

Minute

Education, Leisure and Housing Committee

Wednesday, 9 June 2021, 10:30.

Microsoft Teams.



Present

Councillors Gwenda M Shearer, Alexander G Cowie, Stephen G Clackson, Barbara Foulkes, Steven B Heddle, J Harvey Johnston, W Leslie Manson, John T Richards, James W Stockan and Owen Tierney.

Jo Hill.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- James Wylie, Executive Director of Education, Leisure and Housing.
- Peter Diamond, Head of Education (for Items 1 to 4).
- Hayley Green, Head of IT and Facilities.
- Andrew Groundwater, Head of HR and Performance.
- Frances Troup, Head of Community Learning, Leisure and Housing.
- Steven Burnett, Service Manager (Resources).
- Paul Kemp, Strategic Finance Manager.
- Peter Trodden, Solicitor.

Observing

- Keith Foubister, Works and Inspection Manager (for Items 2 to 6).
- Hazel Flett, Senior Committees Officer.
- Rebecca McAuliffe, Press Officer.

Apologies

- Councillor John A R Scott.
- Mary Maley, Teacher Representative.

Not Present

- Councillor Magnus O Thomson.
- Hugh Halcro-Johnston, Religious Representative.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Gwenda M Shearer.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Item 9, as the business to be discussed involved the potential disclosure of exempt information of the class described in the relevant paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Performance Monitoring

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, the Committee:

Scrutinised:

2.1. The performance of Education, Leisure and Housing for the reporting period 1 October 2020 to 31 March 2021, as set out in sections 3 to 5 and Annexes 1 and 2 of the report by the Executive Director of Education, Leisure and Housing, and obtained assurance.

The Committee resolved to **recommend to the Council**:

2.2. The following action, which had been progressed to completion, be removed from the Education, Leisure and Housing Service Plan:

- 06 – Child Poverty – The Education, Leisure and Housing Directorate lead on the Child Poverty Action Plan was now complete and the lead role had been passed back to the Chief Social Work Officer.

2.3. That the following action be amended as indicated and thereafter incorporated within the Education, Leisure and Housing Service Plan:

- 01 – Planning and Improvement – Work with service managers to adopt a logic model that can add pace, build trust and create capacity (ABC) – target date extended to 31 March 2022.

2.4. That the Education, Leisure and Housing Risk Register, attached as Appendix 1 to this Minute, be approved.

3. Primary Education Provision – Flotta Primary School

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Service Manager (Resources), the Committee:

Noted:

3.1. That, following the decline of the school roll to zero in 2010, Flotta Primary School was mothballed.

3.2. That, on 11 September 2013, when considering the current situation regarding Flotta Primary School and statutory duties placed on the authority to make appropriate provision for future pupils, the Education, Leisure and Housing Committee recommended:

- That, in the event that children living on Flotta required education provision and subject to securing financial resources, the Executive Director of Education, Leisure and Housing should, as an interim measure, establish a supported home-schooling service for less than four children in one family and consider partially re-opening the school as a remote classroom for four or more children or more than one family.
- That, should education provision require to be established on Flotta, the Executive Director of Education, Leisure and Housing should review the interim provision, referred to above, bearing in mind the individual circumstances of the children concerned.

3.3. That, on 27 October 2020, the Education Service received representations from a Flotta family requesting the re-opening of Flotta Primary School, however that representation failed to meet the threshold for considering re-opening the school.

3.4. That the threshold for considering the partial re-opening of Flotta Primary School had now been formally met, with the arrival of a second family with primary age children in Flotta in May 2021.

3.5. The legislative presumption against closure of rural schools, with the legislation setting out a particularly high bar in relation to the factors that must be considered and the consultation requirements that must be undertaken.

3.6. That, should the Committee recommend to continue the mothballing of Flotta Primary School, the parents must be consulted and, should the majority of parents oppose mothballing, it would be appropriate to move to statutory consultation on closure as soon as possible.

3.7. The options available for the provision of primary education for children resident on Flotta, as detailed in Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, with the preferred option being Option 4, namely a partial reopening of Flotta Primary School as a satellite classroom of Orphir Primary School.

The Committee resolved to **recommend to the Council**:

3.8. That Flotta Primary School be partially reopened as a satellite classroom of Orphir Primary School, commencing in school year 2021/22.

3.9. That the Executive Director of Education, Leisure and Housing should submit a report, to the Policy and Resources Committee, requesting that the estimated budget shortfall to support the partial reopening of Flotta Primary School, be funded as follows:

- Financial year 2021/22 – up to £110,000 to be met through a one-off contribution from the General Fund Contingency.
- Financial year 2022/23 onwards – an unavoidable service pressure to be considered as part of the budget setting process.

4. College Management Council Sub-committee

After consideration of the draft Minute of the Meeting of the College Management Council Sub-committee held on 24 May 2021, copies of which had been circulated, the Committee:

Resolved, on the motion of Councillor Gwenda M Shearer, seconded by Councillor Alexander G Cowie, to approve the Minute of Meeting of the College Management Council Sub-committee held on 24 May 2021, attached as Appendix 2 to this Minute, as a true record.

Jo Hill left the meeting at this point.

5. Equal Opportunity and Diversity Policy – Housing Services

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

5.1. That the Council had significant requirements in relation to equalities within delivery of its housing services.

5.2. That a service specific policy on equalities had been in place for use by Housing Services since 2006, which was last reviewed in 2012.

5.3. That, as the area of equality and diversity continued to grow and develop, the Equality and Diversity Policy for Housing Services had been significantly reviewed to ensure that it remained reflective of legislation, guidance and good practice.

The Committee resolved to **recommend to the Council**:

5.4. That the Equality and Diversity Policy for the Housing Service, together with the Action Plan, attached as Appendices 3 and 4 respectively to this Minute, be approved.

6. Energy Efficiency Standard for Social Housing

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

6.1. That progress towards meeting the Energy Efficiency Standard for Social Housing was inter-related to works to address the Scottish Housing Quality Standard.

6.2. The level of progress towards meeting the Energy Efficiency Standard for Social Housing, as detailed in sections 5 and 6 of the report by the Executive Director of Education, Leisure and Housing.

7. Tenant Participation Strategy

After consideration of a report by the Executive Director of Education, Leisure and Housing, together with an Equality Impact Assessment, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted:

7.1. That the Council was required to have a Tenant Participation Strategy.

7.2. That, during 2020/21, a review had been undertaken of the Council's tenant participation structures.

7.3. The draft Tenant Participation Strategy for 2021 to 2026, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing.

The Committee resolved to **recommend to the Council:**

7.4. That the draft Tenant Participation Strategy for 2021 to 2026, referred to at paragraph 7.3 above, be approved for public consultation.

