



Name of Policy	Equality & Human Rights Policy
Responsible Officer	Director
Date Approved by the Management Committee	2nd March 2022
Policy Re-written and Approved Date	26th August 2025
Date of Next Review	August 2028

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It is also available in other languages. If you need information in any of these
formats please contact us on 0141 952 4676.**

Equality and Human Rights Policy

1. Introduction

- 1.1 This document outlines the Association's Equality and Human Rights Policy. It replaces the previous 'Equal Opportunities Policy' and was first approved in March 2022; it was reviewed in consultation with our resident's panel in August 2025.
- 1.2 This Policy is supported by an Equality & Human Rights Action Plan (see Appendix 1) 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 the Association can be proactive in its work in equality and human rights. Progress against the action plan is monitored by the Association's Audit & Risk Sub-Committee on a six monthly basis.
- 1.3 We also have legal and regulatory obligations to ensure that we promote equality and human rights in all aspects of our work and this policy addresses the legal and regulatory requirements that the Association must meet.
- 1.4 The Association is committed to ensuring our Committee Members, staff, tenants and residents in our communities are treated fairly and do not face any form of prejudice, direct or indirect discrimination, victimization, harassment or social exclusion due to any of the following protected characteristics (identified in the Equality Act 2010) age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex or sexual orientation.
- 1.5 The policy applies to all of the Association's services and activities, including:
 - Membership
 - Services to tenants and other service
 - Resident participation and consultation
 - Community regeneration
 - Employment
 - Contracts with external companies and organisations
- 1.6 To help us ensure that those wishing to use our services, which includes the general public, tenants, contractors as well as our employees etc., are clear about our commitment to equality of opportunity, the Association will:

- Place a notice in the reception area and on the website publicising the policy's existence
- Feature the new policy in one of our newsletters
- Continue to ensure staff and Committee receive appropriate training in the area of equality and human rights
- Inform all of our contractors and consultants about the key aspects of this policy.

2. The Moral, Legal, Regulatory and Good Practice

- 2.1 Trafalgar Housing Association believes that providing equality of opportunity for its staff, Management Committee members, tenants and other stakeholders is fundamental to the Association's values. It is not just a legal or regulatory requirement, put simply, equality of opportunity is morally the right thing to do. This belief is a key driver behind this Policy and its supporting Equality & Human Rights Action Plan.
- 2.2 This policy takes account of legal, regulatory and good practice requirements, including (but not limited to):

The Equality Act 2010
 The Housing (Scotland) Act 2010
 The Scottish Social Housing Charter (including Outcome 1: Equalities)
 Regulation of Social Housing in Scotland
 Getting the Balance Right (published by the Scottish Federation of Housing Associations in 2011)
 The Equality and Human Rights Commission "Human Rights at Home" guidance for social housing providers
 Data (Use & Access) Act 2025

2.2.1 The Equality Act 2010

The Equality Act is the main piece of UK legislation covering equalities and sets a UK wide legal framework for addressing issues of inequality experienced by various groups within society and protecting the rights of individuals.

The 'Act' consolidated previous major pieces of legislation e.g. the Sex Discrimination Act 1975, the Race Relations Act 1976, The Disability Discrimination Act 1995 into one single Act.

The 'Act' centres on two key elements which are:

- (i) The identification of nine protected characteristics
- (ii) The identification of unlawful behavior prohibited under the Act.

