



Policy Title: Equality & Diversity Policy

Policy Manual Section: Governance

Date Approved by Management Committee: 26 June 2014

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SOMALI Warbixintaan waxaa, haddii la dalbado lagu heli karaa luuqaddo kale, daabacaad weyn, Farta ay dadka indhaha la' akhriyaan (Braille) iyo qaab cajaladdo maqal ah. Haddii aad doonayso inaad warbixintan ku hesho mid ka mid ah qaababkaas, fadlan kala xidhiidh Kooxda Xeerarka ee Cadder HA telefoonka 0141 945 3282 / enquiry@cadderhousing.co.uk.

Farsi یادداشت حروف با چاپ شکل به دی گز، هلی زبان به ت واندیدی می را مطالب این آهتماس صورتی در. نمایید درخواست صوتی نوار روی برو (نابینایان برای) بریل حروف حاصل دفت بالطفاً هس تید فوق هلی شکل از یک کی به مطالب این دریافت به مایل Cadder HA 0141 945 3282 / enquiry@cadderhousing.co.uk تلفن شماره. آید

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1. Introduction

- 1.1 Cadder Housing Association (Association) is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. There will be a consistent approach in promoting equality and diversity across all areas within the Association and through our recruitment and employment of staff, contractual arrangements with contractors and service providers, and our partnerships with consultants and others.
- 1.2 This policy covers discrimination by and towards members of staff, Committee members, members of the public, elected members, contractors, consultants and anyone working on or behalf of the Association. The Association opposes all forms of unlawful discrimination and will take a zero tolerance approach and take appropriate action against any individual or organisation displaying such behaviour.
- 1.3 This document outlines the Association's Equality and Diversity policy. It updates the previous "Equal Opportunities Policy and Action Plan" which was approved by the Management Committee in April 2008.
- 1.4 The policy is supported by an Action Plan which sets out what the Association will do on a day-to-day basis to help ensure that the policy's objectives are achieved and that we are proactive in our work in equality and diversity. The Action Plan will be developed throughout 2014-15 in consultation with staff and Committee members as well as being considered by tenants and residents on the Association's Customer Services Working Group.
- 1.5 To display our commitment to equality of opportunity we will undertake the following to promote this to all stakeholders:
 - a) Place a notice in the reception, in the interview rooms and web-site publicising the policy's existence and that it is available in a variety of formats.
 - b) Feature the new policy in the Autumn 2014 newsletter and explain the main elements of the Action Plan in a newsletter ahead of 2015-16 and on our website www.cadderha.co.uk
 - c) Continue to ensure that staff and Committee receive appropriate training in the area of equality and diversity. This will include induction training for new staff and Committee members.
 - d) Write to all contractors and consultants on the key aspects of the policy.

- e) Summary leaflet on the policy, which will be made available in our reception, applications for housing and sign-up packs for new tenants.

2. Legal, Regulatory and Good Practice Framework

2.1 This Policy on Equality and Diversity takes account of legal, regulatory and best practice requirements, including (but not limited to):

- a) The Equality Act 2010
- b) Human Rights Act 1998
- c) The Housing (Scotland) Act 2010
- d) Section 9 of Raising Standards in Housing
- e) The Scottish Social Housing Charter Outcome Number 1
- f) Section 5.3 of the Regulatory Standards of Governance and Financial Management
- g) [“Getting the Balance Right”](#)¹

The Equality Act 2010 consolidates much of the previous equalities-related legislation into one single Act. It therefore replaces, for example, the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995.

2.2 The Scottish Government published the Scottish Social Housing Charter in March 2012 and it came into effect on 2 April 2012. The Government’s commitment to ensuring that RSLs behave in a way that promotes equality and diversity and seeks to eliminate discrimination is characterised by the fact that Outcome Number 1 addresses Equalities, it states:

“Social landlords 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”.

2.3 At the same time as the Charter, the Scottish Housing Regulator introduced the Regulatory Standards for Governance and Financial Management. Section 5 requires RSLs to “conduct their affairs with honesty and integrity and, within this, RS5.3 requires RSLs to pay “due regard to the need to eliminate discrimination, advance equality and foster good relations across the range of protected characteristics in all areas of its work, including its governance arrangements”.

