

## **DISABILITY ADVISORY AND ACCESS FORUM**

**DATE: 6<sup>TH</sup> FEBRUARY, 2003**

**REPORT BY: HEAD OF EQUALITIES**

**SUBJECT: EQUALITY IMPACT ASSESSMENTS**

### **RECOMMENDATION(S)**

- 1. The Disability Advisory and Access Forum is recommended to:-**
  - (i) Consider the assessments attached at Appendix A.**
  - (ii) Consider the Action Plans to address adverse impacts as set out in Appendix B.**
  - (iii) Consider the consultation arrangements at paragraphs 9 to 11 of this report.**

### **REPORT**

- 2. The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000) places a general duty on a wide range of public authorities to promote Race Equality. This new enforceable positive duty means that, in everything we do, the Council should have due regard to the need to:**

Eliminate unlawful racial discrimination;  
Promote equality of opportunity; and  
Promote good race relations between people of different racial groups.
- 3. The Council's Race Equality Scheme was published in May 2002. The Scheme addressed the assessment of policies and**

functions; consultation arrangements; monitoring for adverse impact; staff training and publication of result of assessments and consultation.

4. One of the requirements of the specific duty is for the Council to assess its policies and functions for an adverse impact on the promotion of race equality. In line with the Council's approach to addressing all areas of equalities, a broad assessment framework has been developed to assess race, gender, disability, age and sexuality.
5. We are aware that for some of these categories we will have very little information on which to make an informed judgement, nevertheless our commitment is to address all areas of inequalities, and therefore we will be assessing for impact across all groups.
6. A total of 30 services, functions and policies were identified in the Race Equality Scheme as a priority for 2002/03 and departments were required to assess a minimum of two services. The criteria for selection was based on the equality relevance test applied to all functions/services and the subsequent scoring based on high, medium and low priorities. The services selected for impact assessments include those services already schedule to have a Best Value Review and any new services.
7. Impact Assessments has been completed for 19 services so far and the judgements based on the assessments are summarised under departmental headings below. Although all departments are making steady progress, a number of impact assessments are incomplete and will therefore be reported to the Executive on the 3<sup>rd</sup> February 2003. All the assessments will be subject to consultation during February and March. Summaries of the judgements based on existing evidence are set out in Appendix A.

8. Appendix B outlines the action plans where appropriate to address any adverse impact identified. The action plan status keys are as follows:

EIP – Essential and in Place, END – Essential and needs developing, DIP- Desirable and in Place, DND – Desirable and needs developing and NR – Not required.

9. Consultation at every stage of the process is a major requirement of the Race Equality Scheme and the expectation is that the Council will consult relevant stakeholders on the outcome in terms of positive, neutral or adverse impact as well as each action plan for addressing adverse impact.
10. The aim of the consultation will be to find out what service users think of the service; whether different groups experience the service differently; whether service users or potential service users know how to access the service and how to use it; whether different groups are treated equitably and what outcomes different groups desire.
11. The Council has already listed all relevant organisations and bodies with which it will consult, as set out in the published Race Equality Scheme, which also includes trade unions and employee groups. In addition the Citizen's Panel will also be used as another forum in order to consult on the action plans, arising from the impact assessments with a cross section of the community. Consultations will take place during February and March 2003.

## **CHIEF EXECUTIVE DEPARTMENT**

12. The services/ functions which have been equality assessed within the Chief Executive Department includes Electoral Registration, the Interpreting/Translation Service and the Corporate Grant Aid Programme.

- **Interpreting Service**

13. The assessment of the Interpreting Service shows that over the last six months there were 645 requests for interpretation and 106 requests for translations. The service provided interpreters in 24 languages although the five most commonly used languages were Urdu, 14. Bengali, Albanian, Punjabi and Italian. In addition there were a further 249 request for interpretation over the last 12 months, within Revenue and Benefits services by telephone calls and personal visits. There were only two complaints to the service over the last six months and both were to do with the interpreters giving their own opinions.
14. The service recently completed a Best Value Review, and was found to have a high satisfaction rating. There were some unmet needs for some Eastern European languages, particularly for health services and emergency situations. The service is targeted at people who have language difficulties, most of whom are from black and minority groups, which has resulted in a positive impact with regards to race and gender. The result of the assessment for disability, age and sexuality is judged to be neutral, as there is insufficient information available to assess the impact.
15. However, some of the main issues requiring further action include the training for staff and interpreters, retention of interpreters, public access to the service, external publicity and reducing unmet needs. These issues will be discussed

during the public consultations and addressed within the specific action plan for this service.

