

Equalities in practice follow-up study **DECEMBER 2006**



Ensuring decent housing
and strong communities across Scotland

**Communities
Scotland** 

Equalities in Practice

A follow up study to the 2002 thematic report

December 2006

This document can be made available on tape, in Braille, Moon, large print and community languages.

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1 Executive summary

- 1.1 As the housing regulator we recognise the importance of promoting equality as a regular part of all our regulation and inspection work. We published our first thematic study on equalities within the housing sector in 2002. That report tested how well landlords were doing against eight challenge statements that set out what we expected of them. It showed a mixed picture of performance.
- 1.2 Some of the landlords we looked at are working hard to ensure that everyone in their communities could access the services they were providing equally. They also understand the need to ensure that their staff teams and those serving on their governing bodies reflected their communities. However, many others still have a lot of work to do to meet our expectations.
- 1.3 It is now four years since we published our first report. There have been important changes in the law. These changes include new legal duties in relation to race, disability, age and sexual orientation. The equalities commissions have also published new statutory guidance in relation to race and disability.
- 1.4 We commissioned Avante Consulting to conduct a questionnaire survey of all social landlords in Scotland. They also conducted a number of interviews and focus groups with staff, tenants and governing body members from across Scotland. The study looks at the progress that landlords have made in meeting the challenges we set in 2002. It also looks at the factors that are most likely to encourage or assist landlords to improve their practice. In particular we asked Avante to find out how well we were doing in promoting continuous improvement in equalities practice.
- 1.5 The survey results show that some landlords have made good progress in meeting our challenges. However, many participants report that they felt they lack the resources and, in some cases, the capacity to deal effectively with the full range of challenges. In particular those taking part in the study say they need more help with:
 - consulting 'hard to reach' groups and those who don't participate in established consultation arrangements;
 - recruiting and building the capacity of governing body members;
 - cultural sensitivity in communication, use of language and methods of engagement;
 - better understanding of the issues that affect the whole sector and better use and implementation of benchmarks for good practice;

- setting appropriate and meaningful targets in each of the areas;
 - establishing systems to monitor and evaluate the targets; and
 - learning from what others in the sector are already doing.
- 1.6 The results also show that the sector is doing least well in meeting the needs of equalities groups in respect of sexual orientation, religion and belief and to a lesser extent gender.
- 1.7 In many organisations senior staff, members and governing body members may not always be providing clear leadership. And they may not always have the information they need to do so. They may be relying on “passionate individuals” who have an interest in equalities work and who act as champions for equalities issues.
- 1.8 The report identifies areas for improvement in relation to all the challenges we have set.
- 1.9 Those taking part identified the top four reasons for improving their work on equalities as:
1. Legislation (89%)
 2. Organisational commitment (80%)
 3. Communities Scotland’s assessment framework (70%)
 4. Community profile (56%)
- 1.10 Many landlords consider our assessment framework to be one of their top four drivers for improvement. Twenty two percent of respondents also find inspections helpful in supporting the assessment framework.
- 1.11 However, an important minority report that they find our work either not very helpful or unhelpful.
- 1.12 We recommend that all landlords should use the challenge statement and self assessment questions to develop an equalities action plan and to set SMART targets for meeting these challenges.
- 1.13 We also recognise that the sector is facing significant challenges from the new equalities legislation. In response to this we have given a commitment to publish a revised regulation framework to make clear what we expect landlords to do to comply with the new laws and best practice in equalities

2 Introduction

- 2.1 Equalities in Practice is our fifth in a series of thematic studies. Thematic studies complement our programme of cyclical inspections of registered social landlords (RSLs) and local authorities. Where cyclical inspections look at the delivery of a spectrum of services within individual organisations, thematic studies look at a single area of practice across the sector.
- 2.2 This thematic study is a follow up to an earlier study in 2002 which also examined equalities in practice.
- 2.3 This report provides a description of the context for the study, the methods used, key findings, conclusions and recommendations.

