

GATEWAY Housing Association

Diversity Strategy – 2010-12

1. Introduction

- 1.1 GATEWAY's Vision is for communities to flourish and thrive in Tower Hamlets. In order to contribute to this Vision, Gateway's Mission is to work with residents and partners to deliver excellent housing services in and around Tower Hamlets.

Values

- Put the needs of communities and residents first;
- Listen carefully and engage with residents and the communities we serve;
- Be responsive to new and emerging housing needs;
- Treat people with respect and promote neighbourliness.
- Value and rejoice in diversity;
- Be forward looking, flexible and ambitious on behalf of those we serve;
- Take decisions on the basis of research and evidence;
- Be honest and fair, open and accountable, in all our transactions;
- Work effectively in partnership with other agencies, including our local authority partner;
- Seek to improve from year to year.

This Diversity Strategy sets out how Gateway will address the issues of Diversity and Equality across the Corporate Objectives.

- 1.2 As a Housing Association, Gateway provides services to a wide range of people including some of the most disadvantaged groups of the community. As a Registered Housing Provider it has a statutory duty to ensure that it provides services fairly to everyone who accesses them.

- 1.3 Gateway has a responsibility to respond to the wide social diversity within the community, and to ensure that the Association reflects this in its policies and procedures, and in practice through the delivery of all services to residents and the community generally.

Gateway will work to encourage the participation of residents who have traditionally been difficult to engage such as young, older and disabled residents.

- 1.4 This Strategy sets out Gateway's principles and outlines a framework through which the Association will fulfil its obligations. It demonstrates Gateway's commitment to eliminating discrimination experienced by residents, Staff, Board and Committee Members and recognised resident groups.

2.1 Aims

The aims of the Diversity Strategy are to:

- Provide an environment where everyone recognises the positive contribution that a diverse workforce and community can achieve
- Provide equality of access and choice to services and homes
- Respond effectively to individual needs in all that we do
- Address and tackle discrimination and disadvantage experienced by particular individuals and groups
- Have clear direction and commitment for our stakeholders and residents to follow
- Set standards, which we deliver against
- Provide all employees with the opportunity to reach their full potential
- Provide and develop services referring to the needs of residents.

2.2 Outcomes

- Developing services that achieve equality and diversity in all areas;
- Having a diverse workforce that reflects the local population;
- Understanding how valuing diversity can improve its ability to deliver better services and reduce disadvantage and discrimination;
- consult individuals, communities and stakeholders to ensure services are responsive and reflect the diversity of needs;
- Providing support and advice to victims of hate crime including racial harassment and domestic violence and working in partnership with other agencies to deal with the perpetrators of hate crime;
- Providing all employees with the training and development they need to enable them to deliver this Strategy;
- Provide an open, supportive environment where all employees have the opportunity to achieve their full potential.
- Facilitating community cohesion through listening to stakeholders, engaging residents and enabling communities to interact in a positive, respectful way.

2.3 Gateway will facilitate Community Cohesion through a 'more than just a landlord' Strategy which includes working in partnerships with local authorities and other agencies to develop and deliver additional services to residents. The Association wants to achieve equality and diversity in all its activities and will support and work with other groups and organisations, striving to achieve equality and diversity within the local community in which or around Tower Hamlets.

3. **Statutory and Regulatory Requirements**

Gateway aims to fully comply with all current legislation relating to equality and diversity. The Association is delivering this strategy in accordance with the statutory and regulatory framework. The main requirements are listed out in **Appendix 2**.

4.1 Governance

- Gateway aims to achieve representation from the community on the Board, Committees and Residents Groups/Panels.
 - recruitment to the governance structure which is fair and transparent with regular reviews of membership and ways to recruit under-represented groups;
 - a Board committed to lead by example to promote equality and diversity across all Board, Committee and Resident Groups/Panels to ensure they receive information on and training in equality and diversity issues.
 - to work with all communities and groups through its activities. Gateway is led by a Board that promotes equality and embraces diversity;
 - appoints a Diversity Champion

Gateway Board is responsible for:

- agreeing overall equality and diversity policy and strategy
- reviewing performance on equality and diversity at a strategic level
- championing equality and diversity, both internally and externally
- ensuring that the practice of mainstreaming equality is applied when considering and agreeing proposals across the breadth of its responsibilities

The Chief Executive and the Executive Team are responsible for:

- providing leadership on the agenda, acting as overall champions to ensure the strategy is developed and implemented
- ensuring that equality and diversity are integrated into Gateway strategy and operating plans
- communicating the agenda, externally and internally

The aims and objectives of the board are:

- support the staff in meeting the needs of the diverse tenant population through its activities
- support the staff by advising on other agencies who can input into the delivery of equality/diversity objectives
- provide expert advice either through professional or personal knowledge on diversity strands such as race, gender, sexuality, disability, age, religious belief or faith, transgender issues and contribute to ways of addressing socio-economic disadvantage
- work with staff to identify risks that may prevent Gateway from delivering on its equality and diversity objectives.

4.2 Employment and training

- Gateway aims to achieve an organisational culture which values people from all sections of society and has a workforce which reflects the local communities at all levels;
- Gateway regularly reviews and reports on all recruitment, selection and training.

- Gateway trains managers and Board members in appropriate recruitment skills before taking part in the recruitment and selection process;
- Gateway aims to achieve a working environment where individuals experiencing bullying or harassment at work can feel confident enough to bring complaints without fearing prejudice;
- Gateway assists all staff to realise their full potential by ensuring that they receive fair consideration of their training and career development needs and opportunities;
- Wherever possible, Gateway will modify employment practices and procedures to reduce barriers experienced by members of disadvantaged groups in both seeking and during employment.
- Gateway has policies and procedures in place to include the above. Reviews take place every 2/3 years.