7.5. That the Executive Director of Education, Leisure and Housing, should submit a report, to the meeting of the Education, Leisure and Housing Committee to be held on 10 November 2021, on the outcome of the consultation referred to at paragraph 7.4 above, together with the revised Tenant Participation Strategy for 2021 to 2026, for consideration.

8. Homelessness in Orkney

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Noted the statistical and performance information in relation to homelessness in Orkney for 2020/21, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, which indicated the following:

- The number of homeless presentations for 2020/21 had increased by 15.2% from 2019/20.
- The reasons for homelessness remained broadly comparable to previous years, although an increase was evident in respect of being asked to leave by family/friends.
- Homeless presentations for the period 1 April to 9 May 2021 were the same as the same period in the preceding year.
- Homelessness remained a significant issue in Orkney and that lets to homeless households remained substantial relative to overall lets.

9. Proposed Establishment of Permanent Staffing Resource

On the motion of Councillor Gwenda M Shearer, seconded by Councillor Alexander G Cowie, the Committee resolved that the public be excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Head of Community Learning, Leisure and Housing, the Committee:

Resolved to **recommend to the Council** what action should be taken with regard to the proposed establishment of a permanent staffing resource.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

10. Conclusion of Meeting

At 12:14 the Chair declared meeting the concluded.

Signed: Gwenda Shearer.

Education, Leisure and Housing Risk Register 2021/22

Strategic Risks

Cluster.	Risk Number.	Owner.
Financial.	4.	Head of Community Learning, Leisure and Housing.

Operational Risks

Cluster.	Risk Number.	Owner.
Financial.	1, 7, 9, 10.	Head of Community Learning, Leisure and Housing,
Staffing.	3.	Executive Director of Education, Leisure and Housing.
Staffing.	8.	All Heads of Service.
Economic Recovery and Sustainability.	6.	Head of Community Learning, Leisure and Housing,
Political.	2.	Head of Education.
Communication.	5.	All Heads of Service.

Risk Matrix

		IMPACT					
		1.	2.	3.	4.	5.	
		Insignificant	Minor	Moderate	Major	Severe	
LIKELIHOOD	5.	Almost Certain.	Medium	Medium	High	High	Extreme
	4.	Likely.	Medium	Medium	Medium	High	Extreme
	3.	Possible.	Low	Medium	Medium	High	High
	2.	Unlikely.	Low	Low	Medium	Medium	High
	1.	Rare.	Low	Low	Low	Medium	High

Risk Title: 01 – Financial Pressures.

Likelihood.	5	Impact.	4.	RAG.	Amber.	Current Risk Score.	20	Target Risk Score.	6.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
<p>It is predicted that ongoing savings will be required each year.</p> <p>The funding regime for housing development in Scotland leads to difficulties in making development achievable, given the range of pressures on a small Housing Revenue Account. This, in turn, is impacting on affordable housing provision.</p> <p>Universal credit was rolled out across Orkney in September 2018 and this, coupled with the pressures of COVID-19 is causing increased rent arrears.</p> <p>Welfare reform has other impacts on the Council particularly as regards the single room rent for young people.</p>	<p>Reduced resource base.</p>	<p>Decrease in the quality and resilience of the services provided by ELH.</p> <p>Spiral of decline as increasing time and resource spent on accounting for service failures and complaints, and on making cases for discrete resource allocations in-year.</p> <p>Insufficient houses and higher levels of disrepair.</p> <p>Lower attainment of learners.</p> <p>Reputational impact.</p> <p>Community impact.</p> <p>Impact on staff morale.</p> <p>Economic impact if people leave the islands.</p> <p>No new houses built.</p> <p>Increased homelessness.</p> <p>Additional housing pressure.</p> <p>Sustainability threatened in fragile communities.</p> <p>Increased rents.</p> <p>Failure to meet EESSH2.</p> <p>Reduced staff wellbeing and increased staff illness.</p>	<p>Oversee budget management and vacant post review.</p> <p>Work with Improvement Support to identify more and efficient/different ways of working to release budget savings.</p> <p>Business Plan being developed covering HRA activity to consider scenario planning.</p> <p>Review of HRA underway.</p> <p>Provision of temporary accommodation reviewed through development of Rapid Rehousing Transition Plan, but delivery is dependent on level of funding received from Scottish Government. Further changes to Temporary Accommodation required in light of Scottish Government's review of temporary accommodation. COVID-19 has increased pressures on temporary accommodation.</p> <p>Review of housing subsidy underway nationally.</p>

Risk Title: 02 – Additional Support Needs.

Likelihood.	5	Impact.	3.	RAG.	Amber.	Current Risk Score.	15.	Target Risk Score.	4.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
National reports are signalling limited implementation of legislative change. New demands for service are out with current capacity to deliver.	Increased demand for additional support	Pupils enter the system that we do not have the resources or equipment to adequately support. Can cost up to £150k to £200k per annum to send a child to mainland. Difficult to meet the rights and demands of pupils. Could lead to (an expensive) judicial review.	Review of Services and report with key recommendations to Education, Leisure and Housing Committee. Lobbying of national bodies and government for additional funding.

Risk Title: 03 – Recruitment Challenges.

Likelihood.	5.	Impact.	4.	RAG.	Amber.	Current Risk Score.	20.	Target Risk Score.	9.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
Some posts remain very difficult to fill. For example, Housing staff, Tenant Participation Staff, Sheltered Housing staff, Papdale Halls, Teaching staff and Management staff. Turnover rate rises to unsupportable levels.	Key posts still remain unfilled following another recruitment drive. Further Head Teacher vacancies.	Capacity to deliver subject curriculum and specialist housing services could be compromised. Drop in educational standards. Reduced levels of attainment. Reduction in learners' opportunities /courses.	Support for 'grow your own' staff to include school managers to be secured. This may include incentives to encourage staff retention. Alternatives including use of agency supply to be explored.

Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
		<p>Reduction in performance standards across Housing Services.</p> <p>Reputational impact.</p> <p>Community impact.</p> <p>Concern about closures.</p> <p>Impact on staff morale.</p> <p>Economic impact if people leave the islands.</p> <p>Negative impact upon staff wellbeing and sickness rates.</p> <p>Increased challenge in recruiting quality candidates.</p>	

Risk Title: 04 – Ability to pay rent or mortgages (recession).