Background to the study

- 2.4 We published our first thematic study on Equalities in Practice in 2002. This follow up study provides a national picture of performance and progress following the 2002 study. It also looks at the factors that have helped or encouraged landlords to improve their equalities practices and the role we have played in regulating and inspecting them. We commissioned the research work for this report in the spring of 2006. It provides a valuable picture of how the sector is performing at a time when new and updated equalities laws are coming into force.

Equalities in Practice – Implications for Housing Providers

- 2.5 Our 2002 study set out our expectations for equalities work by social landlords. It said

“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.”

- 2.6 This remains our view. But since we published the report there have been a number of important changes in equalities law and good practice. These include three new pieces of legislations:
- the Race Relations Amendment Act 2000;
 - the Disability Discrimination Act 2005; and
 - the Equality Act 2006.

- 2.7 The equalities commissions have also published new or revised statutory codes of practice on disability and disability discrimination¹, gender equality² and race equality in housing³.
- 2.8 The new legislation has changed the nature of some of the most important legal duties. Public sector bodies are now required to do more than just eliminate discrimination in their own work. They have a number of new duties to promote positive attitudes and good community relations in respect of race, disability and age. Further significant changes in the law will take place as the Equalities Act 2006 comes into effect.
- 2.9 These are significant new challenges for all those working in social housing. The 2002 study showed that many landlords still had much to do to improve their approach to equalities. This study is an important opportunity to take stock of progress and assess what more needs to be done to ensure that social housing meets the needs of all those who look to it for their housing and other related services.

The assessment framework

- 2.10 We developed our assessment framework as part of the Equalities in Practice thematic study published in 2002. We based it on the published Performance Standards which include Guiding Standard 2.1.

GS2.1 – Equal Opportunities

We embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work.

- 2.11 The 2002 study used eight challenge statements to assess performance against guiding standard 2.1. They were designed to:
- encapsulate legislation and good practice on equalities issues;
 - reflect the elements of a basic performance management or quality assurance cycle; and
 - make it easier to see how equalities can be “mainstreamed” into an organisation’s existing performance management and quality assurance systems.
- 2.12 A number of self assessment questions support each statement. These questions focus on the actions a landlord should take to meet the challenges. We have used them as basis of the questionnaire and assessment framework for this study.

¹ Housing and the disability equality duty, A guide to the disability equality duty and disability discrimination Act 2005 for the social housing sector, Disability Rights Commission, 2006.

² Gender Equality Duty Draft Code of Practice, Equal opportunities Commission, 2006.

³ Code of Practice on Racial Equality in Housing (Scotland), Commission for Racial Equality, 2006

Challenge Statements

Challenge 1: Commitment statements and documents

The organisation has published documents that clearly and specifically set out its commitment and approach to equalities issues 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 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 takes 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

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.

The 2002 thematic study

2.13 The study used a sample of 15 case studies covering nine local authorities and six RSLs to develop and test the challenge statements and supporting questions.

2.14 The case studies found that landlords were making progress in some areas including:

- consultation with stakeholders, including equalities groups;
- provision of fair services; and
- fair employment and governance.

It also found that landlords demonstrated weaknesses in:

- gathering information about diverse communities;
- setting SMART objectives and targets to address disparities in outcomes;
- collecting the right monitoring information to track progress against objectives; and
- using information to achieve continuous improvement.

The 2006 Study

2.15 We commissioned Avante Consulting to carry out a follow up study. Our objective was to:

- present a national picture of performance on equalities issues;
- assess the progress landlords have made in implementing the recommendations of the 2002 report; and
- report and assess the impact that the 2002 report had on improving performance.

The study included:

- a questionnaire of all Registered Social Landlords and local authorities (LAs) in Scotland;
- a series of twenty-one focus groups/interviews with landlord organisations; and
- the examination and validation of good practice examples drawn from participating organisations.

Questionnaire Survey

2.16 The survey circulated to landlords was made up of four sections looking at:

- indicators of progress on the 2002 challenge statements;
- action on areas for improvement;
- use of the assessment framework; and
- how we support the assessment framework.

