



Scottish Housing
Regulator

Equalities Statement **2015 – 2018**

September 2015

About us

We are the independent Regulator of just under 200 social landlords – around 160 Registered Social Landlords (RSLs) and 32 local authorities. We are led by a Board of non-executive members and directly accountable to the Scottish Parliament.

Our one objective is **to safeguard and promote the interests of**

- nearly 600,000 **tenants** who live in homes provided by social landlords
- around 90,000 **owners** who receive services from social landlords
- around 40,000 **people and their families** who may be homeless and seek help from local authorities
- over 500 **Gypsy / Traveller** families who use 29 official sites provided by social landlords.

Our role is to gather, monitor, assess and report on social landlords' performance of housing activities and RSLs' financial well-being and standards of governance, and to intervene where appropriate to achieve our objective. We also keep a public register of social landlords.

You can see more on how we regulate social landlords in our published Regulatory Framework, available on our website at: www.scottishhousingregulator.gov.uk.

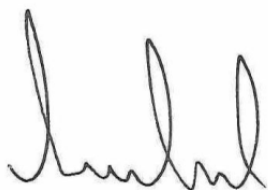


HAPPY TO TRANSLATE

Equalities Statement 2015-18

Our Commitment

We are committed to meeting our equality duties and performing our functions in a way which encourages equal opportunities. As a regulator, we will promote the importance of equality. We expect social landlords to comply with equality legislation, to work to understand the individual needs of their customers, and to deliver services that recognise and meet these needs. As a public body, we are committed to promoting an equal opportunities culture within our organisation

A handwritten signature in black ink, appearing to read 'Michael Cameron', written in a cursive style.

Michael Cameron
Chief Executive

1 Introduction

This document sets out how we will act to meet the equalities requirements of the Housing (Scotland) Act 2010 and the general public sector duties of the Equalities Act 2010. It replaces our previous Equalities Statement (2013-15). The statement covers our equalities duties as both a regulator and an employer, outlines progress on our 2013-15 outcomes and sets new objectives and success measures to March 2018.

2 Our duties

We are subject to an equality duty under the Housing (Scotland) Act 2010, which requires us to perform our functions in a way which encourages equal opportunities and in particular the observance of the requirements of the law relating to equal opportunities.

We are also subject to duties under the Equality Act 2010. This Act introduces a public sector equality duty. This duty replaces previous public sector equality duties covering race, disability and gender.

This duty requires us, as a public authority, in exercise of our functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010;
- advance equality of opportunity between people who share a relevant characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics listed in the Equality Act 2010 are:

- age
- disability
- gender
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sexual orientation.

In May 2012 the Scottish Parliament approved Regulations setting out specific duties that apply to listed public authorities in Scotland. We are not a listed body, and so the specific duties do not apply to us. Nevertheless, we aim to act in the spirit of the specific duties in a way that is relevant and proportionate to our role, status and activities. One direct way in which we do that is by publishing this statement, setting out what we expect from the bodies we regulate, how we promote equality in our regulatory role and as a public body, and describing the equality objectives we seek to achieve.

3 How we promote equalities as a regulator

Our current Regulatory Framework and Equalities Statement for 2013-15 set out our initial commitment to mainstreaming equalities and diversity and working in a way which meets our statutory obligations under the Housing (Scotland) Act 2010 and the Equality Act 2010.

Throughout 2013-15 we have further developed our approach to considering the equalities impacts of our organisational and regulatory policy and decision-making. We have also consulted on a number of proposed changes to our Regulatory Guidance. As part of the formal consultation work, we screened for any equalities impacts and found no evidence of any potential impact. The regulatory consultation and the development of our organisational approach to equalities also provided the opportunity to consider our expectations of landlords in delivering their equalities obligations. These developments are now reflected here in our refreshed Equalities Statement for 2015-18.

We regulate to safeguard and promote the interests of tenants and other service users. These are diverse groups with different needs and priorities. We expect social landlords to meet the requirements of the relevant equalities legislation¹. This includes working to understand the individual needs of their customers and to deliver services that recognise and meet these needs. We further expect social landlords to tell us if and how they have considered equalities impacts in decisions that require our consent, and the outcome of that consideration. In order for us to meet our statutory duty, in some circumstances we may ask landlords to provide further information and evidence of this.

We promote, monitor and assess equal opportunities across Scottish social landlords in a number of ways, including through annual returns on the Scottish Social Housing Charter. We would encourage social landlords to make use of available guidance and practical support materials on complying with equalities legislation and to seek advice where appropriate.

Through our regulatory role we promote equality across social landlords by:

1. using our inquiry powers;
2. gathering equality information through annual returns on the Scottish Government's Social Housing Charter²;
3. conducting thematic inquiries on equalities where appropriate;
4. highlighting and sharing good and poor practice where we see it; and
5. providing accessible and comparable information about each landlord's performance to help tenants hold them to account.