Likelihood.	4.	Impact.	3.	RAG.	Yellow.	Current Risk Score.	12.	Target Risk Score.	4.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
<p>Recession forecast is likely to result in increased inability to pay housing costs. Impact of welfare reform likely to impact on ability to pay rent and this has been exacerbated by the rollout of Universal Credit during 2018/19 and the additional pressures of COVID-19 as a result of</p>	<p>Reduced income and increased energy usage as a consequence of lockdown and wider austerity.</p>	<p>More rent arrears.</p> <p>Increased impact on HRA.</p> <p>Increased homelessness.</p> <p>Loss of staff.</p> <p>Failure to meet EESSH.</p> <p>Loss of reputation in arrears figures previously being so good.</p> <p>Negative impact on rural/isles area.</p>	<p>HRA Business Planning activity to be undertaken to include scenario planning. Review of HRA is underway.</p> <p>Issues of affordability are considered in respect of potential impact of annual rental increase.</p> <p>Monitor situation and reassess plans for new build against demand on regular basis.</p>

Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
people being on furlough or losing jobs.		Reduced Income levels from OIC (rents) and the general public.	

Risk Title: 05 – Appropriate IT.

Likelihood.	4.	Impact.	4.	RAG.	Amber.	Current Risk Score.	16.	Target Risk Score.	12.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
There is a lack of faith in the IT system, specifically around the housing management system, repairs, improvements and ASB and also SEEMiS in education.	The Council fails to develop an IT system that supports the Service appropriately.	<p>Inability to achieve efficiencies that are achievable in organisations with more appropriate IT systems</p> <p>May not be able to provide external bodies with the information they require.</p> <p>More distrust of existing system.</p> <p>Cost of making the current system suit staff needs.</p> <p>Low staff morale.</p> <p>Long lead in times for implementing new IT packages means that efficiencies are not realised or become redundant.</p>	<p>Continue to monitor effectiveness of Northgate and SEEMiS and undertake upgrades as a planned process.</p> <p>Concerto continues to be expanded to include all asset management. Ensure provision for homelessness and advice monitoring is developed.</p>

Risk Title: 06 – Significant demand for emergency accommodation and general needs housing.

Likelihood.	5.	Impact.	4.	RAG.	Amber.	Current Risk Score.	20.	Target Risk Score.	4.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
Inability to meet demand for emergency accommodation.	Current lack of capacity and increased demands due to national policy of rapid rehousing. Impact of lockdown on household stability among other reasons for homelessness.	Significant level of homelessness. Increased financial pressure of OIC. Additional demands placed on smaller staffing base. Bad publicity.	Keep demand under review. Further review of Temporary Accommodation provision in light of Scottish Government’s general review of temporary accommodation and the impact of the Rapid Rehousing Transition Plan. COVID-19 has placed additional pressures on temporary accommodation provision.

Risk Title: 07 – Failure to meet Energy Efficiency Standard for Social Housing.

Likelihood.	3.	Impact.	4.	RAG.	Amber.	Current Risk Score.	12.	Target Risk Score.	4.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
Substantially reliant on external funding. Risk that ECO funding is not available.	Some houses will be below the Energy Efficiency Standard for Social Housing / 2.	Government criticism for failing the standard. May have sanctions imposed. Negative impact on inspection results. Adverse effect on tenants. Bad publicity leading to increased complaints.	Review progress on an annual basis. Develop detailed plan to ensure properties meet the Energy Efficiency Standard for Social Housing (2) within the designated timescale. Likely to become a greater risk with the introduction of EESSH2.

Risk Title: 08 – Assault on staff.

Likelihood.	3.	Impact.	4.	RAG.	Amber.	Current Risk Score.	12.	Target Risk Score.	6.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
Staff who work in the community (or who work in a 1-1 context with service users) are vulnerable to attack and/or their reputation being damaged through allegation or assertion.	<p>A member of staff is attacked or is in fear of being attacked.</p> <p>A member of staff is concerned that their reputation may be harmed.</p> <p>A member of staff reports a significant incident or accident involving assault by a student.</p>	<p>Personal injury.</p> <p>Staff may leave.</p> <p>Low morale.</p> <p>Sense of failure among staff.</p> <p>Reputational risk of organisation, service or setting.</p> <p>Cost implications to Council if they are sued.</p>	Ensure lone working policy remains valid, staff continue to follow guidance and risk assessments are in place.

Risk Title: 09 – Housing Revenue Account

Likelihood.	4.	Impact.	3.	RAG.	Yellow.	Current Risk Score.	12.	Target Risk Score.	6.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
Affordability issues in respect of Housing Revenue Account as a result of investment programme costs over longer term.	Costs of delivering services, including house build, meeting appropriate standards, repair needs relative to income, raise issues in respect of affordability of HRA. This coupled with rising rent arrears, as a result of the rollout of Universal Credit	<p>May have sanctions imposed.</p> <p>Negative impact on inspection results.</p> <p>Adverse effect on tenants.</p> <p>Bad publicity leading to increased complaints.</p>	Develop HRA Business Plan to include scenario planning. Continue to review HRA modelling.

Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
	and pressures of COVID-19, is challenging.		

Risk Title: 10 – Papdale Halls of Residence

Likelihood.	4.	Impact.	3.	RAG.	Yellow.	Current Risk Score.	12.	Target Risk Score.	4.
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Vulnerability.	Trigger.	Consequences.	Mitigating Actions.
Risk that sufficient additional business may not transpire to cover staffing etc costs.	Income less than expenditure.	Unable to balance budget and therefore an impact on potential service delivery.	Continue to monitor levels of additional business and undertake actions intended to generate interest. Additional business will be impacted upon by COVID-19. Seek to regenerate additional business for future years.

Minute

College Management Council Sub-committee

Monday, 24 May 2021, 13:30.

Microsoft Teams.



Present

Councillors Stephen G Clackson, Alexander G Cowie, J Harvey Johnston, W Leslie Manson and Gwenda M Shearer.

Community Representatives:

Beverly Clubley, Malcolm Graves and Peter Slater.

Clerk

- Sandra Craigie, Committees Officer.

In Attendance

- James Wylie, Executive Director of Education, Leisure and Housing.
- Paul Kemp, Strategic Finance Manager.
- Craig Walker, Senior Human Resources Adviser.
- Peter Trodden, Solicitor.

Orkney College

- Claire Kemp, Assistant Principal.
- Mark Shiner, Assistant Principal.
- Joanne Wallace, Assistant Principal.
- Graham Little, Head of Finance.
- Andie John Seatter, Staff Representative.
- Iain Wilkie, Staff Representative.

University of the Highlands and Islands

- Duncan Foxley, Orkney Student Association Co-ordinator.

Observing

- Rebecca McAuliffe, Press Officer.
- Donna Wishart, Principal's PA and College Management Team Secretary.

Apologies

- Francesca Meneghetti, Orkney Depute President, Highlands and Islands Students' Association.
- Steven Sinclair, Business Representative.

Not Present

- Roy Brown, Business Representative.
- Rebecca May, Business Representative.
- Mark Jones, Business Representative.
- Kaila Shepherd, Student Representative.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Beverly Clubley.

