

Equality, Diversity & Inclusion Policy



<i>Policy:</i>	Equality, Diversity & Inclusion
<i>Purpose:</i>	To establish Dalmuir Park Housing Association's Policy on Equality Diversity & Inclusion and to provide guidance to employees and customers on how we will implement our policy.
<i>Guidance:</i>	The Housing (Scotland) Act 2010. The Scottish Social Housing Charter. The Equality Act 2010. The Scottish Housing Regulator's Regulatory Framework and Guidance. Human Rights Act 1999. SPSO Model Complaints Handling Procedure. The Data Protection Act 2018
<i>Regulatory Standards:</i>	Standard 1: The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users. Standard 2: The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities. Standard 4: The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose. Standard 5: The RSL conducts its affairs with honesty and integrity.
<i>Other Relevant Policies</i>	Code of Conduct Notifiable Events Policy Unacceptable Actions Policy Whistleblowing Policy Disciplinary Policy Privacy Policy Complaints Policy Health and Safety Policy Dignity at Work Policy
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<i>Publish on the website</i>	yes

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1. INTRODUCTION

Dalmuir Park Housing Association is committed to encouraging equality, diversity and inclusion among our workforce while eliminating unlawful discrimination throughout the organisation. **Dalmuir Park HA** will make sure individuals are treated fairly and given fair chances. **Dalmuir Park HA** recognises that different needs may have to be met in different ways, therefore not all individuals will be treated in the same way. Individual differences will be valued and backgrounds of different people, their skills, attitudes, experiences and views will be recognised and embraced. **Dalmuir Park HA**, will strive to create an environment where everyone feels safe, welcomed and genuinely valued. This involves making everyone feel like they belong and have the ability to fully participate in decision-making processes which affect them.

Dalmuir Park HA promotes equality, diversity and inclusion across all aspects of its business and strives to ensure a workplace free of bullying, harassment and victimization.

2. Legal Framework

- **The Equality Act 2010**
Protects the rights of individuals and advances equality of opportunity for all.
- **Worker Protection Act 2023**
An amendment of the Equality Act 2010 aims to better protect employees from sexual harassment, prioritising prevention.
- **Public Interest Disclosure Act 1998**
Provides protection to employees who have been victimised at work or they have lost their job due to a disclosure they raised.
- **Human Rights Act 1998**
Defines the fundamental rights and freedoms which everyone in the UK is entitled to.
- **Protection of Harassment Act 1997**
Legislation that relates to behaviour that causes alarm or distress and does not have to relate to protected characteristics. This can be a criminal act and include stalking.
- **Health & Safety at Work Act 1974**
Sets out the framework for managing workplace health and safety in the UK.

3. Equality Act 2010

The Equality Act 2010 was introduced to combine multiple pieces of discrimination legislation into one single Act. This provided a legal framework to promote the right of individuals and opportunity for all. The protection from unfair treatment, ensuring everyone is treated fairly and with dignity and respect.

The Equality Act 2010 prohibits discrimination and ensures fairness for employees, workers, contractors, self-employed people, job applicants and former employees. Under the Act there are nine protected characteristics. **Dalmuir Park HA** will aim to ensure that all employees are treated with fairness and respect and will not be discriminated on the grounds of the following protected characteristics:

- Age
- Disability
- Gender Reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Protected Characteristics and Human Rights

The Equality Act 2010 is not a piece of human rights legislation, but there is a correlation between the protected characteristics and the ideas and identities given additional protections within international human rights legislation.

Protected characteristics support the human rights we all have as they provide additional protection to individuals more likely to experience barriers to accessing their human rights. The protected characteristics outlined in the Equality Act 2010 are chosen because they are attributed to patterns of inequality, hate or injustice. The individuals with these protected characteristics are thought to be more likely to experience discrimination because of them. Further information on Human Rights can be found within Human Rights Act 1998.