We have set Regulatory Standards of Governance and Financial Management for RSLs. One Standard is that RSLs conduct their affairs with honesty and integrity. Our guidance for this Standard requires RSLs to pay due regard to eliminate discrimination, advance equality and foster good relations across the range of protected characteristics. We expect all RSLs to meet our Standards, and we also require each prospective new RSLs to demonstrate it can meet our Standards.

¹ Scottish social landlords are covered by aspects of the Equality Act 2010, the Housing (Scotland) Act 2010 and in some cases the Human Rights Act 1998. Guidance for social landlords on how equalities legislation applies to them is available from CIH, SFHA and the Equalities and Human Rights Commission.

² The Charter sets out the Scottish Government's expectations on the standards and outcomes social landlords should achieve. One outcome focuses on equality.

4 How we promote equalities as a public body

Our Corporate Plan 2015-18 reaffirms our commitment to equality. Alongside our expectations of the bodies we regulate, it commits us to meeting the requirements of equalities legislation and promoting an equal opportunities culture within our organisation.

Our status and organisational model – particularly in employment terms – have a significant influence on how we promote equality around staffing issues. We are a Non-Ministerial Department. Our staff are civil servants. We draw exclusively on Scottish Government HR service and adopt its policies, including around recruitment. The Scottish Government has in place a range of progressive employment practices. Organisationally, we are aligned very closely with Scottish Government HR practices³.

Our role – regulating other bodies' services rather than directly delivering services – also has a significant influence in how we promote equality. Unlike many public bodies, we do not have a direct 'service user' relationship in the conventional sense. Our interface with the people on whose behalf we operate – people who use the services of the bodies we regulate – is different, and less direct than the service provider / user relationship common to most public bodies.

Over the last 2 years, we have developed a structured approach to considering the equalities impacts of our policies. We have also provided further detail on our expectations of landlords with regard to equalities, and how we will consider the equalities impacts of our regulatory engagement with individual landlords.

Our proportionate approach to regulation is reflected in our equalities considerations. We recognise that it is the act of working through an appropriate process that is important, along with recording evidence and decision-making, which will develop our knowledge and understanding of equalities issues. This will help to ensure that we deliver effective and inclusive policies and practice and that we comply with legislation by demonstrating due regard.

We will continue to gather equalities information on tenants and landlord governing bodies through returns on the Charter and to scrutinise these as part of our thematic inquiries and regulatory engagement. We will also continue to explore the views, priorities and experiences of tenants and service users through our National Panel, with the aim of enhancing our understanding of equalities impacts across the social housing sector.

To date we have published consultation responses and research reports which add to the wider Scottish equalities evidence base, particularly relating to the social housing sector. For example, the EQIA of our Regulatory Framework considered the potential equalities barriers faced by social housing tenants in Scotland. More recent research with our National Panel of Tenants and Service Users explores the management of sites and services for Gypsy/Travellers and the openness and accessibility of landlord services for those with disabilities, from ethnic minority groups and who don't have English as a first language. We will report on these in more detail as individual thematic inquiries throughout 2015. We are committed to publishing results of any formal Equalities Impact Assessments we undertake and to publish relevant equalities findings from our research and analysis.

³ For more information on Scottish Government Equalities Policy see here:
<http://www.gov.scot/Publications/2015/04/7781>

5 Progress on our 2013-15 outcomes

In reviewing our progress since 2013, we have also refreshed our equalities outcomes looking forward to 2018. We set out a range of measures to enable us to demonstrate what we achieved over the period of the first Equalities Statement. We have reported on our progress each year in our annual report⁴, and will continue to do so across 2015-18.

Our initial outcomes were set out as follows:

1. We understand the perspective of people with protected characteristics who use social landlords' services and our regulatory policies reflect this.
2. We safeguard the interests of tenants and other service users with protected characteristics.
3. We are accessible, and we engage with tenants, service users and other stakeholders in a way that meets their needs.
4. We encourage diversity and promote equality as an employer, and our staff are knowledgeable on equality issues and how they impact on our work.

In reviewing our progress against these initial outcomes, we recognise that delivering a considered approach to equalities impacts is about continuous improvement. To reflect this, we have reworked our 'outcomes' into objectives for the period to March 2018. These will help us to plan our activities and measure our success.

