



## Equalities in practice



# COMMUNITIES SCOTLAND THEMATIC REGULATION STUDY

## EQUALITIES IN PRACTICE

SUMMARY REPORT



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## EXECUTIVE SUMMARY

1. As housing regulator, we recognise the importance of assessing equality as a regular part of all our inspection and regulation work. As the basis for our assessment, Performance Standards require social landlords to embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of their work (GS2.1). As a Guiding Standard, this should be one of the principles underpinning everything that social landlords do.
2. During our inspections, our assessment of how well social landlords promote equal opportunities will take into account the requirements of the Housing (Scotland) Act 2001 and other specific equalities legislation on race, disability and gender, codes of practice on equalities and recognised good practice.
3. This study has informed our assessment processes and our expectations of social landlords, by showing how different approaches to achieving equal opportunities affect the delivery of the various landlord services. It has allowed us to gather examples of good practice and develop a practical assessment framework, which will also serve as self-assessment guidance for regulated landlords to use in improving their approach to equalities.
4. During this study we tested our assessment framework through a set of 15 individual case studies including local authorities and Registered Social Landlords (RSLs). Our assessment of how well each case-study organisation was performing against the standard set out above was based on tests against the challenge statements on page 5 of this report. These tests involved using a range of techniques to assess performance from a customer perspective. Our assessment of performance has focused primarily on race, disability and gender. However, where a social landlord's own policies and practice include a wider definition of equalities groups<sup>1</sup>, we have used its own definition.
5. We have fed back our findings from individual case studies to the respective organisations. This report summarises our findings from all the case studies and suggests areas for improvement.

### Key findings

6. The picture that emerges of the promotion of equal opportunities across all 15 case-study organisations is mixed. Some of the organisations can point to a high level of general compliance with the challenges and provide many examples of good practice in all areas of work, some of which we highlight in this report. In contrast, some organisations clearly have much to do in addressing practically all the challenge statements.

<sup>1</sup> We take these to be groups of people that may experience systematic discrimination.

7. In general, the areas where most progress has been made are:
  - consultation with stakeholders, including equalities groups (challenge 3);
  - providing fair services (challenge 5);
  - fair employment and governance (RSLs only) (challenge 6).
  
8. However, there are large gaps in many organisations' practice, particularly in relation to:
  - gathering information about their diverse communities (challenge 2);
  - setting SMART objectives and targets to address disparities in outcomes (challenge 4);
  - collecting the right monitoring information to track progress (challenge 7);
  - using this information to achieve continuous improvement (challenge 8).
  
9. The fact that social landlords in general and the case-study organisations in particular recognise the importance of equalities is reflected in the high level of compliance with Challenge Statement 1 – the need to set out the landlord's commitment to equality in public documents. Most organisations have made high-level commitments to pursuing equality, but nearly all the case-study organisations need to do more work on translating these commitments into action and setting out what they actually mean for staff delivering services.
  
10. An organisation's commitment to pursuing equality has to be rooted in local knowledge, needs and concerns, which are what we looked at in Challenge Statement 2. All the case-study organisations recognised that they lacked detailed information about the diversity of the population and communities they served. Yet several of these organisations showed encouraging signs of progress, as they had decided upon or had already begun specific action to improve local knowledge.
  
11. We looked at whether the case-study organisations, as well as gathering information about their local communities, had working arrangements to get feedback directly from all their service users, including equalities groups, about their needs, preferences and views (Challenge Statement 3). Practice is improving in this area. We found many individual instances of good practice, where organisations are taking positive action to make it easier for service users with particular needs to give their views. However, there is still work to be done in making links with equalities groups and their representative bodies in the wider community.
  
12. In Challenge Statement 4 we looked at setting objectives and targets. Just over half the organisations have identified specific objectives or targets to guide their path towards equality. In some instances objectives or targets relate only to limited activity areas or

are very general, making it difficult to ensure they get resourced or obtain priority. Some of our case-study organisations found it difficult to set SMART objectives and targets because they were unclear about exactly what outcomes they were trying to achieve or what needs they were trying to meet.

13. As a regulator, our prime focus is on the outcomes of service delivery and this is reflected in our emphasis on fair services, covered by Challenge Statement 5. From our tests against this challenge a rather more encouraging picture emerged, with many examples of good practice in making information about services available in accessible formats to meet the needs of different groups of people. Unfortunately, organisations often produce accessible information without advertising its availability, an important element in making it fully effective.
14. We found mixed results among the case-study organisations on the issue of physical accessibility to their offices, with considerable barriers to be overcome. However, the efforts that staff made to compensate for these barriers or obstacles were very positive. We also saw several good systems for responding to incidents of harassment towards members of equality groups.
15. There was considerable evidence of good practice in relation to fair employment and governance within RSLs (Challenge Statement 6), which also represents a test of equal outcomes. Yet we felt that this good practice could have been complemented by more evidence of systematic approaches or positive action towards equality groups to ensure that workforces reflect the wider community.
16. Under Challenge Statement 7, we looked at the collection of monitoring information. Case-study organisations collect data on a range of equality-related subjects but a remarkable number do not analyse it, so they cannot demonstrate that they are making progress against their equality objectives. This is paying lip service to equality, and wastes time for both the organisation and the service users who are asked to supply the information.
17. The ability to demonstrate continuous improvement, as assessed by Challenge Statement 8, was one of the weakest areas of performance across the sector. This is clearly an area in need of development for most social landlords, and is linked to the lack of comprehensive targets or objectives against which to monitor progress. While organisations may be doing good things, it is difficult to be sure that these are the right things or to check that they are effective.
18. Our findings in relation to each challenge statement are discussed in more detail under the relevant sections in the main body of the report.

## INTRODUCTION

### Context for equalities in social housing

19. Access to social housing is an important type of assistance to individuals as well as being a community resource. Social housing, managed well, offers people the opportunity to have a secure, good quality home, as well as, ideally, to be members of strong, supportive communities. These goals of living in good quality, well-managed accommodation and in strong communities are particularly important for those who are less well off, in the greatest need or have experienced discrimination or disadvantage.
20. The resources available through social housing can also be used to reduce social inequality. In seeking to meet needs, as well as offering opportunities and reducing disadvantage, it is particularly important that social housing is let and managed fairly without unjustified discrimination. Unfair discrimination against any group would undermine one of the most important goals of social housing – the fairer distribution of housing resources across all sections of the community according to need.
21. Research shows unfair discrimination and disadvantage on the grounds of race and disability in the development, letting and management of social housing. Women are disadvantaged too, in the housing sphere, by relatively low incomes, caring responsibilities (for children and other relatives) and higher dependence on social housing in the face of relationship breakdown or the need to flee violence. Single men are most likely to end up in long-stay hostels or on the streets and young men are at risk of exclusion in poorer neighbourhoods. Sexuality issues lead to tensions in households and are a factor in homelessness.
22. People may be excluded from participation in community activities for various reasons such as language (minority ethnic groups); lack of child care/child play facilities (mainly women); the timing and venue of meetings, including physical barriers (disabled people).
23. This evidence of unfairness and inequality has led the Government and regulators to focus on the need for organisations receiving public investment and subject to statutory regulation to establish robust systems, both to ensure and to demonstrate that they are acting fairly. Many of the requirements to pursue equality for black and minority ethnic people, members of both sexes and people with disabilities have a longstanding basis in law, and that is an important backdrop to this study.

24. Ensuring equality is part of the core business of social housing providers. It is at the heart of responding to community and individual needs and also of responding sensitively to the diversity of individual service users. Equality of opportunity in employment is also among the core legal requirements on housing organisations. Organisations that effectively offer equality of opportunity in employment also tend to be those recruiting from the widest pool of talent, because they will have removed unfair obstacles. Fair arrangements for staff development and promotion will also ensure that the brightest and best get to the top, without unfair or arbitrary restriction.
25. In essence, the pursuit of equality and the recognition of diversity is a legal, regulatory, moral, employment and business imperative. Social landlords need to act with determination within their organisations, with their tenants and other service users, and with their staff and members of governing bodies or elected members, to remove unfair discrimination, seek equality and value diversity.

