



Equality and Diversity Strategy 2013-2016

Approved on: 5th September 2013



EQUALITY AND DIVERSITY STRATEGY 2013 – 2016

Introduction

The purpose of the Equality and Diversity Strategy is to set out a framework to mainstream equality within the day to day policy and practice at Bield. The Scottish Governments National Equality Strategy defines mainstreaming as ‘the systematic inclusion of equalities thinking from the outset in all strategy, policy and practice activities’. This strategy will cover the period from 2013 to 2016.

The Equality and Diversity Strategy underpins the Equality Policy and will ensure that the Equality and Diversity Officer is able to support the delivery of strategic objectives aligned with, and in support of, the organisation’s overall business strategy. The Equality Strategy contributes to each and every strategic objective of the organisation, as detailed in the Bielding the Future business strategy. Specifically the publication of this strategy links directly to the following strategic initiative:

37. Implement Equality and Diversity Strategy.

Vision

Bield’s vision is a Scotland where people of all ages are respected, can make their own choices, and are able to lead independent and fulfilling lives. This is achieved through our mission to improve the quality of life of older people by offering a diverse range of housing, care and other services.

We are committed to advancing equality of opportunity, eliminating unlawful discrimination and fostering good relations between all people. Our goal is to ensure that these commitments, reinforced by our values, are embedded in our day to day working practices with all customersⁱ, colleagues and partners.

In doing so Bield will ensure that no person working with us, seeking employment with us, or any member, volunteer or customer will receive less favourable treatment because of a protected characteristic,ⁱⁱ or be disadvantaged by requirements or conditions that cannot be justified.

In our approach Bield will help to break down the barriers that hold people back and afford opportunities to succeed. To this end, we seek to create a culture and environment that allows every individual to flourish and respects, values and rewards their unique contribution, encouraging each to be ‘free to be’.

Values

Bield is committed to mainstreaming equalities and going beyond our legal responsibility not to unfairly discriminate as an employer or in the way services are delivered as set out within the Equality Act 2010 and set within our own values of:

- Caring- We have a passion for supporting and caring for each other;

- Equality and Diversity- We advance equality and celebrate diversity;
- Honesty- We are open, fair, just and act with integrity;
- Dignity- We treat individuals with respect;
- Inclusion- We involve our people in what we do because their opinions matter;
- Ambition- We want to be the best at what we do and we want our people to realise their potential.

The Current Position – External Context

The murder of Stephen Lawrence in 1993 acted as a catalyst for change. It shifted understanding of discrimination from a personal act of hatred to an act of ‘institutional discrimination’ set out after the subsequent inquiry into the police handling of the case. The inquiry defined institutional discrimination as:

‘the collective failure of an organisation to provide an appropriate and professional service that can be seen or detected in processes, attitudes, and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racial stereotyping...’ Macpherson Report 1999.

To force change, subsequent legislationⁱⁱⁱ set out the responsibility of an organisation to actively pursue equality, and placed a legal onus on public organisations to demonstrate that its policies and functions are free from discrimination.

In 2010 the Equality Act received royal assent. The Act harmonises, strengthens and streamlines 30 years of equality legislation into a single act. It sets out what unlawful discrimination is and other prohibited conduct because of a protected characteristic^{iv} in employment or the delivery of services. This protection against discrimination is extended to where someone is perceived to have or where they are associated with, someone with a protected characteristic. The Act sets out:

- Prohibited conduct^v;
- A duty to make reasonable adjustments,^{vi} and
- A public sector equality duty (also referred to as the general equality duty) to integrate consideration of the advancement of equality into the day-to-day business of public authorities. It requires public authorities^{vii} to pay due regard to:
 - Eliminate unlawful discrimination, victimisation and harassment (prohibited conduct);
 - Advance equality of opportunity between people who share a protected characteristic and people who do not;
 - Foster good relations between people who share a protected characteristic and people who do not.

The Equality Act 2010 places an onus on each organisation to demonstrate an active and organised approach to tackling discrimination.

Regulation

The Commission for Equality and Human Rights has a statutory remit to promote and monitor human rights; and to protect, enforce and promote equality across the nine protected characteristics.

It provides statutory and non statutory guides to support authorities to meet the requirements of the Act. Additionally Scottish specific duties are in place to ensure public authorities comply with the Act.

a) Scottish Social Housing Regulator^{viii}

To meet the requirements of section 31 of the Housing (Scotland) Act 2010 the Scottish Social Housing Charter expects social landlords to 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.
- Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.’