2.4 The Charter and Regulatory Standards essentially combine to replace Performance Standards for RSLs.

¹ Published by the Scottish Federation of Housing Associations in November 2011.

The Equality Act 2010

- 2.5 The Equality Act 2010 is the main piece of legislation relating to equalities. It was passed by the Westminster Government and therefore applies throughout the UK. It has two main aims: the first is to harmonise previous pieces of anti-discrimination legislation and the second is to strengthen and extend the law in a number of respects.
- 2.6 The National Housing Federation highlights the undernoted areas as the main ones in the Act likely to be relevant to RSLs as:
- protected characteristics (see section 3.2)
 - the definitions of unlawful discrimination
 - the disability related aspects
 - the provision of goods, facilities and services
 - positive action and the genuine occupational requirements
 - employment related matters and pay reviews
 - the duties to advance equality
 - tackling socio-economic inequalities
 - procurement

3. Types of discrimination and Other Equality Definitions and Positive Action

- 3.1 The Equality Act 2010 (Act) outlines types of discrimination, as well as positive action that organisations can take in certain circumstances.
- 3.2 The Act contains seven types of discrimination, and these are discussed in sections 3.3a to g. We have also added an eighth category, institutionalised discrimination, for the purposes of this policy and this is outlined in section 3.3h.
- 3.3 Discrimination
- a) Direct Discrimination

This is less favourable treatment of an individual or group less favourably than others, and this treatment is because of a protected characteristic. An example of this would be to refuse to employ somebody because they had an impairment, which had no relevance to their ability to carry out the job they had applied for.

b) Associated Discrimination

This is direct discrimination against someone because they are associated with another person who possesses a protected characteristic. For example, a non-disabled person is discriminated against because they need to take care of disabled dependent.

c) Discrimination by Perception

This is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to. For example, a person is not shortlisted for a job on the basis that the recruiter assumes the applicant does not have the correct visa to work in the UK as they have a foreign looking name on their application form.

d) Indirect Discrimination

This is when an apparently neutral requirement or condition impacts adversely or has a disproportionate effect on a particular equality group. An example of this could be holding meetings at times which are inconvenient for people with child care responsibilities and not providing crèche facilities.

e) Harassment

This occurs when a person engages in unwanted conduct which is related to a protected characteristic, and which has the purpose or the effect of (i) violating the dignity of another person or (ii) creating for that person an intimidating, hostile, degrading, humiliating or offensive environment. An example might be displaying a topless calendar on a wall where this makes the workplace an offensive place to work for any employee.

f) Harassment by a Third Party

As an employer, the Association is potentially liable for the harassment of their staff or customers by people they do not themselves employ, for example a contractor or consultant.

g) Victimisation

This occurs when someone faces discrimination because she or he has made an allegation of unlawful discrimination or because of assisting or

supporting a complainant. An example might be refusing to consider someone for a promotion because they gave evidence on behalf of a colleague who made a complaint of unlawful race discrimination.

h) Institutionalised Discrimination

This was first defined in the context of racism and exemplified in the Macpherson report on the inquiry into the death of Stephen Lawrence as “the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviours which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.”

The Association extends the above to cover all actions where these are related to a protected characteristic.

3.4 Positive Action

The Act outlines two types of positive action which, in certain circumstances, are permissible:

- General
- Recruitment and Promotion

a) General

If the Association believes that persons who share a protected characteristic suffer a disadvantage or have different needs because of that characteristic, then action may be taken to help overcome the disadvantage or address the needs. The Act points out that any action should be proportionate.

b) Recruitment & Promotion

An example could be addressing imbalances in the workforce or Committee by ‘positive discrimination’ and encouraging persons of under represented groups to apply for jobs or positions on the Association’s Management Committee or other groups. Positive action may be applicable in setting equality targets aimed at encouraging people from a particular group or groups to apply for a vacancy in but no quotas will be set.

The Association will periodically assess the demographic profile and ethnic backgrounds of our staff, Committee and our Shareholders to review the level of representation with our tenants and other customers in our work. We will then take positive action to ensure recruitment seeks to address any imbalances.

3.5 Other Equality Definitions and Considerations

a) **Equality**

Is making sure people are treated fairly and given fair chances.

