



Committee Approver	Board of Management
Stakeholder Consultation	Executive Team, Leadership Team
Date Approved	8 August 2023
Classification	Policy
Title	Equality and Diversity Policy
Revision Date	March 2023
Revised by	Project Team Manager
Next Revision Date	August 2026
Related Documents	Equality and Diversity Strategy Equality and Diversity Procedure Privacy Policy Equality & Diversity Action Plan
Location of Electronic Copy	F:\Live Policies\Corporate

1. Viewpoint's Values

Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say 'yes I can, and I will;'
- Celebrate age, experience, and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one;"
- Work hard, have fun and laugh;
- Stay courageous, creative, and ahead of the game; and
- Work with those that share our values.

These promises shape us. They are a commitment to our tenants, residents, staff, and suppliers. They are fundamental to every single plan, decision, and project we embark on.

Ensuring that we have systems and processes in place will support us to deliver those plans, decisions, and projects, in accordance with our vision and values. This policy outlines our approach to Equality and Diversity.

2. Policy Statement

In carrying out its purposes as a charitable organisation, which undertakes public functions (Social Landlord and Care provider) we are required to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations when making decisions and developing policies. Viewpoint is committed to promoting equality, diversity and participation in all of our activities, whether this relates to our responsibilities as a registered social landlord, care provider, employer, or the work we do with our external stakeholders.

This policy underpins our Equality and Diversity Strategy 2023 – 26 and therefore contributes to our strategic objectives, which are:

- Promoting positive customer care strategies;
- Enhancing tenant participation opportunities; and
- Meeting specific business objectives, through a deeper understanding of the equality profiles of our customers, enabling the delivery of tailored services.

It is intended to demonstrate our commitment to eliminating discrimination, encouraging and valuing diversity and promoting inclusion among tenants, residents, staff including volunteers, stakeholders, and our Board.

3. Aim

The purpose of this policy is to confirm our commitment to equality, diversity and inclusion in employment and service delivery, and to set out the measures that we will put in place to ensure that we meet that commitment.

4. Scope

This policy applies to all Viewpoint Board Members and employees, and third parties carrying out functions on Viewpoint's behalf.

As well as recognising adherence to legal and regulatory requirements, this policy recognises that meeting these requirements is in keeping with Viewpoint's Values, it ensures safe policy and decision-making, and supports continuous improvement.

5. Legislation

Although housing law does not specifically deal with the monitoring of protected characteristics, section 39 of the Housing (Scotland) Act 2010 requires social landlords, when performing housing services to:

"...act in a manner which encourages equal opportunities and in particular the observance of the requirements of the law for the time being relating to equal opportunities."

Current legal and regulatory requirements on equal opportunities include:

The Equality Act 2010

The Equality Act 2010 ('the Equality Act') aims to harmonise discrimination law and strengthen the law to support progress on equality. It defines

protected characteristics and sets duties for specified public bodies. The protected characteristics are those grounds on which it is unlawful to discriminate, and they are:

- Age;
- Disability;
- Gender reassignment;
- Marriage and civil partnership;
- Pregnancy and Maternity;
- Race;
- Religion or belief;
- Sex; and
- Sexual Orientation.

The Public Sector Equality Duty

The Equality Act replaced earlier duties in respect of race, disability and sex by the duty known as the ‘Public Sector Equality Duty.’ This Duty has three elements that it covers - discrimination, harassment, victimisation - and any other form of conduct prohibited under the Act.

This Duty requires specified public bodies (or those that carry out public functions) to:

1. Eliminate conduct prohibited in law;
2. Advance equality of opportunity between people who share a protected characteristic and those who do not; and
3. Foster good relations between people who share a protected characteristic and those who do not.

The second and third elements of the Duty apply to all the protected characteristics except marriage and civil partnership, which is only applicable within employment and require specified public bodies to take active measures in implementing their equality strategies.

Registered social landlords such as Viewpoint are not included in the list of designated bodies covered by the Duties, but many of the specific functions that Viewpoint carries out will be of a public nature, therefore the “Duty” does apply to those functions.

Equalities and Human Rights Commission

The Equalities and Human Rights Commission states:

“(having) adequate and accurate equality evidence, properly understood and analysed, is at the root of effective compliance with the general equality duty. Without it, a body subject to the duty would be unlikely to be able to have due regard to the needs of the duty.”

It is the view of the Equalities and Human rights Commission that if a landlord did not collect data across protected characteristics, it is likely that they would fail to meet the Public Sector Equalities Duty.

Scottish Housing Regulator

Standard 5.3 of the Regulatory Standards of Governance and Financial Management reflects the ethos of the statutory duty:

“The RSL pays due regard to the need to eliminate discrimination, advance equality and human rights, and foster good relations across the range of protected characteristics in all areas of its work, including its governance”

The SHR has published regulatory requirements that every social landlord must:

“Have assurance and evidence that it is meeting all of its legal obligations associated with housing and homelessness services, equality and human rights...”

The regulatory framework specifies that this necessitates social landlords to collect equality information in respect of the protected characteristics. Each social landlord must:

“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.”

And

“... collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff.”

The SHR also makes clear that:

“In certain cases, where exceptional circumstances exist, it may be appropriate for a landlord to depart from our statutory guidance. Where a landlord is considering departing from statutory guidance, it should discuss with us why a departure from the guidance is necessary

before acting. The landlord should keep a record of the reasons for the departure.”