⁴ Our annual reports are available on our website: <https://www.scottishhousingregulator.gov.uk/>
Equalities Statement 2015-18

6 Objectives, achievement and future success measures

Objectives	Achievements 2013-15	Success Measures for 2015-18
<p>1. We will seek to understand the perspective of people with protected characteristics who use social landlords' services. Our regulatory policy will reflect this learning.</p>	<p>We have developed an Equalities Impact Assessment (EQIA) Toolkit for staff. This allows us to implement our equality duties and to consistently consider the needs of people with protected characteristics in new regulatory or organisational policy proposals.</p> <p>As part of our recent formal consultation on changes to our Regulatory Guidance, we sought and considered a wide range of views. Our proposals were screened for equalities impacts and we provided further detail on our expectations of landlords in relation to their compliance with equalities legislation.</p> <p>We have undertaken surveys and discussion groups with members of our National Panel of Tenants and Service Users who have protected characteristics. Our Panel includes members with disabilities, from minority ethnic backgrounds and from a broad age range. We have reflected their feedback in the development and review of our regulatory policies.</p> <p>We have provided training for our staff on our new EQIA toolkit and internal Equalities Guidance. We have also established an Equalities Working Group to help embed good practice and knowledge exchange across the organisation.</p>	<p>We will publish the results of any EQIAs we undertake in the course of our policy development and review (including any equalities actions arising from consultations).</p> <p>We will monitor how we engage with individual landlords on any equalities issues that arise through our regulatory activities. We will use this to enhance our understanding of the regulatory environment and how this interacts with equalities issues.</p> <p>We will continue to engage with our National Panel to gather their views and experiences of social housing in Scotland. We plan to include research with more vulnerable tenants and service users, e.g. those using homeless services, young tenants and tenants with disabilities.</p> <p>Through our Equalities Working Group we will continue to support staff in considering the equalities impacts of our policies and regulatory engagements.</p>

Objectives	Achievement 2013-15	Success Measures for 2015-18
<p>2. We will work to safeguard the interests of tenants and other service users with protected characteristics.</p>	<p>Our aim is to act swiftly where our regulatory engagement has identified any issues of discrimination or other issues contrary to the interests of people with protected characteristics in the bodies we regulate. This includes whistle-blowing, direct feedback through the significant performance route and any thematic scrutiny work we have undertaken.</p> <p>Since 2012 we have taken action on two occasions to address regulatory issues that had an equalities-related element.</p>	<p>We will use any equalities-related information gathered through our regulatory engagement with individual landlords to enhance our own equalities knowledge and understanding. Our monitoring processes will ensure that we can reflect this learning in our regulatory decision making, to the benefit of tenants and service users.</p> <p>We will consider lessons learned from any equalities related incident or issue that we uncover through our regulatory activity. Where appropriate we may publish details of these to highlight good or poor practice.</p>
<p>3. Our outputs are accessible to all. We will use our developing understanding of equalities issues to engage with tenants, service users and other stakeholders in a way that meets peoples' needs.</p>	<p>We have published material in a manner that is appropriate and accessible to the needs of its intended audiences, including people with protected characteristics. For example:</p> <ul style="list-style-type: none"> • We make our publications available in accessible formats such large print or braille and we are happy to translate. • We aim to write our publications in plain English wherever possible and promote the principles of the Plain English Campaign for our external communications. • We have designed our website to comply with the international web accessibility standards issued by the World Wide Web Consortium (W3C) as part of their Web Accessibility Initiative. <p>We have sought and received feedback on our publications and broader engagement from stakeholders, including through our</p>	<p>We will continue with our National Panel research (as previously mentioned).</p> <p>Engaging with service users and involving them in our work is a key part of our regulatory approach. We set out the different ways we do this in our Consultation and Involvement Strategy. We are refreshing the strategy this year (2015) and this will set out how we will engage with and involve tenants and other service users in our work.</p>

	ongoing work with the National Panel and our recent Stakeholder Communications and RTO surveys.	
Objectives	Achievement 2013-15	Success Measures for 2015-18
<p>4. We encourage diversity and promote equality as an employer. We will support our staff to develop knowledge and understanding of equality issues and how they impact on our work.</p>	<p>We have provided guidance, training and ongoing support for our staff on our equalities responsibilities and SHR approach.</p> <p>Our guidance sets out a clear process for staff to store, share and monitor the evidence and outputs arising from our consideration of equalities impacts.</p> <p>We gather annual feedback through our Staff Survey which we publish and respond to across the organisation. We have provided bespoke staff awareness-raising information and training on our anti-bullying, harassment and discrimination policy.</p>	<p>We will continue to monitor and develop our equalities approach to ensure that it meets our needs and remains proportionate to our business and resources.</p> <p>We will store and share equalities impact assessments, evidence sources and regulatory engagement information within SHR in order to improve our organisational knowledge and understanding of equalities issues and impacts.</p> <p>We will continue to focus on staff awareness-raising of our 'zero tolerance' policy on discrimination, bullying and harassment.</p>



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