1. Form of Voting

The Sub-committee resolved that, should a vote be required in respect of the matters to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

2. Progress on Evaluation Report and Enhancement Plan

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing reports from Joanne Wallace, Assistant Principal, Orkney College and Mark Shiner, Assistant Principal, Orkney College, the Sub-committee:

Noted:

2.1. That, on 2 November 2020, the College Management Council Sub-committee considered the findings of Education Scotland's Progress Visit inspection, carried out on 19 and 20 February 2020, and obtained assurance that progress with actions in the Enhancement Plan was satisfactory.

2.2. That progress with actions in the Enhancement Plan had been impacted by the ongoing pandemic and the UHI cyber incident in March 2021, in that resources and planning had been directed towards responding to those crises.

3. Highlands and Islands Students' Association – Update

After consideration of a report by the Executive Director of Education, Leisure and Housing, copies of which had been circulated, and after hearing a report from the Orkney Student Association Co-ordinator, the Sub-committee:

Noted the paper prepared by the Orkney Depute President of the Highlands and Islands Students' Association, attached as Appendix 1 to the report by the Executive Director of Education, Leisure and Housing, outlining some key activities during March and April 2021.

4. Conclusion of Meeting

At 13:51 the Chair declared the meeting concluded.

Signed: B Clublely.



Equality and Diversity Policy

May 2021

This policy can be produced in other formats such as in larger print, Braille or audio-format; it can also be translated into other languages, as appropriate.

Version Control

Document Reference.	Rev.	Issue Date.	Reason for Issue.	Reviewer.	Sign.
HD POL 133.	Draft.	10 May 2021.	New (replaced 049).	Head of Community Learning, Leisure and Housing.	

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Note: The equal opportunity and diversity policy is referred to generally as “our policy” to promote plain language.

Section 1: Strategic Objectives

1.1. Governance Framework and Implementing Equality Policy Objectives

Orkney Islands Council has established a number of equality related policies and plans which cover the Council's activities and aim to ensure that equality matters are integrated within all our policies and practices. As part of this process, we will ensure that equality matters are integrated within all our policies and practices.

This document has been produced by Housing Services (including Papdale Halls of Residence) and is intended to ensure that we:

“act in a manner which encourages equal opportunities and in particular the observance of the requirements of the law for the time being related to equal opportunities” (Housing (Scotland) Act 2010, Section 39).

The values within this equality and diversity policy, apply specifically to all housing services.

In order to implement our equality objectives, we have developed a comprehensive equality action plan. This plan covers a wide range of inter-dependent activities and is critical to incorporating equality matters throughout all organisational services. This process is often referred to as “equality mainstreaming.”

Our equality policy does not stand alone but is supported by various specialist equality procedures. Each of these procedures is explained in Section 4.

Note: From this point onward, we refer to this policy simply as the equality policy.

1.2. Equality and Diversity Principles

We are committed to the promotion of communities that are popular and inclusive by creating an environment where people can live and work free from any form of discrimination, harassment or victimisation.

We are also committed to ensuring these principles also apply to our school care accommodation service.

We use our equality and diversity policy - and its related equality action plan - to implement the Scottish Housing Regulator's equality requirements (see Section 2).

We also use this framework so that:

“Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services”

(Scottish Social Housing Charter, 2017).

1.3. Consultation

We develop through consultation with tenants and other service users through our Tenant Participation Strategy.

1.4. Summary

Our equality and diversity policy is central to the delivery of housing services. Our policy is supported by a range of procedures to ensure a holistic and practical approach. The central aim of this process is to mainstream equality and diversity matters throughout all housing services.

Section 2: The Legal and Regulatory Framework – A Summary

Section 2 summarises the legal and regulatory framework that govern our equality practices. It is not intended as a precise statement of law, but simply as a plain language overview.

2.1. The Legal Framework

Although the Equality Act 2010 contains most relevant equality law, equality law is covered in other laws too. It is emphasised that the legal framework is subject to ongoing change¹ (see Appendix 1). At the corporate level, Orkney Islands Council is a designated public sector body and must comply with statutory duties in respect of the Public Sector Equality Duty.² The Council must also comply with the Specific Duties that require prescribed public bodies to monitor and report on a range of equality issues linked to the protected characteristics. Information about how the Council meets the general and specific duties of the Equality Act are contained within and the reports available from <https://www.orkney.gov.uk/Council/C/Equality-and-Diversity.htm>

2.2. Equality Act 2010 (as amended)

The most important Act covering equality issues is the Equality Act 2010 (as amended). This Act addresses a broad range of equality issues, including rights and duties in respect of employment and service matters. Two main issues are now summarised, namely the protected characteristics and the public sector equality duty.

2.2.1 The Protected Characteristics

The protected characteristics are the grounds on which discrimination is unlawful (see note). The nine protected characteristics are (in alphabetical order):

- age;
- disability;
- gender re-assignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

¹ For example, a new duty in relation to addressing socio-economic disadvantage for specified public bodies came into force in 2018. This is very important as addressing poverty issues associated with social class is critical in the Scottish housing context. See SSI 2017 No. 403 The Equality Act 2010 (Commencement No. 13) (Scotland) Order 2017 introduced the duty contained in the Equality Act 2010 from 1 April 2018.

² The Equality Act 2010, section 149. This duty applies to discrimination, harassment, victimisation and any other form of conduct prohibited under the Equality Act 2010.

Note: Discrimination has various meanings under this Act so that unlawful discrimination has various legal forms with distinct meanings. Harassment or victimisation of another person is also unlawful in terms of the legislation.

2.2.2. The Public Sector Equality Duty

The Equality Act 2010 requires the Council to meet the Public Sector Equality Duty.

This Duty contains three elements, namely:

- eliminating unlawful discrimination;
- advancing equality of opportunity between persons with – and those without – a protected characteristic; and
- fostering good relations between persons with – and those without - a protected characteristic.

Equality law focusses, therefore, not simply on eliminating unlawful discrimination, but on adopting a proactive and/or preventative approach to addressing discrimination.

Note: See appendix 2 for information about two other statutory duties that Orkney Islands Council implements across all services.

2.3. Other Law

Other law is important from an equality perspective too. For example, equal opportunities is defined in Scots law.³ The statutory definition is as follows:

“Equal opportunities” means the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions”.

2.4. Housing (Scotland) Act 2010

The Housing (Scotland) Act 2010, section 39, requires every social landlord to “act in a manner to encourage equal opportunities.”

This is very important as this requirement is central to the process of equality mainstreaming.

2.5. Codes of Practice

The Equality and Human Rights Commission issues codes of practice that provide detailed guidance in respect of implementing legal duties effectively. The Council adheres to these codes in its operational practices.

³ See the Scotland Act 1998, Schedule 5, L2. This section was amended by the Scotland Act 2016.

2.6. Regulatory Standards

The Scottish Housing Regulator has published specific equality requirements that social landlords must meet.