2.17 Avante's report, and the full questionnaire and the results are available

on our website.

http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/webpages/cs_016739.pdf

- 2.18 Based on the inspection self-assessment questions, the survey asked organisations to provide information against the indicators of equalities in practice. Sixteen local authorities and ninety-five RSLs⁴ completed the survey giving an overall response rate of 53%.
- 2.19 Some of those landlords that did not complete the questionnaire gave genuine reasons for not participating. However, a small number of organisations were openly hostile towards allocating time to take part in this study.

Interviews and focus groups

- 2.20 Avante Consulting also carried out a series of interviews and focus groups. They selected organisations based on their location and size. Tenants, members of governing bodies and staff took part. We list the organisations who participated in the focus groups in annex 1.

All organisations who participated in this study did so voluntarily and we would like to thank all those who gave up their time to support this study.

Structure of this report

- 2.21 This report is structured around three areas:
- findings from the questionnaire, focus groups and interviews;
 - the drivers for improving practice, and
 - conclusions and recommendations.
- 2.22 This report discusses the results of the questionnaire and draws on the discussions of the focus groups. These results provide the basis for assessing progress in improving equalities in practice over the last four years.
- 2.23 We set out the conclusions that we have drawn from the study, how we will respond to the reports findings and our recommendations for social landlords at the end of the report.

⁴ (Abbeyfield RSLs were not included in the exercise).

3 Findings and areas for improvement

3.1 This section presents the findings against each challenge statement.

Challenge 1

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

- 3.2 The 2002 study found that most landlords had made commitments to pursuing equalities but that they needed to:
- do more work to put those commitments into practice;
 - do more to translate their commitments into activities; and
 - ensure that their staff were clear about what they expect of them.
- 3.3 The 2006 study has found that most landlords are meeting this challenge. But they need to do more work to ensure that staff understand what an equalities commitment actually means in practice.
- 3.4 Of the landlords who replied to the survey, 87% have published material setting out their approach to equalities. Most of these published policies (75%) incorporate statutory obligations and legislation. Less than 1% of those responding indicated that they have taken no action to meet this challenge. Of those landlords who already have policies in place, 9% report that staff do not fully understand them. They also say that work is in progress to address this.
- 3.5 The survey and interview findings show that most landlords had policies in place before the 2002 study and have continued to implement policies since then. Landlords are likely to set out their commitments in both stand alone equalities policy statements and as part of specific policy documents, including, for example allocations or employment policies. But landlords also report that more than 30% of these documents do not include commitments in relation to sexual orientation and religion and belief.
- 3.6 Some organisations say they have carried out periodic reviews, revision and refinements of their policies based on regular review processes and tenant consultation.
- 3.7 RSLs and local authorities both say that the commitments made by their organisations are an important factor in developing equalities policies. But local authorities tend to rank the legislation higher than RSLs do. Both report that leadership within the organisation is a critical factor. They see

a clear commitment at senior management level as vital to good work on equalities. Many respondents also report that “passionate individuals”, championing equalities issues are significant. Such individuals play an important role in This section presents the findings against each challenge statement.

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- 3.12 Some organisations say they have carried out periodic reviews, revision and refinements of their policies based on regular review processes and tenant consultation.
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a clear commitment at senior management level as vital to good work on equalities. Many respondents also report that “passionate individuals”, championing equalities issues are significant. Such individuals play an important role in ensuring progress in mainstreaming equalities and generating the necessary organisational culture. In some smaller organisations this can make a big difference.

3.14 Areas for improvement are:

- ensuring equalities policies include all the equalities strands;
- ensuring that managers and others understand their role in promoting a strong equalities focus, relying less on individuals as champions; and
- ensuring that staff understand what equalities commitments mean in practice.

Challenge 2

The organisation has good information about the context in which it is operating. It has 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.

3.15 The 2002 study found:

- landlords did not understand their local context and there was little information about needs and aspirations of equalities groups; and
- landlords needed to improve their processes for gathering information including carrying out surveys and consulting with people from equalities groups.

3.16 The 2006 study has found that performance against this challenge has improved. Most landlords believe they have made progress. Forty eight percent of landlords say they have comprehensive and up to date information on their population and related equalities issues. A further 45% report work in progress in this area. However, landlords also report that their information gathering tends to focus on information on race, disability, age and gender. Over 65% of respondents report that they had taken little or no action in relation to sexual orientation or religion and belief.

