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## **Introduction**

Aiming to provide equality of opportunity for all and recognising and valuing diversity are key features of providing Housing Services. Castlehill Housing Association strives to have E&D as a foundation for providing high quality, suitable and affordable accommodation.

## **Aims and Objectives**

Equality is about ensuring that all people are treated equally. Diversity is recognising, understanding and appreciating differences in peoples life experiences, skills and perspectives.

In order to achieve E&D, it is essential that peoples backgrounds and views are respected and that the Association promotes understanding of E&D.

This policy sets out the Associations aims, how it will go about implementing E&D, how it will monitor its performance and the action plan for achieving full integration of E&D in all aspects of its work. It will specifically consider issues as a landlord and employer.

## **Purpose**

The Association is committed to providing services, processes and systems that are fair, equitable and accountable. In addition we will ensure that recruitment and internal staffing processes are also fair, equitable and accountable. We are opposed to any form of discrimination and will take appropriate steps as both a service provider and employer to counteract discrimination.

We recognise the fundamental importance of housing and the impact it has on wellbeing, health, educational and employment opportunities and community capacity. Fairness in the provision of housing is essential to ensure that individuals and families can live well in their communities. We acknowledge the unique make up of the North East of Scotland both geographically, economically and of its communities.

As a landlord, support provider and employer, the Association recognises its responsibility both for wider communities and for its own staff and the impact that respecting diversity and acknowledging differing needs can have in building a fair and democratic society.

## **Legislative and Regulatory Context**

Our policy aims to cover the obligations and requirements set out in relevant legislation and in the Scottish Social Housing Charter.

The Charter states that:

Social landlords perform all aspects of their housing services so that:

- *“Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and other services”.*

In addition it states that:

- *“Landlords have a responsibility for finding ways of understanding the needs of different customers and delivering services that meet these needs”.*

Our obligation to Equalities and diversity is detailed in our Strategic Plan at 2. 7 and there is a specific objective requiring the Association to meet this obligation

***Plan Objective 3 – We will improve how we record and monitor our performance in relation to equalities issues.***

The legislative framework the Association will work within is detailed at Appendix 1.

## **Policy Detail**

The Equalities Act 2010 replaced previous anti-discrimination laws with a single act to make the law simpler and to remove inconsistencies. The Act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the Act protects everyone against unfair treatment. The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Discrimination can take many forms and the Association has a general duty under the 2010 Equalities Act to ensure that service delivery and employment does not unlawfully discriminate in the following ways:

- Direct Discrimination – treating someone less favourably than others based on a protected characteristic
- Discrimination by association – discrimination against a person because they have an association with someone with a particular protected characteristic
- Discrimination by perception – discrimination against a person because the discriminator thinks the person possesses that characteristic, even if they in fact do not
- Indirect discrimination – is where a policy, procedure or practice that applies to everyone in the same way may disadvantage a particular protected group
- Harassment – is unwanted conduct relating to a protected characteristic, which has the purpose or effect of violating a persons dignity or creating an intimidating, hostile, degrading humiliating or offensive environment
- Victimisation – 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.

The general duty also requires the Association to advance equality of opportunity between people who share a protected characteristic and those who do not and to foster good relations between people who share a protected characteristic and those who do not.

## **Roles and Responsibilities**

Everyone involved in providing services through the Association has both a role and responsibility in delivering on this policy.

**Committee of Management:** the Committee has overall legislative and regulatory responsibility to ensure that the Policy is being operated and to task the CEO, Directors and Managers with delivery of the Policy. The Committee also have a responsibility to consider the outcome of complaints concerned with Equalities and Diversity and ensure that identified actions are completed.

**CEO:** The CEO has delegated responsibility from the Committee of Management for the overall implementation of the policy and ensuring the Association is meeting its E&D objectives and that the policy reflects best practice.

**Directors:** department Directors have responsibility for promoting and implementing the Equalities and Diversity Policy within their departments and ensuring that staff have the correct training and awareness of E&D issues. E&D should not be a stand alone policy and should be integrated into all areas of the Associations work. As Directors have the key role in policy development, Directors will be responsible for considering the need for and use of Equalities Impact Assessments (EIA's).