- **Electoral Registration**

16. The annual canvass for the Register of Electors takes place between September and November each year with publication on 1<sup>st</sup> December. The canvass is conducted on a part personal and part postal as set out below: -
17. Personal – Hand delivery of pre-printed forms at beginning of September – postal response  
Hand delivery of reminder pre-printed forms at beginning of October – postal response. Explanatory leaflets in 5 languages accompany these 2 forms and up to 4 personal calls are made to households from where no form has been returned.
18. Postal – Royal Mail delivery of pre-printed forms in mid September – postal response  
Royal Mail delivery of pre-printed forms in mid October – postal response.  
Explanatory leaflets in 5 languages accompany these 2 forms. For all properties from where no form has been returned information will be sought from other sources and letters are sent between 1<sup>st</sup> December and end February stating whether names will be retained on or deleted from the Register and seeking a response.
19. The collection of information from which to compile the Electoral Register has become increasingly more difficult in recent years with a reduction from 98% of properties to between 95% and 96%. Whilst this is a general malaise affecting all communities and there is no specific evidence to prove an adverse impact on any single group or community, however, there are 2 specific areas, which give cause for concern – ethnic minorities and young people.

20. It is noticeable that applications from ethnic minority families form the majority of applications under the new Rolling Registration process, which enables the public to register for the Electoral Register between January and August outside the normal, canvass timetable. This would suggest that there is work to be done in ethnic minority communities to promote and publicise the need to be on the Electoral Register.
21. There is also concern that young people are not involved in the democratic processes and that they will not get into the habit of ensuring that they are registered when they leave home and live independently. It is felt that that this issue needs to be addressed through the development of the citizenship curriculum in schools and a greater involvement of Local Democracy staff in this process.
22. Establishing a greater awareness of the reasons for continuing registration will, it is hoped, make it more likely for young people to accept that to register should become an automatic action. Further work will be undertaken during public consultation exercises and the issues will be addressed in the action plan.

- **Corporate Grant Aid Programme**

23. The annual corporate grant aid budget is split into two parts following the BV review in 1999. Five service level agreements were set up with “policy partners”, the key features of which were defined as:

A relatively high level of funding, usually greater than £10,000  
The council’s commitment is implicitly long term, and is relatively constant in cash if not in real terms  
Cash funding is often enhanced by contributions in kind. The annual funding in respect of the SLAs is c£400,000. The remaining budget of £82,000 is disbursed in the form of small

annual grants to voluntary and community groups, typically 60 grants with an average of £2,000 per annum.

24. Applications are invited between 1<sup>st</sup> September and 31<sup>st</sup> October annually (31<sup>st</sup> October being the deadline for applications). Publicity is via local news media, Luton Line, Voluntary Action Luton newsletter, personal contact by the grants group of officers with groups with whom they already have contact or believe ought to apply under an annual theme, and getting the grant process included as an agenda item on various groups and fora.
25. During the application period, and thereafter, a personal service to potential and actual applicants is provided by the officers of the grants group in terms of help to fill in the application form and provide supporting information. Formal training sessions are also provided prior to the application form becoming available, which also acts as a form of publicity, particularly for the annual themes.
26. There have been no formal complaints about the grant application procedure or the results although many groups are unhappy with their actual grant award. However, there is a perception in the community that some groups are getting more funding than others.
27. The BV Review recommended that two annual themes be introduced in order to tackle social exclusion and inequality, and also to introduce new groups to apply for funding. There have been some successes with new groups applying under the themes this year.
28. At present there is no comprehensive evaluation or monitoring of grants – individual grants officers each have their own system of monitoring which, although thorough, does not feed into a central point and there is no corporate overview of the outcomes achieved by the allocation of grants. There appears

to be a broad cross section from all groups accessing grants although, there are fewer disabled, young people, lesbians and gay men groups

29. It is our assessment that the grant aid programme is having a positive impact on the organisation applying and the community they serve. However a more detailed analysis needs to be carried out to test impact across all the equalities groups. There is need to annually review all applicants to assess whether other groups can be considered to be policy partners and move on to an SLA basis for funding.

