

BUIDHEANN TIGHEADAS LOCH AILLSE AGUS AN
EILEIN SGITHEANAICH
LOCHALSH AND SKYE HOUSING ASSOCIATION

Equal Opportunities Policy and Procedures

DATE APPROVED:	18 September 2009
APPROVED BY:	Management Committee
DATE OF REVIEW:	September 2012

EQUAL OPPORTUNITIES STATEMENT

Lochalsh and Skye Housing Association Ltd is committed to eliminating discrimination and promoting good relations and equal opportunities. As a provider of housing, management services and employment, it is a key objective of the Housing Association to strive towards equality of opportunity. In pursuit of this aim, the Housing Association ensures that all its staff are aware of and put into practice the following Equal Opportunities statement:-

- (a) In the provision of housing services and employment of staff, the Housing Association seeks to actively ensure equality of opportunity and treatment for all persons.
 - (b) No person or group of persons applying for housing, or for a job, or for contracts with the Housing Association, will be treated less favourably than any other person because of race, age, colour, gender, ethnic or national origin, because of their religion or sexual preference, physical disability, ill health, appearance or marital status.
 - (c) The Housing Association will continue to seek to identify the needs of disadvantaged minority groups in areas of operations by establishing close relationships with those groups where they exist.
 - (d) As an employer, the Housing Association actively encourages job applications from members of minority groups. We will provide all members of staff with training facilities to enable them to progress.
 - (e) In the composition and operation of our Management Committee, the Housing Association will be mindful of our commitment to equal opportunities.
 - (f) The Housing Association will ensure our contractors and consultants are familiar with our equal opportunities and will expect them to adhere to the policy. The Housing Association will promote equal opportunities and encourage applications from contractors and consultants from under-represented groups.
 - (g) In order to fulfil our commitment to equal opportunity, the Housing Association will constantly review and update as necessary policy and procedure for Committee approval.
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EQUAL OPPORTUNITIES POLICY - EMPLOYMENT

The Association considers any form of discrimination, i.e. treating a person on less favourable grounds than others, to be unacceptable in terms of good practice, social justice and legal duty.

The Association recognises that discrimination can be direct or indirect and can take place at a personal or at an institutional level.

(i) direct discrimination

treating a person less favourably on grounds of race, age, sex, disability, sexual orientation.

(ii) indirect discrimination

applying any requirement or condition which, though applied equally to everybody, is such that a considerably smaller proportion of people of one group can comply with it than the proportion of other people, unless the requirement or condition can be shown to be justifiable irrespective of race, age, sex, disability or sexual orientation.

1. STATEMENT OF POLICY

- 1.1 The Association is opposed to discrimination in any form and at all levels, and is committed to take all steps within its power as an employer to counteract it.
- 1.2 The Association will seek to ensure that no one receives less favourable treatment or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.
- 1.3 The Association will seek to ensure that all individuals will be treated fairly and equally and any decisions on recruitment and selection will be based on the essential job criteria.
- 1.4 The Association will respect community diversity and seek to ensure that all vacancies are accessible to all sectors of the community.
- 1.5 The Association will seek to ensure good communication with all groups.
- 1.6 The Association will provide equal opportunities training for all members of staff and committee members and will encourage active participation.
- 1.7 The Association will comply with existing relevant anti-discrimination legislation and codes of practice in employment.
- 1.8 The Association will ensure that this policy will be a condition of service and all members of staff and committee members will abide by it.
- 1.9 The Association's policies and procedures will be monitored regularly to ensure

they comply with this policy.

2. LEGAL AND STATUTORY OBLIGATIONS

This policy is a condition of service in accordance with the relevant legislation concerning discrimination.