4.3 Disability

- Gateway recognises its responsibilities under the Disability Discrimination Act (DDA) 1995, EU directives and other legislation and follows the codes of good practice for employment, premises and services;
- Gateway 'audits' premises, services and processes to make sure DDA requirements are met;
- Gateway provides an environment which seeks to maximise access to employment by people with a disability;
- Gateway, where practicable, continues to employ staff who become disabled during their employment, assist in their re-training and make reasonable adjustments which enables them to continue working.
- Gateway ensures that the recommendations included in the Disability Equality Scheme and action plan are in place and monitored.
- Gateway is a member of positive about disabled.

4.4 Resident Involvement

- Gateway ensures that Residents' Groups have a commitment to the principles of equality and diversity in their constitutions;
- Gateway provides funding to recognised groups seeking to attract a broader membership e.g. translations and audio recording of approved material, making meetings more accessible etc;
- Gateway has a Residents' Forum/Panel which meets regularly and are actively consulted on all aspects of our work, including Equality and Diversity

4.5 Provision of Housing

Gateway carries out resident profiling to ensure that services provided to residents are appropriate and respond to their needs as identified by themselves through the profiling process. It is very important that the profiling acts is utilised to shape and review services provided.

Gateway's objective is that all residents experience similar levels of satisfaction in relation to the services which they receive,

irrespective of race, religion, gender, disability, age, sexual orientation or transgender. Gateway will carry out satisfaction surveys of all residents to get feedback on services provided. The Association will meet with residents who have disabilities to discuss how services can be improved. This is part of the Association's Disability Equality Scheme.

- Gateway ensures that the principles of equality and diversity are applied to all groups in terms of access to housing, quality of housing allocated and the services provided;
- Gateway works with local authorities and other organisations to research and prioritise the housing and service needs of minority communities and other groups experiencing discrimination and/or exclusion;
- Gateway participates in the CORE (Continuous Recording of Lettings) scheme and uses the CORE classifications. Regular assessments are made of the needs of all groups in the local community;
- Diversity monitoring of lettings is in place across all 7 diversity strands;
- Gateway provides specific supported housing for vulnerable people in the community. Gateway will develop and deliver high quality services to support vulnerable residents;
- Gateway carries out a complete postal resident satisfaction survey of all residents every two years.
- Gateway is introducing an annual survey for residents to establish satisfaction of residents across all services provided by Gateway.

Results of the survey will be translated into recommendations. There will be resident consultation throughout this process.

Development

- Gateway has a Development Strategy which is published and can be made available to all stakeholders;
- In reviewing the strategy, the Association consults with the Resident Panel and Local Authorities to explore location and design issues and to determine appropriate housing solutions within the resources available.

4.6 Employment of Contractors, Consultants and Suppliers

- Gateway promotes its Diversity Strategy to all consultants, contractors and suppliers and includes a copy of the strategy with tender information and contracts for work, services or supplies undertaken for the Association by external organisations or individuals;
- Gateway requires contractors, consultants and suppliers working for the Association to have in place a Diversity Policy for service delivery and employment practices and to submit a copy before contracts start.
- Gateway will take action against any contractors or consultants employed by the Association who discriminate against or harass any of its residents or staff in the delivery of services;

- Gateway carries out and reports on regular resident satisfaction surveys with the work and services provided by consultants, contractors and suppliers.
- Gateway can provide support to small and minority contractors to sign post or provide advice and guidance to them on how to submit and write tenders guidance could cover:
 - Health and Safety
 - Equal Opportunity and Diversity

The outcome being to build capacity of small and minority contractors.

4.7 Dealing with hate crime

- Gateway promotes and publicises its policies to residents;
- Gateway takes rigorous action against perpetrators of any form of hate crime to its residents or staff;
- Gateway utilises support services provided by local authorities to respond effectively to incidents of hate crime;
- All hate crime incidents are recorded and monitored internally.

4.8 Communication and information

- The Diversity Strategy is available to all staff, residents, Board, Committee Members and recognised resident groups on the Intranet and website;
- Diversity Training is provided to all staff, Board and Committee Members;
- Gateway provides appropriate means of communication and details of information about services to visually and hearing impaired people and will provide translations into appropriate languages and formats as identified by the ongoing profiling of residents;
- Gateway provides interpreters or signers for communication between residents and the Association as required;
- Gateway submits a copy of the Diversity Strategy as part of the agreement of any partnering arrangement and requires partners to submit their own policies;

4.9 Older People

- Gateway provides sheltered housing site specific Scheme Managers. This enables older people to continue to live independently in a supported environment. This service needs very high satisfaction level amongst residents. The service needs to be reviewed to ensure it remains relevant and compliant with regulatory and statutory requirements.
- Gateway complies with all the Supporting People Funding requirements to ensure income maximisation for older people living in sheltered schemes is achieved.
- Gateway's sheltered schemes comply with the Decent Homes Standard.
- Gateway has a Sheltered Housing Forum which ensures older residents have opportunities to influence the Association's activities at an operational and strategic level.

- In 2010/11 Gateway will develop an older person's housing strategy which will fully review older people's services.
- Gateway will sign post residents to third part support services and specialists.

