Equity, Diversity and Inclusion (EDI) Policy

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Policy	Equity, Diversity, and Inclusion Policy						
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Approved by	Board of Management						
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Review Period	1 year with a view to further update and consultation then 3 years following						
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Policy Review	People and Culture Manager						
Who this policy affects	Board	X	Customers	X	Contractors		Members of the Public	x
Where this policy affects	General needs		Supported		Office / staff base	X

1. Policy Purpose

1.1 At Almond we promote equal opportunities and social justice. We are committed to ensuring that our people and communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.

1.2 This Policy sets out our commitment to achieving equity and diversity and supports a consistent approach to promoting this throughout Almond, in all aspects of our operations, service provision and governance.

1.3 This policy is intended to reflect statutory requirements as well as best practice and has been created in line with Almond's ethics and Values.

2. Policy Scope, Explanations, Aims and Requirements

2.1 At Almond we are firmly committed to the principles of equity, diversity, and inclusion and recognise the following:-

1. **Moral case** – living by the principles of equity, diversity, and inclusion - social justice, fairness, human rights, equal access to opportunities and are simply the right thing to do.
2. **Customer Care** –understanding our customers and tailoring our services to meet their diverse needs.
3. **Diverse workforce** – having a workplace that embraces diversity and is therefore more likely to help us to attract and retain talented people and reduce turnover.
4. **Competitive edge** – employing diverse teams which bring different ideas, innovation and creativity and help us to better understand the needs of our customers and communities.
5. **Reputation** – having an inclusive work environment which encourages loyalty and teamwork and enhance our reputation as an employer and a housing provider.
6. **Legal obligations** – meeting and exceeding our legal responsibilities to minimise any impact to our reputation, financial cost or adverse impact on our workforce, customers, and communities.
7. **Risk management** – we recognise there are risks associated with non-compliance. These risks include the effect on our reputation, financial implications, and the impact on those involved.

2.2 Our EDI policy is in place to ensure we meet our moral, social, and legal obligations and that we see equity as a fundamental part of everything we do. We will:

- Apply a fair and consistent approach to all we do.
- Ensure that our workforce, contractors, and customers are not treated less favourably than anyone else based on the protected characteristics set out in the Equality Act of 2010.
- Ensure our workforce reflects the diverse needs of our local community through the services we provide.
- Ensure we recruit from the widest possible talent pool.
- Ensure we are a workforce which reflects and can support our customers and communities.
- Expect our visitors, customers, partners and suppliers not to discriminate against our workforce, and to invoke our own EDI principles wherever possible.
- Challenge discrimination & prejudice when encountered.

3. Definitions

3.1 Equal Opportunities means the prevention, elimination, or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions". (The Scotland Act 1998, Schedule 5, L2)

It is important to understand the difference between Equality and Equity:

Equality – each individual or group of people is given the same resources and opportunities.

Equity – recognises that each individual has different circumstances, and is given the resources and opportunities needed to reach an equal outcome.

"The route to achieving equity will not be accomplished through treating everyone equally. It will be achieved by treating everyone justly according to their circumstances." —Paula Dressel, Race Matters Institute

3.2 The Equality Act 2010 outlines types of discrimination, as well as positive action which organisations can take in certain circumstances. The Act specifically contains seven types of discrimination, outlined below and in addition a further category of discrimination has been included which is defined as institutionalised discrimination.

a) 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.

b) 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.

c) Perceptive Discrimination
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.   An example would be, a person not being shortlisted for a job on the basis that the recruiter assumes the applicant requires a visa or does not have the correct visa to work in the UK as they have a perceived foreign name on their application form.

d) Indirect Discrimination
This is when an apparently neutral requirement or condition impacts adversely or has a disproportionate effect on a particular equity group. An example of this could be a policy, practice or procedure that applies to everyone in the same way but might disadvantage a particular group and which cannot be objectively justified in relation to the job.

e) 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 sexist calendar on a wall where this makes the workplace an offensive place to work for any employee. The intention of the perpetrator is irrelevant; it is the impact on the individual that determines whether harassment has taken place.

f) Harassment by a Third Party
As an employer, Almond is potentially liable for the harassment of their employees or customers by people they do not themselves employ, for example a contractor or consultant.

g) 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.

h) Institutionalised Discrimination
This is defined in the context of racism as "the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin.

4. Responsibilities

4.1 **Board of Management**:
- Ensure that there is in place an Equity, Diversity and Inclusion policy which complies with current law, statutory guidance and good practice.
- Ensure that all Board members implement and comply with the policy at their meetings, in making decisions and carrying out activities on behalf of Almond.

4.2 **Senior Management Team:**
- Ensure the policy is communicated to all employees and implemented throughout Almond.
- Ensure all documentation, publications and forms do not contain any statements or conditions which would breach this policy
- To support equity, diversity and inclusion initiatives and ensure the Policy is applied
- To ensure Board members, Directors and employees receive advice and training on equity, equality, diversity and inclusion matters as required.