Scottish Social Housing Charter

The Scottish Social Housing Charter, Standard 1 sets out a clear link between customer care and the equality strategy:

“...every tenant and other customer has their individual needs and rights recognised, is treated fairly and with respect, and receives fair access to housing and housing services.”

This outcome describes what social landlords, by meeting their statutory duties on equalities should achieve for all tenants and other customers regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation.

It includes the need to eliminate discrimination and advance equality of opportunity. Furthermore, it highlights a landlords' responsibility for finding ways of understanding the rights and needs of different customers, for example, victims/survivors of domestic abuse and delivering services that recognise and meet these needs. This may include making reasonable adjustments.

Having useful information about individuals' needs, including equality information, is essential to enable a landlord to ensure those needs can be addressed.

Chartered Institute for Housing (Scotland)

In April 2020, The Chartered Institute of Housing supplied the following comment on the collection of equalities data:

“If housing and homelessness policy and interventions are to be effective, they need to be informed by the realities of people’s lives and the ways in which society and its institutions work. Social, economic, and political structures affect people differently and social landlords need to reflect these differences when developing their policies and procedures. Collecting and using the equalities data could be transformational to improving the lives of tenants and customers.”

Care Inspectorate Expectations

The Care Inspectorate has implemented regulatory standards, which are also relevant to equality and diversity, and equality data collection. The National Health and Social Care Standards specify, under the heading 'Dignity and Respect,' the following requirements:

"I am accepted and valued whatever my needs, ability, gender, age, faith, mental health status, race, background, or sexual orientation;

And

"My human rights are protected and promoted, and I experience no discrimination."

6. Application of this policy

To meet the Public Sector Equalities Duty and evidence compliance with the Equalities Act and regulations, the collection, monitoring, and analysis of equalities data is essential. Viewpoint will manage and process this information in accordance with GDPR legislation and our privacy and records management policies. Our Equality and diversity procedure details how this information will be collected and used.

To promote equality, diversity and participation in all our activities, whether this relates to our responsibilities as a registered social landlord, care provider, employer, or the work we do with our external stakeholders, we make the following commitments within the culture and work practices we adopt:

We will:

- Provide an environment appropriate to the needs of those from all walks of life and offer a culture that respects human rights and values each other's differences and promotes dignity, equality, diversity.
- Ensure integration of equality and diversity practices into everything Viewpoint does, and ensure that employees, tenants, and people who use our services are treated with fairness and respect by each other, members of the public, Board of Management, members, contractors, and staff.
- Implement fair and just employment practices ensuring that no job applicant or employee will receive less favourable treatment on the grounds of the protected characteristics as stated above. Viewpoint will also aim to ensure that individuals are not discriminated against on the basis of other people's perceptions in relation to these protected characteristics and that individuals are not discriminated against due to

an association with someone to whom a specific protected characteristic would apply.

- Ensure people are recruited and employees promoted 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.
- Implement fair and just allocation practices ensuring that no application for housing and/or support receives less favourable treatment on the grounds of the protected characteristics as stated above. Viewpoint will also aim to ensure that individuals are not discriminated against on the basis of other people's perceptions in relation to these protected characteristics and that individuals are not discriminated against due to an association with someone to whom a specific protected characteristic would apply.
- Implement fair and just practices ensuring that all key contractors have their own Equal Opportunities policy statement and can demonstrate that they always operate and adhere to their own equal opportunities principles.

This policy will be applied as set out within our equality and diversity procedures and action plan 2023 - 26 action.

7. Compliance & Support

Adherence to this policy is everybody's responsibility across Viewpoint. The type of responsibilities may differ depending on roles and functions:

Board

Viewpoint's Board of Management is responsible for consideration and approval of this policy, and for ensuring that decisions are taken in accordance with relevant legislation, regulatory expectations, and guidance.

Executive and Leadership Teams

Viewpoint's Executive and Leadership Teams are responsible for ensuring that this policy is reviewed in accordance with Viewpoint's schedule for review of policies, or sooner if needed. The Executive and Leadership Teams are responsible for ensuring that their decisions, and the decisions of their reports, are taken following relevant legislation, regulatory expectations, and guidance and in adherence to this policy.

Managers

Viewpoint Managers will be responsible for the effective implementation of this policy within their area of responsibility. They must also ensure that each member of their staff, through induction, and team meetings, is made aware of this policy, participates in relevant training and in adherence to this policy.

Staff

All Viewpoint employees are required to familiarise themselves with this policy and comply with its provisions as well as undertake any training implemented as part of the rollout of and / or continued implementation of this policy.

Third Parties

Viewpoint will ensure that the Public Sector Equality Duty is complied with when third parties, such as contractors, are carrying out functions on behalf of Viewpoint.

8. Privacy Impact Assessment (PIA)

PIA completed and available upon request

9. Monitoring & Evaluation

Viewpoint's Executive and Leadership Teams will monitor implementation of this policy on an ongoing basis, particularly in relation to ensuring delivery of Equalities Impact Assessments, and in relation to ensuring that relevant decisions within Viewpoint are taken in line with the legal and regulatory obligations and expectations set out in this policy.

In line with Viewpoint's Disciplinary Policy, breach of the Equality and Diversity policy and any associated procedures and guidance, may lead to formal disciplinary action being taken.

This policy will be reviewed within 3 years from the date of approval, in accordance with Viewpoint's policy review framework, or sooner if legislation requires.