

## GROUP STRATEGY

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| <b>Date Issued</b>      | August 2023  |
| <b>Last Reviewed</b>    | August 2024  |
| <b>Department</b>       | Corporate  |
| <b>Title</b>            | <b>Equality &amp; Human Rights Strategy</b>  |
| <b>Objective</b>        | To ensure we meet the expectations of our tenants, other service users and stakeholders in our approach to Equality & Human Rights |
| <b>Responsible</b>      | Chief Executive  |
| <b>Next Review Date</b> | August 2029  |

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### 1.0 Introduction

This Equality & Human Rights Strategy sets out how we will promote an environment of respect, understanding, encouraging diversity, and eliminating discrimination by providing equality of opportunity for all.

This document outlines our commitment to ensuring we deliver housing services in a way 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.

This strategy should be read in conjunction with our Equality & Diversity Policy and compliance is expected from all staff, Committee Members, tenants and others that we work with.

### 2.0 Legal & Regulatory Context

#### 2.1 Scottish Social Housing Charter & Regulatory Requirements

The Scottish Social Housing Charter help to improve the quality and value of services provided by social landlords in Scotland. It sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.

Outcome One of the Scottish Social Housing Charter states:

‘Social Landlords perform all aspects of their housing services so that:

- They support the right to adequate housing

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- 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 complying with equalities legislation, should achieve for all tenants and other customers regardless of the nine protected characteristics set out by the Equality Act 2010. It includes landlord's responsibility for finding ways of understanding the rights and needs of different customers and delivering services that recognise and meet these.

There are currently no reporting requirements for Equality & Human Rights as part of the Annual Return on the Charter, though in May 2024, the Scottish Housing Regulator announced that a comprehensive review of the Charter would be carried out during 2024/25.

Landlord self-assurance is at the heart of the Scottish Housing Regulators approach to regulation and an important part of this is landlords making an Annual Assurance Statement. Our starting point was set out by our Management Committee in our 2022/23 Annual Assurance Statement, confirming that we were working towards having appropriate systems in place for the secure collection, storage and use of Equality Data, and were also assured that we were working towards using this data to take account of Equality and Human Rights issues in our decisions, policy making and day to day service delivery.

In our 2023 Annual Assurance Statement, we were able to report that we are now fully compliant with regulatory requirements on data collection, and that we are working towards using this data to take account of Equality and Human Rights issues in our decisions, in policy-making, and in our day-to-day service delivery.

We are also compliant with Standard 5.3 of the Regulatory Standards of Governance and Financial Management which states:

*'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'.*

### **2.2 Equality Data Collection: National Guidance for Scottish Social Landlords**

Equality Data Collection Guidance was produced in 2021 (and updated most recently in June 2022) by the SFHA, GWSF, ALACHO and the Scottish Housing Regulator, to support social landlords in Scotland to implement legal and regulatory requirements relating to equality data collection. The Guidance has helped to shape this strategy.

### **2.3 Equality Act 2010**

The Equality Act of 2010 sets out nine protected characteristics on which discrimination is prohibited by law. They are:

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

### 2.4 Public Sector Equality Duty

The Equality Act 2010 replaced previous duties in respect of race, disability and sex by the duty known as the Public Sector Equality Duty.

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

- Eliminate conduct prohibited in law
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

Registered social landlords are not included in the list of designated bodies covered by the Duties but many of the specific functions that we carry out are likely to be of a public nature, and so the duty applies to those functions.

### 2.5 Housing as a Human Right

The Scottish Government had committed to introducing a Human Rights Bill by June 2024 however our understanding is that this has been delayed until September 2024. The Bill will create a legal framework to embed internationally recognised Human Rights within Scottish Law. It is expected that it will recognise the right to a healthy environment and provide a clear set of duties for public bodies. It is suggested that the duties set out in the Bill would apply to bodies carrying out functions of a public nature.

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The United Nations (UN) sets out seven standards of adequate housing:

- **Security of Tenure** - legal protection from forced eviction, harassment by landlords and other threats to having a settled home
- **Habitability** - a dwelling in a decent state of repair that provides a dry, warm home and adequate living space
- **Availability of Services** – a dwelling has the facilities that makes it habitable, such as sanitation and waste disposal facilities, cooking facilities, storage heating and lighting
- **Affordability** - housing costs are not so high that people struggle to pay for food, fuel and other basics
- **Accessibility** - suitable housing is available to those who require it, including housing that maximises the capacity of individuals with a disability or limiting illness to live independently
- **Location** - housing is situated areas that allow access to services (such as education, health, shops), paid work and participation in civic society; housing should not be in an environment that is hazardous to health
- **Cultural Adequacy** - housing and its allocation should allow people to live in ways that express their cultural identity and does not disrupt their cultural affiliations

Whilst some of the standards above are already covered by legislation our Governance Standards Working Group (See Section 5.0) will, during 2024/25 consider what the 'right to adequate housing' could look like in practice in East Lothian, and what challenges need to be overcome to achieve this, whilst we await more formal guidance in this area.