## Background to this study

26. The Regulation & Inspection (R&I) division of Communities Scotland is responsible for regulating registered social landlords (RSLs)<sup>1</sup>, and the landlord, homelessness and factoring functions of local authorities. Working with key stakeholders, R&I has developed a single regulatory framework (SRF) for housing in Scotland. This work has included the development of a new set of Performance Standards<sup>2</sup> and a review of inspection methods.
27. As housing regulator, we recognise the importance of assessing equality as a regular part of all inspection and regulation work. In relation to equalities, Performance Standards require regulated bodies to embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of their work (GS2.1). As a Guiding Standard, this should be one of the principles underpinning everything that social landlords do.

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<sup>1</sup> Registered Social Landlords (RSLs) are housing associations, co-operatives and housing companies that meet specified registration criteria. These organisations are independent, non-profit distributing businesses. They are governed by volunteers who have often been elected from the membership of the organisation, and they are managed by professional staff.

<sup>2</sup> Performance Standards have been developed in partnership with key stakeholders and published jointly with the Scottish Federation of Housing Associations and COSLA. The revised Standards, which came into effect on 1 April 2002, are used to assess the performance of all registered social landlords and the housing, homelessness and factoring functions of local authorities.

28. Our previous performance audits of RSLs suggested that they have adopted a range of approaches to achieving equal opportunities, with varying degrees of success. This was confirmed by feedback from our consultation during the development of the SRF and by the findings of our two pilot inspections in 2001. Our initial review of the literature on this subject uncovered a lot of information about equal opportunities policies, but less evidence of what organisations were doing to implement these policies. We were also well aware that we had very little knowledge of what to expect from local authorities, in terms of policy and practice.
29. To inform our new inspection processes and to clarify our expectations of social landlords, we needed a better understanding of how their different approaches to equalities policies affect their delivery of the various landlord services.
30. Schedule 5 of the Scotland Act 1998 imposes a duty on councils to promote equal opportunities. It defines equal opportunities as “the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on 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”. Section 106 of the Housing (Scotland) Act 2001 extends this same duty to RSLs. In addition, other specific equalities legislation sets out statutory requirements on race, disability and gender. These requirements are reflected in Performance Standards.
31. Good practice on equalities is set out in many publications, including the codes of practice produced by the various equalities commissions. An illustrative list is attached at Appendix 2.

### **Purpose of this study**

32. The overall aim of this study is to help develop the framework for assessment of equalities under the SRF. The outputs from this study will also provide examples of good practice and suggest areas where councils and RSLs may need further guidance to improve their approach to equalities.
33. The purpose of this specific study is to contribute to the development of a practical framework to assess how far social landlords are complying with legislation and good practice on equalities. The resulting framework will also, importantly, offer regulated landlords clear guidance on self-assessment. This study has focused primarily on the assessment of performance in relation to race, disability and gender, as these are the areas currently best covered by UK legislation and by good practice guidance. However, where a social landlord’s own policies and practice use a wider definition of equality, we have assessed performance against it.

34. The objectives of this study were to:

- a) establish a set of challenge statements and tests that will be used to judge how well landlords meet legislative requirements and good practice on equalities;
- b) use the statements and tests on-site with landlords to check that they provide an effective way of assessing systems and practices for equalities;
- c) feed into the development of guidance to help landlords assess their own performance on equalities;
- d) gather information on good practice;
- e) inform a framework for the future inspection of equalities and highlight the skills that inspection staff might need.

### **Advisory group**

35. An Advisory Group, comprising members from a range of statutory, voluntary and representative organisations, was set up to oversee the study and to contribute collective expertise to its management. Membership of the Advisory Group included:

- Commission for Racial Equality
- Disability Rights Commission
- Equal Opportunities Commission
- Equalities Network
- Stonewall Youth
- Positive Action in Housing
- PATH (Scotland)
- Scottish Executive
- Chartered Institute of Housing
- Audit Scotland
- SFHA
- COSLA
- Communities Scotland R&I Division.

## Specialist advisors

36. To help Communities Scotland staff with the study, we appointed several specialist advisors to contribute expertise on specific areas of equalities. The advisors were:
- Ann Rosengard Associates
  - Christine Holman, De Montfort University
  - Lemos & Crane (who also gave us a lot of assistance drafting this report)

## Method

37. The project began with a desk review of legislation, codes of practice, and statutory and good practice guidance across the UK (see Appendix 2). The specialist advisors ensured that we took account of the most relevant and up-to-date information. This informed the development of the assessment framework .
38. Eight challenge statements were developed that encapsulate both legislation and accepted and emerging good practice on race, gender and disabilities. We also devised tests of compliance with these statements, suitable for organisations to use in self-assessment and for the regulator to use as part of the inspection process. Our specialist advisors then validated the challenge statements and assessment framework. The challenge statements are set out below and are also reflected in the self-assessment questions under Performance Standard GS2.1 on our website at [www.inspection.communitiesscotland.gov.uk](http://www.inspection.communitiesscotland.gov.uk).

### **Challenge 1: Commitment statements and documents**

The organisation has published documents that clearly and specifically set out its commitment and approach to equalities issues and which enable it to comply with legislative requirements and statutory guidance.

### **Challenge 2: Information about social and other contexts**

The organisation has good information about the context in which it is operating. It has a good understanding of the needs and aspirations of equalities groups in its area of operation and of the challenges which members of equalities groups may face in accessing social housing resources.

### **Challenge 3: Consultation with stakeholders**

The landlord consults service users about their needs, their views of the services being delivered and what can be done to improve them, and take due care to include all sections of the community.

**Challenge 4: Objectives and targets**

Clear objectives and targets have been identified for all service areas to drive and demonstrate continuous improvement.

**Challenge 5: Fair services**

The social landlord provides information and delivers services that respond to the requirements of the diverse range of its existing and potential service-users.

**Challenge 6: Fair employment and governance (RSLs only)**

The organisation is able to demonstrate that it is an equal opportunities employer and that its staff, governing body and wider membership reflect the community it serves.

**Challenge 7: Monitoring**

There are systems in operation to collect the information the organisation needs to measure its achievements against its objectives and targets and to identify the outcomes of its systems and services.