5. Responsibilities

5.1 The Board has overall responsibility for the delivery of the Diversity Strategy. The Board:

- reviews the strategy every two years;
- ensures an improvement Plan is in place as part of the Annual Project Planning process;
- ensures staff have the necessary resources and skills for effective implementation;
- ensures that recruitment of Board members is fair and transparent, and conforms to established equality principles
- appoints a Diversity Champion to support and deliver the strategy.

5.2 The Director of Central Services has overall responsibility for monitoring implementation of the strategy and:

- makes recommendations to the Board for the annual review of the strategy and action plan;
- ensures equality and diversity training is provided in line with the strategy;
- utilises the Performance Management Framework to effectively monitor the implementation of the Strategy.

5.3 Staff have an individual responsibility for implementing the strategy and managers are responsible for ensuring staff:

- know and understand precisely what they are required to do;
- receive the appropriate training to enable them to implement the strategy effectively;
- are aware of the consequences of failing to adhere to the strategy.

5.4 Responsibility for the implementation of this strategy is vested with all employees, Board and Committee members of the Association. Individual members of staff have a contractual obligation to uphold Gateway's Diversity Strategy. Additional expectations are placed upon managers and those responsible for recruitment and training to ensure delivery of Gateway's Diversity Objectives.

6. Monitoring and Evaluation – Reporting Requirements

6.1 Targets

- Gateway is committed to a programme of continuous improvement, which will embrace the promotion of equality and diversity throughout the delivery of its services. Gateway aims to achieve specific objectives in the following areas:

- A Diversity Improvement Plan, reviewed annually, will ensure that the aims of the Strategy are achieved.
- Diversity Performance Indicators are monitored in relation to delivery of services and against the makeup of the workforce. Progress against agreed diversity targets are used to identify trends to help achieve the aims of being reflective of, and responsive to the diversity of the local community.

6.2 Performance Targets Reporting

Performance against the actions detailed in the Diversity Improvement Plan will be monitored on a quarterly basis and a range of performance indicators will be agreed by the Board as appropriate to monitor and evaluate performance against the strategic objectives.

Reports detailing diversity performance will be presented to the Governing Body on a quarterly basis. Annual targets are set as part of the Corporate and Annual Planning Process.

Achievements will be communicated to staff, residents and other stakeholders through channels such as the Associations annual report, resident and staff meetings, resident and staff newsletters.

Gateway reports information as follows:

- Diversity details of job applicants to the Senior Management Team and Personnel Committee annually;
- details of lettings to the Performance Management Committee and Senior Management Team quarterly;
- reports on contractor performance, diversity issues, to the Performance Management Committee annually;
- profile of staff and Board members by annually to the Personnel Committee;
- All reporting of activity includes seven strands of Diversity
 - Age
 - Disability
 - Sexuality
 - Faith
 - Ethnic origin
 - Transgender
 - Gender

6.3 Equality Impact Assessments (EIAs)

EIAs are carried out when any Policy, Procedure or Standing Order is reviewed. This is the responsibility of the Quality Assurance and Policy Manager who is centrally based.

The EIAs assess the impact of reviews of Policies, Procedures and Standing Orders assessed against the equality standards which include Race, Age, Faith, Disability, Gender, Sexual Orientation and Gender redefinition.

Interim Strategy Approved by the Board 22nd February 2006
Final Strategy Approved by the Board 13th December 2006
[Revised Strategy approved by SMT 9th January 2008]
And the Board 30th January 2008]
[Approved by SMT September 23rd 2009]
[Approved by the Board 31st March 2010]

VISION, MISSION [under review]

**GATEWAY Housing Association
Diversity Strategy – 2010-12**

1. Regulatory Requirements

1.1 The Tenant Services Authority Role

At the TSA, we believe in the fundamental principles of equality and diversity which seeks to address systematic discrimination whilst celebrating the benefits that people from diverse backgrounds and life experience can bring to area such as employment, service delivery and enhancing community life.

We recognise that the make up of tenants in affordable housing in England includes a higher proportion of vulnerable and/or economically disadvantaged people than the population as a whole and that there is also a higher proportion of black and minority ethnic (BME) tenants in affordable housing. We will seek to exercise our equalities duties by:

- Working to eliminate discrimination with the social housing sector and our own organisation through our regulatory and employment practices
- Promoting equality of opportunity for all people irrespective of age, gender, race, religion or belief, sexuality, or disability; and working to ensure that socio-economic barriers that people across all equality strands face are addressed
- Promoting good relations between people of difference backgrounds both within the affordable housing sector and our organisation.

1.2 Statutory Objectives

The TSA's role as a regulator are laid out under the Housing and Regeneration Act 2009. The relevant Objectives are as follows:

- To encourage and support a supply of well-managed social housing, of appropriate quality, sufficient to meet reasonable demands
- To ensure that actual or potential tenants of social housing have an appropriate degree of choice and protection
- To ensure that tenants of social housing have the opportunity to be involved in its management.
- To ensure that registered providers of social housing perform their functions efficiently, effectively and economically
- To ensure that registered providers of social housing are financially viable and properly managed.
- To encourage registered providers of social housing to contribute to the environmental, social and economic well-being of the areas in which the housing is situated.
- To encourage investment in social housing (including by promoting the availability of financial services to registered providers of social housing)

- To avoid the imposition of an unreasonable burden (directly or indirectly) on public funds.
- To guard against the misuse of public funds
- To regulate in a manner which minimises interference and is proportionate, consistent, transparent and accountable.

1.3 Every Tenant Matters

'Every tenant matters. We expect providers to understand and respond to the particular needs of their tenants and to demonstrate how they have taken into account the needs of tenants across the six diversity groups'.