The Charter has seven sections, including equalities and communication.

b) The Care Inspectorate^{ix}

Care services are regulated by the Social Care and Social Work Improvement Scotland (SCSWIS) known as the Care Inspectorate^x and underpinned by the National Care Standards. Care services in Scotland must be registered with the Care Inspectorate who inspect, and grade services as well as deal with complaints. They regulate work using the Scottish Government’s National Care Standards which are based on the principles of: dignity, privacy, choice, safety, realising potential, and equality and diversity. These include:

- To be treated with dignity and respect at all times;
- To enjoy a full range of social relationships;
- To have privacy and property respected;
- To feel safe and secure in all aspects of life, including health and wellbeing;
- To be free from exploitation and abuse;
- To be valued for your ethnic background, language, culture and faith;
- To be treated equally and to be cared for in an environment which is free from bullying, harassment and discrimination; and
- To be able to complain effectively without fear of victimisation.

c) Telecare Services Association^{xi}

Response 24 (BR24) follows standards issued by the Telecare Services Association (TSA). Services must:

- Act with integrity in all business dealings;
- Treat suppliers, partners, customers and employees properly, and without discrimination;
- Ensure healthy, safe and secure workplaces;
- Deliver legally compliant products and services;

- Compete fairly by promoting products and services in a fair, honest and balanced way, and not presenting competitors in an unfair light;
- Handle complaints promptly and courteously;
- Adopt environmentally sustainable practices and reduce their carbon footprint;
- Ensure that any sub-contractors used by Supply Members are bound by the terms of this code;
- On cessation of membership immediately remove all references to TSA membership from websites, literature etc.

d) The Scottish Social Services Council (SSSC)

Relevant Bield staff are registered and required to follow the SSSC code of practice which sets clear standards of conduct. The SSSC aims to raise standards of practice, strengthen and support employees and increase the protection of people who use social services. Social service workers must:

- Protect the rights and promote the interests of service users and carers;
- Strive to establish and maintain the trust and confidence of service users and carers;
- Promote the independence of service users while protecting them as far as possible from danger or harm;
- Respect the rights of service users while seeking to ensure that their behaviour does not harm themselves or other people;
- Uphold public trust and confidence in social services;
- Be accountable for the quality of their work and take responsibility for maintaining and improving their knowledge and skills.

The principles and outcomes set out by the Regulators help to check and develop practice to maintain high quality services and will assist in the mainstreaming approach.

The Current Position – Internal Context

In 1999 the award winning Equal Opportunities Programme was established, a joint approach with Hanover (Scotland) and Trust Housing Associations. This work, in response to the increased understanding of the experience of Scotland's black and minority ethnic older people (BME), led to the establishment of the Older People's Service Development Project to provide targeted welfare support and to raise awareness of services to address the isolation and exclusion experienced.

The Equal Opportunities Programme enabled Bield to adjust policy and practice to improve services to BME older people. Under its auspices the well regarded 'Happy to Translate' service was also established and as a founding member we have continued involvement in the Advisory group.

As an employer, our equality commitment is clear, we adhere to employment law as well as extending good practice. We provide a breadth of training including equality and diversity, which ensures we have staff with the right skills and attitude to deliver our services. Our people strategy and the introduction of key performance indicators underpin this practice by encouraging development and personal responsibility.

Our approach has led to the achievement of both the Investors in People silver award and the Positive about Disabled people two ticks mark. Additionally, we have achieved several customer service excellence awards in our care services and Response 24 service successfully completed the telecare services audit in 2013 across customer involvement; effective communication; responsive services; and processes for dealing with abuse and harassment.

Reviewing practice

In 2010 an independent review was undertaken in recognition that a broader equality approach was required to include the protected characteristics. The review (Craigforth (consultancy and research) with Ali Jarvis Aug 2010), acknowledged established good practice; proactive work across race and religion; identified gaps and recommended a mainstreaming approach to include the protected characteristics established by the Equality Act 2010. In particular it noted:

- a) That whilst equality and diversity was evident, that this commitment had not yet come to underpin all work done, and whilst strong on paper it is unclear to what extent it actively informs service delivery or is monitored day to day.
- b) Generic equality statements are used that indicated little research into or understanding of differential impacts or experiences, and no evidence of any policy linked to equalities having been developed or amended on the basis of experience, review or new information.
- c) That staff indicated some understanding and expertise around equality and diversity, understanding its relevance, many being confident to meet diverse needs; however some staff lacked confidence, feared offending, and had little knowledge of what is expected from them in relation to equality and diversity.