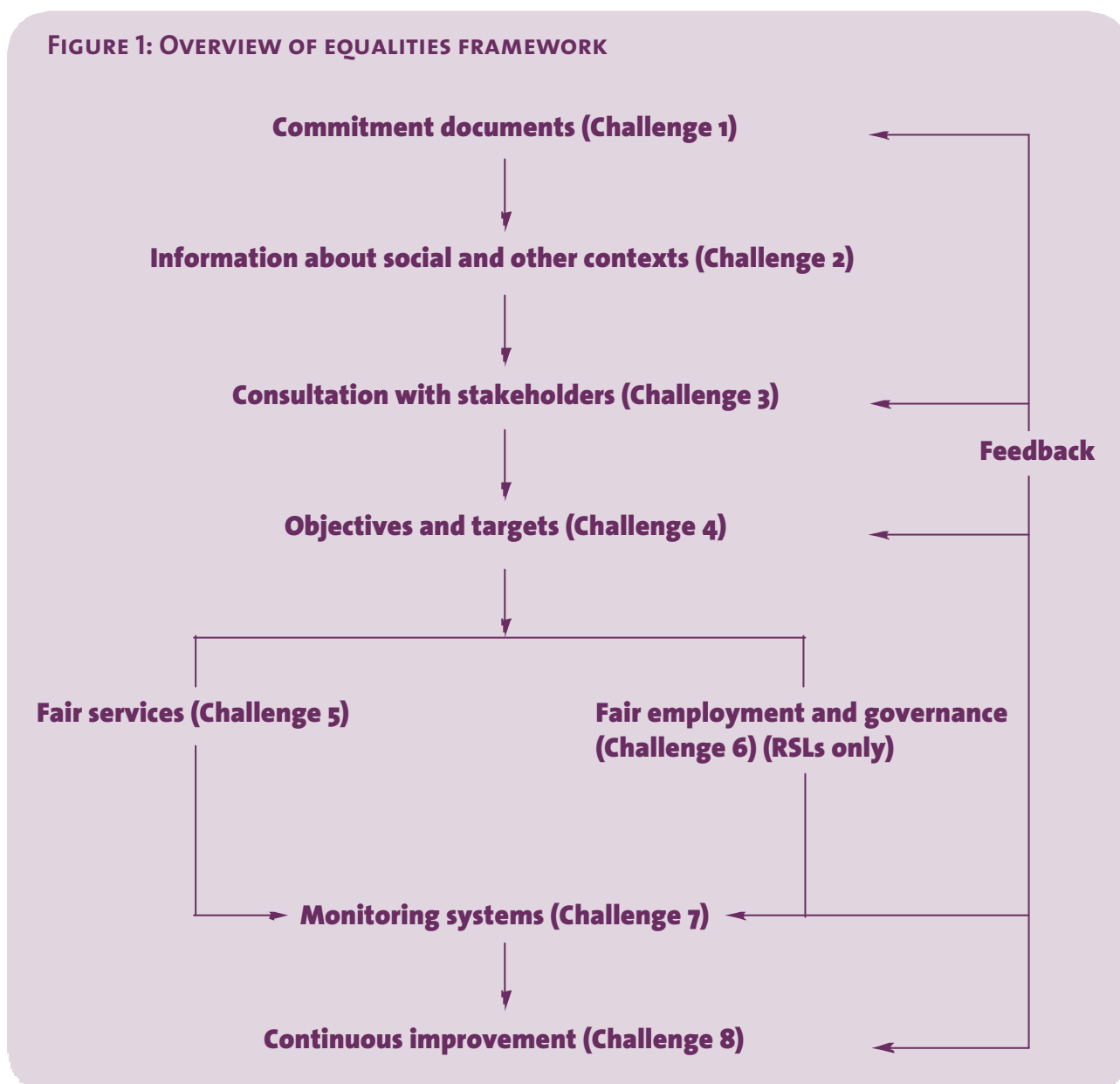
**Challenge 8: Continuous improvement**

The organisation clearly demonstrates its commitment to continuous improvement by reviewing and revising its policies and activities regularly on the basis of the information it collects or receives.

**How the challenge statements link together**

39. The challenge statements have been designed to reflect the main elements of a basic performance management or quality assurance cycle. Most organisations will be familiar with this kind of model. This structure is intended to make it easier to see how equalities issues can be 'mainstreamed' into an organisation's existing performance management and quality assurance systems. Figure 1 illustrates how the various elements of the underlying model for the challenge statements should link together.

**FIGURE 1: OVERVIEW OF EQUALITIES FRAMEWORK**



40. The challenge statements were then tested in a sample of 15 case studies covering nine local authorities and six RSLs (see Appendix 1 for participants).
41. The case studies were selected to reflect as broad as possible a range of types and sizes of social landlords and of geographical locations, operating contexts and experiences. We used data from Communities Scotland’s Annual Performance and Statistical Return, as well as information from existing surveys of equalities practice, to help us choose.

42. All the organisations we approached to take part were co-operative and willing to help, although time and staffing constraints meant that eventually not all could participate. We would like to thank all the organisations that did act as case studies and also thank all the staff involved for making the time and effort to assist us.
43. In the study, we adopted the five principles of good regulation: to be transparent, accountable, targeted, consistent and proportionate. Alongside these we also pursued our own specific objectives of focusing on service outcomes and putting service users at the heart of our processes. These principles informed our methods.
44. We used a range of techniques to assess the services from a consumer perspective, including:
  - examining written policies, strategies, information leaflets, monitoring reports and other documents;
  - discussions with staff at various levels about approaches to equalities issues;
  - ‘scenario testing’ with frontline staff to check how policies and procedures work in practice;
  - sample checks of files and other written or electronic records;
  - disability access audits of office buildings;
  - mystery shopping.
45. We produced written reports for each of the case-study landlords, giving our assessment of their performance against the relevant Performance Standard and the challenge statements. The findings were issued for comment and discussed with the landlords before the reports were finalised. These individual assessments have been summarised below. This report does not identify individual landlords except in the good practice examples we have highlighted.

### **Structure of this report**

46. This report analyses and comments on each of the challenge statements set out above. For each we describe what we were looking for, a summary of what we found in the 15 case-study organisations and an overview of performance. In the final section of the report we draw some general conclusions and suggest some priorities for the future.

### **Challenge 1: Commitment statements and documents**

The organisation has published documents that clearly and specifically set out its commitment and approach to equalities issues and which enable it to comply with legislative requirements and statutory guidance.

#### **What we were looking for**

47. In assessing against the first challenge statement, we were looking for a clear and public commitment by the social landlord to the achievement of equal opportunities and fair service delivery. We looked for indicators that the organisation is committed to seeking and achieving equality but we were also interested in how it makes this commitment clear to its staff, its elected members/governing body and its service users. If landlords are to be held accountable for their commitments to equality, they should disseminate this information internally and externally and make it available in any community languages, formats and locations which are needed to make it accessible to all sections of the local community.
48. We were also interested in the detail and content of these commitments. To begin with, we considered whether the landlords have any documents (policies, strategies, plans etc) which include a comprehensive and up-to-date statement of the legal requirements placed on them in relation to race, disability and gender. Since we were carrying out the case studies in summer 2002, we were also interested in what local authorities were doing to prepare for the requirement to publish a Race Equality Scheme by 30 November 2002.
49. To turn these abstract commitments and statutory responsibilities into organisational realities several things must be in place. One of these is leadership. So elected members or members of governing bodies need to own, endorse and promote the organisation's aims and approach to equalities. We were also looking to see if the landlords incorporate their equalities commitments into all regulated areas of their work and translate the high-level, strategic vision of equality into specific actions intended to deliver the vision.
50. Statements of commitment and action plans do not bring about change. People bring about change. So to pursue equality effectively, specific actions have to be appropriate and allocated to individual managers. For other staff to fulfil the requirements of the organisation, they need to understand how those requirements affect their day-to-day practice. So we looked at whether staff have been given briefing or training on the contents and implications of the organisation's equalities commitments.

## What we found

51. Overall the picture in relation to public commitments to equalities is encouraging. Thirteen organisations out of the 15 have specific policy or strategy documents dealing with equal opportunities, although they need to do more work to bring these statements up to date. Nine of these documents refer to current equality legislation but in several cases the most recent legislation (for example, the Human Rights Act 1998 and the Race Relations (Amendment) Act 2000) has not been incorporated. We also found that a significant number of these policies focus primarily on employment responsibilities and contain little detail on how this commitment to equal opportunities affects the delivery of services.
52. Where organisations state specifically which groups are covered by their public commitments, all include at least race, gender and disability. However, we found that several organisations take a more inclusive approach and, reflecting the spirit of the Scotland Act 1998, extend their commitment to equality to cover areas such as age, marital status, religion and sexual orientation.

### **GOOD PRACTICE EXAMPLE: AN INCLUSIVE APPROACH TO EQUALITIES**

**Aberdeen City Council sets out its commitment and approach to equalities in a suite of strategy documents covering race equality, gender, disability and LGBT (lesbian, gay, bisexual and transgender) issues. These documents set out what the council is already doing to deliver its commitment to equality but also include action plans making clear what additional work is planned. Some of these include specific actions for the housing service.**

53. At the time of the visits we saw little evidence of preparations within the housing services of the case-study local authorities for the introduction of Race Equality Schemes by 30 November 2002. While we recognise that in most cases this work would be co-ordinated on a corporate basis, we would expect housing to be seen as a high priority on account of its significance for the promotion of race equality. However, in only two of the nine councils that we visited did we see evidence of preparations having started within the housing service. In several other cases, individual members of staff had been nominated to take this forward but work was not under way.

54. When it comes to translating high-level strategic commitments into the day-to-day business of the organisation, 11 of the case study organisations have begun to incorporate equalities issues by including a commitment to equal opportunities in other policy areas, such as:

- allocations;
- harassment of minorities;
- tenant consultation and participation;
- recruitment and selection;
- sheltered housing service;
- anti-social behaviour;
- community care;
- nominations agreements.

#### **GOOD PRACTICE EXAMPLE: TURNING COMMITMENTS INTO REALITIES**

Southside HA has a Good Neighbour Agreement that all new tenants from 1 April 2000 must sign. Individuals who became tenants before that date may choose whether or not to sign the agreement. The agreement outlines the responsibilities of both the association and the tenant. A variety of issues are covered but it is made clear to tenants that harassment, whether based on race, gender, disability or any other grounds, will not be tolerated. Signing the agreement highlights for tenants how they should conduct their tenancy and is an excellent example of good practice.