The provision of housing and related services are issues that are fundamental to improving life chances and ensuring that the most vulnerable people in our society now and in the future have a reasonable standard of life.

We recognise that for housing providers to deliver services at a high standard and continuously improve their performance, the governance arrangements in each provider organisation and their financial viability will be areas of priority in our regulatory engagement.

But as a tenant focused regulator, we are also determined to ensure that tenants are at the forefront of everything we do, and that in every activity we undertake as a regulator we consider what it means for tenants. We also want to see a housing sector where providers work in this way and are positively engaging with and involving tenants.

We want to create an environment that enables landlords to perform effectively by ensuring that our regulatory approach is proportionate, risk based and co-regulatory. Under our co-regulatory approach we want tenants and providers to work together to raise standard of performance and share good practice. Where this is not happening and landlords are not meeting the service standards that reflect tenants' needs, we will take the necessary action to intervene in a proportionate way to bring about an improvement in performance.

Our regulatory philosophy is also influenced by wider principles of public service, which focus on equity, universality and accountability. In order to meet these values, the TSA is committed to equality and diversity. A significant proportion of tenants come from a black and minority ethnic (BME) background or have care or support needs. Ensuring that diversity is reflected in the work we do is central to our mission. We support effective and inclusive approaches to both equality and diversity, and tenants with care or support needs.

Understanding the needs of all tenants is essential for providers; this would include the needs of people drawn from the six equality groupings: ethnicity, disability, sexuality, age, gender and religion/belief as well as gender identity and socio-economic

equality. The tenant involvement and empowerment standard includes our regulatory requirements on diversity and support for tenants with care or support needs. We expect providers to apply these principles across the standards framework for the benefit of all tenants.

1.4 Single Requirements Equalities Statement

We have clearly identified within the required outcomes for housing providers that they must take into account equalities and provide for diversity and tenants with additional support needs. The regulatory framework will clearly set out how we want to see for profit and not for profit registered providers, housing arm of local authorities including arms-length management organisations have regard to equalities and diversity and tenants with additional support needs. We have included our regulatory requirements on diversity and support for tenants with care and support needs in our tenant involvement and empowerment standard.

As part of the co-regulatory settlement we have been looking at how landlords and tenants can agree 'local' standards. In August 2009, entries were invited from landlords across the sector looking for examples of good practice around key standards areas, which would form examples of good practice for developing local standards. As part of this open invitation to the sector, we also specifically invited BME landlords to submit examples of good practice. The key drivers for this activity within the TSA are:

- The need to identify excellent practice and innovation in the sector
- To actively share these better ways of operating with all landlords
- Raise performance standards
- Encourage future innovation

1.5 Consultation, engagement and partnership

We recognise the added value that partnership working and involvement brings to any organisation and we are committed to working in partnership to ensure that we have a good understanding of the equality issues that affect that social housing sector and that through partnership working we are able to ensure that right and effective solutions are applied in resolving these issues.

1.6 The Standards

The six national standards are:

1. *A tenant involvement and empowerment standard*

This standard covers all social landlords and calls for all tenants to be offered opportunities to be involved in the management of their housing. It also covers customer service and choice, complaints, equality and diversity and support needs.

2. *A home Standard*
Again, this standard applies to all landlords. They will be required to ensure that all homes are warm, weatherproof and have modern facilities and to provide an efficient and cost-effective repairs and maintenance service.
3. *A tenancy standard*
This standard covers allocations, rents and tenure and will apply to all providers, except for the requirements on rents, which will not apply to local authorities.
4. *A neighbourhood and community standard*
All landlords will be required to work, with their partner, to tackle anti-social behaviour effectively. The standard also requires them to keep communal areas clean and safe.
5. *A value for money standard*
This standard requires all landlords to manage their resources to provide 'cost-effective, efficient, quality services'. They will need to report to their tenants how they are managing and prioritising their spending.

A governance and viability standard

This standard requires housing associations to ensure they have robust systems in place to ensure they can deliver good services and that they manage their resources effectively.

The TSA stresses the importance of good governance for all providers, but this standard will not apply to local authorities or ALMOs, where the TSA will need to work with the Audit Commission if it has any concerns.

This briefing look is in more detail at the TSA's approach to equality and diversity as set out in the draft standards.

- The TSA has included equality and diversity within the tenant involvement and empowerment standard rather than as a separate equality and diversity standard
- Despite this, the TSA expects housing providers to take equality and diversity into account in their approach to all of the standards.
- The TSA will not be issuing codes of practice on equality and diversity
- The Housing Corporation's Circulars and Good Practice Notes relating to equality and diversity have been withdrawn.
- The TSA has issued its draft single equality scheme which complements some of the equality and diversity elements in the draft standards.

The key wording covering equality and diversity in the tenant involvement and empowerment standard is as follows:

Required outcome

1. Customer service and choice

Registered providers must design and deliver housing services that tenants can access easily. Tenants must be offered choice over the services they receive and be treated with fairness and respect. In relation to all of the standards, registered providers must consider equality issues and the diversity of their tenants, including tenants with additional support needs.

Registered providers must understand their tenants' needs and use this information to:

- Design and deliver housing services
- Communicate with tenants

Specific requirements

1. Customer service and choice

For all the standards, registered providers must consider equality issues and the diversity of their tenants, including tenants with additional support needs and incorporate choices that are designed to meet the diverse needs of their tenants.

The tenancy standard also makes overt reference to equality and diversity. The section on allocations in this standard include the following:

Required outcomes

1 Allocations

Registered providers must let their homes in a fair, transparent and efficient way.