- * The Disabled Persons (Employment) Acts 1944 & 1958
- * The Disabled Persons (Services, Consultation and Representation) Act 1986
- * The Disability Discrimination Act 1995
- * The Employment Protection Act 1975 & The Employment Protection (Consolidation) Act 1978
- * The Equal Pay Act 1970 & as amended by Equal Pay (Amendment) Regulations 1983
- * The Housing (Scotland) Acts 1987 & 1988
- * The Local Government Act 1988
- * National Health Services & Community Care Act 1990
- * The Race Relations Act 1976
- * The Rehabilitation of Offenders Act 1974
- * The Sex Discrimination Act 1975 (as amended)

3. RESPONSIBILITIES OF THE ASSOCIATION AS AN EMPLOYER

3.1 RESPONSIBILITY/ACCOUNTABILITY

The Director will have daily responsibility for the implementation of the policy. The Chairperson will have overall responsibility for the successful implementation of the policy. In addition the Association will abide by the terms and conditions of this policy to ensure no discrimination occurs in the services it provides.

3.2 EMPLOYMENT

The Association recognises some employment practices may create barriers which prevent individuals obtaining employment. The Association will therefore adopt positive action measures which will help redress any imbalance.

Such measures will consist of:-

- * Good conditions of employment such as flexible working hours.
- * Positive statements in advertisements, e.g. all disabled applicants who meet the essential criteria are encouraged to apply.
- * Access to premises.
- * Access to information in suitable format.

3.3 TERMS AND CONDITIONS OF SERVICES

All staff in similar jobs shall be employed under the same terms and conditions of employment.

3.4 RESOURCES

The Association will, wherever possible, provide all employees with the necessary aids and adaptations to enable everyone to carry out duties on equal terms. Where the Association cannot honour this commitment financially, it will liaise with appropriate agencies with a view to obtaining the necessary resources. In addition, provision will be made for the additional resources which will be required to ensure effective implementation of this policy.

3.5 COMMUNICATION

Good communication is an important part of equal opportunities. For communication to be effective the Association will provide, where appropriate, materials in suitable format.

To encourage meaningful communication and participation the Association will look at creating different structures for meetings and will be sensitive to:-

- * The needs of those with young children e.g. provision of transport, crèche, appropriate opening and closing hours.
- * The needs of people with disabilities e.g. provision of transport, access for disabled people.
- * Language differences e.g. appropriate communication format, assistance with forms and questionnaires, use of interpreters and translators.

3.6 PUBLICITY

The Association will seek to ensure that:-

- * Its publications will not perpetuate discrimination
- * Language used will be non-discriminatory and concise
- * All relevant materials will be accessible to its target population

3.7 STAFF DEVELOPMENT

The Association is aware that staff development takes into account numerous factors such as education and training.

The Association will provide training for staff at all levels as it is an important factor leading to opportunities and career development and in return work will be carried out more efficiently and benefit the Association.

The recruitment of employees from under-represented groups and their subsequent career development will be monitored.

Training will reflect a skilful, structured and constructive approach and will be carried out in order to promote good practice. Furthermore training sessions will

place no unjustified conditions upon individuals which may prevent them from playing a full part.

3.8 TRAINING

All members of staff and committee members will undertake equal opportunities training. The training will concentrate on identifying discrimination and taking action which counters its effects.

3.9 HARASSMENT

Harassment is considered to be unwanted behaviour e.g. jokes, language, abuse (physical and verbal), graffiti, exclusion, withdrawal, discomfort, offence, hostility or an intimidating working environment which may hinder the employee in his/her work performance and affect his/her dignity.

Sexual and racial harassment can constitute unlawful discrimination. The Equal Opportunities Commission and Commission for Racial Equality recommend that harassment be regarded as a disciplinary offence which can lead to dismissal.

Harassment often occurs as a part of a racial or sexual discrimination but not exclusively. It can also be directed against e.g. lesbians and gay men, people with HIV and disabled people.

Harassment can be perpetrated by individuals or groups. It can also be perpetrated by the Association when, knowingly, it fails to take action to stop the harassment. When the Association is aware that harassment is taking place, it will carry out a formal investigation to establish the facts and take all appropriate action.

Harassment will be dealt with sensitively, speedily and firmly and may require to be resolved through a disciplinary procedure.

The Association will support the survivor and take any necessary action to redress the injury.

3.10 DISCIPLINARY PROCEDURE

Breach of Equal Opportunities Policy will be considered a serious disciplinary offence.