55. However, in all cases, organisations need to work harder to incorporate all their overarching commitments into the policy and practice frameworks that govern their delivery of services. The development of Local Housing Strategies would seem to offer an ideal opportunity for local authorities to make significant progress in this area.

56. To translate commitments to equality into organisational realities, five of the 15 organisations have formal action plans setting out what they intend to do and at least one other organisation has an action plan covering some areas of equalities. Most of the organisations need to develop action plans, and all must ensure that those action plans are realistic and achievable.

57. As we point out above, for change to take place, individuals need to know what is expected of them. However, we found that in over a third of cases, responsibility for implementing equalities policies has not been clearly allocated. (In councils this refers to the housing service only.)

58. In most cases, there is little evidence of a systematic or proactive approach to keeping staff up to date on what these commitments are and how they affect practice or procedures. Three organisations include equalities training in their induction programmes for new staff. Two organisations have well-established staff awareness training programmes and another has recently introduced such a programme. A few other organisations take a more passive approach by making information available on their intranet and in employee handbooks.

## Overview

59. Although most organisations have made high-level commitments to pursuing equality, the large majority of case-study organisations need to do more to translate those commitments into activities and set out what they actually mean for staff delivering services. Staff, particularly managers, need to be given clear responsibility for certain tasks if they are to deliver their commitments. Most organisations need to be more proactive to ensure that staff know what their employer is committed to in pursuing equality, and what that means for them.

## Challenge 2: Information about social and other contexts

The organisation has good information about the context in which it is operating. It has a good understanding of the needs and aspirations of equalities groups in its area of operation and of the challenges which members of equalities groups may face in accessing social housing resources.

### What we were looking for

60. An organisation's pursuit of equality must be rooted in local knowledge, needs and concerns. In assessing this challenge statement, we looked at whether the case-study organisations have accurate, up-to-date information on the population and communities they serve. Those involved in planning also need links to local planning, information and support networks on race, disability, gender and other equality issues. These networks will include statutory organisations as well as voluntary and community groups.
61. Where up-to-date information is not already available, organisations may have to carry out needs assessments and other forms of research on groups for which they lack information. These needs assessments should cover all aspects of the organisation's services. With better information about unmet needs, preferences and aspirations, organisations will be able to identify actual or potential disparities in service outcomes for equalities groups, and any possible barriers to access or equal outcomes for individuals belonging to these groups.

### What we found

62. All the case-study organisations we spoke to recognise that they lack detailed and wide-ranging information about the diversity of the population that they serve. About half the organisations told us their primary source of information is the 1991 census, although some of these also use other sources of data. In certain organisations, however, we saw encouraging signs of progress. One organisation has recently commissioned a report on the housing needs of black and minority ethnic communities in their area, with Communities Scotland. This report will identify the size of the visible BME population in the area as well as barriers to access and equal outcomes for individuals belonging to equalities groups. Another three organisations have plans to conduct similar investigations in the near future.
63. Several organisations we spoke to see signing up all tenants to new Scottish Secure Tenancies as a real opportunity to collect comprehensive baseline information about their own tenant profile. We would wholeheartedly support organisations in making such positive use of this one-off activity.

64. Our inspectors felt that in most organisations frontline staff such as Housing Officers have good informal knowledge of tenants who might have particular needs and a good understanding of the obstacles they might face. However, this is not captured in any corporate framework nor is it linked to any broader knowledge or information base about the wider community, making it difficult for them to check the scope or accuracy of this knowledge.
65. Another area of progress was in the establishment of links with local planning and information networks on equalities issues. All organisations have at least begun to make such links but in most cases they use them to get feedback or to work together on a specific issue or initiative, eg racial incident monitoring. There are examples of good practice (see below) but few organisations are using their links effectively to design or develop effective information bases about the diversity of their communities, with which to plan better and more responsive service delivery. We see this as a wasted opportunity.

**GOOD PRACTICE EXAMPLE: LINKING WITH OTHER GROUPS TO GATHER INFORMATION ON SOCIAL AND OTHER CONTEXTS**

Southside HA is involved with a disability network. It also updates its information on the local population through working with local community groups like the Pollokshields Development Association (PDA). It has links with the Pollokshields Liaison Group (PLG), which consists of both statutory and voluntary bodies. The PLG has plans to carry out a baseline survey of the community, which will make available greater information on the needs of individuals within the community.

Dunedin HA liaises with local equalities groups to collect information about the mix of ethnic backgrounds of present and potential service users. This information is then used to plan service delivery. For example, Cathay Court, a sheltered housing project for elderly Chinese, was developed in response to an identified need in a certain neighbourhood for this type of provision.

**Overview**

66. Current understanding of local contexts is rather poor. However, the case-study organisations recognise that they need more up-to-date quantitative information and the increased availability of data from the 2001 census will help here. But more will need to be done at a local level.

67. Organisations need information that goes beyond a general picture of the local population to help them understand the needs of particular sections of the community. Surveys of customer satisfaction should aim to bring out the different perspectives of equalities groups and show the organisation how the outcomes of service delivery vary in relation to race, gender and disability. However, they may also need to carry out a specific inquiry, which may need to be targeted, qualitative and developmental in approach.
  
68. Staff can offer many valuable perspectives, particularly if they are themselves members of equalities groups, but this is no substitute for seeking to hear and understand the authentic voice of actual and potential consumers speaking about their needs and hopes. Mainstream housing officers, for example, could consult women and people with particular needs in structured ways. Addressing the varying housing and support needs that emerge from such discussions may challenge standard systems of service delivery, and the resultant strategies which develop to meet particular needs may have benefits for all.

### Challenge 3: Consultation with stakeholders

The landlord consults with service users about their needs, their views of the services being delivered and what can be done to improve them, and takes due care to include all sections of the community.

#### What we were looking for

69. Having a policy framework in place and the evidence to inform it have been dealt with in the first two challenges. But these paper-based approaches need to be verified against the views of service users themselves to get a 'reality check', and also to ensure that the people meant to benefit from the policy support the basis for action. It is also important to ensure that the proposed approach fully takes into account service users' priorities, for the details and subtleties of these may not be obvious from evidence based entirely on numbers or statistics. With this in mind, organisations should develop all aspects of their equalities policies and approaches in consultation with representatives who understand and can reflect accurately the needs of equalities groups – including groups of women, people with disabilities and members of black and minority ethnic communities.
70. Consultation on policies is only one element in the story and it needs to be part of a continuous loop of input and feedback if it is to drive change and improvement within the organisation. Feedback from the organisation's own service users on the results of policy implementation and service delivery will be vital. This can be collected in various ways: through standing groups or forums, customer satisfaction questionnaires, telephone surveys, exit surveys, repairs feedback forms, short-life working groups, public meetings, focus groups etc. We were looking for organisations who take an imaginative and varied approach to getting information from their service users.
71. Establishing links with equalities groups in the wider community and engaging in regular contact, dialogue and consultation will also help organisations to gear their services to meet the needs of all sections of the community.
72. Organisations may also need to take specific action to make it easier for all parts of the community to give their views about services and policies. These specific actions might include translating materials or providing interpreters, providing crèche facilities at tenants' meetings and ensuring barrier-free access to buildings and rooms in which consultation takes place. It might also involve an outreach approach to consultation, targeted at particular groups such as young people or women.

73. Consultation must be two-way as well as continual. So organisations will want to feed back the information collected, as well as the resulting action, to those who participated in the consultation, service users and the wider community. This feedback is an important way of showing people the point of participating in consultation exercises.

## What we found

74. In general, there is a good level of consultation with community groups, service-user and equalities groups on the development of policy. The vast majority of case-study organisations have taken steps to involve service users in policy or strategy development. Most have also involved other stakeholders such as representatives of equalities groups in the wider community.
75. We found three organisations with robust approaches to consultation either outlined in recently introduced strategy documents or currently at a draft stage. In several other organisations, although there is good consultation with equalities groups in general, our inspectors felt more could be done to involve groups specifically representing ethnic minorities.

### **GOOD PRACTICE EXAMPLE: ONGOING CONSULTATION WITH EQUALITIES GROUPS IN THE WIDER COMMUNITY IN DEVELOPING POLICY AND STRATEGY**

At a corporate level, Aberdeenshire Council works with the Grampian Race Equality Council in developing multi-agency strategies, and consults representatives from disability groups through a network of access panels. At a service level it has an ongoing dialogue with groups like the Disabled Persons Housing Service and Women's Aid.