Specific requirements

1 Allocations

- a. Registered providers will develop and deliver allocations processes in a way which supports their effective use by the full range of actual or potential tenants, including those with support needs, who do not speak English as a first language and others who have difficulties with written English.
- b. Registered providers will work to ensure that the specific needs and aspirations of tenants and potential tenants with diverse needs are reflected in the choices available to them. This applies particularly to the development of local lettings policies.

The TSA makes it clear that it expects all housing providers to adhere to its equality and diversity requirements. It also make it clear that it expects equality and diversity to be a clear thread that runs through all of the standards, not just the tenant involvement and empowerment standard.

This approach differs from that adopted by the Audit Commission and by the Housing Corporation in its regulatory code. All of the Audit commission's key lines of enquiry explicitly mention diversity considerations and there is also a separate, cross-cutting, diversity key line of enquiry.

The old regulator, the Housing Corporation, included a separate section on equality and diversity within the governance section of its regulatory code. It then set out its more detailed requirements of housing associations, initially in Good Practice Note 4 which focused very much on racial equality and then in Good Practice Note 8 which covered all of the equality strands. In addition the Housing Corporation issued a circular requiring housing associations to draw up disability and gender equality schemes and action plans.

Now, as part of its decision to scrap a raft of Good Practice Notes, the TSA is rescinding the Housing Corporation's Good Practice Note 8 and the circular on disability and gender equality schemes. It has also made it clear that it will not be issuing a code of practice on equality and diversity in the near future.

Instead it will be left to housing providers to develop their own local standards in consultation with residents, covering their work to promote equality and diversity as part of the wider work on setting local standards due to be completed by April 2011.

Housing providers are now encouraged to base their work on promoting equality and diversity much more on their local circumstances, in consultation with their residents. This should allow them to focus on the needs of older people, disabled people, women or gay or lesbian people, depending on the local circumstances. Good customer profiling will be fundamental to making progress on the TSA requirements, as will mapping communities.

Although the TSA has said it will not be issuing any codes of practice on equality and diversity, it has given a number of indications of its expectations of housing providers in this area. For example, at a recent HQN conference Lisa Pickard, Assistant Director, TSA, made it clear that in terms of equality and diversity the TSA was looking for housing providers to show that they:

- Had a good knowledge of who their customers were and what their needs were
- Were collecting profiling information on all of the diversity strands
- Had evidence that show that they were using this information to tailor services to individual residents and in future planning
- Had evidence of positive outcomes
- Had evidence of improved tenant satisfaction and experience

The TSA's draft single equality scheme provides a few more indications of what the regulator expects of housing providers. It highlights a number of areas where the TSA has already commissioned work or plans to in the near future. Examples include:

- Developing cohesive communities
- Consultation, engagement and working in partnership
- Monitoring and measuring performance
- The importance of carrying out Equality Impact Assessments
- Developing a diverse workforce (in the TSA) with an organisational culture in which equality and diversity can flourish.

The draft single equality scheme also stresses that, as now, all short notice inspections will include diversity as a cross-cutting theme.

There are external regulators which have requirements and standards. They are:

- The Tenant Services Authority
- Audit Commission and the Key Lines of Enquiry (no 31 is the diversity KLOE)
- The Commission for Equality and Human Rights (CEHR)

1.1 The Tenant Services Authority – Currently retaining Housing Corporation Regulatory Framework
The New Social Housing Watchdog

- Tenant groups will be able to alert the regulator to poor service
- New powers include a trigger to change management and ensure tenants receive a good service
- To cover RSL (Registered Providers) tenants and landlords only at first
- Then ALMOs and Trusts
- Aim to bring in Local Authorities within two years or earlier
- Development of the TSA's framework – an open consultation with tenants and landlords based on tenant priorities – will be finished by **spring 2009**
- The progressive implementation of the new framework will be finalised by **autumn 2009**
- The target date for the inclusion of local authorities in the regulatory system is **spring 2010**

New Standards:

- Service offer to tenants
- Tenant empowerment and involvement
- The tenancy agreement
- Governance
- Viability
- Value for Money

1.1.1 Regulatory Code

The code also requires all housing associations to provide good quality services by being responsive to the individual characteristics and circumstances of residents.

The Association is fair in its dealings with people communities and organisations with which it has relationships and takes into account the diverse nature of their cultures and backgrounds.

The Board has adopted an Equalities and Diversity Policy that covers all aspects of equalities which includes eliminating discrimination promoting equality and good relations on grounds of race, colour, religion belief, gender, gender reassignment status, being married or a civil partner, pregnancy or maternity leave, sexual orientation, disability or age.

Specifically in relation to black and minority ethnic (BME) people, the policy incorporates targets associations should set in the following areas:

- i* Lettings: are proportionate to BME Housing need or census data where this information is deficient, in the area where the Association has homes. An association specialising in particular client groups establishes different targets based on ethnicity data available for such groups.
- ii* Tenant satisfaction: is at least as high as for non-BME tenants.
- iii* Dealing effectively with racial harassment: the Association establishes targets for reporting, victim support and satisfaction, and action taken against perpetrators.
- iv Governing body membership: the proportion of BME new appointments and re-appointments to the governing body is the same as under 'Lettings' above.
- v Staffing: new appointments and promotions achieve the same levels of representation, at all levels of the organisation, as under the application of the 'Lettings' criteria.
- vi* Representation in tenants/residents associations: reflects the ethnic mix of the Association's tenants in the relevant area.
- vii Employment performance of suppliers, contractors and consultants: as a criterion for award of work or contracts and a condition of doing business, associations should pass on requirements in respect of staffing, customer

satisfaction and dealing with racial harassment (set out above) to their consultants, contractors and suppliers.