Equality is not about treating everyone in the same way, but recognises that their needs are met in different ways. Equality focuses on those areas covered by the law, and described as the Protected Characteristics of race, sex, disability, age, gender reassignment, marriage & civil partnership, pregnancy & maternity, religion or belief and sexual orientation

b) **Diversity**

Is about valuing individual differences. The Association is committed to valuing and managing people's differences to enable all employees to contribute and realise their full potential. The Association recognises that people with different backgrounds, skills, attitudes and experiences can bring fresh ideas and perceptions that will benefit the Association, Cadder and its people.

c) **Protected Characteristics**

The grounds on which discrimination claims can be made:
Age, Disability, Gender Reassignment, Marriage, and Civil Partnership,
Pregnancy & Maternity, Race, Religion or Belief, Sex, and Sexual Orientation.

d) **Failure to make Reasonable Adjustments**

Where arrangements disadvantage an individual because of a disability and reasonable adjustments are not made to overcome the disadvantage.

4.0 **Policy Statement, General Principles and Protected Characteristics**

4.1 The policy has two main aims:

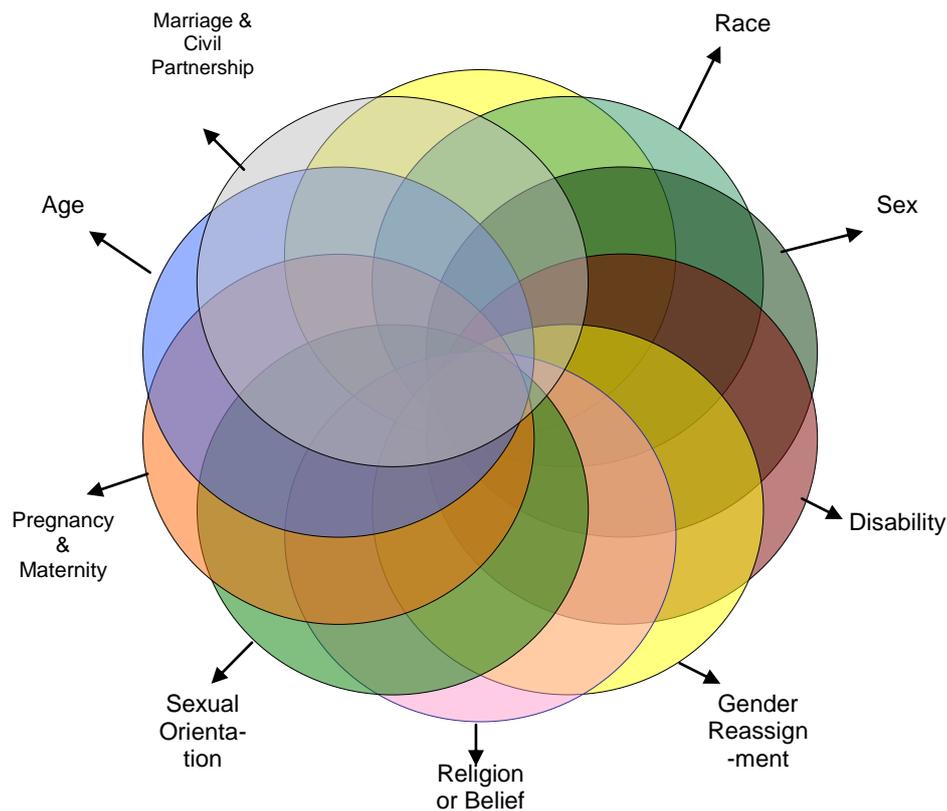
- to ensure that no person, group of persons or organisation who deal with the Association in any way or who requires a service, assistance or advice from the Association, or who is employed by (or serves) in any capacity by the Association (This includes Committee members, contractors, consultants, agents and anyone attending in a voluntary capacity for work experience), is treated less favourably than any other person, group of persons or organisation – put more simply, anyone who has any contact with the Association.