3.17 Over 13% also say that they have made little or no progress in using local equalities information in their planning of services.

3.18 The interview and focus group findings show that landlords use several methods for gathering information about their communities. Most report using housing application forms to gather equalities information for applicants and new tenants. Most landlords say that they do not have good equalities information about their existing tenants. They also have

some concerns about collecting this information. Some felt that low response rates from tenants mean that it is not a good use of staff time. Those who believe they had up to date information report using satisfaction surveys to gather it.

- 3.19 Landlords commonly said that they include gender, race, age and disability in requests for information from new applicants and existing tenants. In a few cases, landlords said they include requests for information on sexual orientation and religion and belief. Interview participants expressed concern about the sensitive nature of this information. Some expressed the view that there was no acceptable way of gathering such information without causing offence.
- 3.20 Those landlords who gather and use equalities information include it in their plans (strategic, corporate, improvement) to guide their work. These plans are likely to include information from monitoring systems, trends in local demographics and community consultations. There was also evidence from the interview sessions that the recent growth in the numbers of migrant workers from the EU expansion states is challenging many landlords' understanding of equalities issues relating to race. Some of those in areas with relatively small visible BME populations are having to reassess some aspects of their approach to this area of equalities work.
- 3.21 Findings from the survey and interviews show that landlords are continuing to establish and maintain links with public, private and voluntary sector partners. Participants said that these links helped to improve their knowledge of their communities.
- 3.22 Areas for improvement are:
- information gathering to inform community profiles;
 - the use of information in planning and delivering services; and
 - understanding community needs across all equalities strands.

Challenge 3

The landlord consults 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.

- 3.23 The 2002 study found that:
- landlords were consulting with tenants and other interested parties;
 - they needed to do more to develop this area of their work; and
 - they were less good at consulting with the wider community.
- 3.24 The 2006 study found mixed performance against this challenge. Just over half of landlords report that they have systems in place to make it easy for all parts of the community to give their views about services and

- polices. Fifty seven percent of landlords said they have procedures in place to enable them to regularly feedback to the community. However, the results also suggest that landlords are not always connecting with hard to reach groups. This was particularly marked for RSLs. A third of them reported little or no progress on ensuring that hard to reach groups are included in consultation processes. This compared to 12% for local authorities.
- 3.25 Just under 90% of landlords say that they consult with people who understood the needs of disabled people in their local community. For all other equalities groups over a fifth of landlords do not feel they are achieving this. In the case of the lesbian, gay, bisexual and transgender community and in respect of religion and belief this figure rose to over half. Just under a third said that they have not analysed information from service users to identify the responses from different groups.
- 3.26 Over 38% of respondents report that they haven't carried out needs assessments for all equalities groups. Just fewer than 30% say that they have not established links with equalities groups locally to support their consultation processes. Local authorities report better performance in this area than RSLs. But many landlords feel they are not consulting with representatives who understand the needs of all equalities groups, particularly sexual orientation, religion and belief and gender.
- 3.27 During interviews landlords demonstrated a commitment to consultation and engagement with their communities. But many expressed concern about the methods they are using. Many reported using tenant satisfaction surveys. They also expressed concerns that these may not have an adequate focus on equalities. Landlords also report using complaints as an indication of general levels of satisfaction. They often take the view that an absence of complaints on a particular issue was as an indicator of satisfaction. There was general recognition that this approach is inadequate.
- 3.28 Interview findings also show that landlords who are more active in tenant participation have a stronger focus on inviting and gathering feedback from all tenants. Some landlords, including national RSLs, have also pooled resources to employ specialist equalities staff.
- 3.29 Areas for improvement are:
- gathering the views of service user from all equalities groups;
 - consultation directly with service users from hard to reach groups;
 - engaging with organisations representing equalities groups;
 - actively monitoring the satisfaction of service users from equalities groups; and
 - carrying out effective needs assessments.

