

EQUALITY AND DIVERSITY

This Good Practice Note is one in a series produced by the Housing Corporation. Each is linked to one or more of the fundamental obligations set out in our Regulatory Code and helps clarify our expectations of how associations will achieve compliance.

INTRODUCTION

The Corporation expects housing associations to cater for the particular needs of all their residents and employees. The Regulatory Code states that:

Housing associations must demonstrate when carrying out all their functions, their commitment to equal opportunities. They must work towards the elimination of discrimination and demonstrate an equitable approach to the rights and responsibilities of all individuals. They must promote good relations between people of different racial groups. (2.7)

The Code also expects associations to provide good quality services “by being responsive to the individual characteristics and circumstances of residents”. (3.5.4)

Good Practice Note 4, *Race equality and diversity*, sets out our expectations on race equality and the targets which associations must set and meet in relation to these, within the specified timetable. This Good Practice Note covers the wider equality and diversity agenda.

Although we set no specific targets on these broader issues, we nonetheless expect associations to set their own, based on a needs analysis and on the principle that all residents have the right to the same high standards of provision and services.

In the interests of their residents and of the larger community, associations also need to work in partnership with other service providers to ensure that the full range of support and services are available to those that need them.

Associations should have an equalities and diversity policy that covers all aspects of equalities and includes race, religion, gender, marital status, sexual orientation, disability or age. (Regulatory guidance 2.7b)

WHY ARE EQUALITIES AND DIVERSITY POLICIES IMPORTANT FOR HOUSING ASSOCIATIONS?

Achieving the highest standards in equality and diversity is important because:

- there is an existing body of legislation to tackle unfair discrimination. This helps define the framework in which associations work. Further significant amendments and additions to current legislation are planned and associations need to keep abreast of these changes (various websites, listed at the end of this GPN, provide up-to-date information);
- the public policy agenda recognises the importance of recognising diversity and promoting equality;
- associations have a moral responsibility to work towards a just and tolerant society;
- it makes good business sense. GPN 4 sets out the reasons why achieving the best possible performance on race equality and



diversity is good for an association's business. Briefly these are that:

- understanding the customer is at the heart of delivering good quality services;
- taking account of diversity is crucial in developing new products and services to meet future needs;
- taking account of customers' needs and aspirations helps ensure existing products and services are kept relevant so that demand continues;
- good performance on equality and diversity helps win new business with local partners;
- it helps recruit the best staff;
- it helps deliver good leadership by ensuring that senior management and governing bodies understand and reflect the diversity of the area they work in;
- it helps build and protect the association's reputation.

All these arguments apply just as much to the wider diversity agenda.

WHO SHOULD THE POLICY APPLY TO AND WHAT SHOULD IT COVER?

An association's equalities and diversity policy should apply to everyone it serves and to everyone who works for it. It should recognise the particular needs of different groups and individuals and ensure that these are met, recognising that not all members of a particular group will share the same aspirations.

A commitment to the policy is essential for all who are involved in the association's work. The board is ultimately responsible and needs to provide the leadership that will ensure that the policy is successful.

The policy needs to cover all aspects of the association's work, ensuring that equality and diversity issues are integral elements of everything that it does. It needs to link to the business plan and to feed into all aspects of continuous improvement. It is also integral to

asset management strategies. These need to take account of housing design, size and adaptations to ensure that the association's stock is suitable for current needs and can respond to changes in people's physical and personal circumstances.

The policy should cover:

- service delivery;
- lettings;
- access to information and advice;
- tenant participation;
- tenant satisfaction;
- dealing with incidents;
- procurement;
- governance;
- staffing and employment.

This list is not exhaustive.

HOW DO YOU DO IT?

The policy or strategy is just the start. What matters is delivery and outcomes. This section outlines the essential processes that associations will need to go through on a cyclical basis and the matters they will need to address.

1. NEEDS ANALYSIS

A good way to begin is for the association to identify the full range of its activities in all its roles — as an employer, as a landlord, as a provider of services, as a purchaser of goods and services, as a member of local and regional partnerships and so on. It will need to consider what it needs to do to demonstrate its commitment to equality and diversity in each of these.

In particular associations need to have an understanding of the diversity of needs and aspirations of the communities they serve. This is not only to identify what specialist accommodation they need to provide, but to ensure that as far as possible their mainstream housing can cater for the range of people who want to live in it, including vulnerable people.