*Areas that comprise statutory housing management guidance.

The Housing Corporation published DES guidance in November 2007. The Housing Corporation guidance states that the 2005 amendments to the Disability Discrimination Act align the legislation with the Race Relations Amendment Act 2001 and place a proactive duty on all public bodies to eliminate disability discrimination through the Disability Equality Duty. They are required to take positive action to promote disability, and many public bodies are required to provide a Disability Equality Scheme (DES).

This puts the emphasis on organisations to proactively demonstrate how they are improving their services to disabled people, rather than reacting to individual complaints or challenges.

Following publication of its own DES and Action Plan in December 2006, the Corporation will expect associations to develop an appropriate DES and Action Plan of their own for publication by December 2007. The Corporation would also encourage associations to develop Disability Equality Schemes to reflect best practice and illustrate how disabled people were involved in setting strategic priorities.

The Housing Corporation details the process stages required in developing the DES in the guidance.

The process for developing a Disability Equality Scheme is straightforward. Five essential elements need to be developed:

- i. A statement of how disabled people have been involved in developing the scheme
- i. An Action Plan
- ii. Information about performance of the Association on Disability Equality
- iii. An assessment of the impact of the housing association on Disability Equality
- iv. A review of the effectiveness of the Action Plan and revising the scheme.

The Housing Corporation included in the revised Good Practice Note 8 (GPN8) published in December 2007 that it requires all housing associations to have a DES and Action Plan in place by December 2007.

This sets out the standards of performance and states that all housing associations must meet the requirements covering the full range of equalities and diversity, and have specific measurable expectations on race equality.

Governing Boards must receive regular reports on all aspects of performance.

It emphasises that RSLs have a duty to demonstrate when carrying all its functions, its commitment to equal opportunities. The Association must work towards eliminating discrimination and demonstrate an equitable approach to the rights and responsibilities of all individuals. The Association must promote good relations between people of different groups. The Association's Diversity Strategy demonstrates this commitment.

The Housing Corporation revised its good practice note 8, published in December 2007 which sets out the expectations in all areas.

1.1.2 Housing Corporation Community Cohesion Strategy – 'Shared Places' – retained currently by TSA

In October 2007, The Housing Corporation published its Community Cohesion Strategy entitled 'Shared Places'. This was in response to the final report of the Commission on Integration and Cohesion published in [July] 2007.

The proposals in the Corporation's strategy set out the role which affordable housing providers can play in six key areas:

- working in partnership – affordable housing providers, local government, the voluntary sector and other stakeholders working together to support integrated and cohesive communities;
- investing in cohesion – The Housing Corporation and affordable housing providers can help to ensure the funding of affordable housing assists the achievement of cohesion and integration;
- shaping neighbourhoods – affordable housing providers and TSA can support the delivery of integrated and mixed communities;
- empowering local people – affordable housing providers can support both local residents and wider community engagement in decision making;
- enabling integration – affordable housing providers can identify and work towards the removal of barriers to integration; and
- myth busting – The Housing Corporation and affordable housing providers can play a role in challenging negative stereotypes and tensions.

The Housing Corporation believes that cohesion and integration initiatives are best achieved through strategic partnerships between grass roots communities, local institutions and the third sector.

The engagement and empowerment of local people through effective partnerships underpins the Corporation's own strategic approach, and represents a cross-cutting theme throughout their strategy statement.

1.2 The Audit Commission

The Audit Commission Housing Inspectorate Key Line of Enquiry, (KLOE) No. 31: Diversity was revised in November 2006 and was effective for Inspections taking place from February 2007.

The KLOE addresses areas of:

- Access and customer care
- Service user involvement
- Partnerships
- Harassment
- Legislation

The KLOE identifies the characteristics of services provided by housing associations which achieve an excellent service in terms of achieving diversity and being able to evidence that diversity is fully integrated into the services provided by the Association.

Gateway has reviewed the Association's approach to diversity. The review has identified gaps. These are included in the Diversity Improvement Plan this ensures that the actions are addressed and changes implemented to ensure Gateway adopts practices which enable Gateway to achieve its corporate objective of providing accessible services to all residents and the community.

1.3 The Equality and Human Rights Commission (EHRC) was established on 1st October 2007.

The EHRC is a single body which replaces:

- Commission for Racial Equality (CRE)
- Disability Rights Commission (DRC)
- Equal Opportunities Commission (EOC)
- Also covering the issues of
 - Sexual orientation,
 - Religion and belief,
 - Age,
 - Gender reassignment

The Commission works to

- Eliminate discrimination
- Reduce inequality
- Protect Human Rights

The Commission incorporates the seven strands of Equality and Human Rights in all its work.

The Commission is responsible for and has a key role in the following:

- Enforce the Law
- Influence the development of Law and Government Policy
- Promote Good Practice
- Campaigns, events and Communications
- Foster better relations
- Develop understanding and evidence.

2. **Statutory Framework**

Equal Pay Act

- Made it unlawful to pay men and women differently for the same or like work or on work rated as equivalent
- An equality clause is placed in a woman's employment contract so that their contractual conditions are no less favourable than those a man who is engaged on like work or on work rated as equivalent

Sex Discrimination Act 1975

- Made it unlawful to discriminate directly or indirectly on grounds of sex or marital status in the provision of employment, goods and services.
- Made it unlawful to victimise a person for being involved in a sex discrimination case.
- The Equal Opportunities Commission (EOC) was set up under the Act with power to issue codes of practice and monitor its implementation.