Responding to the gaps identified, Bield, Trust and Hanover (Scotland) agreed progress rested on a focussed bespoke approach set within the governance and operational practices of each Association to meet the following proposed recommendations

- Review and rearticulate the vision and strategic objectives for equality and diversity;
- Expand equality and diversity work to encompass all the protected characteristics;
- Realign equality practice to core activities, to ensure equalities activity is seen as relevant to all staff and to the specific needs of actual and potential customers;
- Review progress against the vision and strategic objectives as a regular agenda item at Board and Senior Management team meetings;
- Develop equality and diversity input into policy development and operational planning with an emphasis placed on the delivery of equality and diversity outcomes as integral to 'day to day business';
- Develop a consistent approach to monitoring and evaluating equality and diversity impacts in core activity areas to ensure that robust policy statements are genuinely translated into measurable practice at an organisational, team and individual level;
- Build equality objectives into the job descriptions and key performance indicators of all staff at an appropriate level;

- Invest resources to develop a shared pool of knowledge, research and data on equality and diversity issues to better inform strategy and policy decisions;
- Develop a simple internal tool for equality impact assessments, to be rolled out using information and measures relevant to operational activities;
- Develop a clear stakeholder strategy to build and maintain relationships with equalities groups and communities.

Ultimately to look to a model of delivery that more effectively mainstreams equalities into the organisation.

Achieving Success through Mainstreaming

Mainstreaming is not a quick fix, but a long term approach. It involves looking at what we do, how we do it and being alert to the diverse needs and experiences of staff and customers by improving policy processes. Mainstreaming equality requires:

- leadership commitment to the principles and processes involved;
- commitment and ownership across the organisation for the principles and processes;
- integration within departmental work plans and policy objectives;
- guidance, advice, training and support to help to develop mainstreaming;
- appropriate data, information and research to inform the development of policy and programmes;
- policy appraisal and impact assessment with ongoing monitoring, evaluation, audit and review;
- networks and effective mechanisms of consultation with external bodies and interests;
- an acknowledgement that mainstreaming is not a quick fix and requires time and resource.

The Board, Chief Executive and Directors will provide strategic direction and leadership to this mainstreaming approach.

Governance and Leadership

Ultimately the Board is responsible for ensuring Bield does not discriminate and is therefore compliant with the Equality Act 2010. The Board will provide effective leadership to ensure that the organisation executes its equality duties effectively by promoting, communicating and establishing the culture of the organisation in order to deliver best value quality services to customers and as an employer.

On a day to day basis the Chief Executive and Directors will execute their functions in compliance with the Equality Act 2010 to ensure no aspect of their service decision making, design or delivery is compromised.

The Equality and Diversity Officer will assist departments in meeting the governance and accountability requirements through the provision of advice, information and targeted Equality activity where appropriate.

The Role of the Equality and Diversity Officer

Operational from January 2013, the role of the Equality and Diversity Officer sits within the department of Strategic Support Services and reports directly to the Company Secretary. The role will support the delivery of the Equality and Diversity Strategy and any associated activities. This includes:

- To develop strategy, policies, procedures and initiatives to promote equality of opportunity and diversity and meet legal obligations in the delivery across all functions;
- To provide advice and support to staff to ensure effective implementation and monitoring of strategy policy and procedures;
- To develop, promote and advise on the adoption of best practice to meet Bield's equality and diversity objectives;
- To develop an equality impact assessment tool and advise on the implementation and delivery of equality impact assessment.

Strategic Objectives

To ensure Bield achieves its equality aims we will be guided by the Scottish Public Sector specific duties to inform our practice, particularly the approach to mainstreaming, assessing and reviewing policies, employment data and our procurement practice. We will refer to good practice and supporting guidance as well as utilise best practice across the sector. In particular our approach will be developed using the Social Housing Equality Framework (SHEF)^{xiii} to achieve change and measure success.

The SHEF has been adopted for its robust outcomes, its self assessment model and its incremental approach. It sets out a structure and direction of travel to develop mainstreaming actions to build practice across the core functions of: Knowing our customer; Leadership, partnership and commitment; Customer engagement; Responsive services, Access and customer care; and a Skilled and committed workforce.

Despite its title the framework is applicable across sectors and can be used to embed equality across key functions. Therefore, it will guide continuous improvement across all our work and enable a starting point to be established and to consider how equality can be mainstreamed to sustain effective practice. Each function is able to use the model to build their own practice by:

- identifying a starting point;
- establishing what current equality practice looks like; and,
- developing equality targets, indicators and evidence.