The Association will seek to ensure the well being of all members of staff. Disciplinary procedures are designed to support standards of conduct and capability at work and should act as effective safeguards for all employees.

3.11 GRIEVANCE PROCEDURE

All members of staff have the right to take action under a grievance procedure. Where any grievance or cause for complaint arises, employees will have an

opportunity to raise such matters through the Association's Grievance Procedure. The Association will seek to ensure that such problems are dealt with quickly and effectively.

Where possible, the employee will be given the necessary support and guidance for the proper resolution of the grievance.

3.12 MONITORING, REVIEWING AND RECORD KEEPING

The Association will seek to set targets (for measuring performance) and introduce a monitoring system which will collect relevant data on all groups who approach the Association for employment. The data will be assessed on a regular basis to monitor progress.

Where certain groups appear to be under-represented in employment, the Association will take positive action measures to redress any imbalance.

The Association acknowledges that monitoring, reviewing and record keeping will be an on-going process requiring continual examination and annual review of existing procedures and criteria as the society in which we live evolves.

It will be the responsibility of the Chairperson and Director to report any progress on successes or failures on implementation of the equal opportunities policies to its staff and committee members, including producing an annual report on monitoring and highlight any action taken as a result of the monitoring.

3.13 INITIATIVES

The Association will undertake to review its policies and practices to take into account changes as the society in which we live evolves.

3.14 CONFIDENTIALITY

Confidential information will be respected and maintained as such.

4. RESPONSIBILITIES OF THE EMPLOYEES

4.1 RESPONSIBILITY/ACCOUNTABILITY

The success of any policy depends on the degree of commitment of all employees and committee members, consequently it is the responsibility of all employees and committee members to ensure this policy is applied in practice.

4.2 All staff and committee members will be expected to challenge discriminatory behaviour and draw to the attention of management any instances of discrimination.

EQUAL OPPORTUNITIES POLICY - SERVICE PROVISION

The Association is committed to equal access to housing and services in relation to the needs of all groups.

The Association recognises that discrimination can be direct or indirect and can take place at a personal or at an institutional level.

- (i) direct discrimination**
treating a person less favourably on grounds of race, age, sex, disability, and sexual orientation.

- (ii) indirect discrimination**
applying any requirement or condition which, though applied equally to everybody, is such that a considerably smaller proportion of people of one group can comply with it than the proportion of other people, unless the requirement or condition can be shown to be justifiable irrespective of race, age, sex, disability or sexual orientation.

1. STATEMENT OF POLICY

- 1.1 The Association is opposed to discrimination in any form and at all levels, and is committed to take all steps within its power as a service provider to counteract it.
- 1.2 The Association will seek to ensure that no one receives less favourable treatment or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.
- 1.3 The Association will seek to ensure good communication with all groups.
- 1.4 The Association will respect community diversity and will seek to ensure that its services will be relevant and accessible to all sectors of the community.
- 1.5 The Association will seek to provide its users with full, clear and accurate information regarding the services it provides.
- 1.6 The Association will seek to ensure full consultation with its users and potential users with a view to providing appropriate housing.
- 1.7 The Association will seek to ensure that harassment on any grounds be viewed as a priority housing need or transfer request.
- 1.8 The Association will provide equal opportunities training for all members of staff and committee members and will encourage active participation.
- 1.9 The Association's policies and procedures will be monitored regularly to ensure they comply with this policy.

1.10 The Association will abide by the terms and conditions of this policy to ensure no discrimination occurs in the services it provides.

2. EQUAL OPPORTUNITIES

2.1 The Association is striving to become an equal opportunities organisation and consequently its policies will demonstrate a clear commitment to equal outcomes in respect of:-

- * Membership including management committee
- * Landlord activities
- * Association's role
- * Contracting role

2.2 In providing and managing housing, the Association will ensure equality of opportunity in the following areas:-

- * Access to housing
- * Quality of housing allocated
- * Freedom from harassment
- * Consultation on the provision of housing and housing services
- * Grievance and appeals procedure

2.3 All our policies will be clear, comprehensive and unequivocally non-discriminatory promoting equal access to all, as the Association is accountable to its tenants, prospective tenants, and the wider community.