Race Relations Act 1976

- Made it unlawful to discriminate directly or indirectly on grounds of colour, race, nationality or ethnic or national origin in the provision of employment, goods and services.
- Made it unlawful to victimise a person for being involved in a race discrimination case.
- It set up the Commission for Racial Equality (CRE) whose duties are very similar to the EOC but in relation to race.

Disability Discrimination Act 1995

- Made it unlawful to discriminate against a person on grounds of disability i.e. a person who has a physical or mental impairment, which has a long term and substantial adverse effect on her/his ability to carry out day-to-day activities.
- Introduced a duty of employers to make reasonable adjustments to physical features or other arrangements that would place the disabled person at a substantial disadvantage.

Gateway has a duty under the Disability Discrimination Act 1995 not to discriminate in the provision of goods, facilities, services and employment by treating a person less favourably than another on the grounds of their disability.

Gateway aims to achieve this by consulting with disabled residents and continuing to adopt more flexible policies and procedures to ensure that disabled people can access its services, facilities and employment and

also continue to develop and comply with the standards required through the Disability Equality Scheme.

- From December 2006 The Disability Discrimination Act (DDA) 1995 will be amended to place a duty on all public bodies to promote disability equality. This will affect all public bodies – from local councils to government departments, from universities to hospitals.
- The Disability Equality Duty will require the public sector to actively promote disability equality, and is similar to the duty to promote race equality under the Race Relations (Amendment) Act.

The Disability Equality Duty requires the Association to actively promote services which are available for disabled residents and visitors.

Protection from Harassment Act 1997

- If there is intention, behaviour that has the effect of causing harassment alarm or distress, including within the workplace, is a criminal offence under this act. This became known as the 'Stalking Act'.

The Human Rights Act 1998

- Came into force in 2000. Applies to all public bodies, [but not Registered Social Landlords]
- Will have an equalities impact under several of the articles.
- Article 14 specifically prohibiting discrimination of any kind.

The Sex Discrimination (Gender Reassignment) Regulations 1999 amended the Sex Discrimination Act 1975

- Prohibits direct discrimination in employment on the grounds that a person intends to/is currently/has undergone gender reassignment.

Race Relations Amendment Act 2000

- Made race discrimination unlawful in public authority functions not previously covered in the 1976 Act.
- 'Public authority' has been defined widely for this purpose. This means that law enforcement, whether by the police, local authorities or tax inspectors, are for the first time subject to race discrimination laws.
- Certain public appointments, and the termination and the terms and conditions of public appointments, are also subject for the first time to race discrimination laws, as is the implementation of Government policies and services across the board.
- The Act also places a general duty on public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups.

Age of Consent for Gay Men 2001

- This was lowered to 16
- However there is attached to this the 'abuse of trust' law which criminalises any person who has sexual relations with someone they have a professional responsible relationship with.

Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations 2003

- Outlaw discrimination in employment and vocational training on the grounds of sexual orientation and religion or belief respectively.
- Direct discrimination – treating people less favourably than others on grounds of sexual orientation or religion or belief;
- Indirect discrimination – applying a provision, criterion or practice which disadvantages people of a particular sexual orientation or religion or belief and which is not justified as a proportionate means of achieving a legitimate aim;
- Harassment – unwanted conduct that violates people’s dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment;
- Victimisation – treating people less favourably because of something they have done under or in connection with the Regulations, e.g. made a formal complaint of discrimination or given evidence in a tribunal case.

Extended in 2004, whereby service providers will have a statutory obligation to take reasonable steps to remove physical barriers to disabled people or to provide services by other means.

- Makes it unlawful for a public authority to discriminate against a disabled person when exercising its functions
- Requires public authorities to –
 - Have due regard to the need to eliminate unlawful discrimination against and the harassment of disabled persons
 - Promote equality of opportunity between disabled and other persons
 - Tackle institutional discrimination through a duty to promote disability equality for the public sector.

Civil Partnership Act 2005

- Same sex couples are entitled to the same employment benefits as married employees and same sex couples can make a legal commitment by forming a civil partnership.

The Employment Equality (Age) Regulations 1st October 2006

- A minimum default retirement age of 65 years
- Bans direct and indirect age discrimination in recruitment, promotion and training in the workplace.
- Unfair dismissal and statutory redundancy rights extended to those 65 and over (unless they have reached the employers retirement age of 65 or over).
- Employers duties include:
 - Employers to consider an employee’s request to continue working beyond retirement.
 - Employers to give written notice to employees at least six months in advance of their intended retirement date.

Housing Act 2004 Gypsies and Travellers

- Duty under the Race Relations Act to promote good community relations in regard to accommodation provision for Gypsies and Travellers

- Local authorities are required to include Gypsies and Travellers in the Accommodation Needs Assessment process, and to have a strategy in place which sets out how any identified need will be met, as part of their wider housing strategies.

The Gender Equality Duty

The Equality Act 2006 is an amendment to the Sex Discrimination Act 1975. **The Gender Equality Duty** comes into force in April 2008. All public authorities must demonstrate that they are promoting equality for women and men and that they are eliminating sexual discrimination and harassment. The specific duties, in brief, are:

- **To prepare and publish a gender equality scheme**, showing how it will meet its general and specific duties and setting out its gender equality objectives.
- In formulating its overall objectives, **to consider the need to include objectives to address the causes of any gender pay gap.**
- **To gather and use information** on how the public authorities policies and practices affect gender equality in the workforce and in the delivery of services.
- **To consult stakeholders (i.e. employees, service users and others, including trade unions) and take account of relevant information** in order to determine its gender equality objectives.
- **To assess the impact of its current and proposed policies and practices** on gender equality.
- **To implement the actions set out in its scheme** within three years, unless it is unreasonable or impracticable to do so.
- **To report** against the scheme every year and **review** the scheme at least every three years.

