



# Equal Opportunities, Diversity, and Inclusion Policy

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Berwickshire Housing Association is a Registered Society. Registration No.: SP2482RS  
Scottish Charity No.: SC042342 Registered Office: 55 Newtown Street, Duns, TD11 3AU

# EQUAL OPPORTUNITIES, DIVERSITY, AND INCLUSION (EDI) POLICY

## 1. INTRODUCTION

- 1.1. Berwickshire Housing Association and its subsidiary entities (collectively referred to as “BHA” throughout the remainder of the document) is committed to its Equality, Diversity, and Inclusion (“EDI”) policy which will not discriminate against any group, or groups of persons, or treat anyone less favourable because of a protected characteristic they have or are thought to have.
- 1.2. BHA is committed to being an equal opportunities employer and service provider, ensuring equal opportunities for all customers, colleagues, contractors, suppliers, and stakeholders. BHA also respects and values the diversity of groups and individuals that it interacts with and the benefits this can bring, and it will take appropriate action to ensure those who may otherwise be excluded, feel included.
- 1.3. This policy sets out the overarching EDI principals and application within BHA. Practical and specific application of EDI principals is covered in more detail in the following policy and procedure documents:
  - Code of Conduct – Staff
  - Code of Conduct – Governing Body Members
  - Staff Handbook
  - Allocations Policy
  - Customer Care Policy
  - Compliments and Complaints Policy
  - Procurement Policy
  - Recruitment and Selection Policy
  - Rent and Service Charge Policy
  - Rent Arrears Policy
  - Unacceptable Action Policy

## 2. LEGISLATIVE AND REGULATORY FRAMEWORK

- 2.1. This policy is underpinned by the **Equality Act 2010** (“the Act”).
- 2.2. The Act (Section 149) requires public authorities, or those that exercise public functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 2.3. A very important concept within the Act is that of protected characteristics, which are the grounds on which discrimination is unlawful. The nine protected characteristics are:
- age;
  - disability;
  - gender reassignment;
  - marriage and civil partnership;
  - pregnancy and maternity;
  - race;
  - religion or belief;
  - sex;
  - sexual orientation.
- 2.4. This policy is not, however, restricted to just these protected characteristics. BHA also recognises that factors such as socio-economic status and background, including income, education, employment, and social supports, can impact on an individual’s life experiences, their ability to access opportunities and their sense of inclusion. We will take this into consideration wherever appropriate.
- 2.5. As a provider of housing services, the **Housing (Scotland) Act 2010** places a legal duty on BHA to act in a manner which encourages equal opportunities and in particular the observance of the requirements of the law relating to equal opportunities.
- 2.6. The **Scottish Social Housing Charter (April 2017)** requires “*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 housing services*”.
- 2.7. The **Scottish Housing Regulator Regulatory Requirements** requires RSLs 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 in its day-to-day service delivery*”.

### 3. KEY CONCEPTS

- 3.1. Equality is making sure people are treated fairly and given fair chances. Equality is not about treating everyone in the same way but recognises that their needs are met in different ways.
- 3.2. Diversity is the range of individual differences demonstrated amongst the population. By embracing diversity, we attach value to individuality, including background, culture, skills, attitudes, and experience as well as personal characteristics.
- 3.3. Direct Discrimination: Treating a person less favourably than another person because of a protected characteristic.
- 3.4. Indirect Discrimination: A provision, criterion, or practice that, though applied to everyone, is such that it particularly disadvantages a particular protected group, and which cannot be objectively justified.
- 3.5. Discrimination by Association: Treating someone unfavourably on the basis of another persons' protected characteristics.
- 3.6. Discrimination by Perception: Discrimination against a person because they are wrongly thought to have a protected characteristic or are treated as if they do.
- 3.7. Harassment: Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment applies to all protected characteristics except for pregnancy and maternity and marriage and civil partnership.
- 3.8. Victimisation: Treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights under the Equalities Act 2010, or they are suspected of doing so.
- 3.9. Positive Action: Lawful actions that can be taken to address representation imbalances or overcome disadvantages that people who share a protected characteristic have experienced.
- 3.10. Reasonable Adjustments: Arrangements made to assist an individual in overcoming difficulties or disadvantages experienced, in relation to employment or accessing goods and services, because of a disability.
- 3.11. Employees: All permanent, temporary, and fixed term staff, and agency workers
- 3.12. Stakeholders: Contractors, consultants, tenants, customers, service users, other outside agency workers

#### 4. POLICY STATEMENT

- 4.1. In the provision of our services and employment of staff to provide these services, BHA will seek to ensure equality of opportunity and treatment for all persons. No persons will be disadvantaged by any conditions or requirements which cannot be shown to be justifiable.
- 4.2. A person or group of persons applying for housing, services, employment, or for contracts with BHA, will be treated neither more nor less favourably than any other person or group of persons.
- 4.3. BHA will adopt, as necessary, positive action measures which will help redress any imbalance in employment practices or services, which otherwise may create barriers that prevent individuals obtaining employment or seeking housing.
- 4.4. BHA will request, and where given, maintain records of ethnic/racial origin for all those applying to it for housing and all those seeking employment from the Association, such records to be monitored and reviewed at regular intervals.
- 4.5. BHA will be mindful of its commitment to EDI in the recruitment of new members and in the composition, training, and operation of its Board of Trustees.
- 4.6. BHA will be mindful of its commitment to EDI in the determination, review, and implementation of its vision, values, strategies, policies, and procedures.
- 4.7. BHA will require all Trustees, staff, contractors, consultants, and agencies wishing to work with BHA to be committed to and work in accordance with the principles of EDI.
- 4.8. BHA will seek to ensure that details of its services, including availability of its homes, are widely publicised in appropriate formats to existing and prospective tenants. BHA will implement consultation procedures which encourages the participation of existing and prospective tenants.