2.4 As recipients of public subsidy, the Association will ensure that public funds are not used to promote practices which may be based on discrimination. The Association will take positive action measures to ensure equal access for all groups.

3. MEMBERSHIP

3.1 Membership of the Association is a voluntary decision, as is the decision to stand for election to its committee. The Association aims to be accountable to the community it serves and will seek to ensure that the composition of its general membership and management committee is as representative as possible of all sections of the community in its area. Furthermore the elected management committee is the employer and as such responsible for eliminating discrimination within the Association.

4. TRAINING

4.1 All members of staff and committee members will undertake equal opportunities training. The training will concentrate on identifying discrimination and taking action which counters its effects.

5. CONSULTATION

- 5.1 To encourage participation by all sections of the community, in meaningful consultation, the Association will be sensitive to:-
- * The needs of those with young children e.g. provision of transport, crèche, appropriate opening and closing hours
 - * The needs of people with disabilities e.g. provision of transport, access for disabled people
 - * Language differences e.g. appropriate communication format, assistance with forms and questionnaires, use of interpreters and translators.
- 5.2 The Association will consult relevant agencies working with groups of interest to the Association with a view to seeking, identifying and meeting the needs of these groups.
- 5.3 There will be a regular review of consultation procedures and policies to ensure we continue to be responsive to our tenants' and prospective tenants' needs.

6. ACCESS

- 6.1 The Association will take positive action measures to ensure that all members of the community are aware of the services it provides including availability of stock. The Association will seek to ensure within its means that all people benefit equally from its services.
- 6.2 The Association will have maximum openness about what it is doing, and ensure that all policies and procedures are openly and widely advertised.
- 6.3 The Association will provide tenants with full, clear and accurate information about their particular tenancy in compliance with the law and good practice guidelines. This information will be accessible to all. Tenancy agreements will not contain any unduly restrictive or unnecessary conditions.
- 6.4 The Association will provide its materials in suitable format. All application forms and materials published will be in simple jargon free language and where appropriate, help will be given to fill out the relevant forms. The Association will be sensitive to people with difficulties in communicating.
- 6.5 All people will have equal access to housing and will be treated equally when they become tenants.

7. MANAGEMENT SERVICES

- 7.1 Management services provided by another organisation will be compatible with this policy.
All services the Association receives will be monitored to ensure that no discrimination takes place.

8. LANDLORD ACTIVITIES

It is the Association's responsibility as a landlord to adhere to the following.

8.1 DESIGN STANDARDS

The Association will seek to ensure that all developments are built barrier-free and to agreed minimum standards to allow tenants to reduce their dependence on others and maximise choice in their daily life.

8.2 MAINTENANCE AND REPAIRS

The Association will seek to ensure that properties are kept in good repair and installations maintained in proper working order to ensure that properties are fit for human habitation and that no defect places any person in potential danger. However, where cause for complaint arises, attention will be paid to tenants' complaints concerning disrepair and service provisions.

As maintenance is one of the most important services provided to tenants, the Association will seek to ensure that all tenants receive the same quality of service. The Association, will however, be mindful that certain groups, such as older people, may be more vulnerable and consequently will be given priority on certain types of repairs.

Response time to repair requests will be monitored.

8.3 RENT ARREARS

All rent arrears will be dealt with sensitively and fairly. The Association will have policies and procedures highlighting the importance of arrears prevention, and action for control and recovery.

8.4 NOMINATIONS AND REFERRALS

The Association has a nomination arrangement with the local authority in the area in which it operates. Nominations will be accepted according to the Association's policies. The Association will monitor the nominations arrangement for accessibility to all groups and meet regularly with the local authority to review the results and decide appropriate remedial action, where necessary.

Referral arrangements will be established with appropriate agencies. When considering an application from such an agency the Association will ensure that the agency's equal opportunities policy is consistent with the Association's. The Association will monitor referral arrangements for accessibility to all groups and meet regularly with the referral agency to review results and decide appropriate remedial action, where necessary.

This process will be used to assist the Association to meet the housing needs of all groups and also to raise awareness of changes in these needs.