- To promote the policy so that anyone dealing with the Association in any capacity is made aware that the Association has a policy and that there is a zero tolerance of any act which contravenes the policy/policy principles in any way

4.2 The Association will seek to promote and to achieve equality of treatment and opportunity for all groups in society without discrimination or prejudice on any grounds. The Act introduces the term “protected characteristics” to describe groups against whom any sort of discrimination is unlawful. Section 4 of the Act specifies nine protected characteristics:

- a) Age
- b) Disability
- c) Marriage and civil partnership
- d) Pregnancy and maternity
- e) Race
- f) Religion or belief
- g) Gender (referred to as “sex” in the Act)
- h) Gender reassignment
- i) Sexual orientation

In addition, the Act recognises that unlawful discrimination can occur because of a combination of protected characteristics and so people will be able to make a claim because they are for example both female and disabled or black and gay. The diagram on the following page was used by Employers in Voluntary (EVH) in their October 2010 model Equality and Diversity policy and shows how protected characteristics can overlap.



4.3 The Association is keen to emphasise, however, that it will not tolerate any unfair treatment or discrimination on any grounds. In addition to the above, therefore, our zero tolerance will be broadened (but not confined) to the following:

- National origin
- Cultural background
- Ethnic origin
- Tenure
- Issues related to literacy or numeracy
- Employment status
- Domestic circumstances

Each of the above is equally important, and we will take all reasonable steps to ensure that no discrimination, whether deliberate or inadvertent, occurs.

4.4 Policy Principles

The Equality and Diversity Policy aims to:

- a) Ensure integration with equality and diversity practices into all the Association's work and activities, and ensure that employees are treated with fairness and respect from each other and from members of the public, committee members, and contractors.
- b) Require the Association to implement fair and just employment practices ensuring that no job applicant or employee will receive less favourable treatment on any grounds.
- c) Ensure people are recruited to the Association's staff team, Management Committee and other groups solely on the basis of their own merit, experience, ability and potential.
- d) Provide an environment appropriate to the needs of those from all walks of life, and offer a culture that respects and values each others differences and promotes dignity, equality and diversity.

4.5 To help achieve the main Policy aims and principles, the Association has devised the following six statements, which will form the basis of the separate Action Plan. The Action Plan is listed at Appendix 3.

- a) ensure that no one is discriminated against on the basis of any of the nine protected or seven other characteristics as noted in sections 4.5 and 3.3 of this policy, respectively;
- b) ensure equality of opportunity and treatment for all people in relation to the provision of housing and non-housing services;
- c) actively assist disadvantaged minority groups within the local community to benefit from its housing and community services;
- d) ensure equality of opportunity and treatment for all people in relation to the employment of staff;
- e) ensure that all Committee and staff are aware of the Association's commitment to, and obligations in relation to, equality and diversity; and
- f) be mindful of its equalities commitments in relation both to the procurement of contractors/consultants and to the composition and operation of the Management Committee

5. Equality Impact Assessments

Context

- 5.1 As equality and diversity issues are fundamental to how the Association works and thinks, the Management Committee has decided to carry out a programme of Equality Impact Assessments (EqIA) on its policy documents. It would be impractical to do all of these at once and so our approach will be to carry out the impact assessments as policies are being reviewed. The EqIAs allow the Association to take proactive steps to identify and remove potential discrimination or, in some cases, the relevant action will be to adapt a policy or practice to better advance equality. It is important to recognise that providing the same service in the same way to everyone can sometimes create a disadvantage.
- 5.2 The Equality and Human Rights Commission in Scotland states that a policy or practice which proactively considers equality, particularly using relevant evidence and consultation or involvement, is likely to be a better quality policy in terms of it being more responsive to the needs of those affected. It further recognises that EqIA helps mainstream equality considerations into policy and decision-making. The Association has promoted the mainstreaming of equalities in its equality policies for a number of years.

Policies Subject to Equality Impact Assessment

- 5.3 The Association has applied a screening process to determine which policies should be subject to impact assessment. This is not an exact science and some judgement therefore needs to be used, but the approach is to ask the undernoted questions to every policy. Where the answer to any one question is “yes”, then an impact assessment will normally be carried out.
- a) Does the policy affect service users, employees or the wider community, and therefore potentially have a significant effect in terms of equality? The relevance of a policy will depend not only on the number of those affected, but also the significance of the effect on them.
 - b) Is it a major policy, significantly affecting how functions are delivered in terms of equality?
 - c) Does it relate to policy areas or issues that previous consultation or involvement activities have identified as being important to particular protected groups?
 - d) Does it relate to an area where the Association has identified a need to improve equality outcomes?
 - e) Does it relate to an area where there are known inequalities?
 - f) Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?