Considering equalities in this way will enable the alignment of each service action plan with key performance indicators within the Business Strategy, whilst informing strategic equality outcomes that underpin and sustain an equality impact analysis approach (formerly an equality impact assessment)^{xiii}. Additionally it will enable the consideration of equality and diversity from the outset.

This approach will contribute to our continuous improvement as equality becomes part of our structures, our behaviour and our culture. It is an approach that is everyone’s responsibility and one that is at the forefront of our actions.

Five ‘Strategic Objectives’ have been identified for 2013-2016.

These objectives are ambitious, but realistic and require leadership and commitment from the Board, Chief Executive and the Senior Management Team to be achieved and then sustained.

Strategic Objective 1 Knowing our customer	To design and deliver services that are informed by knowledge of our customers and potential customers needs.
Strategic Objective 2 Leadership, partnership and commitment	To ensure our equality commitments underpin all practice.
Strategic Objective 3 Customer engagement	To engage customers in service development to ensure their views are taken into account.
Strategic Objective 4 Responsive services, access and customer care	To provide timely responsive services to uphold the dignity and respect of all.
Strategic Objective 5 A skilled and committed workforce	To have a responsive, proactive, skilled and empathetic staff who are able to flourish at Bield.

To meet the objectives the SHEF sets out 31 outcomes in stage one of ‘developing’ a mainstreaming approach. To identify actions these outcomes will be used to scope our current practice and undertake a gap analysis. For each outcome Bield will agree a set of objectives, actions, outputs, lead officers and timescales in response to this self assessment. This will be undertaken by the Equality and Diversity Officer across each function involving managers and staff. This will inform further actions outlined in 2014-2016.

Actions

As part of the above work during 2013-2014 the following key tasks will be completed to understand what we do well and where improvement is needed. These are to:

- Set a benchmark (survey staff and customers about current equality and diversity outcomes and practice, what is it like to live and work at Bield);

- Undertake a stock take of policy and practice to identify what we do well and where improvement is required;
- Communicate our equality aims to staff and customers; The Board of Management (the Board), the Chief Executive (CE), the Company Secretary and Directors communicate their lead on equality;
- Establish an equality impact analysis approach to inform our actions and enable us to measure the impact of our services on different groups;
- Identify and deliver equality information and training for senior staff;
- Monitor complaints and customer feedback across the protected characteristics;
- Establish a Corporate Equality Group with a clear role and remit.

In year two and three, tasks will focus on monitoring and data collection; ensuring policy and practice is compliant; embedding the equality impact analysis process; involving and consulting with stakeholders; delivering accessible services and ensuring staff are knowledgeable about equality practice and policy as well as the development of service action plans informed by the stocktaking and benchmarking exercises.

Year 2 2014-2015

- Develop service action plans;
- Develop systems to collect and analyse customer and employee information across the protected characteristics including access and communication needs (data protection protocols developed);
- Develop tools and information to support staff with data and evidence collection;
- Produce an annual equality report to inform business planning, service development and delivery (to include equal pay, customer and staff data and census information across the protected characteristics);
- Implement the community engagement strategy;
- Undertake an audit of customer communications to ensure accessibility;
- Review and update all Human Resource policy and practice for compliance with the Equality Act; develop an Equal pay statement;
- Review, update and deliver equality training;
- Conduct an annual staff equality health and wellbeing survey.

Year three, in particular will focus on embedding equality data aligned with the equality impact assessment approach into the decision making processes to inform organisational objectives, processes and service delivery. This will focus on the policies due for review within this period as well as any identified as a priority.

Year 3 2015-2016

- Use customer data collected and census statistics to inform equality objectives and actions;
- Produce an annual Board update on the development, use and application of equality impact analysis update provided including policies reviewed, with actions identified and completed;
- Set equality objectives;
- Develop structures to ensure customer and equality organisations are engaged in setting equality objectives;
- Publish Equality Impact analysis' outcomes and actions;
- Conduct annual customer satisfaction surveys (monitored and disaggregated by the protected characteristics);
- Complete access audit of all properties;
- Monitor all HR practice, especially bullying and harassment incidents, disciplinary and grievance and the application and take up of reasonable adjustments across the protected characteristics;
- Monitor the employee counselling service to identify use by staff because of a protected characteristic; provide annual reports;
- Review recruitment and application process, including advertising, accessibility, job description, monitoring, staff training etc for compliance with the Equality Act 2010.

A number of the tasks outlined across the three years of this plan are already scheduled as part of the delivery of other initiatives within the business strategy. These are:

- (8) Community Engagement Strategy;
- (9) Single point of access to services;
- (10) Implement Catering Strategy;
- (32) Implement the Performance Management Strategy;
- (36) Implement Board support and development;
- (38) People Strategy;
- (39) Volunteer Strategy;
- (46) Communication Strategy.