76. Most of the 15 organisations have set up some form of standing group or forum for tenants and residents, or facilitate tenants' or residents' associations. Our inspectors felt it would be useful for organisations to monitor membership of these panels to ensure they represent the full range of client groups.
77. One organisation, in addition to organising a tenants' association, has reserved three places for tenants on its governing body, and holds other joint tenant-staff working groups. Another has taken positive action by reserving a place on its governing body for a representative of an ethnic group which it recognises as under-represented in its decision-making.

## **GOOD PRACTICE EXAMPLES: CONSULTATION WITH SPECIFIC GROUPS OF SERVICE-USERS**

East Dunbartonshire Council carries out informal consultation with stakeholders through a monthly ethnic minority forum, which includes several representatives from a range of local ethnic minority communities. Members of this forum also meet formally with council members through a quarterly Ethnic Minority Liaison Committee. Whilst we saw this as an example of good practice, we would still encourage the council to examine options for ensuring that representation on this forum reflects the characteristics of its BME communities.

78. For those organisations that make it possible for tenants groups to come together rather than running them directly, four actively encourage these groups to remove barriers to attendance. Another two have strategies in draft form to remove barriers. Some members of one tenants' organisation have taken up an offer of training on equal opportunities, and there are plans to follow this up with further training sessions.
79. Many of the organisations we spoke to told us about specific steps they take to make it easier for all parts of the community to give their views about the organisation's services and policies. Two told us they held consultation meetings in barrier-free venues to allow easy wheelchair access. Others lay on free transport to and from meetings, or pay travel expenses, including, in one case, paying for taxis for women after dark. Three organisations mentioned the provision of childcare or crèche facilities or reimbursing childcare costs. In one case, a council has bought a minibus that tenants' and residents' groups can use for free, and another provides catering for different diets.
80. Feedback from service users about their views of the landlord's services is another vital source of information that can be used to design fair services. All the case-study organisations collect feedback information in a wide variety of ways: customer satisfaction surveys, repairs satisfaction forms, tenants groups etc.
81. Some of these feedback exercises even collect information on the 'equalities' characteristics of respondents, eg ethnic group, disability, age. However, we found it is rare for organisations to make use of this information to identify possible disparities in satisfaction or to improve their services. For example, around a third of the case-study organisations have carried out recent customer satisfaction surveys. Most of these organisations collect information about age, disability, ethnic origin and gender. In only one case have they used it to alter what they actually do. In most other cases the information has not even been analysed. This does not make these organisations' commitments to achieving equality look convincing.

82. We found only four organisations that systematically give tenants feedback from consultations. One gives direct feedback to people who have been involved in consultations and informs other tenants of the outcomes through their newsletter.

## Overview

83. Some case-study organisations clearly have more work to do than others on consulting and involving tenants, equalities groups and other stakeholders. Nevertheless many of them do consult service users and other stakeholders and make helpful arrangements to enable equalities groups to have their say.
84. Consultation with the wider community, beyond direct stakeholders such as tenants, is less well developed in most organisations. This reflects our findings under the previous challenge statement on the lack of information about the wider social context. Consulting and involving the wider community is clearly an important way of gaining information and getting to understand concerns and priorities. Community Planning groups and Local Housing Strategies offer ideal opportunities for all the case-study organisations to improve their performance in this area. However, organisations have a key responsibility, having collected information, to make a point of feeding back what they have learned.
85. A further priority is ensuring that surveys of customer satisfaction bring out the different perspectives of equalities groups through monitoring at least race, gender and disability. But this will only be of any value if organisations use this information to improve services.

#### Challenge 4: Objectives and targets

Clear objectives and targets have been identified for all service areas to drive and demonstrate continuous improvement.

#### What we were looking for

86. So far we have looked at three aspects of good preparation for the delivery of fair services. We have considered the ‘big picture’, or vision, of what an organisation wants to achieve in relation to equalities. We have also looked at the quality of the information an organisation needs about the diverse nature of its community, to enable it to plan or design services for all of them. And of course it makes sense for organisations to ask their service users – all their service users – whether they, as professionals, are designing and delivering what the users actually want.
87. If they have got all this absolutely right and none of their customers can see any way of improving the service, then there is little more that needs to be done. However, this outcome is unlikely. So most organisations will be able to identify areas where services could be better – more efficient, more responsive, more flexible or meeting more needs. Getting closer to these ideals is where objectives and targets come in. If there is to be progress in any area of an organisation’s work, it needs to set goals that are specific, achievable and relevant. The goals also need to be measurable, otherwise the organisation will not know if actions are producing the desired outcome. And goals need to be achieved within a feasible time frame. So, in short, goals should be SMART – specific, measurable, achievable, relevant and with clear timescales.
88. We looked for evidence that the case-study organisations had used the information they had about their services, and what their customers thought about them, to identify specific objectives and targets that would help them meet their own corporate or strategic commitments. In the context of equalities, we would expect the objectives and targets to centre on dealing with unjustifiable disparities between members of equalities groups and the rest of the community in relation to their access to services, the quality of the services being delivered or their satisfaction with services.
89. For example, areas where specific quantitative targets might be useful could include the number and location of lettings, the employment or promotion of staff from equalities groups, and the response times in dealing with racist or offensive graffiti. More qualitative objectives might deal with improving physical accessibility to buildings, better facilities and equipment in the landlord’s stock and offices for people with particular impairments, or improved outcomes from incidents of harassment.

90. For objectives and targets to be credible, and to establish a degree of external accountability, they should be shared with and agreed by relevant local partnerships. Meeting the objectives and targets may also need dedicated resources and staff. Finally, making sure that the required action takes place means that responsibilities are clearly allocated to the relevant individuals and that these people are given the information, training, resources and support to achieve the objectives.

## What we found

91. Just over half the organisations have identified specific objectives or targets to inform and guide their activities in the pursuit of equality. However, in most cases, even those who have some objectives or targets in place still have work to do. In some instances, the objectives or targets only cover some of the activity areas. Other organisations have fairly general objectives which do not meet the SMART criteria, making it difficult to ensure that they get resourced or prioritised.
92. All these organisations are hampered to varying degrees by the weaknesses identified under the previous challenge statements, ie they are not clear about exactly what they are trying to achieve or they don't know what needs they are trying to meet.
93. Two organisations stand out from the 15 case studies as exemplary in this area, as detailed opposite. This does not mean they cannot improve, but they are doing well enough to suggest that the other organisations we visited could learn from their experience.

## Overview

94. Of all the challenge statements, the least progress has been made on setting SMART objectives. Some organisations have done very little in this area. We found that in general RSLs are further advanced in this area than local authorities. However, those that have begun the target-setting process all accept that more work is needed. More guidance may be needed on the specific subjects on which targets can usefully be set.

## **GOOD PRACTICE EXAMPLES: SMART OBJECTIVES**

Two RSLs consistently provide examples of good practice across the range of challenges, Dunedin HA and Southside HA. These are the only organisations to have set SMART objectives. In one case our inspectors noted:

**“Within the Equal Opportunities Action Plan, SMART objectives have been translated into realistic targets, relating to service outcomes and access to services. They take account of knowledge about current performance obtained through monitoring, and are set in consultation with local partnerships such as the Equalities Forum.”**

Examples of their SMART objectives include:

- **Using information from the Communities Scotland Regional Action Plan on equalities to set realistic targets for housing ethnic minority households, stating clear timescales for action and confirming who has responsibility for achieving specific outcomes.**
- **Setting a target that by 2004 all public parts of offices must be open to all members of the public.**

These two RSLs have clearly designated responsibility for achieving targets and have clearly communicated the service-level objectives and targets to all staff. Dunedin also communicates this information to service users. Southside reports back to service users on performance through the annual report and quarterly newsletters but the targets themselves have not been reported.

Dunedin links performance against targets to staff performance agreements and, through these, to salaries; while Southside sets out objectives and targets within activity plans, against which progress is reviewed on a quarterly basis.