In carrying out their needs analysis associations will need to address a number of questions including the following:

- Are our consultation methods fully inclusive? Do they take account of residents with for example mobility issues, sensory disabilities, special literacy or language needs or other conditions or circumstances that might limit access to some standard consultation procedures? Do they also take account of safety issues, timing, religious or other sensitivities that might make it difficult for some people, say, to attend a meeting at a particular time or place?
- Do we make use of a range of other up-to-date data that we hold, making regular analyses of, for example, applications for services, waiting lists etc?
- To what extent do we tap into sources of data collected by other organisations, working in partnership with them to ensure our plans complement and support other local initiatives?
- How are we going to use this analysis and how does it impact on our business planning?
- Have we considered these and other issues in relation to what we need to do in our roles as employer, partner, purchaser etc?

2. PLANNING

Having carried out the analysis the association will need to take action to meet the needs identified, producing a plan which sets out the targets to be met and a timetable for achieving them.

They will need to consider:

- whether further consultation with residents will help ensure that the plan better reflects their concerns and meets their aspirations;
- whether they have identified all the resources, both human and financial, needed to implement the changes identified and to achieve the targets including those which might be needed to ensure compliance with

- the Disability Discrimination Act;
- how equality and diversity issues are taken into account in relation to all policies and procedures;
- how the plan covers all the association's roles — as employer, contractor and landlord.

3. IMPLEMENTATION

Senior management and the board are responsible for making sure that legal and other obligations are met. But all staff will need guidance and training to make sure they are fully aware of their responsibilities and have the necessary skills to carry them out.

This note does not attempt to provide comprehensive guidance on all aspects of implementation, but lists some key areas which need to be tackled:

- **service delivery** — how do you ensure all tenants get equally good quality services and that all staff are aware of their obligations?
- **access to information and services** — this should cover not just physical access, but also ensuring vulnerable and marginalised groups have access to the full range of information. Access to information needs to take account of the needs of speakers of other languages, different literacy levels and degrees of sensory deprivation as well as ensuring that vulnerable and marginalised communities are in the loop. Training will be needed for front line staff to ensure they are sensitive to differing needs.
- **tenant participation** — do the range of involvement and consultation techniques used ensure that all residents have the opportunity to participate as they would like?
- **dealing with incidents** — how do you tackle different incidents, including all kinds of harassment? Is there a strategy, policy and procedures in place to deal with these?



- **procurement** — associations can use their purchasing power to ensure that contractors used have their own equality and diversity policy and training, and that people who provide services in people's homes are sensitive to different cultural needs.
- **governance** — the governing body is in the lead, and should not only be aware of the diverse needs of the community the association serves, but should itself reflect some of that diversity. Additional support may be needed to ensure that some more vulnerable members are empowered to make their voices heard.

4. MONITORING

Before an association begins to implement its policy it will need systems in place to monitor its progress against targets. It will need to ensure that measures are taken if targets are not being met, and that continuous improvement is being achieved.

It is for each association to devise its own monitoring plan, but essential elements will include:

- assessments of tenant satisfaction with what is being done, making sure that methods of doing so take into account the access needs of all;
- regular reports to the board who have overall responsibility for ensuring that the policy works;
- a system to analyse outcomes and poor performance, to ensure actions to rectify this are built into the next cycle.

Other publications and websites giving further guidance and examples of good practice on all aspects of delivering a successful equalities and diversity policy are listed at the end of this GPN.

HOW WILL WE REGULATE PERFORMANCE?

The Corporation's publication *Our Regulatory Engagement* (GPN 6) sets out the regulatory activities through which our regulation staff seek to satisfy ourselves that associations are achieving the required regulatory outcomes as defined in the Code. Although a full Equality and Diversity Review is a discretionary activity, equality and diversity issues will be taken into account in some of the mandatory activities, such as the meeting with the board, as well as in a range of other reviews such as risk, governance, procurement and approaches to continuous improvement. These issues will also be considered when carrying out the review of the association's self assessment compliance statement (SACS).

Our lead regulators will also follow up progress on the implementation of recommendations made after an Inspection or an Equality and Diversity Review.

The association's regulatory plan will set out the level of planned activity on this issue.

The Corporation regards good performance on equality and diversity issues as key to good performance across an association's activities, not an add-on extra. By October 2004 each association's Housing Corporation Assessment (HCA) will include a specific comment on its compliance with GPN4 *Race equality and diversity*.

EQUALITY AND DIVERSITY REVIEWS

In *Our Regulatory Engagement* we set out the circumstances in which we may decide to go beyond our mandatory activities and undertake more targeted reviews of particular aspects of an association's work. Planning of these activities is generally risk based, and so an Equalities and Diversity Review is likely where an association:

- shows signs of significant under-performance against this part of the Code, or evidence that it risks so doing;



- is failing to address and/or achieve continuous improvement in this area.