Challenge 4

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

- 3.30 The 2002 study found that:
- landlords had made least progress against this challenge;
 - they had done very little to set SMART objectives; and
 - RSLs were making more progress than local authorities.
- 3.31 The 2006 study has found weak progress in performance across the sector. Only about a third have established targets and objectives designed to reduce or remove inequalities in staffing, governing body membership or access to services. A further 40% report that this work is in progress. Only 25% have agreed targets with local partners. 40% report no progress on this. Overall the performance of RSLs is weaker, with 28% reporting little or no progress compared to 10% of local authorities.
- 3.32 Progress in setting SMART targets for specific groups is also weak. But this varied significantly across the equalities strands. Just under a quarter of respondents report having SMART targets in respect of race and disability. This falls to 12% in relation to age and is between 5.6% and 6.5% for gender, sexual orientation and religion and belief.
- 3.33 Interview findings show that some landlords are working hard to set targets and to implement action plans to meet these targets. They gave a number of examples of organisations developing racial diversity plans and diversity action plans. Those from smaller RSLs feel that they face particular problems in dedicating resources to this area.
- 3.34 Areas for improvement include:
- agreeing objectives, targets and actions in relation to all equalities groups; and
 - working with local partners to agree targets.

Challenge 5

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

- 3.35 The 2002 study found landlords were performing well against this challenge. They were doing many things to deal with equalities-related issues when they arose. Landlords were:
- providing information targeted at specific equalities groups; and

- taking action to meet the needs of individuals when they were made aware of them.
But they had made less progress on improving physical access to services.
- 3.36 The 2006 study has found that landlords are continuing to report good performance against this challenge. The majority of landlords have procedures in place to provide information and deliver services that respond to service users. However, there is some evidence to suggest that some landlords still have to improve. Their approach tends to be reactive rather than planned.
- 3.37 The questionnaire provided some evidence that a small number of landlords do not fully understand what is required to ensure fair access to services. Some are still not meeting the most basic requirements in this respect. All the respondents reported that they provided good quality and accessible information on their services. But
- just over 5% had not carried out accessibility audits of their offices;
 - just under 10% did not provide published material in alternative languages or formats; and
 - nearly a quarter have not reviewed published material for positive images and language.
- 3.38 Some landlords have also had to reassess their approach to the provision of translation services to meet the needs of migrant workers from the EU expansion states. Landlords also made this point in relation to challenge statement 2.
- 3.39 Most landlords report that they respond when tenants need specialist services and support. Over 90% make referrals to specialist services when required and over 85% have access to specialist equipment for disabled people.
- 3.40 Landlords report mixed performance for each specific equality strand. Over 96% agree or partly agree that they have systems in place to ensure fair access to services in respect age, race or disability. Nearly a fifth did not agree that they had achieved this in respect of gender. Over a third reported that they do not have systems in place to ensure fair access to services in respect of sexual orientation or religion and belief.
- 3.41 In addition, only just over 60% of landlords say that they ensure that external contractors have equal access objectives and targets in place. RSLs report better performance in this activity with 66% already having this in place compared with 25% of local authorities.

- 3.42 Those landlords that took part in interviews said that they require contractors to have their own equalities policies. Where contractors do not have equalities policies in place landlords reported that they are required to commit to those of the landlord. Those interviewed reported that a breach of equalities policies could lead to a termination of contract. But they gave no specific examples to demonstrate that this had happened.
- 3.43 Areas for improvement include:
- ensuring that landlords understand and respond to the access requirements of all equalities groups;
 - reviewing documents regularly to ensure that they contain positive images and language and that they meet the needs of the local community;
 - ensuring that contracted agents are working with equalities targets and objectives.

Challenge 6

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.

- 3.44 The 2002 study found lots of good practice in fair recruitment and selection. But It also found that landlords needed to do more to:
- set targets for the recruitment from equalities groups;
 - monitor the results of recruitment exercises and staff profiles; and
 - review targets and performance.
- 3.45 The 2006 study has found that landlords are generally more confident in dealing with this challenge. However evidence from both the survey and focus groups suggest that progress is still required in a number of areas.
- 3.46 The majority of landlords are committed to recruitment and employment practices that are in line with legislation and good practice. Most report that their workforce reflects their community in respect of race (71%), gender (65%) and age (64%). 48% report this to be the case in respect of disability. However, just under 73% do not know if this is the case in relation to sexual orientation. Sixty nine percent of landlords do not know in respect of religion and belief. Very few said they collect information on staff or governing body members in respect of sexual orientation or religion and belief.
- 3.47 Survey findings show that the majority of respondents believe their policies and practices are in line with current legislation. 73% reported that elected members or governing body members and senior staff act as