4. Definitions

Term	Definition
Equality	Making sure individuals are treated fairly and given fair chances. It is not about treating everyone in the same way but recognising that

	different needs may have to be met in different ways.
Diversity	Valuing and managing individual differences. It is recognising and embracing the backgrounds of different people, their skills, attitudes, experiences and being open to them bringing fresh ideas and views that will enhance the organisation.
Inclusion	Creating an environment where everyone feels safe, welcomed and genuinely valued. This involves making everyone feel like they belong and the ability to fully participate in the decision-making processes which affect them.
Equity	Recognising that individuals have unique needs and challenges which must be met in different ways.
Protected Characteristics	The legal grounds in which discrimination claims can be made. These include age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation.
Direct Discrimination	Treating someone less favourably than another person based on a protected characteristic.
Indirect Discrimination	A policy, practice, procedure, provision or criteria that applies to everyone in the same way but might disadvantage a particular protected group, and which cannot be objectively justified in relation to the job.
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. Dalmuir Park HA will extend this definition to include any harassment and will not be restricted to those identified as having a protected characteristic.

Sexual Harassment	Conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment, and less favourable treatment to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.
Victimisation	Treating someone less favourably and discriminating against them because they have pursued or intended 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.
Associated Discrimination	Discrimination against a person because they have an association with someone with a particular protected characteristic. E.g. a non-disabled person is discriminated against because they care for a disabled dependent.
Unconscious Bias	The way a person thinks depending on their life experiences can result in beliefs and views about others that are not reasonable or have no foundation and may be discriminatory

5. Policy Principles

The Equality, Diversity and Inclusion policy aims to:

- Integrate equality, diversity and inclusion practices into all aspects of our work.
- Treat all employees with fairness, dignity and respect from each other, members of the public, governing body members, contractors, tenants and owners, consultants and those that represent DPHA and all that use our services.
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all and where individual differences and contributions of all staff are recognised and valued.
- Promote proactive and preventative measures to support positive and respectful working relationships.
- Provide a working environment where all backgrounds, cultures, values and lifestyles are respected and treated fairly.

- Require the implementation of fair employment practices ensuring that no employee, worker, contractor, self-employed person, job applicant and former employee will receive less favourable treatment on any grounds.
- Ensure individuals are recruited and employed solely on the basis of their own merit, experience, ability and potential. This applies throughout the entire duration of employment as all decisions will be based on only relevant merits (apart from in any necessary and limited exemptions permitted under the Equality Act 2010)
- Provide a process for complaints to be properly managed.

6. ROLES & RESPONSIBILITIES

Employers are responsible for:

- Having an Equality, Diversity and Inclusion Policy and making this available to all employees.
- Providing all employees with equality of opportunity in the course of their employment.
- Providing training for all employees in respect of the expectations set out in this policy, issuing updates to the policy and providing refresher training when necessary.
- Making sure any managers or governing body members involved at any stage of the recruitment and selection process receive equality, diversity and inclusion training.
- Creating an environment where everyone feels safe, welcomed and genuinely valued. This involves making everyone feel like they belong and the ability to fully participate in the decision-making processes which affect them.
- Addressing any issues which breach this policy by investigating them and taking appropriate action.

All employees are responsible for:

Abiding by this policy and understanding that they can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination in the course of their employment. This could be against other employees, members of the public, governing body members, contractors and other stakeholders and all users of the service.

- All employees, agency workers and consultants have a personal responsibility to act in line, observe and uphold this policy and follow **Dalmuir Park HA** Code of Conduct.
- Taking personal responsibility for their actions in relation to equality, diversity and inclusion by following this policy.

- Attending equality, diversity and inclusion training as and when required by **Dalmuir Park HA**.
- Contributing to an environment where everyone feels safe, welcomed and genuinely valued.
- Making everyone feel like they belong and respecting their right to fully participate in decision-making processes.
- Bringing any breaches of this policy to the attention of your line manager.

Managers

Anyone responsible for leading, managing or supervising people have additional responsibilities to make sure:

- They understand their own and the organisational responsibilities in relation to equality, diversity and inclusion in the workplace.
- They are familiar with content of this policy and communicate to the relevant people.
- Role model behaviours expected and encourage a positive workplace culture
- Challenge unacceptable or questionable behaviour they become aware of.
- Make sure any breaches or complaints relating to this policy are responded to quickly, sensitively, confidentially and investigated in line with policy.