Another RSL, Almond HA, is also performing well in this area. Almond sets itself a range of annual targets on equalities, based on census information. Performance against these targets is regularly monitored and reported to the association's Equal Opportunities Committee. Latest figures show that Almond is performing well across most of these areas, although it is less clear what action is taken where targets are not being achieved.

### Challenge 5: Fair Services

The social landlord provides information and delivers services that respond to the requirements of the diverse range of its existing and potential service users.

#### What we were looking for

95. As a regulator, we focus strongly on the outcomes of service delivery, so this and the next challenge statement lie at the heart of our assessment framework. But achieving equality means more than treating everyone the same. Indeed, in some ways, nothing could be more unequal than treating those who are different as if they were the same. So a basic tenet of treating people equally is recognising and responding positively to diversity.
96. In assessing this challenge statement, we looked at four different aspects of fair services. First we considered whether people were being told, in appropriate and accessible ways, about the services they could get from the social landlord and how to get them. We also looked at whether any physical barriers to access existed and if so whether any action had been taken to remove them or make them less of a problem.
97. In terms of how staff were delivering services, we discussed the flexibility of procedures with frontline staff to check that they had been given the information, training and support required to deal responsively with the needs of a diverse community. Finally we looked at how case-study organisations were dealing with the difficult area of harassment of equalities groups.

#### What we found

98. Dealing first with information provision, we saw ample evidence that organisations are ensuring that information about their services is or can be made available in accessible formats to meet the needs of different groups of people. About half the organisations we spoke to offer translation services for written documents and more offer access to interpreting services e.g. via Language Line. A smaller number also give out information leaflets which include translated information.
99. We originally had concerns about whether organisations would be able to fulfil their offers of translated materials, but a mystery-shopping exercise involving sending letters in community languages to the case-study organisations yielded some excellent responses. We sent letters to 14 organisations and 11 replied. The average time to respond was ten working days, although four responded within five working days. Three organisations replied in the appropriate community language.

100. Significant numbers also offer Braille, audiotape or large print materials for people with visual impairments and over half noted they could communicate in sign language.
101. However, the usefulness of all these information sources depends on two things: identifying the need for a particular means of communication and letting those who need the service know about it. In the first case, the inadequacy of the information held by most case-study organisations about the diversity of their community would make it difficult for them to identify appropriate formats and could result in wasted effort, although we noted that some organisations consult representatives from equalities groups specifically for this purpose. On the second point, inspectors expressed concerns over a few organisations that do little or nothing to advertise that they have or can provide information in alternative formats.
102. Across the sector, we found considerable evidence that physical access to services is a problem, particularly for people with temporary or long-term mobility difficulties. Having done basic disability access audits (see appendix 3), we could identify only two organisations with good access arrangements for all the offices we visited. Most of the others had barriers of one form or another, such as no wheelchair access; no wheelchair-accessible toilets; heavy or awkward front doors that are difficult to negotiate in a wheelchair or with a pushchair; no street-level access; no lift; no handrails; no parking spaces reserved for disabled people; reception desks at a height that represents a barrier to communication to wheelchair users; interview rooms that were too small for wheelchairs; no signs in Braille; signs in very small print or no signs at all.
103. On a more positive note, several organisations have improved office accessibility (handrails, ramps, Braille signs in lifts). In line with the Disability Discrimination Act 1995, all the organisations have taken or are willing to take action to get round physical barriers. For example staff in all the case studies are willing to offer home visits, if requested. Some do this as a matter of course for certain tenants, eg one council offers a door-to-door rent collection service for older tenants and others with mobility difficulties. Another provides local surgeries in more geographically isolated communities and a mobile bus unit equipped to take services to the doorstep.
104. We recognise that achieving full physical accessibility would be difficult and costly for many organisations, but we also saw many instances where improved office accessibility would be relatively cheap and easy, e.g. better/bigger/clearer signs, doorbells or intercoms on all external office doors, chairs at varying heights with arms, furniture of contrasting colour to the walls and flooring etc.

105. In testing how organisations did or would deal with specific challenges in delivering services to members of equalities groups, we discussed various possible scenarios with groups of frontline staff in each case study. We were very encouraged by their responses. In most cases we were satisfied they had a good awareness of a broad range of equalities issues and that service users or potential service users would get fair and sensitive treatment from staff. Our findings showed this is usually associated with appropriate staff training. In three cases we had some concerns that, although staff would take a professional approach, they are not aware of some of the services they could offer.
106. A growing number of organisations are taking part in multi-agency groups or arrangements for dealing with incidents of racial harassment. Our general conclusion is that these are working well and are resulting in prompt and appropriate responses to such situations. We wish to encourage involvement in such groups but organisations must ensure that all staff see these arrangements as a fully integrated part of their housing management structures and do not regard incidents of racial harassment as special cases to be dealt with by another agency, e.g. police or Race Equality Council.

#### **GOOD PRACTICE EXAMPLE: DEALING WITH RACIAL HARASSMENT**

**Both Aberdeen City Council and Aberdeenshire Council take part in multi-agency strategies for dealing with racist incidents, in partnership with appropriate local organisations such as Grampian Police, Grampian Fire Brigade, Grampian Racial Equality Council, Victim Support and the local Citizens Advice Bureau. They publicise these strategies on posters and have produced leaflets in community languages that encourage people to report incidents and give details of how to go about it. Detailed guidance for racist incident monitoring has also been produced and staff with responsibility for monitoring have received appropriate training.**

#### **Overview**

107. A rather more encouraging picture emerges of compliance with this challenge, which is important in view of its immediate effect on individual service users. At a practical level, organisations are doing many things to deal with equalities-related issues as they arise or are brought to their attention (via guidance, new legislation etc).

108. Given the limitations of the case studies, we had to focus on only a few aspects of the services being delivered. But within these areas we saw plenty of relevant information specifically targeted at equalities groups, much of it offered in different formats. We also found staff committed to delivering services that respond to individual needs and to dealing with the obstacles and problems experienced by members of equalities groups. However, we are concerned that these positive aspects are not generally supported by a systematic approach to achieving equality, mainstreamed throughout organisations.
109. We also found mixed results on the issue of physical access. There are considerable barriers to overcome and we saw plenty of evidence that organisations have given little thought to fairly simple ways of making services easier to access and use. In terms of 'reasonable adjustments' and personal contacts, however, the evidence of staff practice is very positive.

### **Challenge 6: Fair employment and governance (RSLs only)**

The organisation is able to demonstrate that it is an equal opportunities employer and that its staff, governing body and wider membership reflect the community it serves.

#### **What we were looking for**

110. While equality in service delivery is a high priority for service users, it is also important to achieve equality of opportunity in employment. Fair recruitment will remove barriers to the employment of people of different backgrounds in the organisation. This will mean that organisations are recruiting from the widest pool of talent, potentially raising the standard of their intake. In addition, a more diverse workforce should be better equipped, because it should include staff with more knowledge about meeting the needs and aspirations of service users and potential service users of different backgrounds and different equalities groups.
111. In examining this area, we were looking for similar things to what we studied in relation to all the other challenge statements. So we looked at what the organisations say they want to achieve in relation to fair recruitment and employment; and at what they know about their existing staff, governing body and wider membership, and whether they have used this information to identify disparities or objectives and targets for improving their performance in this area. As with service delivery, to achieve these objectives, each RSL would need a clear action plan, with allocated responsibilities and resources and a system for monitoring progress.
112. We also considered each RSL's recruitment procedures and how it puts these into practice. We looked at whether these are in line with legislative requirements and the equalities commissions' Codes of Practice; whether vacancies are being advertised and disseminated in ways that do not unfairly restrict the range of applicants; and whether staff involved in recruitment and human resource management receive training on equal opportunities in recruitment and selection.

#### **What we found**

113. Each of the six housing associations we visited has a commitment to equal recruitment and employment practices in published policy or strategy documents. However, we consider that only two of the six are clearly putting into practice the commitments in their policy documents.

114. All six organisations have good quality information about the composition of their existing staff and of their governing body. However, only two have good information about the diverse make-up of their membership and none is able to compare this adequately with information on the make-up of the local population. The better organisations have work under way to deal with this gap.
115. We found that only one organisation has established a full range of targets to improve the ethnic diversity of its staff, governing body, tenants and membership, although even this organisation admitted it could widen its approach to cover other equalities groups. Another organisation says it has an ethnically diverse governing body, but is happy to consider introducing targets in future if this situation changes.
116. Two RSLs have introduced monitoring systems to chart their progress in improving performance in this area. Both analyse the results of their monitoring and report them to the governing body. While they deserve credit for this, there is still room for improvement in the range of monitoring information collected; and in one case in getting this information to service users and other stakeholders.