- champions for equalities. However, less than 40% agreed that the distribution of staff and roles in respect of equalities groups was monitored and action taken to redress any imbalance.
- 3.48 Landlords also reported that not all relevant staff have had adequate training on equalities issues and the implementation of equalities policies. 38% of landlords said that work is in progress on this issue. Only just over 41% report that new staff complete equalities training as part of their induction.
- 3.49 Interview and focus group discussions also highlighted training needs of staff in general. Participants expressed some concern that sexual orientation and religion and belief were particularly underdeveloped areas of expertise. Some participants suggested that training on handling harassment and other problems would cover equalities and that staff would deal with complaints or problems in the same way for all service users.
- 3.50 Areas for improvement are:
- monitoring and profiling of staff and governing body members across all equality strands;
 - ensuring that complaints procedures deal specifically with complaints that have an equalities dimension;
 - improving staff training and increasing capacity of staff delivering services to equalities groups; and
 - improving leadership and practice in monitoring and acting to redress imbalances in staff and governing body profiles.

Challenge 7

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.

- 3.51 The 2002 study found that landlords were collecting a range of equalities information on service delivery and other activities. However, they were not always analysing this information or using it to monitor progress against objectives.
- 3.52 The 2006 study has found that performance has not improved. Eighty six percent of landlords reported that they adhere to equalities standards or a code of conduct. The remainder all report that work to put such a code in place is in progress. However monitoring and measuring of achievements and performance against these codes is weak. As a result landlords said they have little evidence that they are adhering to their own standards.

- 3.53 Only just over half of landlords have systems in place to monitor equalities issues. A further 44% report that it is work in progress. Only 67.6% reported that they regularly report the results of monitoring to staff and governing bodies or elected members. A further 24% reported work in progress in this area. Landlords also reported that:
- over a third of them have not consulted appropriate stakeholders on what information will be collected or how it will be used; and
 - over 11% reported that they do not use the results of monitoring in corporate planning processes.
- 3.54 The survey findings also show that whilst landlords use a range of sources to collect information they do not use it to assess performance against objectives and targets. Over 85% of landlords collect statistical data and over 76% collect feedback from consultative groups. But only 45% use this information to monitor performance. Over 45% said their monitoring systems do not cover partnerships or agents delivering services on their behalf.
- 3.55 The majority of landlords reported that they mainstream equalities throughout all service areas. However, there is little evidence of action to address actual or potential problems for equalities groups. Less than 50% of landlords reported that they take action to identify any actual or potential disparities in service outcomes for equalities groups.
- 3.56 Areas for improvement include:
- ensuring information is gathered and reviewed regularly to ensure equal service outcomes for all equalities groups;
 - consulting with service users and other stakeholders about the information being gathered and how it is used;
 - reporting of information and performance to service users and other stakeholders regularly; and
 - using monitoring information in planning processes.

Challenge 8

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.

- 3.57 The 2002 study found that this was the weakest area of performance. It found that landlords:
- did not set a wide enough range of targets;
 - did not compare their performance with others to assess progress; and
 - needed to do more to promote continuous improvement.