**Managers:** with operational responsibilities, Managers should ensure promote a culture of E&D and manage the day to day implementation of the policy and culture both with service delivery and in the management of staff. Where the E&D Policy is not being implemented correctly, Managers would be responsible to taking the first steps to rectify this and to bring it to the attention of a Director.

**Staff:** will ensure that they are aware of and are embracing the culture and spirit of E&D in order to deliver fair services with equality of opportunity to all. All staff have an obligation to treat others fairly and to challenge inequalities where they are found and to report to Managers where inequalities have been found within our operations.

**Contractors:** must work in a way that promotes equality and diversity and operate to the Associations principles on E&D and relevant legislation.

## **Service Delivery**

The Association is a Landlord, Housing Support Provider and an Employer. We work at the heart of our local communities throughout the North East of Scotland. Services should be accessible to all and shaped by those who use them.

By understanding the needs of those that we serve, we are better able to provide the right services in the right areas. Often the services required by those who have protected characteristics are not provided directly by the Association however an understanding of their needs better allows the Association to develop and work in partnership with other agencies to provide or signpost/passport services for our customers.

Information about the Associations services must be available in formats that allow ease of access for all customers and specifically for those with particular needs.

It is a responsibility of all staff but particularly those who have a customer facing role to challenge inequality and promote diversity within the communities in which we serve. We will engage with agencies that support vulnerable groups and protected characteristics to ensure that inequality is reported and action is taken to support our customers especially where the circumstances they are in are challenging.

We will work to build and adapt suitable accommodation for disabled customers and will monitor and report where funding constraints do not allow us to achieve this aim.

## Local Context

(all data taken from Scotland's Census 2011 <http://www.scotlandscensus.gov.uk/>)

CHA operates in Aberdeen City, Aberdeenshire and Moray. Understanding the composition of the population of each area are important in planning for delivery of new housing, services and for our E&D policy.

## Aberdeen City

### Age and Sex Profile

The 2015 population of Aberdeen City was 230,350. The population of Aberdeen city accounts for 4.3% of Scotland's population.

The following table shows the age and sex for the population of Aberdeen

### Estimated population of Aberdeen City and Scotland, by age group, 2015

Age group	Male pop. Aberdeen City	Female pop. Aberdeen City	Total pop. of Aberdeen City	% of total pop. of Aberdeen City	Age group	Male pop. Scotland	Female pop. Scotland	Total pop. of Scotland	% of total pop. of Scotland
0-15	17,249	16,602	33,851	14.7%	0-15	466,470	445,792	912,262	17.0%
16-29	28,647	28,803	57,450	24.9%	16-29	490,588	488,361	978,949	18.2%
30-44	26,086	23,903	49,989	21.7%	30-44	497,625	520,237	1,017,862	18.9%
45-59	21,557	21,484	43,041	18.7%	45-59	565,858	598,073	1,163,931	21.7%
60-74	14,642	15,277	29,919	13.0%	60-74	413,656	448,623	862,279	16.0%
75+	6,233	9,867	16,100	7.0%	75+	176,272	261,445	437,717	8.1%
All ages	114,414	115,936	230,350	100.0%	All ages	2,610,469	2,762,531	5,373,000	100.0%

Female life expectancy is greater than male life expectancy but both are lower than the Scottish average.

By 2037 the population of Aberdeen city is projected to be 288,788, an increase of 28.4% compared to the population in 2012. The population of Scotland is projected to increase by

8.8% between 2012 and 2037. Over this period, the age group that is projected to increase the most in Aberdeen City is the 75+ age group. This is the same for Scotland. The population under 16 is projected to increase by 44.8% over the 25 year period.

