

# **INVITATION FOR PROPOSALS**

# Guidance for Social Landlords:

# *Equalities requirements under the Scottish Housing Regulator’s Regulatory Framework*

# 

February 2020

**1. Background to Project**

1.1 The Scottish Federation of Housing Associations (SFHA) exists to lead, support, promote and represent housing associations and co-operatives (known as RSLs) across Scotland. Established in 1975, the SFHA has 137 members across Scotland. Our members vary greatly in terms of size, geography and services delivered.

1.2 The Scottish Housing Regulator (SHR) is responsible for the regulation of both RSLs and local authorities. In April 2019, its new Regulatory Framework[[1]](#footnote-1) came into force, outlining its regulatory requirements and how it will perform its regulatory functions.

1.3 Within the Framework, the SHR outlines a new requirement for social landlords as per the below:

***(Each social landlord must) have assurance and evidence that it considers equality and human rights issues properly when making all of its decisions, in the design and review of internal and external policies, and in its day-to-day service delivery.***

***To comply with these duties, 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 users.***

1.4 The SHR has stated that it will not begin to assess compliance against this requirement until April 2021, pending further guidance being provided to the sector.

1.5 SFHA - in partnership with the SHR, the Glasgow and West of Scotland Forum of Housing Associations (GWSF) and the Association of Local Authority Chief Housing Officers (ALACHO) - is seeking proposals from suitably qualified individuals/organisations to produce this guidance.

**2. Scope of Work**

2.1 The main priority for this commission will be to provide in depth written guidance on the regulatory requirement outlined at 1.3, focussing on:

* Good practice and suggested methodology for effectively collecting data on each of the nine protected characteristics for each type of service user specified
* Good practice and suggested methodology for how to use the data collected effectively for each type of service user specified, and how to demonstrate this – with particular focus on:
  + informing decisions
  + design and review of internal/external policies
  + day to day service delivery
* Guidance on approach if a low response rate is received
* In depth guidance on how to effectively anonymise data – with particular focus on data protection considerations in terms of the collection, storage and processing of such data. This will include considerations in small communities and small organisations where there is a smaller sample and therefore difficulties around how such data can ever be truly anonymous.
* Providing clarity on the role of the SHR in assessing compliance with this duty vs the role of the Equality and Human Rights Commission (EHRC). In particular this should focus around how the SHR may request data in evidence of compliance and data protection considerations in this regard.
* A clear separation of the guidance (as appropriate) for RSLs and local authorities, to reflect the additional requirements for local authorities to collect data on protected characteristics for those who apply to them as homeless. It is also (almost exclusively) local authorities who provide Gypsy/Traveller sites.
* Signposting to any other existing guidance that may prove useful to social landlords

2.2 Consultation with RSLs and local authorities will be essential as part of the development of this guidance to ensure a proportionate and effective sector approach is identified. Further consultation with the SHR will also be an important part of this process, as well as liaison with the Equality and Human Rights Commission (EHRC).

2.3 Following the publication of guidance, there will be a requirement to provide training sessions and further promote this work to the sector. There will also be a requirement to answer on-going sector queries based on the guidance provided.

2.4 SFHA is open to further suggestions about methodology and what this commission could cover within any submission.

**3. Timeframe and Budget**

3.1 SFHA has a budget of £5,000 - £10,000 for this work. All submissions received must not exceed this threshold.

3.2 Whilst SFHA is open to suggestions in terms of methodology, our target is to publish the written element of this work by close of May 2020/early June 2020. The training/ promotion of the guidance element of the commission will follow thereafter.

**4. Submission Requirements**

4.1 As a minimum, SFHA requests that submissions outline:

* Why you (or your organisation) are suitably qualified to undertake this project
* A suggested methodology for taking forward the project, including each of the key elements outlined in Section 2
* A proposed timetable for carrying out the work
* Your (or your organisation’s) proposed fee to undertake the work

4.2 The deadline for submissions is Wednesday 4 March 2020 at 5pm.

4.3 All submissions must be made via e-mail to:

[astokes@sfha.co.uk](mailto:astokes@sfha.co.uk)

4.4 If you have any queries about the project prior to submission, please contact Alan Stokes (Policy Lead at SFHA) using the e-mail address above or via telephone on 0141 332 8113.

1. Scottish Housing Regulator (Feb 2019) [Regulatory Framework](https://www.scottishhousingregulator.gov.uk/for-landlords/regulatory-framework)  [↑](#footnote-ref-1)