**GOOD PRACTICE EXAMPLE: ENCOURAGING APPLICANTS FROM BLACK AND MINORITY ETHNIC COMMUNITIES**

**Southside HA uses Employers in Voluntary Housing (EVH) as part of its recruitment process, to ensure advertisements reach minority groups. Because of the ethnically diverse community in which this RSL operates, these advertisements include a statement that possession of a minority language is desirable.**

**Almond HA advertises through the Disability Employment Service and a local equalities employment group called 'Into Work'. Almond has been externally assessed as positively promoting the employment of disabled people.**

117. On recruitment practice, three of the six organisations advertise all posts widely, both internally and externally. A fourth advertises most posts widely, although a few jobs are only advertised internally. In the other two cases, the organisations mainly advertise and promote internally. We felt this could result in an unfair restriction on the range of applicants.
118. Several organisations, recognising the need for a more diverse workforce, have taken positive action by taking on trainees from minority ethnic backgrounds through the Positive Action for Training in Housing scheme (PATH).

119. On treatment of existing staff, the indications were generally good. In one case, a comprehensive in-house training and development programme is complemented by access to external training and further education. All staff have equal access to training and records of participation are held. In another case we again noted that all staff have equal access to training, with relevant training budgets available.
120. The picture was less positive on equalities training for staff carrying out recruitment. Two RSLs have made commitments to train relevant staff on equal opportunities but one of these has not put this into practice.

## Overview

121. There is considerable evidence of good practice in fair recruitment and selection and in understanding the make-up of the current workforce. Despite some good practice, there is less consistent evidence of systematic approaches or positive steps to ensure the workforce reflects the wider community. The evidence we saw of positive action in relation to PATH trainees is certainly a step in the right direction but much more could be done in this area, and not just in relation to ethnicity.
122. Consistent with Challenge 4, most organisations need to do more work on setting, monitoring and reviewing targets, where they have identified disparities. Both the monitoring and the target-setting must cover all applicable equalities groups and should relate to their treatment once in post as well as their access to jobs, e.g. representation at different grades and access to promotion opportunities as well as appointments.

### **Challenge 7: Monitoring**

There are systems in operation to collect the information the organisation needs to measure its achievements against its objectives and targets and to identify the outcomes of its systems and services

#### **What we were looking for**

123. If progress on equality is to make a real difference to people, it will need to be built on information collected about needs, current levels of service delivery and the concerns and hopes of service users. Organisations need systems to ensure they can clearly check that action has been taken to respond to any gaps, disparities and concerns they have found.
124. Through monitoring, the organisation should establish whether its action in pursuit of equality is having a demonstrable effect and whether it is making positive progress towards achieving its stated objectives and targets. Clearly, to fulfil this function, the information collected has to be up to date and must be analysed, and the findings must be passed on to those able to act on them.
125. Some services provided by social landlords, such as repairs or the management of supported housing, can be contracted to agents. Those agents must also deliver an effective and appropriate service, fairly and without unlawful discrimination. Where appropriate, their activities should be covered by the organisation's monitoring system.

#### **What we found**

126. All 15 organisations collect some information on equalities in housing applications and allocations. In six of them, this is part of the systematic monitoring of at least the ethnicity and disability information available about applicants and service users. In line with our findings on commitment documents, we found that a few organisations take a very inclusive approach to monitoring and collect information from their service users about issues such as sexual orientation. In most of the case studies, however, information collection on equalities is more restricted and less systematic.

### **GOOD PRACTICE EXAMPLE: AN INCLUSIVE APPROACH TO MONITORING**

Southside HA has consulted Housing Diversity, the Commission for Racial Equality, Communities Scotland and ethnic minority groups to agree what information the association will collect about service users and applicants for its services, and for what purpose. The aspects covered include ethnic origin, gender, disability, age, religion and sexual orientation. The housing application form explains why it collects equalities information but emphasises that not giving the information will not prejudice an application. The association uses the information to monitor whether its services are reaching the right people and having the right outcomes. Details of its performance are included in quarterly newsletters and the annual report.

127. In line with Scottish Executive requirements, all the local authorities also systematically monitor equalities information for homeless applicants. However, only one organisation was able to show that it monitors qualitative information such as the quality of housing allocated to ethnic minority applicants.
128. Of those organisations that collect monitoring information, five use ethnic classifications that do not mirror those used in the 2001 census (and are therefore not directly comparable). One uses the appropriate classification for the information it records about homelessness but not about housing allocations. We also found that only some of the organisations follow good practice by collecting equalities information in a way that allows it to be readily detached and held separately from application forms.
129. Of the organisations that systematically monitor equalities information, only three actually analyse the information they have collected, compare it to targets and produce regular reports on the outcomes. More detail on two of these organisations is included in the good practice example opposite. Three other organisations report to their governing body on the breakdown of housing applications by gender, disability and ethnicity but do not clearly compare this to established objectives or targets.
130. One organisation has extended its monitoring systems to include contracts with agents and partnership arrangements, and collects information on access to services and targets for service delivery. It takes appropriate action on the basis of the findings.

#### **GOOD PRACTICE EXAMPLE: COLLECTING AND DISSEMINATING MONITORING INFORMATION**

Two RSLs supplied particularly good examples of good practice in this area: Dunedin HA has good monitoring systems appropriate to each service area. The information it collects about service delivery is analysed and compared with targets and objectives. It then produces reports for the staff and the management committee. It also reports this information to service users and the wider community. Dunedin also considers the quality of lets to ethnic minority applicants; for example it monitors family-size housing every three months to ensure it maintains fair access for ethnic minority applicants.

Southside HA, working mainly in the Pollokshields area of Glasgow, has consulted Housing Diversity, the Commission for Racial Equality, Communities Scotland and ethnic minorities groups about what information it will collect and how it will be used. The housing application form explains why equalities information is collected but emphasises that not giving the information will not prejudice an application. The organisation then reports to its management committee quarterly with details of accepted and rejected housing applicants, tenants, association membership, staff and committee members. It adds information on the previous year's performance to enable the management committee to identify any trends.

#### **Overview**

131. Case-study organisations are clearly collecting data on a range of equality-related subjects and across different organisational activities, but monitoring systems will need to become more comprehensive if organisations are to be able to demonstrate progress against all their equalities objectives. Consistency within organisations and across the sector is also an issue.
132. Social landlords will also need to ensure they are following best practice in the categories they use to capture information, to ensure they can compare their own performance against broader community or population data. This applies to both the use of up-to-date census categories and also, for RSLs, ensuring they use the updated SCORE forms.
133. However, we are keen to emphasise that this issue does not relate only to ethnicity. In relation to disability, it is worth noting that census data is currently based on a definition of 'long-term limiting illness' which blurs the distinction between ill-health and disability. This should be used with care to ensure it does not lead to unfounded presumptions that could reinforce discrimination against those with physical and other disabilities.

134. Finally we found that most organisations are collecting useful monitoring information on equalities issues but do not analyse it. This is paying lip-service to equalities and wastes time for both the organisation and the potential service users who are being asked to provide the information.

### **Challenge 8: Continuous improvement**

The organisation clearly demonstrates its commitment to continuous improvement by reviewing and revising its policies and activities regularly on the basis of the information it collects or receives.

#### **What we were looking for**

135. Having set out their overall commitments, put in place action plans, objectives and targets for achieving these overall commitments and monitored progress, organisations need to use the information they have collected to begin the loop again, in pursuit of continuous improvement.
136. So we were looking to see if monitoring information is used to review progress towards targets and objectives. Organisations need to check whether information about trends indicates that they are making progress towards agreed targets or objectives. They will also need to ensure that, where they find unjustifiable disparities in service outcomes or satisfaction rates, they review and revise their existing approaches to service delivery to reduce or remove these disparities.
137. To address any disparities indicated by the monitoring system, service and policy reviews may be necessary. These need to be carried out in consultation with affected service users and the wider community. As well as getting feedback from service users and other stakeholders, organisations should benchmark their performance against other comparable bodies. Ideally, they should be able to identify examples of good practice in their service delivery and share these with others.
138. We were also interested in whether the results of monitoring exercises are routinely fed back into corporate and service planning.