- 5.4 It is expected that EqlAs will be applied to all of our service delivery and Human Resources policies as a minimum.

Format of the Impact Assessment

- 5.5 All policies subject to an impact assessment will have an individual assessment template completed and this will normally be as outlined in Appendix 1 of the policy document. The format is outlined in the remainder of this section.

Aims of the policy

- 5.6 The following questions will be asked and the responses noted in a table:

- What is the purpose of the policy?
- Target audience(s) – who is affected by the policy or who is intended to benefit from the policy, and how?
- Who is responsible for delivering the policy?
- How does the policy fit into our wider or related policy objectives?

Target Audience(s)

- 5.7 What does the information we have tell us about how this policy might impact positively or negatively on the different groups within the target audience? The outcomes in the policy are to be available to all tenants and other customers regardless of factors such as (but not limited to) their age, disability, gender, marital status, sexual orientation, race, religion or belief, marriage or civil partnership, or pregnancy/maternity. Each target audience should be identified² and the following should be addressed:

- Comment on what the information we have tells us about how the policy in question might impact positively or negatively on the different groups within the target audience(s).
- Identify whether the policy provides an opportunity to promote equality and diversity or good relations by altering the policy or working with others.
- State whether a further impact assessment is required to be carried out and state the timeframe for this.
- Highlight any follow up action not already programmed and state the

² The target audiences will often, but not necessarily, be all of the protected characteristics groups.

timeframe for this.

Follow-up Action

- 5.8 Where there is a need for follow-up action, the tasks and timeframe for achieving them need to be noted in this section. Tasks therefore need to be incorporated into the Equality and Diversity Action Plan to ensure that they are addressed.

Impact Assessment on Equality and Diversity Policy

- 5.9 The impact assessment for this policy is contained at Appendix 1.

6. Risk Assessment

- 6.1 The Association recognises the potential risks should we fail to adhere to the Equality and Diversity Policy and/or the accompanying Action Plan. It is not only the Association's credibility that would be compromised, but that of the Management Committee should there be a major deviation from policy, and possibly even the sector as a whole. In order to combat this, Section 12 of this policy outlines the method of investigation that would be adopted should any allegation of a breach be made.
- 6.2 The Association's Risk Management Policy has a framework of sectional risk maps with the main risks evolving to form the Corporate Risk Register. The Association will consider risks in the implementation of our policy and action plan for inclusion in the sectional risk maps, thereafter depending on the scale of their 'likelihood' and 'severity' they may escalate to the Corporate Risk Register.

7. Communication in Alternative Formats

- 7.1 One of the ways in which people can be indirectly discriminated against is by information sometimes being inaccessible. For example, a visually-impaired resident may not be able to read the allocations policy in the print size usually available. Similarly, someone whose first language is not English may not be able to communicate effectively with staff. This type of indirect discrimination is all the more important to address as it can often be inadvertent and there is perhaps more scope for it to occur.
- 7.2 To help combat this, the Association will provide information to customers in any special formats as required. Special formats may include:

- Large print
- Audio tape or CD
- Translations into community languages
- Use of language or sign interpreters
- Braille

Please note that it is impractical to have all possible formats available immediately. Our commitment therefore relates to the ability and willingness to produce documents in the formats required (or an interpreter if requested) within a period of 5 working days or reasonably practicable. All costs in relation to this will be borne by the Association.

- 7.3 The Association has previously consulted with the Cadder Community Council on the font size and their preference was for 12 point Arial to be used in all letters, policies and information produced by the Association. The Association is also aware that this is the preferred font size of the Royal National Institute for the Blind. There will obviously be occasions where our tenants or other customers require information with larger font and this will be available on request. As part of the Equality and Diversity Action Plan, we will discuss how we can identify more customers who would benefit from receiving all communications from us in large font (there are a few tenants and other customers who have requested or indicated through resident consultation surveys that they would like information in a larger font size).
- 7.4 To ensure that this strategy is effective, the availability of documents in other formats will be publicised on our website and on the notice board within the interview rooms.