However, some of our risk assessment is via sector analysis and equalities and diversity is one of the areas where we might carry out a number of reviews across a geographical area in order to:

- develop an understanding of performance;
- identify good practice.

Some reviews may concentrate on performance in relation to race, and in particular on progress in achieving the targets set out in the Code. Others will look at performance on equality and diversity more broadly.

RASA TEAMS — THEIR APPROACH

Small associations too should seek to develop the highest standards of performance in relation to equalities and diversity. The Regulatory Code applies to all associations, no matter how small. But for associations with fewer than 250 homes we have developed Regulatory Arrangements for Small Associations (RASA), which is a proportionate approach taking into account their particular circumstances. Our RASA teams' regulatory engagement with small associations is usually reactive in nature. We will not normally conduct specific Equality and Diversity Reviews unless there is evidence that an association is seriously under-performing against this part of the Code, for example when a complaint has been made on this issue and there are sufficient grounds to warrant further investigation.

INSPECTION — NOW CARRIED OUT BY INSPECTION TEAMS AT THE AUDIT COMMISSION

The Audit Commission's single housing inspectorate is now responsible for the inspection of housing associations. However, we work closely with them and will follow up any recommendations that they make. The Inspectors' role is to examine aspects of equalities and diversity as experienced by the customer and to assess the way in which services are delivered.

WHAT OTHER SOURCES OF INFORMATION ARE THERE?

Publications — this is a small selection of the large number of publications available. Housing Corporation publications can be found on its website: www.housingcorp.gov.uk Most of those relating to equality and diversity are grouped in the Bank of Good Practice at 2.7 in the Governance section.

Housing Corporation (June 2003) *Inspection Uncovered: Equality and Diversity* Looks at key findings from Housing Corporation Inspections. Explains what the Inspectors look for and gives examples of some of the good practice that they found.

Chartered Institute of Housing (June 2003) *Good Practice Briefing Issue 26: Equality and Diversity* A useful paper which includes an outline of the main legislation, some brief guidance, a number of good practice examples and a comprehensive list of references.

Housing Corporation and RNIB (2000) *Overcoming disability discrimination: a guide for registered social landlords* Includes many practical measures that associations can take to overcome barriers.

Housing Corporation (2002) *Housing for Older People* Sets out the Corporation's policy.

Housing Corporation (February 2002) *The biG Picture: Older people* A summary of a number of projects on housing older people and lessons learned.

Housing Corporation (September 2002) *The biG Picture: Disability and Housing* Summaries of 15 projects concerned with housing residents with physical or sensory impairment.

Housing Corporation (November 2002) *Race equality and diversity (GPN 4)* Sets out the Corporation's expectations and the targets which associations must set and meet under the Code.



National Housing Federation (September 2001)
Race equality. A framework for review and action

A practical guide to carrying out a review of the association's policies and practices in relation to racial diversity. But the principles could be adapted to assist associations that wished to carry out a wider diversity review.

The Housing Corporation, the CIOH and the NHF have each produced its own internal equality and diversity policy document. The Housing Corporation and CIOH documents can be viewed on their respective websites (CIOH at www.cih.org). The NHF's policy can be obtained direct from them.

Websites — again, a selection. Many of them will refer you to other related websites as well as referring to other useful resources.

Disability Rights Commission www.drc-gb.org

Gives details of the Disability Discrimination Act and other relevant legislation and includes a useful guide for service providers of their new duties under the DDA. Contains sections both on employment and on buildings and services.

DTI Employment Relations www.dti.gov.uk/er

Provides details of equality and diversity legislation in relation to employment and of EU

directives, including those dealing with sexual orientation and religious belief. Also has pages relating to age discrimination in employment.

DTI Women and Equality Unit

www.womenandequalityunit.gov.uk

A very useful site, covering more than just gender issues and with links to a number of other relevant equality and diversity sites. Section on gay and lesbian issues.

Equal Opportunities Commission www.eoc.org.uk

Concerned mostly with sex discrimination; the website contains expert advice, practical guidance and legal information.

Commission for Racial Equality www.cre.gov.uk

The site includes details of all race relations legislation as well as a comprehensive Code Of Practice for rented housing.

Race Action Net www.raceactionnet.co.uk

A subscriber site with practical advice and a sharing of expertise and experience in tackling racial harassment. Free access possible for small housing associations and residents' groups.

Refugee Council www.refugeecouncil.org.uk

For those dealing with refugees and asylum seekers.