The nine characteristics are

- Age

- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex (Gender)
- Sexual Orientation

Unlawful Behaviour:

There are elements of unlawful behavior which should be avoided as both an employer and a provider of services; these are:

- (a) Direct Discrimination – This is treating someone less favourably than others based on a protected characteristic e.g. refusing to employ someone because they had an impairment which had no impact on their ability to carry out the job they had applied for.
- (b) Associated Discrimination – Discrimination against a person because they have an association with someone with a particular characteristic, e.g. someone not appointed despite being the best candidate, due to having to care for a disabled partner or dependent
- (c) Perceptive Discrimination – Discrimination against a person because the discriminator thinks the person possesses that characteristic e.g. someone is overlooked for a promotion simply because they look younger and therefore not considered to have sufficient maturity for a senior role or two people of the same sex sharing a house suffering homophobic abuse even though they are straight.
- (d) Indirect Discrimination – A policy, practice, procedure, provision or criteria that applies to everyone, but might disadvantage a particular protected group and cannot be objectively justified e.g. not allocating properties to people under a certain age, because it is believed as a group, they generally act in an anti-social way.
- (e) Harassment – Conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive working environment. The intention of the perpetrator is irrelevant, it is the impact on the individual which determines if harassment has taken place. The Association must also be aware of their responsibility with respect to '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 employ themselves directly e.g. a contractor or consultant and should act accordingly if this happens.
- (f) Victimisation – Treating someone less favourably and discriminating against them because they have pursued or intend to pursue their rights relating to alleged discrimination, complained about the behavior of someone harassing them or given evidence in someone else's discrimination complaint.
- (g) 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 disadvantages minority ethnic people”.

2.2.2 The Human Rights Act 1998

The Human Rights Act 1998 incorporates the rights set out in the European Convention on Human Rights into domestic British Law and came into force in the UK in October 2000. The Act contains 16 articles which cover a range of rights with a basic aim to ensure that everyone should be treated fairly, with dignity and respect.

In 2011, the Equality and Human Rights commission produced “Human Rights at Home” guidance for social housing. This guidance recommends that social housing providers pay particular attention to articles 6, 8 and 14 of the 1998 Act when providing services, developing policies and procedures etc.

This policy will cover each of these three articles in turn:

(a) Article 6: Right to a Fair Trial:

Everyone has the right to a fair hearing (trial) means people should be given the opportunity to participate effectively in any hearing of their case and to present their case in conditions which do not place them at a substantial disadvantage when compared with the other party in the case for example a person who is subject to a decision-making process in relation to a possible eviction should have access to an interpreter, if necessary. Staff should also ensure that any important decisions i.e. allocations, evictions, etc. should be given with reasons.

(b) Article 8: Right to Respect for Private Life, Family Life and the Home

Everyone has the right to respect for their private life and family life, their home and correspondence. It is important to emphasise that the right to respect for a person's home is not a right to be given any extra priority to be housed by Trafalgar Housing Association but is a person's right to access and live in their home without intrusion or interference. For the Association this has various implications including:

- Personal information about customers should be kept private and confidential.
- The right to respect for family life includes the right for a family to live together.
- Taking positive steps to prevent other seriously undermining a person's home or private life, for example, through anti-social behavior.

(c) Article 14: Prohibition of Discrimination:

This means that everyone must have equal access to the Association's services, regardless of their race, religion, gender, sexual orientation, disability, or any

other personal characteristic. For example, a gay couple must be treated in the same way as a heterosexual couple in relation to the right to succeed to a tenancy.

A difference in treatment can only be justified if there is good reason for the treatment and if it is proportionate in the light of that reason. For example, if the Association provides specially adapted housing to people with a medical condition that needs these particular facilities.

2.2.3 The Housing (Scotland) Act 2010 & Scottish Social Housing Charter

The Housing (Scotland) Act 2010 states:

“Social Landlords, when performing housing services, must act in a manner which encourages equal opportunities and in particular the observance of the law for the time being relating to equal opportunities”. This means the Association is legally obliged to comply with the Equality Act 2010.

The Housing (Scotland) Act 2010 also established the Scottish Social Housing Charter, which set out the Scottish Government’s and Scottish Housing Regulator’s (SHR) expectations for Scotland’s Registered Social Landlords (RSLs).

The Scottish Social Housing Charter’s Equalities Outcome sets out the Scottish Government’s expectations 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”.