Detailing them here helps to underscore the equality and diversity implications inherent in our business and the associated legislation and good practice to be considered in all work.

In addition to those outlined, a number of initiatives result in direct change to service provision. For example, the implementation of the new housing retirement services, or the roll out of Housing with Care. Accordingly all such changes will need to be fully assessed in line with good equality and diversity practice to ensure that no customers are unlawfully discriminated against.

In summary the Equality and Diversity Strategy will enable Bield to:

- raise awareness amongst staff of their role and responsibilities;
- develop supportive structures and systems and build knowledge amongst staff of how to use them; and
- enable staff to use the structures and systems to identify impacts of potential and existing policies and programmes because of a protected characteristic.

Resources

Other than the specific time and associated salary cost of the Equality and Diversity Officer, additional resources required to implement this strategy have not been identified. A provisional budget allocation of £5,000 has been made in 2013/14. Costs for future years will be incorporated into budget proposals on a year-by-year basis.

Communications

The Equality and Diversity Strategy will be communicated in the following ways:

- The Board will be required to approve and support the strategy. It will then be placed on the extranet with supporting information.
- The existing Equality Policy will be reviewed and communicated to all staff and customers through use of the intranet and the Bulletin in the first instance. It will be circulated to all developments and a poster version placed at each entrance.
- On an ongoing basis the intranet will be updated and briefing papers issued as any changes take place. Formal training will also be developed for staff if appropriate and required.
- Engagement with staff as part of the gap analysis work will further reinforce the equality expectations for all staff.

Once established the Corporate Equalities Group will help with the sharing of practice and information.

Reporting and review

Progress will be reported annually to the Board and reviewed within business cycles.

Furthermore the strategy sets out annual tasks in the years 2013-2016 when it will be reviewed within normal business cycles. However, in cognisance of the two year contract of the Equality and Diversity Officer an interim review will be completed at the end of 2014.

Equality and Diversity

In operating this Strategy, Bield will at all times adhere to the principles of its Equality and Diversity Policy where everyone can participate fully and be treated equally and fairly without disadvantage arising from any protected characteristic.

End notes

i

The term customer applies to any person who receives a service from Bield – this could be directly or indirectly. For example a tenant, a care home resident, or someone who attends Day Care is a customer but we would also classify their carer as a customer.

ii

Protected characteristics Age; Disability; Gender reassignment; Pregnancy and maternity; Marriage and civil partnership; Race (including colour, nationality, ethnic or national origin); Religion or belief; Sex; and Sexual orientation. (Introduced by the Equality Act 2010).

iii

Race Relations Amendment Act 2000.

iv

A charity will not breach the Act by providing benefits only to people who share a particular protected characteristic if this is in accordance with the charitable instrument that establishes or governs the charity, and is either:

- a proportionate means of achieving a legitimate aim; or
- for the purpose of preventing or compensating for a disadvantage linked to that protected characteristic. Proportionate means to be ‘appropriate and necessary’, but ‘necessary’ does not mean that the provision, criterion or practice is the only possible way of achieving the legitimate aim.

v

Under the Act discrimination, harassment and victimisation because of a protected characteristic is unlawful.

vi

The duty to make reasonable adjustments aims to ensure that a disabled person can use a service as close as it is reasonably possible to get, to the standard usually offered to non disabled people. The duty is ‘anticipatory’, that is, not waiting until a disabled person wants to use your services, but thinking in advance (and on an ongoing basis) about what disabled people with a range of impairments might reasonably need.

vii

Applies to public authorities listed in the Act in respect to their functions. It also applies to others who are not listed but exercise public functions, in respect of those functions.

viii

www.scottishhousingregulator.gov.uk/

ix

www.scswis.com

x

www.scswis.com/index.php?option=com_content&view=featured&Itemid=100103

xi

Telecare Services Association. www.telecare.org.uk

xii

Social Housing Equality Framework (SHEF) has been developed for all social housing providers. This includes local authority housing departments, housing associations and private landlords who have become social housing providers.

www.local.gov.uk/web/guest/home/-/journal_content/56/10171/3476545/ARTICLETEMPLATE

xiii

A policy or practice that actively considers equality by using evidence to inform decision making. Assessing impact provides a mechanism to build equality considerations into policy- and decision-making, providing a clear and structured way to consider evidence about the needs of equality groups and to be more responsive to the needs of those affected.