For example, the Scottish Government regulatory financial and governance standard requires us to conduct our affairs with honesty and integrity (Standard 5) by:

“..paying due regard to the need to eliminate discrimination, advance equality and human rights, and foster good relations across the range of protected characteristics in all areas of its work, including its governance arrangements.”

(Scottish Government, 2019, page 14, Regulation of Social Housing in Scotland: Our Framework).

Another important regulatory document concerning equal opportunity is in relation to assurance and notification requirements. Under this, the Council must:

“Have assurance and evidence that it considers equality and human rights issues properly when making all of (our) decisions, in the design and review of internal and external policies, and in (our) day-to-day service delivery.”

Further, and to comply with these duties, landlords must collect data relating to each of the protected characteristics for their existing tenants, new tenants, people on waiting lists, governing body members and staff. Local authorities must also collect data on protected characteristics for people who apply to them as homeless. Landlords who provide Gypsy/Traveller sites must collect data on protected characteristics for these service users⁴

(Scottish Government, 2019, page 8, Regulation of Social Housing in Scotland: Our Framework).

2.7. Summary

Equality law is complex and continues to evolve. Law is supported by regulatory requirements as well as codes of practice. Our policy takes all relevant information into account to promote compliance with this framework.

⁴ We have developed an equality data collection procedure to address this requirement. This is aligned to our data protection strategy.

Section 3: Equality Policy Objectives

3.1. Rationale

Our equality policy objectives describe the values that we promote. These objectives constitute a set of activities that we implement through our equality action plan.

Objective 1

We meet all relevant law and regulatory requirements concerning equality matters; and we promote good practice throughout our services.

Objective 2

We use a comprehensive equality action plan to incorporate equality issues throughout organisational policies and practices; this is sometimes referred to by the technical term “equality mainstreaming.”

Objective 3

We use a range of specific equality procedures to implement our policy effectively, for instance, the Council’s equality impact assessment process.

Objective 4

We gather equality data as part of our statutory duties; and this data is used to provide appropriate services to our tenants and other service users.

Objective 5

We assess all public information so that it is accessible, accurate and appropriate; this includes using positive language to promote respect for other people.

Objective 6

We foster an inter-agency approach to ensure consultation with groups representative of equality issues, for example, Women’s Aid Orkney and Orkney Disability Forum.

Objective 7

We provide a range of equality training courses for our staff, including consciousness raising training that is vital to address diverse forms of discrimination.

Objective 8

We manage our performance through our comprehensive equality impact assessment procedure and our equality performance management system.

Objective 9

We have established a tenant participation strategy and consult with tenants, other customers and representative groups on our equality policy objectives.

Objective 10

We review our policy every five years, or sooner, as appropriate, for instance, due to changes in law, regulatory requirements and/or equality guidance.

3.2. Summary

We apply the policy objectives above to mainstream equality values throughout our services. Central to this process is our equality action plan that is supported by a range of specialist equality procedures.

Section 4: How We Implement Policy Objectives

In order to implement our policy objectives comprehensively, we have established specific internal procedures.

These procedures are our:

- equality action plan;
- equality data collection procedure;
- equality impact assessment procedures;
- harassment procedure; and
- appropriate language guide.

4.1. Our Equality Action Plan

Our equality action plan is comprehensive and is linked to all services carried out by Housing Services.

The action plan used a robust approach based on housing research to promote effective equality rights implementation. This framework is explained within the equality action plan.

Note: Our equality action plan is reviewed annually by the Service Manager (Housing, Homelessness and Schoolcare Accommodation).

4.2. Our Equality Data Collection Procedure

We have established a equality data collection procedure that is applied to our housing services. Equality data collection is also a key activity within our equality action plan.

The equality data collection involves a multi-disciplinary approach and draws on the following legal and guidance sources:

- data protection law and guidance⁵;
- equality law and guidance;
- family law and guidance;
- freedom of information law and guidance;
- housing law and guidance; and
- human rights law and guidance.

4.3. Our Equality Impact Assessment Procedure (EIA)

We use the Council's corporate equality impact assessment procedure to ensure that our organisational policies, procedures and other documentation comply with relevant standards.

⁵ Within the UK, key law is the Data Protection Act 2018 and the UK GDPR.

4.4. Our Harassment Procedure

Equality related harassment can occur in relation to the protected characteristics. We address discrimination and harassment – unlawful and/or unfair forms of such behaviour – through our Antisocial Behaviour Policy.

We support people who experience discrimination and/or harassment and advise them of options available to address such conduct. This is an important to develop a person-centred focus and involve individual people in the decision-making process.

4.5. Our Appropriate Language Guide

We use our appropriate language guide to promote respect for other people, including making staff aware of links between language and discrimination (or harassment). Our guide is, therefore, important in encouraging housing staff to reflect on language use and how appropriate language promotes equality values.

4.6. Summary

Our equality and diversity policy is the framework of values that we use to promote equality objectives. But this policy by itself is insufficient to achieve change. The equality policy is implemented, in effect, through our equality action plan and internal procedures. These documents are linked systemically to promote the mainstreaming of equality objectives into practice.

Section 5: Staff Training

5.1. Equality Training and Policy Implementation

Equality training is essential for effective implementation of policy objectives. Equality training also involves a range of different activities.

In planning our training, we take account of our Staff Training and Development Policy and therefore our staff training needs assessments. This ensures that training is linked to actual job roles and future development needs. Central to our training provision is the importance of staff training focused on rights and addressing the needs of individuals.⁶

This approach is essential for ensuring value for money as part of corporate Council commitments.

5.2. Examples of Equality Training

Examples of equality training for different categories are shown below using specific headings.

5.2.1. Law and Guidance

Law and guidance training covers issues such as:

- equality law in relation to services, for example, the Equality Act 2010;
- codes of practice and other good practice guidance, for instance, information produced by the Equality and Human Rights Commission; and
- regulatory provisions issued by the Scottish Housing Regulator.

5.2.2. Policy and Procedural Training

Policy and procedural training covers issues such as:

- equality policy and action plan training; and
- our equality procedures.

5.2.3. Technical Training

Technical training covers issues such as:

- carrying out effective equality impact assessments to mainstream equality objectives throughout policies and procedures;
- ensuring the accessibility of written information for our website; and
- carrying out effective equality data monitoring.

⁶ In March 2008 we successfully gained accreditation with the National Standard for Information and Advice Providers which ensures that our provision of Homelessness and Housing Advice Services meet the National Standard and are accessible to all. As part of this, all our staff are trained to the National Standard by completing the Professional Development Award in Housing Law for Advisors. This is currently delivered by Shelter Scotland. Our services are accredited by the Scottish Legal Aid Board and re-accreditation is on a 3 – 4 year cycle.

