Community Counts
Milnbank
Housing Association
53 Ballindalloch Drive, Glasgow G31 3DQ

TO:	Management Committee
PREPARED BY:	Craig Boyle (Senior G&C Officer)
SUBJECT:	REVIEW OF EQUALITY, DIVERSITY & INCLUSION POLICY
DATE OF MEETING:	14 October 2025
APPROVED BY:	Paul Martin (CEO)

EQUALITY, DIVERSITY & INCLUSION POLICY

CB/October 2025/REF.P20

EQUALITY, DIVERSITY & INCLUSION POLICY

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1. MILNBANK HOUSING ASSOCIATION (MHA) STRATEGIC OBJECTIVES

MHA's mission is to provide excellent homes and services in a thriving community. We believe that people living in the MHA community should:

- Have warm, safe, and affordable homes, and receive excellent services from MHA.
- Live in neighbourhoods that are clean and well cared for, with real community pride.
- Have access to opportunities and services that promote a good quality of life.

2. MHA's VALUES

Working as 'One Milnbank' so that we offer the same quality of services, support and housing to all tenants and residents.

3. POLICY INTRODUCTION

MHA is committed to fostering an inclusive culture where every tenant, service user, staff member, and committee member is respected, valued, and able to exercise their rights to equality, diversity, and human dignity. Our aim is to go beyond legal compliance and embed equality, human rights, and diversity at the core of everything we do. This policy sets out our commitment to achieving equality, diversity and inclusion, and in recognition of MHA's aims, an Equality Action Plan is compiled and reviewed annually.

4. LEGISTIVE & REGULATORY COMPLIANCE

This policy, and the services MHA delivers is shaped by the following legislation, regulation, guidance and good practice:

4.1.1 The Equality Act 2010 -

This Act applies to MHA as an employer and a landlord/provider of services. Under this Act it's unlawful to discriminate against any person protected under the following nine protected characteristics:

- age,
- disability,
- gender reassignment,
- race,
- religion or belief,
- sex,
- sexual orientation,
- marriage and civil partnership and
- pregnancy and maternity

4.1.2 The unlawful behaviours covered under this Act include, direct and indirect discrimination, discrimination by association, perception discrimination, harassment, third party harassment and victimisation.

4.1.3 Under the General Equality Duty of the Equality Act 2010, when MHA are carrying out "public functions" it has a legal obligation to eliminate any unlawful behaviour described above, as well as, advance the equality of opportunity between people who share relevant protected characteristics and those who do not; and foster good relations between people who share a protected characteristic and those who do not.

Public functions carried out by MHA include:

- the allocation of housing, transfer and exchange of properties,
- setting rent levels,
- complaints procedures,
- tenant participation, consulting and informing tenants,
- setting the terms of tenancies,
- the termination of tenancies and
- dealing with anti-social behaviour

4.2.1 <u>The Scotland Act 1998</u> –
The Scottish Parliament and Government have powers to "encourage and promote" equal opportunities under the Scotland Act 1998. This Act uses as wider definition of equal opportunities, to mean "the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions".

4.2.2 This definition covers grounds that are not part of the protected characteristics, for instance, social origin (or class), as well as grounds like language, personal attributes and political opinions.

4.2.3 The Housing (Scotland) Act 2001 states that when providing housing and related services, "registered social landlords must act in a manner which encourages equal opportunities and in particular the observance of the equal opportunity requirements" set out in the Scotland Act.

4.3 <u>Human Rights Act 1998</u> –
This Act covers the right to peaceful enjoyment of possessions and protection of property, freedom of thought, conscience and religion and prohibition of discrimination in the enjoyment of convention rights.

4.4.1 <u>Housing (Scotland) Acts 2001, 2010 & 2014</u> -
This places a statutory duty on housing associations to encourage equal opportunities. This stipulates such areas as tenant participation and consultation, allocations, homelessness strategies, grounds for recovery of possession and rights under the Scottish Secure Tenancy must meet the requirements of this Act.

4.4.2 This Act includes the Social Housing Charter, which set out standards and outcomes that Registered Social Landlords (RSLs) should aim to achieve,

and includes the need to eliminate discrimination and advance equality of opportunity. More on the SHC is covered in the Regulation section below.

4.5.1 Regulation –
The SHR's Regulatory Framework includes the SHC, which specifies Equalities as number one of the Charter's sixteen outcomes that RSLs must meet.

4.5.2 This outcome describes what RSLs should achieve for all tenants and customers, taking into consideration people covered under the nine protected characteristics, by complying with equalities legislation

4.5.3 It includes an RSLs' responsibility for finding ways of understanding the rights and needs of different customers and delivering services that recognise and meet these; for example, victims of domestic abuse and language/communication barriers. To meet rights and needs, RSLs may require to make reasonable adjustments.