#### **What we found**

139. In only four cases did we find that organisations have identified disparities in service outcomes or satisfaction rates or that they systematically reviewed and revised their approaches to service delivery in response to concerns about it. Three of these are RSLs. These are using their monitoring information to review progress against targets and objectives. Information on trends from the same three organisations indicates progress towards agreed targets. The one local authority in this sub-set takes a slightly different approach, as set out in the good practice example overleaf.

### **GOOD PRACTICE EXAMPLE - TENANT INVOLVEMENT IN SERVICE REVIEWS**

West Lothian Council carries out service reviews in consultation with affected service-users through tenant-led inspections. Tenant stakeholders can independently assess any part of the service, and areas that they identify for improvement are included in an action plan, which names who will be responsible for actions and sets the timescale for delivering these. Equalities issues are built into inspections, and the results of these inspections are fed directly into the service review process.

### **GOOD PRACTICE EXAMPLE: REVIEWING AND REVISING POLICIES AND ACTIVITIES ON THE BASIS OF MONITORING INFORMATION**

Dunedin HA uses monitoring information, benchmarking reports and information about the general population to continually set, review and update objectives and targets. For example, its monitoring information showed that 5% of applicants on the waiting list were from ethnic minority backgrounds but only 2% were being housed. The organisation responded by increasing the target to make 8% of lets in that area to ethnic minorities. Dunedin also appraises managers against equalities objectives and targets every month.

## **Overview**

140. This is one of the weakest areas of performance across the sector, although more RSLs than councils are making good use of their monitoring information. This is clearly an area of development for most social landlords and it reflects the concerns already expressed about the lack of comprehensive target or objective setting. Without targets or objectives, there are no benchmarks against which to monitor progress. In these circumstances, while organisations may be doing good things, it is difficult to be sure that these are the right things or to check that they are effective.

## **APPENDIX 1: PARTICIPANTS**

The organisations who took part in this study are:

Aberdeen City Council

Aberdeenshire Council

Almond Housing Association

Argyll & Bute Council

Dundee City Council

Dunedin Housing Association

East Dunbartonshire Council

East Renfrewshire Council

Eildon Housing Association

Grampian Housing Association

Hillcrest Housing Association

Inverclyde Council

Southside Housing Association

Stirling Council

West Lothian Council

## **APPENDIX 2: REFERENCES**

The following sets out the main legislative framework that governs race, gender and disability as well as the relevant Codes of Practice and other good practice guidance. This list is intended to be indicative rather than exhaustive.

### **Legislation**

- Race Relations (Amendment) Act 2000
- Race Relations Act 1976
- Equal Pay Act 1970
- Sex Discrimination Act 1975
- Sex Discrimination Act 1986
- Disability Discrimination Act 1995
- Protection from Harassment Act 1997
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Disability Rights Commission Act 1999
- Immigration and Asylum Act 1999
- Mental Health (Public Safety and Appeals) (Scotland) Act 1999
- Adults with Incapacity (Scotland) Act 2000
- Protection from Abuse (Scotland) Act 2001
- Education (Disability Strategies and Pupils' Educational Needs) (Scotland) Act 2002
- Community Care and Health (Scotland) Act 2002

### **Statutory Instruments**

- Sex Discrimination (Formal Investigations) Regulations 1975 (SI 1975/1993)
- Sex Discrimination (Questions and Replies) Order 1975 (SI 1975/2048)
- Sex Discrimination Act 1975 (Exemption of Special Treatment for Lone Parents (Order 1991) (SI 1991/2813)
- Sex Discrimination and Equal Pay (Remedies) Regulations 1993 (SI 1993/2798)
- Sex Discrimination and Equal Pay (Miscellaneous Amendments) Regulations 1996 (SI 1996/438)
- Sex Discrimination Act (Gender Reassignment) Regulations 1999 (SI 1999/1102)
- Race Relations (Formal Investigations) Regulations 1977 (SI 1977/841)
- Race Relations (Questions and Replies) Order 1977 (SI 1977/842)

- Race Relations (Interests and Awards) Regulations 1994 (SI 1994/1748)
- Race Relations (Statutory Duties) Order 2001
- Disability Discrimination (Meaning of Disability) Regulations 1996 (SI 1996/1455)
- Disability Discrimination (Employment) Regulations 1996 (SI 1996/1456)
- The Social Security (Disability Living Allowance and Claims and Payments) Amendment Regulations 1996 (SI 1996/1436)

### **Codes of Practice**

- Statutory Code of Practice on the Duty to Promote Race Equality in Scotland, CRE (2002)
- Code of Practice in Non-Rented (Owner-occupied) Housing, CRE (1992)
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- Mental Health (Scotland) Act 1984
- Disabled Persons (Services, Consultation and Representation) Act 1986
- Public Order Act 1986
- Housing (Scotland) Act 1987
- Housing (Scotland) Act 1988
- Local Government Act 1988
- National Health Service and Community Care Act 1990
- Asylum and Immigration Appeals Act 1993
- Children (Scotland) Act 1995
- Asylum and Immigration Act 1996
- Employment Rights Act 1996
- The Police Act 1997
- Scotland Act 1998

**APPENDIX 3: DISABILITY DISCRIMINATION AUDIT FORM**

Local Authority/RSL \_\_\_\_\_ Office \_\_\_\_\_

Date \_\_\_\_\_ Completed by \_\_\_\_\_

<b>FEATURES TO LOOK FOR</b>	<b>YES/NO</b>	<b>COMMENTS</b>
<p><b>External features:</b></p> <p><b>Access</b></p> <p>Does the property have car parking facilities for disabled people? If Yes, how many dedicated spaces are available?</p>		
<p>Are lowered kerbs located on the access route to the public entrance door?</p>		
<p>Is there door-level access to the public entrance? If not, is a ramp with handrails provided?</p>		
<p>If there are stairs on the access route to the public entrance, are handrails provided?</p>		
<p>Are ramps provided at fire exits? All or some?</p>		

FEATURES TO LOOK FOR	YES/NO	COMMENTS
<p><b>Signage</b></p> <p>Is there clear signage outside the property? Are signs easily read and understood?</p>		
<p><b>Entrance door</b></p> <p>Does the entrance have a single or double door?</p>		
<p>Are the doors manually and/or power operated?</p>		
<p>Do the doors have suitable handles?</p>		
<p>Is there a call system installed?</p>		
<p>Do the doors have high and low vision panels?</p>		

FEATURES TO LOOK FOR	YES/NO	COMMENTS
<p><b>Internal features:</b></p> <p><b>Reception</b></p> <p>Does the reception desk have a section low enough for wheelchair users?</p>		
<p>Is a hearing (induction) loop fitted? Is a portable loop available?</p>		
<p>Is there suitable seating in the waiting area?</p>		
<p>Are the furnishings in a contrasting colour from the decoration?</p>		
<p>Is the reception desk always staffed? Is there a bell or other call device fitted?</p>		
<p>Are there clear signs fitted for:-</p> <ul style="list-style-type: none"> <li>reception desk/area</li> <li>waiting area</li> <li>toilets (including disabled persons toilet)</li> <li>lifts</li> <li>public payphone</li> <li>hearing loop</li> </ul>		

FEATURES TO LOOK FOR	YES/NO	COMMENTS
<p><b>Lifts</b></p> <p>Are public lifts available? Are they wheelchair accessible?</p>		
<p>Do the controls have Braille coding?</p>		
<p>Are controls mounted at a suitable height for wheelchair users?</p>		
<p><b>Toilets</b></p> <p>Are accessible toilets provided for visitors?</p>		
<p>Are Disabled Persons toilets provided for visitors? If Yes, are grab rails and alarms fitted?</p>		
<p><b>Meeting rooms / Office areas</b></p> <p>Are doors wide enough for wheelchair access?</p>		

<b>FEATURES TO LOOK FOR</b>	<b>Yes/No</b>	<b>COMMENTS</b>
<b>Fire escapes</b> Are all fire exits clearly marked?		
Are safe refuge areas provided?		
Is there an emergency plan for evacuation of disabled persons?		

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