5.2.4. Consciousness Raising Training

Consciousness raising training would cover issues such as:

- recognising and assessing the different forms of discrimination and harassment and how to address them; and
- promoting awareness of theoretical perspectives that are promoted by the Scottish Government and the Equality and Human Rights Commission, for example, the social model of disability.

5.3. Summary

Equality training is critical to achieving equality mainstreaming. To be effective, equality training is linked to our Staff Training and Development Policy and our Line Management Procedures and consequently links to our Employee Review and Development system. Equality training is, therefore, a mandatory activity.

Section 6: Managing Performance

6.1. Reasons for Equality Monitoring

Performance management is essential for several reasons. Firstly, performance management of equality related activities is necessary to comply with statutory and regulatory duties.

Secondly, it is critical to assess whether our services meet quality standards for individual people, as well as assuring value for money.

Thirdly, it is important to review performance so that areas for improvement can be identified and actions implemented, as appropriate.

6.2 Using Equality Monitoring Information

Through our Annual Assurance Statement, we provide information in respect of our equalities monitoring on an annual basis.

We also use this information to review the equality policy, and other housing policies, on a regular basis and consult with tenants, where relevant, as part of this review.

Such reviews are necessary to ensure housing documents are:

- updated in the light of any legislative developments; and
- remain reflective of the views of our service users.

6.3. Summary

We monitor a range of equality issues and publish information on our performance. In housing services, we use a range of performance measures and consult about them with tenants and other service users. We do this through our Tenant Participation Strategy.

Section 7: Promoting Equality Objectives

7.1. Background

We promote equality objectives through our statutory duties, as well as by structuring our services to promote equality mainstreaming.

We also promote positive action initiatives as contained in law and guidance; these initiatives are implemented to support people with relevant protected characteristics. Positive action is distinguished from positive discrimination that is generally unlawful. These terms are explained below before describing our equality actions to promote our equality objectives.

7.2 Positive Action

Positive action initiatives are used to promote access to employment and training opportunities to persons who are under-represented in employment in housing.

Positive action initiatives can also cover housing services, for example, by encouraging under-represented groups to apply for housing. This might include people from black and minority ethnic groups.

Note: Within our equality policy, we also promote positive action to cover persons who are disadvantaged due to social class and relative poverty. For example, we provide advice and support to support tenants to maximise the income to which they are entitled.

7.3 Positive Discrimination

Positive discrimination is, in general, unlawful as this involves treating people more favourably due to one of the relevant protected characteristics, for example, due to their sex or racial group. This can apply in respect of services and/or employment.

Appointments on the basis of or sex or racial groups could be permitted in law, though, if this is essential for the specific post in question.⁷

7.4. Our Positive Action Initiatives

We consider what positive action initiatives might be required using the equality data that we gather each year. We also take account of specialist guidance on this topic.⁸

7.5. Summary

We develop positive action initiatives, as appropriate, as part of our equality action plan. These are based on an assessment of local and national equality statistical data patterns that are used to identify and assess patterns of disadvantage. Through

⁷ These are often referred to as “genuine occupational requirements.” One example of this could be appointing a woman to provide rape counselling advice to women who are victims of rape.

⁸ See, for example, the SFHA National Guidance, 2021.

this approach, we address barriers to services and training opportunities that can affect those with protected characteristics and those without such characteristics.

Section 8: Developing Partnerships

8.1 Partnership Working and Promoting Equality Objectives

Partnership working is key to comprehensive equality action planning as joint working enables resources to be pooled, as well as enhancing access to appropriate services.

We promote active local partnerships in Orkney, then, to promote the rights and interests of people living in a diverse range of communities.

8.2. Our Partner Organisations

We consult or work with a range of organisations to promote equality objectives. Examples of these organisations are:

- Orkney Blide Trust;
- Orkney Disability Forum;
- Voluntary Action Orkney.

8.3. Summary

Partnership working is central to our equality strategy. We work with agencies, both locally and nationally, to promote our equality objectives.

Section 9: Appeals or Complaints

9.1. Appeals

We provide information to tenants and other service users of how to access advice and assistance to promote appeals relating to equality issues.

Appeals about housing services would be to the Sheriff Court.

9.2. Complaints

Orkney Islands Council operates a corporate means of recording and dealing with complaints. Further information can be found in our leaflet on complaints.

9.3. Summary

We provide advice and information as to where individuals can seek independent legal advice. This is in line with our commitment to promote human rights, in particular so that people can access a fair and independent hearing. We also provide tenants and other customers with information about our complaints process.

Section 10: Policy Consultation and Review

10.1. Consultation on our Equality and Diversity Policy

Consultation is part of our Tenant Participation Strategy and we use a wide range of consultation methods to reflect the needs of people in our community. These methods also take into account accessibility requirements of disabled people.

This equality policy deals specifically with equal opportunities in the delivery of housing services. The framework for this is determined by legislation but it is vital to provide efficient services to our tenants that are:

- sensitive to the rights and needs of individuals;
- considerate to their individual situations and
- ensure that we maximise the use of our stock.

The consultation arrangements for this document are, as well as our tenant participation strategy, closely linked to the following activities, namely our:

- advice and information strategy;
- ongoing assessment of the Homelessness Service and
- drive to improve our strategic documents to ensure openness and clarity.

The process of consultation involves a range of activities including:

- a discussion with our Residents' Panel;
- Consultation interlinked with the development of our revised Tenant Participation Strategy;
- assessment of existing documentation and/or practices;
- focus groups and/or working parties involving tenants and other service users;
- staff consultation; and
- media including social media, for example, articles in Housing News.

10.2. Review of Equality and Diversity Policy

We review our Equality and Diversity Policy every five years or sooner, as appropriate. For instance, we may review our Equality Policy due to changes to law or regulatory requirements.

10.3. Summary

We consult with tenants and other service users when developing our Equality Policy. This is based on law and good practice in line with our Tenant Participation Strategy, as well as other internal processes.

Appendices

Appendix 1: Law and Guidance

This section notes two key laws and where guidance is available relating to equality matters. A more complete list of relevant laws and guidance is not provided as this is quickly outdated due to ongoing changes as law and guidance evolve.

Key laws

Equality Act 2010 (as amended).

Human Rights Act 1998 (as amended)

Secondary legislation

There is a large number of statutory instruments (and Scottish statutory instruments) available on the Scottish Government website.

Equality and Human Rights Commission

The statutory and non-statutory codes are available on the Equality and Human Rights Commission's website.

Housing Guidance

Guidance on equality practices is comprehensive and covers many issues, both specialist and general.

With reference to housing specifically, examples of guidance and research are as follows:

SFHA (2021): Collecting Equality Information: Guidance for Scottish Social Landlords.

CIH (2010) Equalities and Diversity in Housing, CIH Scotland.

CIH (2011) Delivering the Equality Act 2010, CIH.

CIH (2009) Equality, Diversity and Good Relations in Housing, Good Practice Brief, CIH.