4.5.4 The Regulatory Framework also sets out Standard of Governance and Financial Management, which places further onus on RSLs to have assurance and evidence that it considers equality and human rights issues properly when making all its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery. To comply with these duties a RSL must collect data relating to each of the protected characteristics for their existing tenants, new tenants, applicants on waiting lists, governing body members and staff.

4.6 Good Practice Guidance –
Produced specifically for housing associations, Collecting Equality Information: National Guidance for Scottish Social Landlords (April 2022) provides guidance on collecting quality information to ensure legal and regulatory requirements for equality data collection are met.

4.7 Worker Protection Act 2023 -
An amendment of the Equality Act 2010 aims to better protect employees from sexual harassment, prioritising prevention.

4.8 Public Interest Disclosure Act 1998 –
Provides protection to employees who have been victimised at work, or they have lost their job due to a disclosure they raised.

4.9 Health & Safety at Work Act 1974 –
Sets out the framework for managing workplace health and safety in the UK.

5. KEY DEFINITIONS

Term	Definition
Equality	Making sure individuals are treated fairly and given fair chances. It is not about treating everyone in the same way but

	recognising that different needs may have to be met in different ways.
Diversity	Valuing and managing individual differences. It is recognising and embracing the backgrounds of different people, their skills, attitudes, experiences and being open to them bringing fresh ideas and views that will enhance MHA.
Inclusion	Creating an environment where everyone feels safe, welcomed and genuinely valued. This involves making everyone feel like they belong and can fully participate in the decision-making processes which affect them.
Equity	Recognising that individuals have unique needs and challenges which must be met in different ways.
Protected Characteristics	The legal grounds in which discrimination claims can be made. These include (1) age, (20 disability, (3) gender reassignment, (4) marriage & civil partnership, (5) pregnancy & maternity, (6) race, (7) religion or belief, (8) sex, (9) sexual orientation.
Direct Discrimination	Treating someone less favourably than another person based on a protected characteristic.
Indirect Discrimination	A policy, practice, procedure, provision or criteria that applies to everyone in the same way but might disadvantage a particular protected group, and which cannot be objectively justified in relation to the job. (e.g. a job advert stating that applicants must have 5 years' experience could be discriminating indirectly based on age may exclude younger people).
Associated Discrimination	Discrimination against a person because they have an association with someone with a particular protected characteristic. (e.g. a non-disabled person is discriminated against because they care for a disabled dependent).
Harassment	Unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. MHA will extend this definition to include any harassment and will not be restricted to those identified as having a protected characteristic.
Sexual Harassment	Conduct of a sexual nature that has the purpose or effect of violating someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment, and less favourable treatment to sex or gender reassignment that occurs because of a rejection of, or submission to, sexual conduct.
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 behaviour of someone harassing them or given evidence in someone else's discrimination complaint.

Unconscious Bias	The way a person thinks depending on their life experiences can result in beliefs and views about others that are not reasonable or have no foundation and may be discriminatory.
Reasonable Adjustments	Positive changes to remove or reduce the effect of an employee's disability to do their job or to remove or mitigate barriers to customers accessing a service.

6. IMPLEMENTATION & RESPONSIBILITIES

6.1 The Management Committee is responsible for approving this policy and for overseeing its implementation, including monitoring the progress of the Equality Action Plan.

6.2 This policy applies to everyone in MHA, and all have a responsibility to be alert to discriminatory behaviours and practices should they occur. Failure to comply with this policy could result in disciplinary action.

6.3 The CEO and Leadership Team have operational responsibility for policy implementation, and for reporting the outcomes to the MC.

6.4 The CEO is responsible for ensuring equality, diversity and inclusion forms part of the strategic planning of the organisation and for ensuring the service delivery policies and procedures have equality, diversity and inclusion issues included in them.

6.5 The CEO and Leadership Team will monitor progress of the Equality Action Plan and report progress / performance to the Management Committee periodically.

7. POLICY PRINCIPLES - AS A LANDLORD & SERVICE PROVIDER

MHA's intention is to apply principles in relation to the equality of opportunity and diversity throughout all its operations and recognises that all such areas are interlinked.

7.1.1 Access to Services -
MHA will take positive action to ensure members of their community are aware of the services it provides and seek to ensure all people benefit equally from its services.

7.1.2 MHA will be open about its work, and ensure all policies and procedures are openly and widely advertised. MHA will strive to avoid being inaccessible to those in housing need and take any necessary action, as reasonably practical, to meet specific needs (e.g. access for disabled people, appropriate opening and closing hours, etc.)