### 2.6 Data Protection Legislation

When we are collecting or holding data from tenants, applicants, staff and committee members, we ensure we are processing it in a way which complies with the General Data Protection Regulations 2018. If data is anonymous and is in no way linked to an individual, then it is no longer regarded as personal data and the data protection considerations would no longer apply. Our approach is anonymous; therefore we do not collect personal data in this respect. Further information can be found in our Data Protection Policy.

### 3.0 Equality & Diversity Policy

Our Equality & Diversity Policy outlines how we will implement and promote Equality and Diversity across the Association and our services, whilst considering Human Rights. It also outlines the way in which we will work to reduce and prevent discrimination.

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This strategy and our Equality & Diversity Policy are supported by Equality Impact Assessments (which we undertake when reviewing relevant policies and services), and our Equality & Diversity Action Plan, which we review annually.

### **4.0 Equality Impact Assessments & Action Plan**

When we review all of our relevant policies and practices, we will carry out an Equality Impact Assessment (EIA). Equality Impact Assessment training was provided to our Management Team during 2023/24 and a procedure has been developed outlining our approach to completing assessments. We will highlight which policies or services require an EIA when preparing the annual policy review timetable and as part of the business planning process each year.

### **5.0 Governance Standards Working Group**

Our Governance Standards Working Group meets three times a year to review our overall compliance with the Governance Standards. It also reviews our self-assessment against the Standards, and our Evidence Bank which underpins our self-assessment. Given Equality & Diversity are now a key section within the overall Governance Standards, it makes sense for our Governance Standards Working Group to review our compliance in this specific area, to ensure the Working Group can give assurance to the Management Committee in relation to our compliance with the Standards overall.

This means that the Governance Standards Working Group will now oversee and report to the Management Committee on:

- Our performance against our Equalities Action Plan, ensuring the Plan is presented to the Management Committee annually
- Compliance with the Regulatory Standards relating to Equality & Human Rights to provide Assurance to the Management Committee as part of the preparation of the Annual Assurance Statement
- Review Equality Impact Assessments to identify inconsistencies and develop good practice, and incorporate them into the Evidence Bank and self-assessment
- Consider the Equality Data collected about our tenants, applicants, staff and Management Committee members, as well through our Information & Advice Service and the three-yearly tenant satisfaction survey, and ensure we are complying fully with our regulatory requirements in these areas

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### 6.0 Data Collection and Evidence

To ensure we are delivering services which meet the outcomes of the Social Housing Charter, that we comply with regulatory requirements, and meet the Public Sector Equalities Duty, we need to collect data and understand our tenants, applicants, staff and Management Committee member characteristics and any needs they may have. This will allow us to provide better services to our customers and promote diversity. We use this data to measure whether we are meeting the aims of this strategy and our Equality & Diversity policy.

We collect and analyse information in following ways:

- Every three years we carry out an independent Tenant Satisfaction Survey with face to face surveys of around 50% of tenants, and as part of this, we ask equalities monitoring questions (although this part of the data set is collected by an external consultant and reported to us anonymously)
- We have developed Gold Standard digital software to collect Equality Data about our tenants through their My Home account so that our tenants can advise us of any specific needs or characteristics which will help us to ensure they have the best access to our services (those tenants not signed up to paper-free services receive an annual letter and anonymised paper survey form which they can return by post)
- We also collect Gold Standard Equality Data about our applicants through our Digital Lettings Service, These Homes (all information collected from tenants and applicants is anonymised)
- On an annual basis, we will carry out a survey of staff and Management Committee members to compile equality information. This will be collected anonymously, but any staff or Management Committee member who has specific individual requirements can advise our Executive Support Officer (HR) who will ensure the appropriate support is in place to meet their needs.

These information sources inform our Equality Impact Assessments which then impact on policy development and service delivery. Our Governance Standards Working Group will review the outcomes from such assessments to identify any inconsistencies and analyse the data to identify any service gaps or areas of concern or discrimination.

Equalities information is currently reported through on our P365 microsite, as well as in a number of key reports to our Audit & Assurance and Management Committees. We will review how we can improve these reporting mechanisms during 2024/25.

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### **7.0 Feedback & Consultation**

We ensure that our tenants know how to complain about our services and the delivery of them. We provide information to our tenants and customers in a variety of ways that enables them to complain.

We monitor complaints and praise and provide quarterly and annual reports to our Management Committee and publish these on elha.com. We use this information to improve our services.

We consult tenants via a range of methods outlined in our Communication and Tenant Participation strategies and take their views into account when shaping and delivering services. We will use the Equality Data we collect to inform our engagement with tenants and ensure there are effective arrangements to support tenants with specific needs to enable them to participate in our scrutiny and engagement activities.

We also carry out a range of regular surveys to ensure that tenants views are collected and taken into account when delivering services.

### **8.0 Training**

We provide Equality & Human Rights training to all staff in a range of ways. We currently provide bite sized training through the initial induction process for new staff and the ongoing induction programme. All staff attended formal training during 2023/24 and this will be repeated every three years.

### **9.0 Monitoring & Review**

The Governance Standards Working Group will monitor the progress of this Strategy through their normal work in gaining assurance in relation to the Association's compliance with the Governance Standards.

The Chief Executive is responsible for the review of this Strategy every five years and any recommended changes will be submitted to the Management Committee for approval.