The first scheme must be published by 30th April 2008.

An overview of the Disability Equality duty

From December 2006 landlords, both private and social, will have duties to make reasonable adjustments for disabled people, as will those who control or manage rented property. These new duties are explained further in the Statutory Code of Practice.

The new duties mean that landlords will have to, depending on the circumstances, make the following reasonable adjustments:

- Change practices policies and procedures
- Provide auxiliary aids and services
- Change a term of a letting when requested to by a disabled person (or by someone on their behalf)

The law requires landlords to respond reasonably to the requests of disabled occupiers or would-be tenants.

In order to do this it will be necessary to make arrangements to respond to requests for extra assistance. The Association will provide training for staff so that they know that they should implement rules flexibly where there is a disability issue.

Examples of the types of adjustments which could be made by landlords include:

- Providing tenancy agreements in alternative formats, large print, Braille, audio tape, easy read
- Providing a British Sign Language interpreter during meetings with tenants who use British Sign Language
- Waiving a no pets policy for a disabled person with an assistance dog
- Spending extra time with tenants who have learning difficulties to ensure they understand their tenancy agreement and general rules
- A temporary ramp could be provided for a wheelchair user who has a small step up into their flat

The Children's Act

The Equality Bill – Spring 2010

- Introduce a new public sector duty to consider reducing socio-economic inequalities
- Putting a new Equality Duty on public bodies
- Using procurement to improve equality
- Banning age discrimination outside the workplace
- Strengthening protection from discrimination for disabled people
- Introducing gender pay reports
- Extending the scope to use positive action
- Strengthening powers of Employment Tribunals
- Protecting carers from discrimination
- Pregnancy and maternity explicitly
- Banning discrimination in private clubs

Equality Duties

- Race Equality Duty – 2002
- Disability Equality Duty – 2006
- Gender Equality Duty – 2007
- A new Public Sector Duty to consider reducing Socio-economic inequalities in 2011
- New single Equality Duty 2010/11 to cover all of the above and Age, Sexual Orientation, Religion/Belief, pregnancy and maternity explicitly, and Gender reassignment

Race equality duty

Introducing the first of the Equality Duties, the Race Relations Amendment Act 2000 amended Section 71(1) of the 1976 Race Relations Act to place on specified public bodies a general statutory duty to, in carrying out their functions have due regard to the need to:

- Eliminate unlawful racial discrimination

- Promote equality of opportunity
- Promote good relations between people of different racial groups

Race equality specific duties

The general duty is supported by specific duties, which came into effect in December 2001. Under these duties, we are required to publish a Race Equality Scheme (now within this Single equality Scheme). In relation to the race duty, an equality scheme should explain how we would meet both our general and specific duties to include:

Functions and policies, or proposed policies, which have been assessed as relevant to the performance of the duty and arrangements for:

- Assessing and consulting on the likely impact of proposed policies on the promotion of race equality
- Monitoring policies for any adverse impact on the promotion of race equality
- Publishing the results of such assessments and consultations, and such monitoring
- Ensuring public access to information and services provided
- Training staff in connection with the duties

Race equality employment duty

The second specific duty requires the monitoring of employment procedures and practice. Arrangements must be in place for monitoring, by reference to racial groups, the numbers of:

- Staff in post
- Applicants for employment, training and promotion
- Staff who receive training
- Staff who benefit or suffer detriment from our performance assessment procedures
- Staff involved in grievance procedures

Gender equality duty

The Equality Act 2006 amended the Sex Discrimination Act 1975 to place a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- Eliminate unlawful discrimination and harassment
- Promote equality of opportunity between men and women

This covers employment, vocational training, and goods, facilities and services. The gender equality duty also covers the need to eliminate discrimination and harassment of transsexual people in employment, related fields and vocational training, provision of goods, facilities and services.

Gender specific duties

To assist the general duty, there are also the following specific duties:

- To prepare and publish a gender equality scheme (included within the Single Equality Scheme), showing how we will meet the general and specific duties and setting out our gender equality objectives
- In formulating our overall objectives, to consider the need to include objectives to address the causes of any gender pay gap
- To gather and use information on how our policies and practices affect gender equality in the workforce and in the delivery of services
- To consult stakeholders (i.e. employees, service users and others, including trade unions) and take account of relevant information, in order to determine our gender objectives
- To assess the impact of our current and proposed policies and practices on men and women and gender equality
- To implement the actions set out in our scheme within three years, unless it is unreasonable or impracticable to do so
- Staff who are the subject of disciplinary procedures
- Staff who cease employment

Disability equality duty

The disability equality duty is the general duty that when carrying out our functions, public authorities have due regard to the need to:

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons

Disability specific duties

There are specific duties, which we must meet in order to meet the general duty. The specific duties mean we need to:

- Produce a disability equality scheme setting out how we propose to meet the general duty (included within this Single Equalities Scheme)
- Carry out impact assessments of relevant policies and functions
- Collect and study evidence and identify actions and address gaps in achieving
- Disability equality, in relation to the recruitment, retention and development of disabled employees, and the extent to which our services and functions meet the needs of disabled people
- Prioritise actions
- Involve disabled people in our equality scheme and the review of policies and impact assessments
- Set an example to others

- Train our staff on disability equality issues and our Equality Scheme
- Work with others to deliver disability equality