7.1.3 The Association will seek to ensure no communication barriers are put in place or maintained. This will include, where reasonable, providing information in alternative formats (e.g. Braille, community languages, etc.) and seek to ensure materials are published in simple, jargon free language.

7.2.1 Maintenance & Repairs -
As maintenance is one of the most important services provided to tenants, MHA aim to ensure all tenants receive the same quality of service but is mindful that certain groups (i.e. older people) may be more vulnerable and consequently may be given priority on certain types of repairs.

7.2.2 MHA aim to ensure properties are kept in good repair and installations maintained in proper working order. However, where cause for complaint arises, attention will be paid to tenants' complaints concerning disrepair and service provision, including seeking to ensure tenants are able to report their complaints / concerns in their own language.

7.3.1 Allocation of Properties -
MHA will seek to ensure its allocations policy is clear, comprehensive, non-discriminatory and provides equal access for all. MHA's selection and allocation procedures are designed to deal fairly with applicants who seek housing, and MHA strives to ensure its allocations policy and practices are non-discriminatory and based around each applicant's housing need.

7.3.2 MHA will ensure its allocation policy is easily available. This includes publishing it on the MHA website, and making it available in other languages and formats, such as large font, Braille etc.

7.4.1 Policy Development -
When reviewing or developing policies MHA will strive to avoid discrimination and to identify any potential imbalances in treatment, or potential discrimination encountered by disadvantaged groups or persons protected under the characteristics of the Equality Act 2010.

7.4.2 In line with good practice, MHA will carry out Equality Impact Assessments (EIA) (Appendix 1) to ensure policies reviewed, or developed, take proactive steps to identify and remove potential discrimination and/or adapt a policy or practice to better advance equality.

7.5 Agreements with other Housing providers -
MHA will seek to ensure that outside parties involved in housing agreements comply with MHA's own standard, as a minimum, regarding equal opportunities.

7.6.1 Contractors/Consultants & Equality Compliance -
MHA will seek to ensure all contractors and consultants it appoints have and implement an Equality & Diversity Policy or agree to abide by the MHAs Policy.

7.6.2 MHA expect contractors and consultants to uphold equality and treat the association's customers and employees with courtesy and respect at all times. MHA will not tolerate any form of discrimination or harassment.

7.7 The Community -
MHA actively promotes its involvement in networking and supporting local community groups and encourages the promotion of equal opportunities in all forms.

7.8 Harassment and Grievance -
MHA has an Unacceptable Actions Policy and Complaints Handling Policy to respond to complaints of harassment or grievance in order that such cases are dealt with fairly and impartially.

7.9.1 Training & Development -
MHA will facilitate training for staff and MC members to recognise the importance of equality, diversity and inclusion, and where necessary, provide additional training for staff that recruit, select and train employees.

7.9.2 MHA will periodically run equal opportunities refresher training for staff and committee members to enable them to understand their obligations, identify discrimination, and take appropriate action to challenge and address discrimination.

8 POLICY PRINCIPLE AS AN EMPLOYER

There will be integration of equality practices in everything MHA does, and MHA will seek to ensure that all employees will be treated fairly, equally, and with dignity and respect. This applies to treatment from other staff, governing body members, contractors, partner organisations and customers.

8.1.1 The working environment -
Will be free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all and where individual differences and contributions of all staff are recognised and valued.

8.1.2 MHA will promote a working environment where all backgrounds, cultures, values and lifestyles are respected and treated fairly.

8.2.1 Recruitment and Selection (R&S) -
In terms of best practice, MHA operates a R&S Policy outlining our commitment to equality, diversity and inclusion practices throughout the process. All R&S decisions should be based solely on the skills, knowledge and experience of the candidate against the specific criteria of the post. (Please refer to the Recruitment & Selection Policy).

8.2.2 Any manager or MC member involved at any stage of the R&S process should receive equality, diversity and inclusion training. This will provide them with the necessary skills and knowledge to make informed decisions free from unconscious bias.

8.3.1 Training and Development -
Will be accessible for all employees without prejudice, discrimination or fear of harassment.

8.3.2 As part of the induction process, MHA will highlight their equality, diversity & inclusion policy, as well as provide updates to all employees when changes are made or the policy is reviewed.

8.3.3 Performance review processes will take place based on the employees own merit, experience, ability and potential.

8.3.4 All employees should feel that they can apply for job opportunities, without prejudice because of a protected characteristic.