## **5. RESPONSIBILITIES**

- 5.1. the Chief Executive will have overall responsibility for the Policy in conjunction with the Executive Team. All Leads within BHA have day to day responsibility for ensuring the successful implementation of the Policy.
- 5.2. However, BHA considers that it is the combined responsibility of each member of staff to ensure that the Policy is applied in practice throughout the organisation. All employees and Trustees will be expected to challenge discriminatory behaviour and draw it to the attention of the Executive Team where necessary.

## **6. IMPLEMENTATION OF THE POLICY**

- 6.1. BHA will develop an EDI Strategy to support the objectives of this Policy. Where necessary an EDI Action Plan will be developed to identify key priorities and areas for improvement. EDI impact assessments will be undertaken as required, including on the review of relevant policies or when introducing changes or new services.
- 6.2. The Policy covers both BHA's function as an employer, and as the provider of housing and related services for our tenants and customers.
- 6.3. BHA recognises the importance of data protection legislation, including the General Data Protection Regulation (GDPR), in protecting the rights of individuals in relation to personal information that we may handle, use, and disclose about them, whether on computer or in paper format. We will ensure that our practices in the handling, use and disclosure of personal information as part of the processes and procedures outlined in this policy comply fully with data protection legislation.

## **7. MONITORING AND REVIEW**

- 7.1. To assess the success of the Equal Opportunities Policy, monitoring systems are essential. Within the terms of the GDPR regulations BHA will gather information on ethnic origin, sex, age and disability from all members, the Board of Trustees, existing staff, and all applicants applying for accommodation and employment. Equality data are gathered by us to inform service delivery and to improve our organisational policies and practices, as appropriate.
- 7.2. Where applicable, indicators and measures will be identified to measure performance against any objectives set in the EDI strategy, and achievement of any identified actions will also be monitored. Such performance measures will be reported to the Board of Trustees at least once a year.

## 8. EMPLOYMENT

### 8.1. *General*

BHA is committed to ensuring that it provides equality of opportunity in employment by ensuring that no job applicant or employee be directly or indirectly discriminated against on grounds of any of the protected characteristics. As an employer, BHA believes that its workforce should reflect the community that it serves and that all groups should be properly represented at all levels within the organisation. BHA accepts that it should take action to eliminate discrimination.

### 8.2. *Recruitment*

Recruitment advertising will be undertaken in such a manner as to avoid discriminatory effects. Experience necessary to perform duties will be the main determinant of candidate suitability whilst academic qualifications will be quoted where applicable at a reasonable and realistic level required for the position. Initial shortlisting will be undertaken blind, meaning name, age, sex, etc., will not be visible to the recruitment panel. EDI data collection will be separated from any application forms and held anonymously.

### 8.3. *Training*

All employees will receive training to ensure they understand and implement all aspects of the EDI Policy. As part of the BHA Induction Programme, it is the responsibility of the line manager to ensure the new member of staff is fully aware of the EDI Policy. All Trustees and employees will receive regular refresher training at least once every 3 years or more frequently as required.

### 8.4. *Working Environment*

Wherever possible, proper access for employees with disabilities will be provided throughout all workplaces, along with a programme of improvements to ensure existing arrangements are improved. Where possible, specific needs of employees with disabilities will be met including providing adapted equipment and changes of working methods to help meet their needs. This will include making provisions for existing members of staff who may develop specific needs during the period of their employment.

Working arrangements will have regard to an employee's responsibility for dependants and/or personal circumstances, however it is essential that the Association continues to always provide high quality services.

### 8.5. *Harassment*

BHA will not tolerate the harassment or victimisation of employees by other members of staff, Volunteers, tenants, contractors or members of the public in any circumstances and will take appropriate action against the perpetrators.

### 8.6. *Conditions of Employment*

It is a condition of employment that all employees adhere to BHA's EDI Policy and failure to do so shall be cause for disciplinary procedures to be instituted which may result in dismissal.



## 9. PROVISION OF HOUSING AND RELATED SERVICES

### 9.1. *General*

BHA is committed to equal access to housing and services for all existing and prospective tenants. As a provider of social housing, BHA believes its tenants should reflect the community it serves and that all groups should be represented. The Association accepts that it should take action to eliminate discrimination.

### 9.2. *Access to Information*

BHA is committed to ensuring that access to information on housing and related services will be available to existing and prospective tenants. BHA will take such measures as are reasonably practical to ensure that its services are publicised in such a way as to be accessible to all identified sections of the community, including the supply of information to organisations working on behalf of minority groups.

### 9.3. *Allocations*

BHA will ensure that there is fair and equal treatment to all groups in terms of access to housing and quality of housing allocated. BHA will have in place an Allocations Policy which sets out these requirements in more detail.

### 9.4. *Arrears*

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

### 9.5. *Complaints*

BHA expects all complaints to be dealt with in a professional manner, with courtesy, respect, and dignity.

All members of the community have the right to equal access to our complaints service. To enable all tenants and customers to have clear information and equal access to our complaints policy, we will accept complaints, compliments, and feedback in any form, including in person or via email, in line with our Complaints Handling Procedures.

### 9.6. *Design Brief and Standards*

BHA will seek to ensure that all developments are built to comply with the standards laid down in the publication 'Housing for Varying Needs' and to agreed minimum standards to allow tenants to reduce their dependence on others and maximise choice in their daily life. Wherever possible BHA will attempt to involve tenants and prospective tenants in the design process.

### 9.7. *Maintenance and Repairs*

BHA will ensure that all tenants receive the same quality of maintenance and repairs service, although BHA considers that certain groups, e.g., older people, may be more vulnerable and consequently may be given additional assistance with certain repairs.