The 2015 estimate of the number of households in Aberdeen City is 105,311. The proportion of households receiving single person discount for Council Tax was 37.4%. The total number of households in Aberdeen City is projected to have a 35% increase by 2037. In Scotland as a whole this increase is projected to be 17%. Lone households in Aberdeen City are projected to rise by 47% compared to a Scottish projection of 35% in 2037. In Aberdeen City households headed by 60-74 year olds are projected to rise by 25% and those headed by 75+ age group are projected to increase by 65% by 2037. This compares to a Scottish average of 16% and 82% respectively.

#### *Ethnic Data*

Ethnic Background	Percentage
White Scottish	75.0
Other White British	7.6
White Polish	3.2
Other White inc Irish/Gypsy Traveller	5.9
Mixed Multiple Backgrounds	0.7
Indian/Pakistani/Bangladeshi	2.2
Chinese	1.0
Other Asian	1.0
African	2.3
Caribbean	0.2
Other Ethnic Group	0.6

#### *Language*

For the population over 3 years of age, 98.9% speak, write and read English. For the remaining 1.1% skills range from understanding spoken English to having no understanding of English.

#### *Health*

26% of the population of Aberdeen City self determined that they lived with a limiting long term health problem. This compares with a Scottish average of 19.6%. 8,652 of 333,397 residents advised that their health was bad or very bad.

#### *Religion*

50.3% of the population stated either they had no religion or they did not answer this question. 40.9% stated their religion as either Church of Scotland, Catholic or Other Christian.

### **Aberdeenshire**

The 2015 population of Aberdeenshire was 261,960. The population of Aberdeen city accounts for 4.9% of Scotland's population.

The following table shows the age and sex for the population of Aberdeenshire

### Estimated population of Aberdeenshire and Scotland, by age group, 2015

Age group	Male pop. Aberdeenshire	Female pop. Aberdeenshire	Total pop. of Aberdeenshire	% of total pop. of Aberdeenshire	Age group	Male pop. Scotland	Female pop. Scotland	Total pop. of Scotland	% of total pop. of Scotland
0-15	25,115	23,741	48,856	18.7%	0-15	46	44	91	17.0%
16-29	20,471	18,855	39,326	15.0%	16-29	6,470	5,792	2,262	0%
30-44	25,451	26,252	51,703	19.7%	30-44	49	48	97	18.0%
45-59	29,174	29,817	58,991	22.5%	45-59	0,588	8,361	8,949	2%
60-74	21,464	21,870	43,334	16.5%	60-74	7,625	0,237	17,862	9%
75+	8,469	11,281	19,750	7.5%	75+	56	59	1,1	21.0%
All ages	130,144	131,816	261,960	100.0%	All ages	5,858	8,073	63,931	7%
						41	44	86	16.0%
						3,656	8,623	2,279	0%
						17	26	43	8.1%
						6,272	1,445	7,717	%
						2,6	2,7	5,3	10
						10,469	62,531	73,000	0.0%

Female life expectancy is greater than male life expectancy and both are greater than the Scottish average.

By 2037 the population of Aberdeenshire is projected to be 299,813, an increase of 17.3% compared to the population in 2012. The population of Scotland is projected to increase by 8.8% between 2012 and 2037. Over this period, the age group that is projected to increase the most in Aberdeenshire is the 75+ age group. This is the same for Scotland. The population under 16 is projected to increase by 13.8% over the 25 year period.

The 2015 estimate of the number of households in Aberdeenshire is 109,631. The proportion of households receiving single person discount for Council Tax was 28.9%. The total number of households in Aberdeenshire is projected to have a 22% increase by 2037. In Scotland as a whole this increase is projected to be 17%. Lone households in Aberdeenshire are projected to rise by 42% compared to a Scottish projection of 35% in 2037. In Aberdeenshire households headed by 60-74 year olds are projected to rise by 19% and those headed by 75+ age group are projected to increase by 107% by 2037. This compares to a Scottish average of 16% and 82% respectively.

#### *Ethnic Data*

Ethnic Background	Percentage
White Scottish	82.2
Other White British	12.3
White Irish	0.5
White Polish	1.2
White Other	2.2
Asian, Asian Scottish or Asian British	0.8
Other Ethnic Groups	0.8

#### *Language*

For the population over 3 years of age, 98.2% speak English well or very well. The remaining 1.8% do not speak English well or at all.