4.3 **Managers:**
- Communicate the importance of adherence to the Equity, Diversity and Inclusion Policy
- Promote equity of opportunity for all, support all employees to reach their full potential
- Deal quickly and effectively with any complaint of unfair treatment and inequality
- Ensure that the services provided are responsive and reflect the diversity of need
- Monitor and review services in line with required standards
- Ensure that staff are trained to perform their roles and on equity, diversity and inclusion
- Ensure that expectations in respect of contractors, partners and customers are clearly communicated to them to support understanding

4.4 **Employees:**
- To ensure that they comply with the policy in their day-to-day activities
- To report any instances of actual or suspected discrimination covered by this policy and/or challenge discriminatory behaviour

4.5 **Tenants/service users**
- To provide feedback to allow us, and/or other organisations or individuals to take action to remove unfair treatment of others
- To understand and meet the commitments in this policy

4.6 **Contractors/Agents/Partners**
- To treat people respectfully, politely and in a way that maintains their dignity
- To be familiar with and apply the relevant commitments under this Policy and ensure that their employees/workers are aware and adequately trained.
- To deal effectively and quickly with any behaviours/practices that fail to meet our Policy.

5. Legislation and Regulation

5.1 The Equality Act 2010 is the main Act to refer to and consider, although other legislation is also relevant.   The Act sets out the "protected characteristics" in respect of which discrimination, harassment or victimisation is unlawful; protected characteristics were formerly referred to in law as "grounds."

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These protected characteristics are:
- age
- disability
- gender re-assignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex and
- sexual orientation

The equality duty applies to private or voluntary sector organisations when carrying out public functions. The Equality and Human Rights Commission provides the following examples of public functions in relation to registered social landlords:

- Allocation of housing
- Setting rent levels
- Complaints procedures
- Tenant participation
- Termination of tenancies
- Terms of tenancy
- Policies and procedures regarding anti-social behaviour

In addition to the above outcome the Scottish Housing Regulator's Regulatory Framework (February 2019) requires social landlords to:

- 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 it 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 of waiting lists, governing body members and staff. The Scottish Housing Regulator has also confirmed it will support the development of guidance around equalities and human rights in social housing.

- There is also a clear standard that RSLs pay due regard to the need to eliminate discrimination, advance equity and human rights, and foster good relations across the range of protected characteristics in all areas of its work, including governance arrangements".

5.2 As above, The Scotland Act 1998 defines "Equal opportunities "as the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions".

This definition is significant as it covers grounds that are not part of the protected characteristics. For instance, the definition covers social origin (or class), as well as grounds like language and personal attributes.

5.3 The Human Rights Act 1998 - This Act specifies that every individual has the right to the peaceful enjoyment of their possessions, their right to respect private and family life, home, and

correspondence. The Act provides protection against discrimination with regard to any of these rights.

5.4 The Housing (Scotland) Act 2010 - The Housing (Scotland) Act 2010 requires us to "act in a manner to encourage equal opportunities". This requirement involves incorporating all relevant equity law throughout our organisational services. In short, this law is promoting the mainstreaming of equity commitments throughout organisational services.

5.5 Equality Impact Assessment - Equality impact assessments (EIA) are an evidence-based approach which helps to ensure that policies, practices, events and decision-making processes are fair and do not present barriers to participation or disadvantage any protected groups from participation. Almond is committed to carry out Equality Impact Assessments on key policies and as part of our planning processes to ensure compliance and detailed consideration.

5.6 Equality data - Equalities information is routinely collected e.g. as part of our applications for housing, for recruitment and employment, Committee Membership, at tenancy sign ups as well as our customer satisfaction surveys.   By gathering useful equality data and where we have individual consent, we can better focus on what individuals need, as opposed to applying perceived needs.

6. Training & Development
6.1 We recognise that training, development, and assessment of training needs is essential in order to meet commitments to Equity, Diversity and Inclusion and are committed to ensuring effective and timely training and awareness training is rolled out to employees and Board members.

7. Tenant Consultation
7.1 As a key strategic policy that is likely to impact on tenants and other service users, we consult with tenants and other service users on our equity and diversity policy objectives and monitoring.

8. Complaints
8.1 We deal with complaints through our organisational complaint handling procedure. This procedure follows the framework developed by the Scottish Public Services Ombudsman. We provide all our tenants with information on how to complain when signing their tenancy agreements and include updates on this, for instance in our newsletters and on our website and publications.

If tenants and other service users are dissatisfied with how we are implementing the Equity, Diversity and Inclusion Policy, they are advised of their rights to complain.

9. Policy Review
This policy will be reviewed every 3 years or as required due to legislative or regulatory change. The review will be completed by the People and Culture Manager and will be circulated to the Senior Management Team and Board of Management for approval.

