
1.0 POLICY PURPOSE

- 1.1. This policy sets out Scottish Borders Housing Association's (SBHA) approach to equality, diversity and inclusion.
- 1.2. SBHA values diversity and is committed to ensuring equality and creating a working environment where people are treated as individuals, fairly and in a consistent way. We recognise the importance of eliminating discrimination, fostering good relations, and advancing equality of opportunity in our interactions internally and with external groups including our stakeholders, Tenants and service users.
- 1.3. This policy covers all aspects of our work including our policies, management, employment practices, housing provision and terms and conditions of service.

2.0 POLICY SCOPE, EXPLANATIONS OR REQUIREMENTS

- 2.1 SBHA is committed to working within the spirit and practices of the Equality Act 2010 and to uphold the equality requirements of the Scottish Social Housing Charter. We strive to promote a culture of respect and dignity, challenging discrimination and inequalities where these arise and operating at all times according to our Mission, Vision and Values.
- 2.2 This policy applies to all SBHA Team members, the term 'employee' will cover all workers who are either employed or engaged to undertake work for SBHA. Employees are expected to treat all external contacts (members of the public, clients and employees working with stakeholders) and internal contacts (employees, Governing Body members, agency workers, subcontractors etc.) in a manner consistent with this policy whilst carrying out duties on behalf of SBHA. This equally applies to employees using social media as it does for other forms of communication.

3.0 DEFINITION

- 3.1 Discrimination is unequal or differential treatment which leads to one person being treated more or less favourably than others are, or would be, treated in the same or similar circumstances on the grounds detailed below. Discrimination may be direct or indirect and includes discrimination by perception and association.
- 3.2 Everyone should have equal access to services and equal opportunity for employment and advancement on the basis of their ability, qualifications, and fitness for work. Accordingly, there will be no direct or indirect discrimination against anyone on the grounds of the following, which are considered "protected characteristics" under the Equality Act 2010:
 - age
 - disability
 - gender reassignment
 - marriage and civil partnership
 - pregnancy and maternity
 - race

- religion or belief
- sex
- sexual orientation

3.3 In addition to the protected characteristics specified in the Equality Act 2010, there will be no discrimination or indirect discrimination on the grounds of:

- care experience
- caring responsibilities
- gender identity
- parental status
- socio-economic disadvantage
- trade union membership
- Political beliefs, perceived or actual

4.0 RESPONSIBILITIES

4.1 All employees have a clear role to play in helping to create a climate at work which is free from discrimination and where people are treated equally, and diversity and inclusion is encouraged and valued.

4.2 Anyone with responsibility for developing policy, procedures or practice should undertake an Equality Impact Assessment (EIA). An EIA is a tool designed to help assess and evidence that our policies, practices, and decisions are fair, consistent, and meet the needs of our employees, Tenants, service users, and don't inadvertently discriminate against anyone. The EIA process enables SBHA to demonstrate that we are meeting our obligations under Equality Act 2010 and taking steps to promote equality of opportunity, tackle discrimination and foster good relations.

4.3 The overall responsibility for employment policies and practices relating to equal opportunities is allocated to the Chief Executive. All people supervisors and managers have a delegated responsibility to ensure this policy is applied and adhered to. The Dignity at Work Policy is closely linked, and all employees are required to make themselves aware of this policy and work within its principles.

5.0 ACTIONS AND RESPONSIBILITIES TO IMPLEMENT MEANINGFUL POLICY

5.1 Everyone has a role to play in the effective implementation of this policy. SBHA makes a commitment to equal, inclusive, and anti-discriminatory practice by:

- Developing and monitoring the awareness and understanding of issues concerned with equality of opportunity.
- Recognising and evolving our own attitudes and assumptions.
- Identifying and eliminating discriminatory practices.
- Promoting positive language and attitudes amongst others.
- Ensuring a commitment to equality in all contract specifications and other documentation with external bodies, speakers, consultants, contractors, employers, employees, Tenants, service users, external stakeholders, and members of the communities in which we operate – this includes invitations to tender, service level agreements, conference contributions and organised events.

- Establishing secure processes to gather, store and analyse equality information from prospective and current Tenants and service users to aid monitoring and review.
- Providing relevant training and development opportunities.
- Providing information and resources on equality and diversity and good practice as required.
- Monitoring and reviewing all aspects of this policy on an agreed regular basis.
- Offering appropriate learning and development on equality and diversity best practice.
- Conducting equality impact assessments.
- Being mindful of language and images used in internal and external communication.