Appendix 2: Public Sector Equality Duty

The Specific Duties

Designated public bodies are also subject to what are known as the Specific Duties. These duties require prescribed public bodies to monitor and report on a range of equality issues linked to the protected characteristics.

The main issues to be monitored cover (in plain language):

- equality mainstreaming;
- equality outcomes, including progress through time;
- an assessment of new or revised policies and practice (“equality impact assessment”);
- the gathering, usage and publication of employee information;
- the usage and publication of Elected Members’ data;
- information about any gender pay gaps;
- an equal pay statement;
- award criteria and contract conditions in relation to public procurement; and
- publish information in a manner which is accessible.

The Socio-economic Duty / Fairer Scotland Duty

This important Duty applies to designated public authorities and is intended to address socio-economic disadvantage. This refers to inequality that arises due to relative poverty arising largely from people’s economic and social position within society. This Duty is particularly important from the perspective of disability-related employment matters given their disproportionate representation in the workplace.

This is a complex, multi-dimensional problem, closely related to poverty. Having less access to resources can mean that individuals fare worse on outcomes including health, housing, education or opportunities to work or train, and these negative outcomes can reinforce each other. Adversity in childhood can have life-long impacts, and growing up in poverty is associated with poorer educational attainment, employment prospects and health inequalities. Therefore it is crucial that public bodies consider the impact that their decisions have on socio-economic disadvantage and the inequality of outcome that both adults and children may experience as a result. The Equality Impact Assessment incorporates the requirements of the Fairer Scotland Duty and includes sections on socio-economic deprivation as part of the overall assessment process.

Appendix 3: Useful Contacts

Service.	Contact Details.
Housing Services.	Council Offices, Kirkwall. Telephone: 01856873535. Fax: 01856886530. Email: housing@orkney.gov.uk
Age Scotland.	6 Bridge Street, Kirkwall. Telephone: 01856872438. Fax: 01856875455.
Citizen's Advice Bureau.	Anchor Buildings, Bridge Street, Kirkwall. Telephone: 01856875266.
Orkney Disability Forum.	1 Mackay's Buildings, Junction Road, Kirkwall. Telephone: 01856870340. Email: odf@orkney.com
Relationships Scotland.	Orkney Counselling and Support Centre, 1st Floor, Travel Centre, West Castle Street, Kirkwall, KW15 1GU. Telephone: 01856877750. Email: enquiries@rsorkney.org.uk
The Talking Newspaper.	Orkney Library, Junction Road, Kirkwall. Telephone: 01856873843.
Women's Aid Orkney.	Junction Road, Kirkwall, Orkney, KW15 1HR. Telephone: 01856877900. Email: womensaidorkney@btconnect.com
Equalities and Human Rights Commission.	The Optima Building, 58 Robertson Street, Glasgow, G2 8DU. Telephone: 08088000082. Email: scotland@equalityhumanrights.com Website: www.equalityhumanrights.com/scotland
The Mental Welfare Commission for Scotland.	Thistle House, 91 Haymarket Terrace, Edinburgh, EH2 5HE. Helpline: 08003896809. Email: enquiries@mwscot.org.uk Website: www.mwscot.org.uk



Housing Services Equality and Diversity Action Plan May 2021

We can provide this document in different formats, for example, in larger print, Braille or audio-format; the document can also be translated into specific languages, as appropriate.

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Section 1: Background

The Equality and Diversity Action Plan is used to implement our equality and diversity policy objectives into practice. The action plan is, thus, essential for mainstreaming equality issues throughout housing services. The equality and diversity action plan is simply referred to as the plan below for ease of reference.

Our plan describes the range of activities that we are implementing for the period April 2021 to end of March 2022. This plan is amended continually as individual activities are completed and / or updated to include new activities.

The plan takes into account relevant organisational factors, including organisational scale and resources, as well as our strategic policy commitments.

Section 2: Principles Underpinning the Equality Action Plan

We have developed the plan based on research that demonstrates how effective rights implementation depends on:

- applying a sound theoretical approach; and
- identifying a range of key organisational factors that must be included if rights are to be implemented effectively.

Our method can be explained, in general, by reference to systems theory which recognises the inter-dependence of all organisational activities. In applying this approach, for example, we recognise that all organisational activities are inter-dependent and require, therefore, a holistic approach to be taken. By understanding this point, we recognise that failing to implement any specific activity will have a negative impact on effective rights implementation. We also apply “essentialist principles” in recognition of the fact that Local Authorities are “creature of statute” whose practices operate to implement law, regulatory standards and reflect good practice.

Further information is provided in Appendix 1.

Summary

By adopting this approach, we ensure that we focus on key issues related to effective equality rights implementation and apply a framework that covers organisational services comprehensively.

Section 3: Key activities

Research indicates that an effective rights strategy must take account of specific organisational elements which must be developed in a logical manner. By adopting this approach, eight key inter-dependent activities covered in the plan are as follows:

- equality data collection;
- equality policy and procedural documentation;
- equality impact assessments;
- performance management;
- training;

- partnership working;
- positive action programmes; and
- consultation, including tenant participation.

Section 4: Action plan template

In order to ensure organisational commitment at senior organisational levels, the plan is monitored by our Service Manager (Housing, Homelessness and Schoolcare Accommodation).

The plan is structured to facilitate regular updating as activities develop. Key points to note are:

- each action is prefaced with an explanation of its purpose in promoting the overall equality strategy;
- each service action is linked to a list of activities;
- each activity is specified along with those persons responsible for implementing and/or co-ordinating implementation, a list of outcomes with scope for making comments too; and
- time scales and/or targets for completion are specified which are flexible and may be altered depending on other organisational priorities.

Action 1: Equality Data Collection

We process equality data in line with data protection law; most of the equality data that we gather in relation to the protected characteristics is known under data protection law as “special category” data.

In order to process such data lawfully, we must use one or more specified lawfulness conditions.

With respect to the collection of equality data, we do this through our internal equality data collection procedure.

The collection of equality data is critical to effective implementation of the plan as data is used for various purposes, including the provision of appropriate services that are tailored to addressing individuals’ needs.

For example, by collecting information about disabled people, we can then make reasonable adjustments to address their needs. This ensures compliance with relevant equality law.

Equality data collection is dealt with first in the plan given its central role in shaping service provision.

Activity.	Responsible Person(s).	Timescale.	Outcome.	Comments.
Equality data collection procedure.	Head of Community Learning, Leisure and Housing.	May / June 2021.	To have comprehensive data collection system in place to address regulatory requirements.	On target.
Development of data collection procedures.	Service Manager (Housing, Homelessness and Schoolcare Accommodation).	Ongoing.	To manage personal data in line with data protection law.	Dealt with in line with Council policy.