8. Publicising the Equality and Diversity Policy

- 8.1 It is absolutely critical that the policy is publicised to our stakeholders to ensure it is successfully implemented. The level of interest in the policy will vary from one person to another depending on a whole range of factors. To help respond to this, we will publicise the policy widely, including on the website, in the newsletter and in the reception area.
- 8.2 All employees, applicants for employment and contractors will be notified of the existence of the policy and will be asked to familiarise themselves with it within a reasonable period e.g. 5 working days from the date of receipt. Staff training will take place within three months of the policy being approved and staff will be encouraged to raise any queries they have relating to the policy to their sectional manager in the first instance.
- 8.3 Copies of the policy will automatically be provided for successful job applicants within their induction and included in our new Staff Handbook, also

contractors being used by the Association will have details of the policy included within in tender documentation.

- 8.4 Committee members will continue to receive on-going equality and diversity training and will be involved in approving the final document. All members will be encouraged to keep up to date with development in the area of good practice in equality and diversity.
- 8.5 Anyone wishing to inspect the Equality and Human Rights Commission's (EHRC) Code of Practice on Racial Equality in Housing can view this in the Association's office or download a copy from the Association's website, www.cadderha.co.uk or [direct from the EHRC](#).

9. Target Setting

- 9.1 Whilst embracing the principles of equality and diversity is something that the Association takes very seriously, it is nonetheless important that there is a system in place to demonstrate that we actually achieve our objectives (or, perhaps more importantly, to highlight areas where we do not). In other words, we must ensure that this policy statement is not used merely to pay lip service to equality and diversity.
- 9.2 The Association will develop a set of targets against which our performance can be quantified – we are not able at present to set targets for all protected characteristics groups (please see section 9.7). What is crucial, however, is that we set a range of targets that are realistic and achievable for the Association.
- 9.3 It is proposed that we incorporate targets in the following areas within the Internal Management Plan and evaluate the position every twelve months, with figures being compared annually through the Annual Report on the Charter.
- 9.4 The Association will conduct a full assessment of demographic profile and ethnic origin of our staff, Management Committee, Shareholders, tenants, owner-occupiers and applicants for housing in 2014-15. This will inform our Action Plan to ensure at each level or participation of status we strive to be representative. At present we are aware that we need to:
- a) Encourage owner-occupiers to join the Management Committee;
 - b) Increase the number of Management Committee members of 16-40 years of age; and
 - c) Increase recording of equality and diversity for owner-occupiers.

- 9.5 The Association will assess external sources of data e.g. Census and our records to monitor levels of representation and achievement with our Equality and Diversity targets
- 9.6 The Committee will present an annual report to the Management Committee on equality and diversity at its May meeting. This will be produced by the Director and will be based on the outturn figures to the end of the financial year.
- 9.7 The Association will report on its performance against the Action Plan every 6 months to the Audit & Performance Sub-Committee, which will include highlighting areas where targets have not been met. We will report our performance in our Annual Report and on our web-site.

Areas Not Currently Subject to Target Setting

- 9.8 As noted in the opening section, the Association actively promotes equality of opportunity and treatment for all groups in society. In the main, the Association will be able to gather information to help it assess the degree to which the policies and procedures across all areas of the business inherently contain an equal opportunities approach.
- 9.9 We have not asked questions relating to 'sexuality' as part of our standard equalities monitoring questionnaires. It has become a regulatory expectation and a good practice requirement that RSLs at least attempt to gather information in relation to all protected characteristics groups, and the Association will amend its equalities questionnaires accordingly. Over time we will obtain statistics relating to the sexuality of our tenants and other customers. Once we have sufficient information, we will discuss whether we can set meaningful targets in these areas. This will be considered in the review of targets in 2016 for 2016/17.

10. Identifying Problems and Taking Remedial Action

- 10.1 The Association will undertake a comprehensive review of the Equality and Diversity Action Plan on an annual basis. We will report progress against the Action Plan to the Audit and Performance Sub-Committee every 6 months, at which time we will consider any remedial action that requires to be taken to attend to any area of or non compliance or achievement.
- 10.2 It is not possible to be prescriptive about how the Association should identify problems and take appropriate action in this policy statement as there are too many potential outcomes, all different from each other. The general process to be followed by staff is: -

- a) Advise the Audit & Performance Sub-Committee of the underachievement;
 - b) Outline action already taken to achieve the objective;
 - c) Make suggestions for further action, in consultation with other organisations or agencies who may have solved similar problems; and
 - d) Agree refinements to the Equality and Diversity Action Plan and implement these to ensure a positive outcome.
- 10.3 The Association will make every effort to ensure that equality and diversity targets are met.
- 10.4 The Association is a third party reporting facility for Hate crime, where crime or anti-social behaviour is motivated by prejudice based on Race, Religion, Sexual Orientation, Disability and Transgender identity.