5.2 **Everyone is responsible for:**

- Ensuring the effective implementation of the Equality, Diversity and Inclusion Policy.
- Acting to prevent unfair and/or unlawful discriminatory incidents and be able to recognise unfair and/or unlawful discriminatory bias and stereotyping.
- Calling-out and/or reporting discriminatory behaviour if witnessed.
- Remaining up-to-date on job appropriate equality & diversity related matters.

5.3 **SBHA's Board of Management is responsible for:**

Ensuring that in exercising governance SBHA complies with equality and human rights legislation, meets all its duties, and ensures that our policy and practice promotes equality for, and protects the human rights of, our people, Tenants and service users.

5.4 **The Chief Executive Officer is responsible for:**

Giving a consistent and high-profile lead on equality, diversity, and human rights issues, promoting equality and diversity inside and outside SBHA, and making sure that our strategic objectives are achieved in a way that actively considers equality, diversity, and inclusion.

5.5 **The Executive and Senior Leadership Teams are responsible for:**

- Achieving SBHA's agreed equality actions.
- Ensuring all employees are aware of their responsibilities and that they receive support and training in carrying these out.
- Providing adequate resources to deliver the proposed action points.
- Producing and monitoring operational activities relevant to equality and diversity.
- Implementing those operational activities relating to equality and diversity and achieving targets.
- Reviewing progress towards the achievement of these targets.
- Reporting progress to appropriate internal committees as required.
- Ensuring that all reports to committees identify relevant equality and diversity issues.

5.5 **Line managers are responsible for:**

- Being alert to the equality and diversity considerations in the recruitment, performance review and day-to-day treatment of the individuals working in their team.

5.6 The Human Resources Team is responsible for:

- Ensuring that fair and adequate arrangements exist for effectively handling and recording all aspects of the employment relationship including recruitment, selection, appointment and promotion.
- Ensuring that SBHA team leaders are aware of best practice in respect of equality of opportunity at work.
- Equality, diversity and inclusion training and development.
- Ensuring the systematic and confidential collection and analysis of equality and diversity related staffing data and taking appropriate action to improve any areas of concern.
- Reporting any data breaches to the Information Commissioner and reporting any potential breaches of the Equality Act 2010 to the Equality and Human Rights Commission (EHRC).

6.0 POSITIVE ACTION IN RECRUITMENT

6.1 Under the Equality Act 2010, positive action in recruitment and promotion applies as of 6 April 2011. 'Positive action' means the steps that SBHA can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for jobs.

6.2 If SBHA chooses to utilise positive action in recruitment, this will not be used to treat people with a protected characteristic more favourably, it will be used only in tie-break situations, when there are two candidates of equal merit applying for the same position.

7.0 MONITORING & EVALUATION

7.1 SBHA will collate and monitor statistical data in line with our Data Protection Policy for compliance, reporting purposes to identify improvements, avoid inequalities, and enable SBHA to: -

- Identify the nature and extent of any inequalities that exist
- Identify opportunities to improve and progress
- Inform consultation with employees, tenants, service users and equality groups

7.2 This policy does not form part of your terms and conditions of employment. We may amend any provision of this policy after appropriate consultation.

8.0 COMPLAINTS OF DISCRIMINATION

8.1 All complaints of discrimination, including harassment and victimisation will be taken seriously. As well as being potentially unlawful, such discrimination can greatly affect the morale and performance of employees. Accordingly, an investigation of all complaints of this type will be carried out quickly and properly by SBHA in keeping with our policies.

8.2 All employees are required to treat Tenants, service users, colleagues, and external contacts in a manner consistent with this policy when acting on SBHA business.

Failure to do so will be regarded as grounds for disciplinary action by SBHA. Any instances where it is alleged that there have been instances of discrimination, harassment or victimisation must be drawn to the attention of the relevant senior manager so that appropriate action can be taken in line with the relevant SBHA policy.

9.0 REVIEW

SBHA undertakes to review this policy regularly, at least every three years, considering:

- Applicable legislation, rules, regulations and guidance
- Changes in the organisation
- Continued best practice

10.0 RELATED POLICIES AND PROCEDURES

All policies should have Equality, Diversity and Inclusion at their core, including but not limited to policies covering the following areas:-

- Dignity at work
- Recruitment
- Performance management
- Absence management
- Learning and development
- Code of conduct