2.2.4 To ensure compliance with the Human Rights Act, our Equalities & Human Rights Action Plan will consider, but not limited to the following:

- (a) Protected characteristics
- (b) Definitions of unlawful discrimination
- (c) Disability related issues
- (d) Provision of goods, facilities and services
- (e) Positive action and the genuine occupational requirements
- (f) Employment related matters and pay reviews
- (g) Duties to advance equality
- (h) Tackling socio-economic inequalities
- (i) Procurement

3. Policy Statement, General Principles and Protected Characteristics

3.1 This Policy has two main aims:

3.1.1 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 Management 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 sort of contact with the Association.

3.1.2 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 or the policy principles in any way.

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

- a. National origin.
- b. Cultural background.
- c. Ethnic origin.
- d. Tenure.
- e. Issues related to literacy or numeracy.
- f. Employment status.
- g. Domestic circumstances.

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

3.3 To help achieve the main aims as outlined in section 3.1 above, the Association has developed the following statements, which will form the basis of our Equalities & Human Rights Action Plan (See Appendix 1).

3.3.1 Raise awareness of the Association's equal opportunities commitment.

3.3.2 To develop an Equality Impact Assessment tool.

3.3.3 Actively assist equality groups within the local community to benefit from its housing services.

3.3.4 Ensure equality of opportunity and treatment for all people in relation to the employment of staff.

3.3.5 Ensure that all staff and Management Committee members are aware of the Association's commitment to, and obligations in relation to, equality and human rights.

3.3.6 Be mindful of its equality's commitments in relation to the procurement of contractors/consultants.

3.3.7 Consider the 9 characteristics when reviewing requests for adaptations to

properties.

- 3.3.8 Have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to day service delivery.

- 3.4 The Action Plan will be reviewed annually by the Management Committee, with 6-monthly progress reports being presented to the Management Committee.

4. Positive Action

- 4.1 The Equality Act 2010 outlines two types of positive action which, in certain circumstances, are permissible:

4.1.1 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.

4.1.2 Recruitment and Promotion

An example could be addressing imbalances in the workforce by encouraging members of underrepresented groups to apply for jobs. Positive action may be applicable in setting equality targets aimed at encouraging people from a particular group or groups to apply for a vacancy, but no quotas will be set.

5. Equality Impact Assessment

- 5.1 An Equality Impact Assessment (EIA) tool has been prepared to ensure EIAs are carried out when introducing new or reviewing existing policies. In line with good practice the completed EIA will be published alongside the policy to which it relates.
- 5.2 The steps involved in developing this tool, including timescales, are outlined in the Association's Equality and Human Rights Action Plan.
- 5.3 The EIA will be accompanied by guidance for staff on how to use the tool, and any staff member using the tool for the first time will receive training and be supported by their Team Leader.
- 5.4 Where there is a need for follow-up action, the tasks and timeframe for achieving them shall be noted in the Equality and Human Rights Action Plan to ensure they are addressed.

6. Risk Management

- 6.1 In all key areas of our business we need to consider any risks which may arise. We have a Risk Management Policy and we have identified our strategic risks which are regularly monitored by our Senior Staff Team, Internal Auditors and Audit and Risk Sub Committee on a quarterly basis.
- 6.2 In order to mitigate the risks associated with Equalities and Human Rights' it is essential to have policy that is compliant with all legislative requirements and regulatory and best practice guidance.
- 6.3 Trafalgar recognises the potential risks should we fail to adhere to the Equality and Human Rights Policy; Section 11 outlines how any potential breaches will be dealt with.

7. Communications 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 customer 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.
- 7.2 To help deal with this, the Association will provide information to customers in different formats as requested. Different formats may include:
- Large print.
 - USB stick.
 - Translations into community languages.
 - Use of language or sign interpreters/other preferred methods for those hard of hearing.
 - Braille.

