

## **PORT OF LEITH HOUSING ASSOCIATION LIMITED**

### **Equal Opportunities Policy (Service Provision)**

#### 1.0 Introduction

- 1.1 Equality of opportunity is a fundamental requirement in the design and delivery of the Association's services. It is one of the overriding guiding standards agreed by the Housing Regulator, CoSLA and SFHA for the current regulatory framework that registered social landlords and local authorities should "embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of (their) work". (Performance Standard, GS2.1)

The Association is committed to work to this standard in all areas of its service provision.

- 1.2 In its role as a housing provider, the Association provides services to existing and potential tenants, sharing owners and those for whom factoring services are provided.
- 1.3 The Association recognises that discrimination may be direct or indirect and can take place at a personal or at an institutional level.
- 1.4 Direct discrimination involves treating a person less favourably on the grounds of race, gender, age, ethnic or national origin, religion, marital status, family circumstances, political or sexual orientation, medical condition or disability.
- 1.5 Indirect discrimination involves applying any requirement or condition which, though applied 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 the characteristics or circumstances noted in 1.4 above.

#### 2.0 Statement of Policy

- 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.

- The Association will ensure that no-one receives less favourable treatment or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.
- The Association will ensure good communication with all groups.
- The Association will respect community diversity and will ensure that its services are relevant and accessible to all sectors of the community.
- The Association will provide its service users with full, clear and accurate information regarding the services it provides.
- The Association will aim to consult with its users and potential users with a view to providing appropriate housing and suitable environment.
- The Association will ensure that harassment on any grounds be viewed as a priority housing need or transfer request.
- The Association will provide equal opportunities training for all members of staff and Committee Members and will encourage active participation.
- The Association's policies and procedures will be monitored regularly to ensure they comply with this policy.
- The Association will abide by the terms and conditions of this policy to ensure that no discrimination occurs in the services it provides.

### 3.0 Regulatory and Good Practice Requirements

3.1 In developing this policy, account has been taken of our statutory obligations and all relevant equalities legislation. The key pieces of legislation that inform this policy are:

Sex Discrimination Act 1975  
 Race Relations Act 1976(as amended by the Race Relations  
 (Amendment) Act 2000)  
 Disability Discrimination Act 2005  
 Housing (Scotland) Act 2001  
 Human Rights Act 1998

A summary of all relevant legislation is set out in Appendix 1.

3.2 This policy also takes into account the Codes of Practice issued by the Commission for Racial Equality and the Disability Rights Commission

### 4.0 Equal Opportunities

The Association is striving to be an Equal Opportunities organisation and consequently its policies will demonstrate a clear commitment to equal outcomes in respect of membership

including Management Committees, landlord activities, the Association's role as employer and its contracting role.

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 or fear
- The provision of information on housing and housing services
- Grievance and appeals procedure

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.

As recipients of public subsidy, the Association will ensure that public funds are not used to promote practices which may be based on discrimination.

#### 5.0 Membership

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. The elected Management Committee is the employer and as such is responsible for eliminating discrimination within the Association.

#### 6.0 Training

All members of staff and Committee Members will undertake Equal Opportunities Training which will be provided on a 3 yearly cycle.

#### 7.0 Consultation

The Association will seek to actively involve the consumers of its housing services at a variety of levels by enabling tenants to have a say in decision making, promoting accountability of the Association to the tenants and sharing information and ideas, where tenants are able to influence decisions and take part in what is happening. The Association will both initiate and respond to overtures from tenants requesting involvement in whatever respect. To encourage

participation by all sections of the community, the Association will be sensitive to religious and cultural requirements and language differences, the needs of those with family commitments and the needs of people with disabilities.

The Association will consult with relevant agencies working with groups of interest to the Association with a view to identifying and meeting the needs of these groups.

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.

## 8.0 Access

The Association will seek to ensure that all members of the community are aware of the services it provides including availability of stock, through provision of advice in suitable formats.

The Association will work closely with support providers for special need groups to promote access to its stock.

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. A verbal explanation will be given at the beginning of the tenancy. Tenancy Agreements will not contain any unduly restrictive or unnecessary conditions.

The Association will aim to avoid being seen as inaccessible to those in housing need and will take any necessary action as is reasonably practical to meet these requirements e.g. child friendly rooms, access for disabled people, appropriate opening and closing hours. The Association will ensure that no communication barriers are put in place or maintained.

The Association will provide its materials in suitable format e.g. CD, tape, Braille, community languages. The Association will maintain access to the National Interpreting Service. 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. All people will have equal access to housing and will be treated equally when they become tenants.

## 9.0 Design Standards

The Association will seek to ensure that all developments are fully compliant with the City of Edinburgh Council design standards for new build housing, ie to Lifetime Homes and Secure by Design standards. Housing will be designed to be flexible and adaptable to ensure tenants will be able to remain in their own homes despite changes in personal mobility or support requirements. Where practicable, specific requirements will be identified early in the design process and these will be incorporated into the project. The same philosophy will apply to accommodation designed to meet the needs of ethnic minority groups or households.

## 10.0 Property Maintenance and Repairs

The Association will 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.

Should cause for complaint arises, attention will be paid to tenants' complaints concerning disrepair and service provision. 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, however, will 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.

## 11.0 Rent Arrears

All rent arrears will be dealt with sensitively and fairly. The Association has Policies and Procedures highlighting the importance of arrears prevention and action for control and recovery.