## Religion

50.4% of the population stated either they had no religion or they did not answer this question. 48.7% stated their religion as either Church of Scotland, Catholic or Other Christian.

## Health

84.5% of Aberdeenshire's population determined that they did not have a limiting long term health condition. This compares with a Scottish average of 80.4%. 3.2% of the population stated their health as being bad or very bad. This compares with a Scottish average of 5.6%.

## Moray

The 2015 population of Moray was 95,510. The population of Moray accounts for 1.8% of Scotland's population

### Estimated population of Moray and Scotland, by age group, 2015

Age group	Male pop. Moray	Female pop. Moray	Total pop. of Moray	% of total pop. of Moray	Age group	Male pop. Scotland	Female pop. Scotland	Total pop. of Scotland	% of total pop. of Scotland
0-15	8,508	7,994	6,502	17.3%	0-15	466,470	445,792	912,262	17.0%
16-29	8,176	7,325	5,501	16.2%	16-29	490,588	488,361	978,949	18.2%
30-44	8,432	8,673	7,105	17.9%	30-44	497,625	520,237	1,017,862	18.9%
45-59	1,432	1,173	1,057	22.0%	45-59	565,858	598,073	1,163,931	21.7%
60-74	7,997	8,752	6,749	17.5%	60-74	413,656	448,623	862,279	16.0%
75+	3,600	4,996	8,596	9.0%	75+	176,272	261,445	437,717	8.1%
All ages	47,217	48,293	95,510	10.0%	All ages	2,610,469	2,762,531	5,373,000	100.0%

Female life expectancy is greater than male life expectancy and both are greater than the Scottish average.

By 2037 the population of Aberdeenshire is projected to be 90,899, a decrease of 2.2% compared to the population in 2012. The population of Scotland is projected to increase by 8.8% between 2012 and 2037. Over this period, the age group that is projected to increase the most in Moray is the 75+ age group. This is the same for Scotland. The population under 16 is projected to decline by 13.3% over the 25 year period.

The 2015 estimate of the number of households in Moray is 109,631. The proportion of households receiving single person discount for Council Tax was 34.1%. The total number of households in Moray is projected to have a 7% increase by 2037. In Scotland as a whole this increase is projected to be 17%. Lone households in Moray are projected to rise by 24% compared to a Scottish projection of 35% in 2037. In Moray households headed by 60-74 year olds are projected to rise by 4% and those headed by 75+ age group are projected to increase by 81% by 2037. This compares to a Scottish average of 16% and 82% respectively.

### *Ethnic Data*

<b>Ethnic Background</b>	<b>Percentage</b>
White Scottish	77.6
Other White British	18.0
White Irish	0.5
White Polish	1.1
White Other	1.6
Asian, Asian Scottish or Asian British	1.3
Other Ethnic Groups	0.4

### *Language*

For the population over 3 years of age, 98.5% speak English well or very well. The remaining 1.5% do not speak English well or at all.

### *Religion*

48.9% of the population stated either they had no religion or they did not answer this question. 49.9% stated their religion as either Church of Scotland, Catholic or Other Christian.

### *Health*

17.7% of Moray's population stated that their day to day activities were limited a lot or limited a little by their disability. 3.9% of the population stated their health as being bad or very bad. This compares with a Scottish average of 5.6%.

## **Performance Management**

In order to effectively manage the Associations performance with regard to E&D sufficient and appropriate data must be collected and reported. This is addressed in the Equalities Action Plan and will be managed under the Associations Performance Management Framework. The Association will provide E&D information as part of this system or management and will use it for benchmarking purposes.

## **Reporting**

It is important that the Association gather and maintain information that allows us to understand the needs of our customers and staff and to plan and deliver services to address those needs. Information regarding Ethnic Origin of Tenants, Applicants, Staff and Committee is already required by the Scottish Housing Regulator for the Annual Return on Charter. The Committee of Management will receive regular reports on performance and recommendations and updates from the Equalities Action Plan.