We note that it is not practical to have all possible formats available immediately upon request. 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 ten working days. All reasonable costs in relation to this will be borne by the Association.

- 7.3 During the development of this Policy, we have considered RNIB guidance which advises the minimum font size should be 12 point. This will be the minimum font size for our publications; however publications can be made available in larger font sizes upon request.

8. Publicising Our Equality and Human Rights Policy

- 8.1 We will publicise this Policy in the following ways:
 - 8.1.1 We will consult directly with the members of our Residents Panel.
 - 8.1.2 We will provide a consultation platform for our customers and service users via our website and quarterly newsletters.
- 8.2 All employees, and contractors will be notified of the existence of our Policy and will be asked to familiarise themselves with it within 5 working days of the Policy being approved by the Management Committee (or within five working days of returning to work for anyone who has been absent when the policy is reviewed by the Management Committee).
- 8.3 Copies of the Policy will automatically be provided for successful job applicants within their Induction pack and to contractors and suppliers as part of their appointment process.

9. Monitoring and Evaluation

- 9.1 We monitor applicants for jobs and current employees against all protected characteristics and will review our practices in accordance with the results of the monitoring exercise where possible.
- 9.2 All information provided by job applicants and current employees for monitoring purposes will be used for these purposes only and will be dealt with in line with the Data Protection Act 2018 and all associated General Data Protection Regulations.
- 9.3 We will also, in order to comply with the Equalities Act 2010, ask tenants and residents to complete an equalities survey, which will be done only on an anonymous basis and is only used to report at the highest level.
- 9.4 Tenants and housing applicants are asked to advise us of their needs and if we are made aware of any specific requirements we can tailor our services accordingly.
- 9.5 To ensure compliance with GDPR regulations (DPA 2018) we have no lawful basis to know the protected characteristics of tenants other than health and ethnicity; if we want to collect data in order to help us to improve our services then we will carry out specific surveys on an annual basis provided that tenants' consent is given.

Information on how this is used is outlined in our privacy notice, which can be found on our website.

10. Equalities Training

10.1 We will ensure that our staff and Committee Members undertake Equalities and Diversity Training. This can be delivered in a variety of ways:

- Share on line training modules
- In-house training
- External delivery

10.2 Training can be delivered on a group or individual basis and refresher training should be undertaken every 2 years or sooner should there be a change in legal or regulatory requirements.

10.3 All new staff members and Committee Members will require to undertake Equalities training.

11. Breaches of the Policy

11.1 Trafalgar has a policy of zero tolerance as far as discriminatory practices and breaches of equal opportunities are concerned.

11.2 Allegations of breaches against a staff member will be investigated by the Director. If the allegation is made against the Director, the investigation will be conducted by the Chairperson and an appropriate member of the staff team (not directly involved). Complaints against a Committee Member will be dealt with in accordance with the Committee Code of Conduct. Before the investigation begins, the Association will seek advice from our Solicitor, HR Consultant or Employers in Voluntary Housing.

11.3 Any breach by a staff member or Committee member would be a Notifiable Event to SHR.

11.4 Complaints made against tenants will be dealt with by Housing Management staff and depending on the seriousness of the matter, may be reported to Police Scotland.

11.5 Complaints against our contractors or consultants will be dealt with in accordance with their contract conditions by the appropriate Manager or the Director; and make a decision on whether or not to terminate the contract.

12. Policy Review

- 12.1 The Equality and Human Rights Policy will be reviewed every three years by the Management Committee. The next review will therefore take place in August 2028, or earlier if required.
- 12.2 As an operational document, the Equality and Human Rights Action Plan will be reviewed by the Management Committee annually.

13. Data Protection

- 13.1 We will treat personal data in line with our obligations under the current data protection regulations and our Data Protection Policy. Information regarding how data will be used and the basis for processing data is provided in our Employee, Customer, Shareholder and Management Committee Member Fair Processing Notices.