7. Implementation of the Policy

The Chief Executive, supported by the Corporate Services Officer, is responsible for leading on the implementation of this policy throughout the organisation.

Dalmuir Park HA will ensure that all employees, agency workers and consultants will receive an induction on this policy. The policy will be integrated into all policies and procedures within **Dalmuir Park HA**. Copies of this policy will be issued to all employees, agency workers and consultants and will be available to all who request it.

Dalmuir Park HA outlines what is deemed as unacceptable behaviour in the [Dignity At Work Policy](#). Unacceptable behaviour and practices will not be tolerated. However, if or when a situation arises, it will be dealt with immediately, as inaction is not an option. Behaviours found to be breaching this policy will be regarded as misconduct and will be dealt with appropriately and in accordance with the relevant policies, including code of conduct and disciplinary. Serious cases may be regarded as gross misconduct and may result in action up to and including dismissal.

8. Procedure In Dealing with Breaches of Equality, Diversity and Inclusion

This procedure is complemented by **Dalmuir Park HA's** Dignity at Work and Discipline & Grievance policies

Where an employee feels that they have been discriminated against, victimised or harassed by another employee, not been treated with dignity & respect at work, there are a number of ways in which this can be addressed.

Informal stage

Where possible, breaches of this policy should be dealt with informally in the first instance. In many cases inappropriate behaviours are unintentional and can easily be resolved once the behaviour has been highlighted. This is often the most efficient way to maintain positive working relations.

In managing the issue informally employees should:

1. In the first instance alert their Manager to the behaviour.
2. Thereafter the employee should be encouraged by the Manager and with their support approach the individual and highlight what behaviour has been offensive. Should the employee be uncomfortable with this then the Manager should approach the individual and have the same discussion.
3. A note should then be retained on the personal file of the person who has displayed the inappropriate behaviour and the individual that raised the issue for a maximum of 6 months.

Formal Stage

If the behaviour is of a more serious nature or it continues after the informal approach has been taken, then the issue should be dealt with by mirroring **Dalmuir Park HA** grievance procedure.

1. The employee must put their concerns in writing and give this to their Manager.
2. The Manager (or another Manager if the concerns relate to the line manager) should then arrange a meeting with the employee who has highlighted the concerns. At this meeting the Manager should establish what the concerns are, and how the employee would like things resolved.
3. The Manager should then conduct any necessary investigations. No investigation should take place prior to there being a meeting with the employee.
4. Once the investigation has been concluded, there could be a variety of outcomes including:
 - There is no evidence to uphold the complaint.
 - There is evidence that may involve action against another employee which will be managed through **Dalmuir Park HA** disciplinary policy.
 - Learning is identified on an organisational basis.

Where action is taken regarding an employee, agency worker or consultant other than the person who raised the complaint, the complainant will not be informed of any action taken against other individuals.

9. Support for those Affected or Involved

We understand that anyone affected by, or involved with, a complaint relating to a breach of this policy may feel anxious or upset and we will do what we can to support you. Staff will be directed to support networks such as **Rowan Counselling Services & to our independent Wellbeing Consultant.**

10. Malicious Allegations

Any person found to be making fictitious or malicious allegations will be dealt with through **Dalmuir Park HA's** disciplinary procedure which may result in action up to and including dismissal.

11. Data Protection

Dalmuir Park HA will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy.

Information regarding how your data will be used and the basis for processing your data is provided in **Dalmuir Park HA** employee privacy notice

12. Dissatisfaction

Any employee who is not satisfied with the implementation of this policy can in the first instance raise their concerns with their manager or the senior officer dealing with the situation. If the employee remains dissatisfied, they should refer to the Association's Grievance Policy and procedures

13. Monitoring the Policy

We will develop an EDI Action Plan taking account of good practice and areas we wish to improve upon. Progress on implementing the Plan will be reported to our Audit & Risk Sub-Committee on a quarterly basis and to our Board on an annual basis. We will report progress on achieving actions within the Plan to our tenants once a year.

14. Review of Policy

The Equality, Diversity & Inclusion Policy will be reviewed and updated every three years by the Board or earlier if required.