to perform the requirements of their employment.

14.2 We will issue all contracts of employment in accordance with the job role and not the post holder. Except where Terms and Conditions of employment are dictated by the Transfer of Undertakings - Protection of Employment (TUPE) legislation, none of our employees will receive less favourable terms and conditions for any reason other than relating specifically to the job role and the grade it attracts.

14.3 Our Board and Staff Learning and Development policy complies with this policy and ensures that training and development opportunities provided to all staff relate to the requirements of the job they do, agreed with their line manager.

14.4 If we have to select staff for redundancy this will be done strictly in accordance with relevant legislation and our Terms and Conditions of employment. Criteria will be discussed with the Trade Union and/ or nominated representatives. The criteria will be set out and will be objective, 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.

14.5 We provide a confidential Employee Counselling Service and also recognise Unite the Union. Information on the Counselling service and how to become a member of the union is provided to all employees at induction.

14.6 A fair recruitment process will remove barriers where possible to the employment of people of different backgrounds. This will enable us to recruit from the widest pool of talent, potentially raising the standard of the intake and therefore increasing the opportunity of a more diverse workforce which reflects the community we serve. A more diverse workforce should improve our service delivery, as it will include staff with more knowledge and experience about meeting the needs and aspirations of service users and potential service users.



14.7 To highlight our commitment to promoting equality and diversity, all vacancies will be aimed at as wide a group as possible. We will provide clear and concise information about the available job 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 an application. For those that wish to apply we will ensure that all applications have clear instructions for completion and application forms will be free from personal questions that are not relevant to the vacancy and that could otherwise lead to discrimination.

14.8 All recruitment publicity will carry the statement ***RHSA is an equal opportunity employer. We celebrate diversity and are committed to creating an inclusive environment for all employees***

## **15. Data Protection**

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

## **16. Discrimination, Harassment and Victimisation**

16.1 The right to be treated equally, with dignity and respect extends to everyone with whom we work - tenants, applicants, employees, outside contractors, Management Board members and other agencies. They can complain to us if they feel they have been treated unfairly and the complaint will be investigated by us and appropriate action will be taken.

16.2 We will deal with complaints of harassment, victimisation, or discrimination of tenants either through our Antisocial Behaviour policy or our Complaints Handling Procedure. We will deal with complaints of victimisation, harassment or discrimination sensitively and effectively aiming to ensure a satisfactory outcome for the complainant and that appropriate corrective action is taken to avoid the behaviour giving rise to the complaint is not repeated.

## **17. Related Documents**

This policy relates to the following documents:

- RSG EDH Strategy and Action Plan
- RSG Equality Data Collection Procedure and Guidance
- Data Protection Policy
- Data Retention Policy

- Recruitment Policy
- Customer Engagement Strategy
- Complaints Policy
- Anti-Social Behaviour Policy
- Board and Staff Learning and Development Policy

## **18. Monitoring and Review**

18.1 We will monitor and report to our Governing Body on information relating to protected characteristics in relation to:

- Recruitment and employment of staff
- Housing applicants
- Tenants
- Management Board

18.2 We will review and update this policy every 3 years. More regular reviews will be considered where, for example, there is a need to respond to new legislation/policy or regulatory guidance.