10. Associated Policies
All policies should be in line with the principles of the EDI Policy., However there are several identified below which have particle relevance due to their nature:-

- Development – Assessing housing needs
- Reactive Repairs, Cyclical & Planned Maintenance
- Adaptations
- Allocations
- Tenant Participation
- Communications
- Tenancy Estate Management
- Factoring
- Procurement of Goods & Services
- Anti-Social Behaviour (inc harassment of minorities)

- Absence Management
- Maternity, Paternity, Adoption and Shared Parental Leave
- Time off to Care for Dependents
- Retirement
- Health and Wellbeing
- Grievance & Dispute
- Whistleblowing
- Discipline & Appeals
- Recruitment & Selection
- Staff Induction
- Performance Management
- Flexible Working
- Staff Code of Conduct
- Board Members Code of Conduct

11. Relevant Guidance and Good Practice

Good practice guidance and information is issued by a range of organisations, including (in alphabetical order):
- Age (Scotland)
- Chartered Institute of Housing
- Disability Information Scotland
- Equity and Human Rights Commission
- Glasgow Centre for Inclusive Living
- Path (Scotland)
- Scottish Accessible Information Forum
- Scottish Federation of Housing Associations
- Scottish Housing Regulator
- Stonewall (Scotland)

12. Data Protection

Our policies and procedures foster an approach of 'data protection by design and by default'. What this means in practice is that:

- Policies and procedures consider data protection issues, i.e. how to protect the data subject served by the policy or procedure;
- New systems, services, products and business practices involving personal data are designed and implemented to ensure personal data is protected by default;
- That the Data protection principles and safeguarding of individuals' rights (such as data minimisation, pseudo anonymisation, and purpose limitation) are clear in the policy or procedure;
- And that if the policy or procedure aims to provide service to vulnerable groups (e.g. children) that the personal data is treated with extra protection.

What this requires users of this policy to do is:

- Make sure that staff understand why data protection is important for the implementation of this policy, for instance via training or by reading the data protection policies;
- If we are undertaking a review of the policy, change to process or change to system, that we must consider doing a Data Protection Impact Assessment, if the change is likely to result in a high risk to individuals.
- It is also good practice to do a DPIA for any other major project which requires the processing of personal data.

We will consult our data protection officer, if there is doubt over these requirements.

Responsibilities Chart

The chart below illustrates the responsibilities of all staff in relation to this policy.

	Board	CEO/SMT	People & Culture Manager	All Managers	All Staff
To Implement the policy		✓	✓	✓	
Policy Review	✓	✓	✓		
Ensure Equality & Diversity guidance is adhered to			✓	✓	✓

Policy Assessment Checklist

Health & Safety Assessment

Does this policy have the potential to affect:

	Yes	No
	Yes	No
Lone Working	☐	☒
Safety and/or wellbeing of customers	☐	☒
Safety and/or wellbeing of staff	☐	☒

Equality Impact Assessment

Does this policy have the potential to affect:

	Yes	No
Age	☒	☐
Disability	☒	☐
Gender reassignment	☒	☐
Marriage and Civil Partnership	☒	☐
Pregnancy and Maternity	☒	☐
Religion or belief	☒	☐
Sex	☒	☐
Sexual orientation	☒	☐
Race	☒	☐

If you have answered 'Yes' to any of these points, please complete a full Equality Impact Assessment. If you have answered 'No', you need take no further action in completing an Equality Impact Assessment.

Data Protection Impact Assessment

Carrying out a Data Protection Impact Assessment [DPIA] will be useful to any project – large or small – that:

- Involves personal or sensitive data about individuals
- May affect our customers' reasonable expectations relating to privacy
- Involves information that may be used to identify or target individuals

A Data Protection Impact Assessment [DPIA] must be completed if the policy involves one or more of the following (please tick each that apply to this policy):

Evaluation or scoring   ☐

Automated decision-making with significant effects;	☐
Systematic monitoring	☐
Processing of sensitive data or data of a highly personal nature	☐
Processing on a large scale	☐
Processing of data concerning vulnerable data subjects	☐
Innovative technological or organisational solutions	☐
Processing that involves preventing data subjects from exercising a right or using a service or contract	☐
Use systematic and extensive profiling or automated decision-making to make significant decisions about people	☐
Process special-category data or criminal-offence data on a large scale	☒
Systematically monitor a publicly accessible place on a large scale	☐
Use of new technologies involving significant innovation	☐
Use profiling, automated decision-making or special category data to help Make decisions on someone's access to a service, opportunity or benefit	☐
Carry out profiling on a large scale	☐
Process biometric or genetic data	☐
Combine, compare or match data from multiple sources	☐
Process personal data without providing a privacy notice directly to the individual	☐
Process personal data in a way that involves tracking individuals' online or offline location or behaviour	☐
Process children's personal data for profiling or automated decision-making or for marketing purposes, or offer online services directly to them	☐
Process personal data that could result in a risk of physical harm in the event of a security breach	☐
There is a change to the nature, scope, context or purposes of our processing	☐

If a DPIA is not carried out, please summarise the reasons below

A DPIA is carried out separately for special category data and is covered by this