- 3.58 The 2006 study has found that there has been some improvement in performance against this challenge. Many landlords are reporting work in progress to promote continuous improvement. But the sector as a whole is still performing poorly in this area. Many of those participating in interviews reported a lack of confidence and capacity in dealing with equalities issues. They feel they need additional training and support across a wide range of areas. Landlords said they have particular problems in demonstrating continuous improvement in relation to sexual orientation and religion and belief.
- 3.59 The survey findings show that most landlords review and update their policies regularly. But fewer than 60% consult with stakeholders and service users when carrying out reviews. Less than 48% compare their performance to that of other landlords. Only just over 63% of respondents say that they had systems in place to demonstrate that senior managers and governing bodies/members take action in response to equalities reports. Participants in interviews frequently expressed the view that they face problems with a lack of resources to address equalities issues. Or that they felt they lack the capacity to deal with them fully. They identify a number of areas where they felt they need better knowledge and skills including:
- consulting 'hard to reach' groups and those who don't participate in established consultation arrangements;
 - recruiting and building the capacity of governing body members;
 - cultural sensitivity in communication, use of language and methods of engagement;
 - better understanding of the issues that affect the whole sector and better use and implementation of benchmarks for good practice;
 - setting appropriate and meaningful targets in each of the areas;
 - establishing systems to monitor and evaluate the targets; and
 - learning from what others in the sector are already doing.
- 3.60 Landlords' performance against challenges 7 and 8 indicate that landlords need to improve their systems for reviewing policies and practice. And the way they use the information they gather to inform their reviews and consultation with service users and stakeholder. Participants reported work in progress across most activities. But the survey findings show that landlords need to improve their use of monitoring information to
- update service user profiles;
 - examine outcomes for equalities groups; and
 - share and use good practice.
- 3.61 Areas for improvement include:
- using evidence from performance information and consultation with service users to inform policy and practice reviews;

- updating service user profiles regularly to ensure resources are allocated appropriately;
- benchmarking equalities performance and progress;
- consulting with stakeholders in relation to continuous improvement; and
- demonstrating progress and responses to equalities reports.

Improving Practice

- 3.62 The survey asked Landlords to indicate which factors were most likely to encourage them to take action on equalities issues. They gave the following top four reasons:
1. Legislation (89%)
 2. Organisational commitment (80%)
 3. Communities Scotland's assessment framework (70%)
 4. Community profile (56%)
- 3.63 Two thirds of local authorities and half of RSLs said that they find our work as regulator, helpful or very helpful in relation to equalities. Eighty eight percent of local authorities and 70% of RSLs consider our published assessment framework to be one of their top four drivers for improvement in equalities practice. Landlords believe that our three most effective activities in this area were:
- the provision of good practice examples;
 - performance standards; and
 - thematic studies.
- 3.64 Twenty two percent of respondents also find inspections helpful in supporting the assessment framework.
- 3.65 Landlords reported that they use our published assessment framework and other material we have published most often when they are:
- reviewing documents and practice;
 - developing plans; and
 - reporting performance.
- 3.66 However, just over a third of all respondents have no view on how helpful our work is. Fourteen percent believe that, as a regulator, we are either not very helpful or unhelpful in helping them improve their equalities practices.
- 3.67 Interview participants said that they find our guidance useful at the strategic level. They also said that the self-assessment framework and our website are useful resources when implementing new practices or reviewing existing practices. But they feel there is a need for more practical information, training and support.

- 3.68 Many said they want to know how to “do” equalities. They are unsure how to implement relevant and appropriate approaches. Interview participants expressed concern about how to improve practice. And that their lack of resources and capacity is impacting on their ability to meet equalities obligations and their communities’ needs. They also said that they need more guidance on how to put equalities into practice.
- 3.69 Many landlords said that one person in their organisation described as the equalities “champion” is frequently most significant in raising issues of equalities performance. They said these individuals are important in ensuring that they agree clear commitments to equalities (as reported in relation to challenge statement 1). They also play an important role in encouraging the landlord to improve its performance. Landlords also said that they need a wider range of methods to encourage continuous improvement. They suggested that the following would help:
- specific training;
 - information exchange and forums with other landlords;
 - benchmarking groups; and
 - more guidance on practical issues.