8.4 Terms & Conditions of Employment/Pay and Grading -
All contracts of employment should be issued in accordance with the job role with terms and conditions of employment being standard across all employees regardless of any of the protected characteristics. Employees will not receive less favourable terms and conditions for any reason other than relating specifically to the job role and the grade it attracts. Furthermore, MHA ensures that employees carrying out equal work receive equal pay and benefits.

8.5 Religious and Philosophical Beliefs -
MHA ensures that employees are fairly treated regardless of their beliefs or lack of beliefs, creating an environment which is free from discrimination, harassment or victimisation. Employees requesting time off for religious festivals or prayer during work time will be considered sensitively. Refusing such requests without good business reasons could amount to discrimination.

8.6 Dress Code -
MHA implements a dress code practice; this is mindful of any discriminatory implications (please refer to Staff Dress Code).

8.7.1 Conduct and Breaches of Policy -
All employees should be aware of MHA's equality, diversity & inclusion policy. This policy is complemented by MHA's Dignity at Work, Disciplinary and Grievance policies. Employees should refer to these policies, if they feel that they have been discriminated against, victimised or harassed by another employee, or have not been treated with dignity and respect in the workplace.

8.7.2 All employees, agency workers and consultants should abide by the equality, diversity & inclusion policy and understand that they can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination in the course of their employment. This could be against other employees, members of the public, committee members, contractors and other stakeholders.

8.7.3 Employees are expected to bring breaches of this policy to the attention of their line manager, or other relevant senior member of staff.

8.8. Redundancy Selection -
When selecting employees for redundancy, MHA will do this in line with statutory requirements and their terms and conditions of employment.
(Please refer to the Redundancy Policy)

8.9 Flexible Working -
In considering equal opportunities, flexible working arrangements can be used to support changes to how, when and where someone works. Consideration will be given by MHA to support flexible working where possible and where required (please refer to Flexible Working Policy).

9. EQUALITY IMPACT ASSESSMENTS (EIA)

9.1 Through use of EIAs (Appendix 1), MHA aims to assess the impact of applying a proposed new or revised policy or practice against the needs of the general equality duty.

9.2 An EIA is used to avoid discrimination (direct or indirect) and unconscious bias, through identifying where key policies, practices or services may adversely impact a protected characteristic group.

9.3 In carrying out an EIA, consideration will be given, but not limited, to whether the policy or practice:

- may result in less favourable treatment for particular groups
- may give rise to indirect discrimination
- may give rise to unlawful harassment or victimisation
- may lead to discrimination arising from disability
- builds in reasonable adjustments where these may be needed
- removes or minimises disadvantage
- meets the needs of different groups
- encourages increased participation of particular groups
- takes account of disabled people's impairments

9.4 Through this process, it will assist MHA on the decision to continue with a policy, service or proposal, or put in place mitigating actions to address any inequality or adverse impact identified in the EIA process.

9.5 Taking into consideration good practice, MHA's approach will be to carry out EIAs on all policies/reviews.

9.6 Staff and / or working groups involved in the development or review of policies, proposals or services will have responsibility for completing an EIA.

9.7 While legal compliance with the nine protected characteristics is essential to an EIA, a truly robust and ethical EIA will consider the full spectrum of human rights and diversity. MHA will therefore also consider looking at groups that may be vulnerable or marginalised due to their specific circumstances, even if they do not fall strictly under the protected characteristics of the Equality Act. Key groups which may be considered include but are not limited to; socio-economic, carers, literacy & numeracy, geographic location, migrant status, housing status, single parents and families.

10. COMPLAINTS

10.1 In line with the Scottish Public Service Ombudsman and regulatory requirements, MHA will ensure its complaints process it accessible for all, and easily available in a variety of places and formats.

10.2 MHA's Complaints Handling Policy sets out in detail how complaints against employees, committee members, contractors and any others working with, or on behalf of the organisation will be investigated and dealt with. This includes complaints of discrimination and any other contravention of this policy.

11. COMMUNICATIONS

11.1 To ensure that good communication is practised in a consistent manner, MHA's Communication Strategy underpins the delivery of other strategies and policies, including the equalities, diversity and inclusion policy.

11.2 We will consult with staff and service users, taking account of their individual requirements when providing services, to ensure that we make reasonable adjustments where possible.

11.3 We are committed to removing barriers to customers accessing relevant MHA documents, whether those barriers are because of language, sensory impairments or other barriers to access. We will therefore consider providing documents in different formats on request, this includes in a different language, audio format, large type, easy read or other formats.

11.4 MHA is an accredited 'Happy to Translate' member, and we will provide access to translation and interpretation services where an individual whose main language is not English requests this and where an individual does not have the translation or interpretation assistance of family or friends.