Action 2: Equality Policy and Procedural Documentation

Effective mainstreaming of equality policy objectives cannot be achieved by means of a policy document itself but requires a range of specific equality procedures.

This action is, therefore, prominent as it contains specialist equality procedures.

Note: The equality data collection procedure is also a specialist procedure, but is included in its appropriate section (Action 1).

Activity.	Responsible Person(s).	Timescale.	Outcome.	Comments.
Equality policy.	Head of Community Learning, Leisure and Housing.	June 2021.	To have an updated policy in place to reflect changes in equalities across the sector.	
Equality Action plan.	Head of Community Learning, Leisure and Housing.	June 2021.	To enable effective equality mainstreaming.	
Appropriate language guide.	Head of Community Learning, Leisure and Housing.	September 2021.	To develop critical awareness of the role of language in promoting equality objectives and supporting equality impact assessments.	
Harassment Policy and Procedure.	Service Manager (Housing, Homelessness and Schoolcare Accommodation).	September 2021.	To include a specialist section within the antisocial behaviour policy.	

Action 3: Equality Impact Assessments (EIA)

We use our equality impact assessment procedure to promote compliance with law, in particular meeting the public sector equality duty, as well as the Specific Duties.

We evaluate all our internal documentation to promote our equality objectives. Internal documentation refers to our organisational plans, policies and procedures.

We do this using our comprehensive Orkney Islands Council equality impact assessment procedure and this is mainstreamed through our committee processes.

Action 4: Performance Management

This action includes managing our performance to assess how effectively we are implementing our equality objectives. Action 4 must ensure that we meet any statutory and / or regulatory monitoring requirements in respect of equality issues (see below).

This Action is, therefore, closely linked to Action 1 that focusses on equality data collection.

Action 4 focusses on establishing measures that enable us to “test” how well we are meeting organisational equality objectives. This can include both quantitative and qualitative measures of performance management.

Equality performance management is based on corporate Council systems. However, in Housing Services, we include local equality performance indicators within our functional services, as appropriate.

For example, in allocations we would monitor numbers of houses let to people with different protected characteristics.

Again, from a qualitative perspective, we monitor the quality of allocation information through tenant consultation and participation processes, as well as complaint handling procedures.

Activity.	Responsible Person(s).	Timescale.	Outcome.	Comments.
Meeting statutory and regulatory requirements.	Head of Community Learning, Leisure and Housing.	Ongoing.	Achieving compliance.	On target.
Development of local performance indicators within functional policies.	Service Manager (Housing, Homelessness and Schoolcare Accommodation).	Ongoing.	To incorporate specific equality performance indicators within each policy as appropriate, thus promoting equality mainstreaming.	On target.

Action 5: Training

Training is vital if equality policy commitments are to be implemented effectively. Indeed, it can be stated in all reasonableness that mainstreaming of equality objectives cannot be achieved without comprehensive training programmes.

As such, we make equality training mandatory for all housing staff. We may also provide specific training for tenants as part of tenant participation for example, in activities such as equality monitoring.

We recognise, too, that there is no such thing as “equality training” as there are only different forms of equality training that cover a diverse range of topics.

As described in our equality policy, we link training activities to comprehensive staff training need assessments which are linked to job roles.

Note: This section deals only with specific equality training. As part of our mainstreaming of equality commitments, we also include equality themes within other training courses.

Activity.	Responsible Person(s).	Timescale.	Outcome.	Comments.
Equality Policy and action plan.	Head of Community Learning, Leisure and Housing.	October 2021.	To implement new documentation.	To ensure staff and tenant consultation.
Equality Procedures.	Service Manager (Housing, Homelessness and Schoolcare Accommodation).	As above.	To implement new procedures.	As above.

Note: These procedures are to be developed in line with Action 2. These procedures comprise our:

- appropriate language guide;
- equality data collection;
- equality impact assessment; and
- harassment procedures.

Action 6: Partnership Working

This section of the plan describes the agencies and organisations we work in partnership with to:

- eliminate unlawful and unfair forms of discrimination; and
- promote equality matters into practice.

Our partner bodies are described in alphabetical order and split into national and local levels.

Note: As this Action is solely descriptive, this Action is formatted differently. This applies to Actions 8 and 9 too.

Partner organisations we work with at local level in Orkney

Service.	Contact Details.
Housing Services.	Council Offices, Kirkwall. Telephone: 01856873535. Fax: 01856886530. Email: housing@orkney.gov.uk
Age Scotland.	6 Bridge Street, Kirkwall. Telephone: 01856872438. Fax: 01856875455.
Citizen's Advice Bureau.	Anchor Buildings, Bridge Street, Kirkwall. Telephone: 01856875266.
Orkney Disability Forum.	1 Mackay's Buildings, Junction Road, Kirkwall. Telephone: 01856870340. Email: odf@orkney.com
Relationships Scotland.	Orkney Counselling and Support Centre, 1st Floor, Travel Centre, West Castle Street, Kirkwall, KW15 1GU.

	<p>Telephone: 01856877750. Email: enquiries@rsorkney.org.uk</p>
The Talking Newspaper.	<p>Orkney Library, Junction Road, Kirkwall. Telephone: 01856873843.</p>
Women's Aid Orkney.	<p>Junction Road, Kirkwall, Orkney, KW15 1HR. Telephone: 01856877900. Email: womensaidorkney@btconnect.com</p>
Equalities and Human Rights Commission.	<p>The Optima Building, 58 Robertson Street, Glasgow, G2 8DU. Telephone: 08088000082. Email: scotland@equalityhumanrights.com Website: www.equalityhumanrights.com/scotland</p>
The Mental Welfare Commission for Scotland.	<p>Thistle House, 91 Haymarket Terrace, Edinburgh, EH2 5HE. Helpline: 08003896809. Email: enquiries@mwscot.org.uk Website: www.mwscot.org.uk</p>

Action 7: Positive Action Programmes

Positive action measures are encouraged in law and good practice and are used to address previous historic patterns of disadvantage experienced by certain groups. Such formal programmes draw on appropriate statistical demographic data in order to comply with law.

We also develop less formal positive action programmes that serve to promote social justice and equality policy commitments.

This section describes the programmes that we are implementing during 2021/22. This includes formal and informal positive action programmes.

Note: When evaluating and analysing equality data through our equality data collection procedure, we may also identify equality patterns that might require to be addressed through positive action programmes. This point illustrates, again, how the actions within this plan are inter-dependent.

Our positive action initiatives: 2021 to 2022

Developing a new equality strategy and range of equality procedures to ensure a robust theoretical foundation for effective implementation of equality rights.

Action 8: Consultation, including tenant participation

We consult with our tenants and other customers regarding our equality policy and our equality objectives.

During 2021, we will consult with tenants and other customers regarding the following documentation:

- our equality policy objectives; and
- our data collection procedure.