## **Consultation**

Through our ongoing commitment to Tenant and Customer Participation we will engage with our Tenants Panel to discuss the data we collect on equalities and how it should be

used. We will take account of comments and complaints about E&D and these will be considered when we review the Policy if not before. The Association will work with our customers to find effective ways of reaching, understanding, communicating and overcoming barriers associated with tenants and applicants with particular equality characteristics.

## **Training**

Due to the ways that inequalities occur, it is important that all those connected with the delivery of services for CHA understand what inequality is, how actions can be discriminatory, how to identify discrimination and what to do about it if they find it.

This policy is relevant to all staff, volunteers and to the Management Committee of the Association and training will be provided accordingly. All new staff will complete E&D training as part of their induction and existing staff will be mandated to complete E&D training and refreshers on a regular basis.

A copy of this policy will also be available within the Staff handbook available for office based staff on the S Drive and for non office based staff through Sharepoint.

## **Recruitment & Selection**

Castlehill is committed to adopting a fair and consistent approach in its recruitment and selection procedures, whilst ensuring the employment and retention of a high quality and motivated workforce.

All candidates will be given the opportunity to demonstrate their abilities and therefore no aspect of the recruitment and selection process will be carried out in a way which could be discriminatory or indicate a bias towards any protected characteristic. This is accounted for within our recruitment procedure which includes the preparation of the job description, person specification, advertisement, and interview questions; as well as the way in which application forms are assessed and interviews carried out.

## **Staff**

Any opportunities, for example training, development or promotion, should be made available to all employees. Similarly, any requests relating to training and development or a change to terms and conditions should be treated equally and must not be refused on the basis of any protected characteristic.

## **Review**

This policy is due to be reviewed in full every three years however a review may be completed at a shorter interval should there be a need. This may be due to a change in a legislation or regulatory guidance, a change to a related CHA policy, a complaint or an incident which prompts a consideration of some or all aspects of the policy.

## **Equalities Impact Assessment**

The Association recognises the importance of EIA's but also recognises that these should be proportionate to our size and aims.

The Association, when reviewing customer facing policies such as the Allocations, Rental, Arrears and Recruitment policies shall include EIA's.

Where complaints about policy or procedures are received EIA's will be conducted as part of the review of the complaint and the results of this shall be reported back to the Committee of Management.

## Appendix 1

### Legislative Context

The UK is a signatory of the European Convention on Human rights, which gives people protection for a range of rights including several that are relevant to Housing:

- **Article 6:** the right to a fair hearing in connection with civil rights and obligations and minimum rights for criminal trials
- **Article 8:** the right to respect for private and family life, the home and correspondence
- **Article 14:** the prohibition of discrimination
- **Protocol 1, Article 1:** the protection of property

There are a number of important laws aimed at reducing inequality and tackling discrimination, particularly in the workplace. These are as follows:

- **Equal Pay Act 1970:** gave men and women equal treatment in contractual terms and conditions of employment when they are employed on the same or broadly similar work, or on work which, although different, is of equal value
- **Race Relations Act 1975 (replaced 1965 Act):** outlawed racial discrimination direct or indirect, in employment, education, the provision of goods, facilities and services and the disposal and management of premises
- **Sex Discrimination Act 1975:** outlawed discrimination on the grounds of gender. It also outlawed discrimination against married people in the field of employment
- **Disability Discrimination Act 1995:** outlawed discrimination against disabled people in employment and in the provision of services. It also specifically outlawed discrimination in the disposal and management of premises
- **Human Rights Act 1998:** extended the European Convention on Human Rights to public authorities making it unlawful for public authorities making it unlawful for public authorities to act in a way that is incompatible with a Convention right (this does not currently apply to RSL's but may in future)
- **Sex Discrimination (Gender Reassignment) Regulations 1999:** contained measures to prevent discrimination against transsexual people on the grounds of sex in employment and vocational training
- **Employment Equality (Religion or Belief) Regulations 2003:** made it unlawful to discriminate on the grounds of religion or belief. The regulations apply to vocational training and all facets of the employment relationship
- **Civil Partnership Act 2004:** gave same sex couples the right to register a civil partnership, which means that the partnership is legally recognised. They have similar rights as a married couple in such areas as tax, inheritance and benefits
- **Employment Equality (Sexual Orientation) Regulations 2003:** made it unlawful to discriminate on the grounds of sexual orientation. The regulations apply to vocational relationships and all facets of the employment relationship.
- **Gender Recognition Act 2004:** gave transsexual people the right to apply for Gender Recognition Certificate. This means for all intents and purposes, the holder is legally recognised in their acquired gender. Transsexual people can apply for a Gender Recognition Certificate if they have had a medical diagnosis of being transsexual, have been living full time in their acquired gender for a number of years and intend to remain permanently in that gender
- **Disability Discrimination Act 2005:** introduced a new duty for local authorities and other public bodies to carry out their functions in a way that eliminates discrimination and