## 12.0 Nominations and Referrals

The Association is required to have nomination arrangements 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 arrangements for accessibility to all groups and meet regularly with the local authority to review the results and decide appropriate remedial action where necessary. The Association will accept Section 5 referrals of homeless persons from the local authority within the terms of an agreed protocol.

Referral arrangements will be established with appropriate support 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 support 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.

### 13.0 Allocation Policy

The Association's Allocation Policy will be clear, comprehensive and unequivocally non-discriminatory, providing equal access for all. Allocation procedures will be designed to deal quickly and fairly with applicants for housing. To ensure accountability and fairness more than one person will be involved in each decision. Proper recording, reporting and monitoring procedures will be carried out and an annual report made to Committee on allocation outcomes. The Association will maintain an open Housing List via the Edindex Common Housing Register and will assess applications throughout the year. Copies of the Allocation Policy will be available and accessible to all.

### 14.0 Quality of Housing

The Association will ensure that all groups have equal access to good quality stock. The Association will comply with requirements of the Scottish Housing Quality Standards.

### 15.0 Harassment

Harassment is considered to be unwanted behaviour e.g. language, abuse (physical and verbal), graffiti, offence, hostility or intimidating living environment which may hinder the tenant in his/her home and affect his/her dignity.

Where the Association is aware that harassment is taking place, it will carry out a formal investigation with the consent of the victim to establish the facts and take the appropriate action. This may involve the services of the local authority Housing Investigation Team.

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 victim.

## 16.0 Contract Compliance

The Association will ensure that all contractors comply with relevant Health and Safety, Employment and Equal Opportunities legislation. In hiring contractors to work for the Association, it will ensure Contractors implement an Equal Opportunities Policy or abide by the Association's Equal Opportunities Policy.

Tenders will only be invited from contractors who comply with good employment practises e.g fair wage conditions, health and safety, training, recruitment and selection and equal opportunities.

Any proven cases of harassment or discrimination by contractors will be acted upon by the Association and will lead to a contractor's removal from the approved list(s).

## 17.0 Monitoring, Reviewing and Record Keeping

The Association will set targets (for measuring performance) and use the Edindex monitoring system which will collect relevant data on all groups who apply for rehousing. The data will be assessed on a regular basis to monitor progress and reported annually to the Committee of Management.

Where certain groups appear to be under-represented in housing allocations, the Association will take positive action to redress any imbalance by means of lettings plans.

## 18.0 Confidentiality

Confidential information will be respected and maintained as such.

Appendix 1Summary of Relevant LegislationSex Discrimination Act (1975) as amended

Prohibits discrimination on grounds of sex or marital status in the areas of employment, education and the provision of goods, facilities and services. Applies to men, women and children. Amended to prohibit discrimination in relation to employment and vocational training against people undergoing gender reassignment. Separate legislation covers equal pay between men and women.

Race Relations Act (1976) as amended

Prohibits discrimination on racial grounds in the areas of employment, education and the provision of goods, facilities and services. Covers grounds of race, colour, nationality (including citizenship) and national or ethnic origin. Applies to all groups. Some amendments apply only to employment and vocational training.

Disability Discrimination Act (1995)

Prohibits discrimination against disabled persons in the areas of employment, education and the provision of goods, facilities, services and premises. Provides a definition of disability which means there is a broad range of conditions which may be included. Does not cover people who are not defined under the Act as 'disabled'. Has been amended to include a new duty on public bodies to promote disability equality from 2006.

Protection from Harassment Act (1997)

Provided protection for people who are harassed. Not limited to employment or provision of goods, services and facilities.

### Human Rights Act (1998)

Makes it unlawful for a public authority to breach the rights contained in the European Convention of Human Rights unless domestic legislation means they must act in this way. Enables cases to be dealt with in UK courts and tribunals. Obliges the UK to make its legislation compatible with the convention if possible.

### Scotland Act 1998

Set up the Scottish Parliament and introduced a requirement for it to consider equality in a wide sense. It sets out equal opportunities as 'the prevention, elimination or regulation of discrimination between persons on the grounds of disability, age, sexual orientation, language or social origin or of other attributes, including beliefs or opinions, such as religious beliefs or political beliefs.

### Housing (Scotland) Act 2001

Places a statutory duty on local authorities and registered social landlords to encourage equal opportunities and to comply with existing equal opportunity requirements in the areas of tenant participation, consultation and allocations. Provides for tenancy succession by same sex partners and by carers where it is their only or principal home, or where they have given up a home to care for a tenant who died.

### Employment Equality (Religion or Belief) Regulations (2003)

Prohibits discrimination on the grounds of religion or belief in the area of employment and vocational training. Applies to discrimination on grounds of religion, religious belief or similar philosophical belief. Proposals to extend this to goods, facilities and services are currently under consideration.

### Employment Equality (Sexual Orientation) Regulations (2003)

Prohibits discrimination on grounds of sexual orientation in the area of employment and vocational training. Covers discrimination against gay, lesbian, bisexual and heterosexual persons.

### The Equality Act 2006

Now prohibits discrimination on the grounds of sexual orientation in the provision of goods, facilities and services, in education and in the exercise of public functions.

### Employment Equality (Age) Regulations (2005)

Prohibits discrimination on grounds of age in the area of employment and vocational training.

### Civil Partnerships Act (2005)

Enables people of the same sex to register their partnerships and thus have rights of inheritance and other rights currently shared by married couples.