EQUALITIES ACTION PLAN

Overall Objective

Adopt a clear corporate vision and commitment for equality and diversity

Action/Task

Produce an equality and diversity policy that is understood by all staff and committee. Ensure that staff and committee receive relevant equalities training and Promote our commitment to equalities and diversity to our customers. Raise awareness of equalities and publicise information on all available platforms.

Target Date August 2025

Persons Responsible

Director/CSO

Governance

Objective 1

Meet Scottish Housing Regulator performance standard 2.1

Work in partnership with agencies.

Action/Task

Management Committee to adopt the Equality and Diversity Policy

Target Date August 2025

The policy should monitor arrangements on: allocations, tenant satisfaction, racial harassment, governing body membership, staffing and recruitment. Where appropriate, Trafalgar will work with other agencies to promote equalities within Dalmuir Clydebank and West Dunbartonshire area.

Target Date April 2026

Persons Responsible

Director/Senior Staff

Objective 2

To ensure that the management committee is as representative as possible

Action/Task

Monitor committee representation

Try to encourage under- represented groups to join committee

Promote Committee Membership and the benefits of share membership on website, in newsletters and at every opportunity when engaging with tenants.

Increase opportunities for attendance at Committee meetings by assisting Committee members with IT equipment or transport/childcare expenses for in person meetings.

Target Date April 2026

Persons responsible

Director/CSO

Objective 3

Committee commitment to Equality and Diversity objectives

Action/Task

Establish a programme of training for all committee members

Regular reports to committee on Equality and Diversity performance

Target Date December 2025 and ongoing

Persons Responsible

Director/CSO

Resident:

Objective 1

Ensure that opportunities to work with under-represented groups are maximised

Action/Task

Encourage residents of all ethnic groups to participate in committee and become share members

Engage with residents with special needs and ensure they have access to our information

Target Date April 2026

Persons responsible

Director/CSO/HM

Objective 2

Ensure all residents have access to our information

Action/Task

Introduce a service to provide information in various formats and languages, including audio and Braille

Offer transport for residents to enable attendance at meetings such as AGM/residents panel.

Record information on SDM to allow us to positively target residents with special needs

Provide an induction loop at reception and at meetings

Target Date April 2026

Persons Responsible

Director/CSO/HM

Objective 3

Maximise opportunities for residents to comment on services

Action/Task

Use a variety of methods to engage with tenants to provide feedback on our services including questionnaires; telephone surveys and text messaging service. Ensure that any written surveys/questionnaires are tailored to residents' needs (where we are aware of this) e.g. in large print or other formats.

Ensure that our complaints reporting procedures are accessible to all.

Target Date December 2025

Persons Responsible

Director/CSO/HM

Housing

Objective 1

Housing allocations are dealt with in accordance with our equalities principles

Action/Task

All applications for housing will include an Equal Opportunities Monitoring form, and applicants will be encouraged to complete this. This information will be collated and used for statistical and reporting purposes

We will maintain an up to date database of all our adapted stock

The Association's Allocation Policy will allow discretion to be exercised to ensure an allocation or referral can be expedited in cases of racial harassment or other serious harassment cases

We will ensure our complaints policy is accessible and easy to use

Any allegations of racial abuse or harassment will be dealt with as an emergency, both in terms of anti-social behaviour, and removing any graffiti

Target Date April 2026

Persons responsible

HM

Objective 2

Adaptations

Action/task

The association will adapt properties where funding is available, to enable tenants with disabilities to continue living in their home

Target Date August 2025 and ongoing

Persons responsible

PSM

Repairs and Maintenance Service

Objective 1

A repairs service is available to tenants 24 hours a day and information on the service will be made available in various formats on request.

Action/Task

Induction loop available at reception

Target Date August 2025

Persons Responsible

Director/PSM/CSO

Objective 2

All contractors employed will require to present an Equalities Policy or adopt Trafalgar's Policy

Target Date August 2025

Persons Responsible

PSM