12. DATA COLLECTION

12.1 The SHR Regulatory Framework requires housing associations to collect equality information in respect of the nine protected characteristics under the Equality Act. MHA is committed to promoting equality and will use the information that is collected to ensure equalities is considered in the delivery of our services to customers, as well as in our responsibilities as an employer.

12.2 As advised by the Equalities and Human Rights Commission (EHRC) and the Information Commissioner's Office (ICO), MHA will not link data to individuals. By collecting this information anonymously, it is not personal data therefore data protection requirements do not apply.

12.3 In line with the SHR data collection guidance, MHA will collect equality data on the six groups outlined in the guidance: existing tenants, new tenants, housing applicants, management committee members, employees and job applicants.

12.4 MHA gathers equalities data using a digital Equality Monitoring Form (example Appendix 2) based on the model equalities monitoring form contained within SHR data collection guidance. Where a customer is unable to complete this digitally, a staff member will assist them or provide a paper copy.

13. POLICY MONITORING & REVIEW

The monitoring of equal opportunities is delegated to the Leadership Team and senior staff, with findings presented to committee periodically. This policy is reviewed and adopted every three years or earlier if there are changes in legislation, regulation or guidance.

14. DATA PROTECTION

MHA controls the personal information that we collect, this means that we are legally responsible for how we collect, hold and use personal information, including sensitive personal information as is included within this Policy. It also means that we are required to comply with the General Data Protection Regulations (GDPR) when collecting, holding and using personal information. More information on how personal data is collected and used can be found in MHA's GDPR Policy.

Appendix 1

Milnbank Housing Association - Equality Impact Assessment (EIA)

The aim of the EIA is to assess the equality implications of a policy, practice or service on people in possession of protected characteristics under The Equality Act 2010. By conducting this EIA, MHA strives to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

By considering these elements, we are striving to ensure none of our people experience adverse consequences to our policy, practice or service during their involvement with MHA. This assessment, therefore, records the likely impact of any changes by anticipating the consequences and making sure that positive impacts are maximised, with any negative impacts being eliminated or minimised.

Name of the policy / project proposal to be assessed		Is this a new policy /proposal or a revision?	
Person(s) responsible for the assessment			
1. Briefly describe the aims, objectives and purpose of the policy / proposal			
2. Who is intended to benefit from the policy/ proposal? *(e.g. applicants, tenants, staff, contractors)*			
3. What outcomes are wanted from this policy/ proposal? *(e.g. the benefits to customers / benefit to staff)*			

4. Which protected characteristics could be affected by the proposal? (*tick all that apply*)

☐ Age ☐ Race ☐ Disability ☐ Marriage & civil partnership ☐ Pregnancy / Maternity

☐ Religion or belief ☐ Sex ☐ Gender reassignment ☐ Sexual Orientation

5. Which other characteristics could be affected by the proposal? (*tick all that apply*)

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☐ Socio-economic ☐ Geographic Location ☐ Literacy & Numeracy ☐ Carers ☐ Migrant Status

☐ Single Parents ☐ Families ☐ Other (including Human Rights), please state_____

6. Have you consulted on the potential impacts of the policy/proposal? (this could be internally with other staff, or externally with customers, focus groups etc)

☐ Yes ☐ No

If yes, provide further details, of who was consulted:

7. Describe the likely positive or negative impact(s) the policy/proposal could have on the groups identified in part 4 & 5.	**Positive impact(s)**	**Negative impact(s)**
8. What actions are required to address / mitigate the impacts arising from this assessment? *(This might include collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).*		

Decision / Outcome (Pending Committee Approval)	☐ Approved, no changes required (no impact) ☐ Approved after changes made ☐ Approved with no changes (despite impact) ☐ Stop the Policy Proposal

Signed: _____ Job title: _____

Date the Equality Impact Assessment was completed: _____

Appendix 2

Community Counts
Milnbank
Housing Association

53 Ballindalloch Drive, Glasgow G31 3DQ

EQUALITIES MONITORING INFORMATION

The Scottish Housing Regulator have stated that the regulatory framework requires social landlords to collect equality information in respect of the 9 protected characteristics under The Equality Act 2010.

Under the Equality Act 2010 the 9 protected characteristics are defined as:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

We collect equality information to help us to plan and deliver effective services to meet our legal and regulatory obligations.

We are collecting this information anonymously therefore the answers you provide will not be linked back to you in any way.

We ask you to please scan the QR code below to complete the equalities information survey.

Thank you for your participation.

EQUALITY MONITORING FORM - MHA TENANTS

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