4 Conclusions

- 4.1 This report has sought to assess:
- how well local authorities and RSLs have responded to the 2002 study on Equalities in Practice;
 - the factors that are most likely to encourage improvement; and
 - how landlords view us and the work we do in regulating and inspecting in relation to equalities performance across the social housing sector.
- 4.2 The picture it has provided is mixed. Landlords who took part fall into one of three categories. Those who are:
- undertaking significant and exciting work in the equalities field, not only with the communities they serve, but within their own organisations;
 - trying but recognise a need for more progress; and
 - not giving sufficient priority to equalities and may be struggling to meet all their legal obligations.
- 4.3 Where providers have good information, they generally respond well to their communities' needs. However, many of those taking part do not have good information on the needs of all the equalities groups in their area. There are also important gaps in some landlords' approach to:
- setting targets in relation to equalities;
 - monitoring and reporting performance;
 - engaging with equalities groups and feeding back on their performance; and
 - using monitoring information and information from equalities groups to improve performance.
- 4.4 Some landlords are unclear about what is expected of them. They are uncertain of what actions they should take to meet their obligations or how to improve their performance.
- 4.5 Evidence from the study also shows that leadership on equalities work often falls on one person, an enthusiast with a particular interest in equalities. Senior managers, governing body members and local members are not always taking enough of a leading role. In many cases they do not have the information they need to do this.
- 4.6 The interviews and focus groups suggested that the sector is generally aware of these issues and is actively seeking assistance where it can. Many of those involved in the study feel that they lack the confidence and, in some areas, the capacity to deal with the full range of equalities issues properly.

- 4.7 Landlords also reported that our work in regulating and inspecting them has played an important role in improving their practice. Many of those who took part said that the 2002 thematic study, the self assessment framework and inspections have been helpful. But a significant minority feel that we could do more to provide practical assistance and clearer guidance on what is expected.

5 Recommendations

- 5.1 For many landlords the conclusions and areas for improvement identified in the 2002 report remain relevant.
- 5.2 However, it is clear that the sector as a whole has been slow to improve equalities practices. We also know that the sector feels that it needs clearer leadership to understand how it should act to meet all its legal duties. It also needs a better understanding of good practice.
- 5.3 We recognise that we have an important role to play in this. We can do more to provide the guidance and direction that landlords need. We also recognise that we need to ensure that our regulation and inspection framework and the self assessment framework take into account recent changes in legislation.
- 5.4 In the light of this we will issue a guidance note setting out how we expect landlords to respond to this report. We will also:
- publish a clear statement of our regulatory expectations in relation to equalities practice and performance;
 - ensure that our expectations are reflected in our approach to regulatory assessments of RSLs;
 - publish a revised inspection framework for equalities setting out clearly what we will look at in inspection and how we will assess performance; and
 - publish a revised self assessment framework.
- 5.5 We will develop these documents in consultation with equalities groups, the equalities commissions, social landlords, CoSLA and the SFHA.
- 5.6 We also understand that the sector feels the need for better information on good practice and sources of guidance. We have previously published some good practice examples in the 2002 equalities study. We have made some additional examples available through our published inspection reports and the study by Avente that we have based this report on.
- 5.7 The results of this study have shown clearly that there is a need for further information and advice in this area. To meet this we will work with others to publish further good practice examples and ensure that landlords are clear about where they can get advice and support to assist them in developing their equalities practices.
- 5.8 We think putting this framework in place will help landlords understand how to make good equalities practices a part of every day service delivery.

We are also of the view that landlords can use the existing self assessment framework to improve their equalities practices. We recommend that all social landlords:

- ensure that senior managers, governing body members and elected members are clear about their role in improving equalities practice and are offering strong leadership to staff, tenants and others;
- ensure that they have an accurate understanding of the equalities profile of the communities they serve;
- ensure that they have good information on the extent to which equalities groups access their services and the quality of the service they receive;
- carry out and publish a full assessment of their performance on equalities using the existing challenge statements and self assessment questions;
- develop an equalities action plan in consultation with local equalities groups and other interested parties;
- agree relevant targets across all equalities streams and report on their performance against these targets internally and to their local community; and
- provide training to their staff, governing body/elected members, and tenants' representatives on how they translate equalities commitments into improved service delivery.

Annex 1

Organisations that took part in the interviews and focus groups:

Dundedin Canemore HA
Falkirk Council
Antonine HA
Cairn HA
Beild HA
Eildon HA
Angus Council
Trafalgar HA
Moray Council
Tenants First HA
Fife Council
Hillcrest HA
Rural Stirling HA
Molendinar HA
Govanhill HA
Loreburn HA
Parkhead HA
South Lanarkshire Council
Southside HA
Melville HA



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