8.5 ALLOCATION POLICIES

Selection and allocation policies will be clear, comprehensive and unequivocally non-discriminatory, providing equal access for all. All selection and allocation procedures will be designed to deal quickly and fairly with applicants for housing. Proper recording, reporting and monitoring procedures will be carried out. To ensure accountability and fairness more than one person will be involved in each decision.

The Association will avoid being seen as inaccessible to those in housing need. As a result, the Association will keep its waiting list open and encourage applications to be submitted and assessed throughout the year.

Copies of the policies and procedures on selection and allocation will be available and accessible to all.

8.6 QUALITY OF HOUSING

The quality of stock will be assessed regularly. The Association will ensure that all groups have equal access to good quality stock.

9. HARASSMENT

- 9.1 Harassment is considered to be unwanted behaviour e.g. jokes, language, abuse (physical and verbal), graffiti, exclusion, withdrawal, discomfort, offence, hostility or an intimidating living environment which may hinder the tenant in his/her home and affect his/her dignity.
- 9.2 Harassment often occurs as part of racial or sex discrimination and can constitute unlawful discrimination. It can also be directed against e.g. lesbians and gay men, people with H.I.V. and disabled people.
- 9.3 Harassment can be perpetrated by individuals or groups. It can be also be perpetrated by the Association when, knowingly, they fail to take action to stop the harassment. When the Association is aware that harassment is taking place, the Association will carry out a formal investigation to establish the facts and take all appropriate action.
- 9.4 Harassment will be dealt with sensitively, speedily and firmly and may require to be resolved through proceedings for eviction of the perpetrator or a transfer for the survivor.
- 9.5 The Association will support the survivor and take any necessary action to redress the injury.

10. CONTRACT COMPLIANCE

- 10.1 The Association will ensure that all contractors comply with relevant health and safety, employment and equal opportunities legislation.
- 10.2 In hiring contractors to work for association, it will encourage contractors to adopt and implement an equal opportunities policy or abide by the Association's equal opportunities policy.
- 10.3 Where contractors from certain groups appear to be under-represented on the Association's approved list, the Association will where possible take positive steps to seek, support and work with such contractors to encourage them to apply for registration on the approved list and at tender stage.
- 10.4 Contracts will be awarded to contractors who comply with good employment practices e.g. fair wage conditions, health and safety, training, recruitment and selection and equal opportunities.
- 10.5 Any harassment or discrimination by contractors will lead to investigation. Persistent misdemeanour or breaches of policy will lead to a contractor's removal from the approved list(s).
- 10.6 The Association will continually monitor and review the contractor's performance in relation to equal opportunities.

11. MONITORING, REVIEWING AND RECORD KEEPING

- 11.1 The Association will seek to set targets (for measuring performance) and introduce a monitoring system which will collect relevant data on all groups who approach the Association for housing, and on the services the Association provides. The data will be assessed on a regular basis to monitor progress.
- 11.2 Where certain groups appear to be under-represented in housing, the Association will take positive action measures to redress any imbalance.
- 11.3 The Association acknowledges that monitoring, reviewing and record keeping will be an on-going process requiring continual examination and annual review of existing procedures and criteria as the society in which we live evolves.
- 11.4 Monitoring will be carried out on all the services the Association provides, but in particular it will look at the following:-
 - * access
 - * allocations
 - * nominations
 - * advice
 - * repairs and improvements
 - * complaints
 - * harassment

- * employment and career progression
- * rent arrears
- * membership

11.5 It will be the responsibility of the Chairperson and Director to report any progress on successes or failures of implementation of the equal opportunities policies to its tenants and members, including producing an annual report on monitoring and highlighting any action taken as a result of the monitoring.

12. RESOURCES

12.1 Provision will be made for the additional resources which will be required to ensure effective implementation of this policy.

13. CONFIDENTIALITY

13.1 Confidential information will be respected and maintained as such.

14. POLICY REVIEW

14.1 This policy was approved by the Management Committee on 18 September 2009 and will be reviewed by the Management Committee or Sub-Committee set up for that purpose no later than September 2012.