11. Implementation of the Policy

- 11.1 Ultimate responsibility for ensuring that the Association conforms to the principles outlined in this policy and strives to achieve the targets set lies with the Management Committee. The Director is responsible for the policy's day to day implementation.
- 11.2 The Association will ensure that all new employees and Management Committee members will receive induction on this policy. The policy will be widely promoted and integrated into all policies and procedures within the Association. Copies of the policy will also be freely available and displayed in the Association's office.
- 11.3 Training and refresher awareness sessions on equality and diversity will be a standard feature of individual and organisational training plans through the appraisal process.
- 11.4 This policy applies to everyone in the Association and all stakeholders have a responsibility to be alert to discriminatory behaviours and practices should they occur. Unacceptable behaviour and practices must not occur, however if a situation arises, it will be dealt with immediately. The Association's approach to breaches of the Equality and Diversity policy is outlined in section 12 of this policy.
- 11.5 The Director has responsibility for ensuring that Committee is kept adequately informed of progress and alerted to any areas of underachievement. It will therefore be the Director's responsibility to ensure the quality and completeness of information and recommendations being presented to the Committee.

- 11.6 The roles and responsibilities of the Management Committee and the Staff team are listed in appendix 2 to this policy

12. Breaches of the Equality and Diversity Policy

- 12.1 The Association has a policy of zero tolerance as far as discriminatory practices and breaches of equal opportunities are concerned.
- 12.2 Any allegations against a member of staff will be investigated thoroughly by the Association's Director. If the allegation is made against a Committee member the Director will report the matter to the Management Committee for them to decide how it will be investigated. Likewise if the allegation relates to or involves the Director the Chairperson would present details to the Management Committee. The Management Committee will normally establish a Panel of members to oversee the investigation, thereafter they will report the findings to the Committee. The Management Committee may request that the Director, Auditor, Solicitor or another appointed consultant undertake the investigation.
- 12.3 Before the investigation begins, the Association will seek advice from Employers in Voluntary Housing or its Employment Lawyers, Harper MacLeod.
- 12.4 The member(s) of staff/Committee member(s) should be advised of the allegations and informed of what action the Association is planning to take by way of investigation. The staff/ Committee member(s) should be advised of their right to be accompanied as outlined in the Terms and Conditions of Employment or Code of Conduct, respectively.
- 12.5 A breach of the Equality and Diversity Policy will be regarded as misconduct and may lead to disciplinary action through the Terms and Conditions of Employment for employees and the Code of Conduct for Committee members. In these situations it could lead to dismissal from the Association.
- 12.5 The Association's will follow the disciplinary procedures as outlined in the Terms and Conditions of Employment or Breach of the Code of Conduct for staff and Committee members, respectively.
- 12.6 In the event that our tenants or other customer displays unacceptable behaviour towards staff, Committee members or consultants, the Association will consider initiating appropriate action e.g. taking action against the tenancy; reporting the matter to Police Scotland; or reviewing communication arrangements with the Association. The Association would investigate these matters in keeping with its Unacceptable Actions Policy.

- 12.7 In breaches of this policy by consultants, contractors or service providers the Association will consider the level of breach and any recurrence to inform its decision on whether to terminate the contract.
- 12.8 In situations where a Committee or Senior Staff member is alleged to have breached this policy, this would constitute a notifiable event as outlined by the Scottish Housing Regulator. The notifiable event would be reported to the Regulator by the Director or Chairperson of the Association, depending on persons alleged to have breached the policy.

13 Policy Review

- 13.1 As a strategic document, the Association's Equality and Diversity Policy will be reviewed every three years. The next review will therefore take place in June 2017 or earlier to take account of:
- Legislative, regulatory and good practice requirements;
 - Association performance; or
 - the views of tenants or other customer, staff and our members of the Management Committee.
- 13.2 As an operational document, the Equality and Diversity Action Plan will be reviewed by the Management Committee annually.