promotes equality of opportunity for disabled people to widen the definition of disability. The Act also imposed a duty on those who manage let dwellings to make reasonable adjustments

- **The Equalities Act 2006:** placed a statutory duty on all public authorities, when carrying out their functions to have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity between men and women
- **Employment Equality (Age) Regulations 2006:** outlawed discrimination on the grounds of age in employment and vocational training
- **The Racial and Religious Hatred Act 2006:** created a new criminal offence of stirring up hatred against a person because of their religion
- **The Equalities Act 2010:** replaced previous anti-discrimination laws with a single act to make the law simpler and to remove inconsistencies. The Act covers nine protected characteristics, which cannot be used as a reason to treat people unfairly. Every person has one or more of the protected characteristics, so the Act protects everyone against unfair treatment. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The Equality Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. The Act prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).

In addition the Housing (Scotland) Act 2001 gives obligations to both the Association and our tenants.

Under the section titled “Respect for Others” the Association undertakes the following:

*We will act fairly to you in all matters connected with your tenancy. We will not unfairly or unlawfully discriminate against you in any way on the grounds of your race, colour, ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief or other status.*

Tenants have an obligation as stated below:

*In particular, you, those living with you, and your visitors must not: harass or assault any person in the house, or neighbourhood, for whatever reason. This includes that person's race, colour or ethnic origin, nationality, gender, sexuality, disability, age, religion or other belief, or other status;*

## Appendix 2

### Action Plan

Action	Lead Manager/Dept	Timescales
Review E&D information on HHNES and how this is used for service delivery purposes		
Record new tenant E&D (including Ethnicity and Disability) data on QL and review how this is used for service delivery purposes		
Work with Tenants Panel to collect E&D and other relevant info as part of the large scale TSS survey in 2016. Consider results by customers within protected characteristics groups		
Survey staff and committee to collect and record E&D info for inclusion in reporting structure		
Support ongoing work of Ethnic Minority Project		
Introduce mandatory E&D training for all exiting staff and as part of CHA induction training		
Produce clear guidance on the use of EIA's for major customer facing and internal HR policies.		
Develop mechanisms for sharing E&D with contractors and monitoring their E&D within CHA contracts		
Ensure relevant staff are aware of procedures for reporting hate crimes within Police Scotland local framework		
Consider mandatory E&D training for Committee of Management		
Implement system for review complaints to identify discrimination of protected groups		
Formalise mechanism for contractors or outside agencies to report issues of vulnerability within protected groups or problems with service delivery for those with protected characteristics		
Establish standard E&D wording for inclusion in all contracts and tenders		
Establish which committee level E&D information should be reported to		
Consider place of E&D within CHA's performance management framework		
Review TP strategy to consider		

engaging with protected groups		
Review committee structure to consider engagement with protected groups		
Make E&D policy available to all staff through S drive or Sharepoint		
Consider E&D issues for CHA website		
Consider recommendations of SHR publication "Use of E&D Information by Scottish Social Landlords" and aim to meet requirements indicated.		
Annually assess skills, knowledge and diversity needed to provide capable leadership and efficiency.		