## **LIFELONG LEARNING DEPARTMENT**

30. Impact assessments have been completed on the following policies and services and a brief summary of each is given below. More detailed analysis of each of the services together with completed grids are held by the Performance Review Manager who will be pleased to supply these to Members upon request.

### **• Teacher Recruitment & Retention**

31. Recruitment of teaching staff in schools is carried out directly by the school itself. No monitoring information on applicants for teaching vacancies or other school based staff is submitted to the LEA. However, vacancies for Head teachers are managed within the departmental Personnel Unit and data is available.
32. The workforce survey returns from schools show that, in 2001, there were only 11.8% of the workforce in schools and 11.2% of teachers from the visible minority ethnic communities. The same return also shows that there is an imbalance between males and females with 86.2% of the workforce being female. It could be interpreted from these figures, that there is differential adverse impact on race and gender.



33. Although the LEA do not have direct responsibility for teacher recruitment/retention, the LEA has taken a range of positive action measures such as encouragement to applicants, advice to schools, housing loans to new recruits, golden hellos, translated information, on line applications, extensive advertising, teacher taster courses targeted at minority ethnic communities, courses for returners to teaching, overseas recruitment drives and bursaries to encourage underrepresented groups into teaching.
34. All the actions above will continue to have a positive impact on race and gender, but we will need to take the national picture into account. Luton's situation is similar to the national picture and in particular the Eastern Region. In relation to age, disability and sexuality we are unable to make an informed judgement without further analysis.

- **Key Stage 3 (KS3) Strategy**

35. This is a national strategy, which is targeted at pupils aged 11 – 14 years. There are four strands, English, Mathematics, ICT and Science with phased funding provided for each starting with English and Mathematics from September, Science from October, ICT from November 2001 and Teaching and learning in the Foundation (TLF) subjects from September 2002.
36. Comparison of data for KS2 and KS3 in 2001 suggests that the progress made during this Key Stage is low compared to the LEA average for Bangladeshi pupils. At Key Stage 3 in 2001 Bangladeshi pupils were further below the LEA averages than at KS2. Pakistani pupils have made up some ground relative to the LEA average in English by the end of KS3 but in Mathematics and Science they remain well behind. African-Caribbean pupils remain slightly below the average for the LEA in English and mathematics but performance is

above the LEA average in Science. Further breakdown by ethnicity for the Summer 2002 results is not yet available.

37. The data to date does indicate that certain racial groups are not performing as well as the LEA average at this key stage.
38. Any decision by the authority to vary the strategy will depend upon the actual results but whilst the KS3 Strategy is quite specific to 11-14 year old pupils there are other plans and policies that will also have an effect upon the attainment levels of certain minority ethnic groups and on groups of boys and girls, e.g. the Ethnic Minority Achievement Strategy has specific actions to above performance for all ethnic groups across the whole curriculum and range of Key Stages.
39. It is too early to thoroughly assess the impact of this particular strategy on the under performing groups although it is designed to have a positive impact on certain under-performing groups and this has been reflected in the assessment.

- **Governor Support Services**

40. Luton has a dedicated Governor Support Team that is part of the School Improvement Service. The LEA provides Induction courses for new governors, briefing meetings for chairpersons, seminars for all governors and a Governors and Clerks helpline. These are included within the Governor Development programme that is updated and reviewed annually. Schools can 'buy back services from the LEA and this allows governing bodies to arrange 'customised' training at no extra cost.
41. The LEA's role is to help Governors perform effectively and this is done by the provision of specific training courses. In addition to these specific courses, individual school based consultancy and advisory sessions are conducted within

schools. Governors also have access to the publication “Multi-ethnic achievement – A guide to good practice for schools” backed up by consultancy, training and advisory sessions delivered by the specialist team.

42. There is a current under representation from the black and minority ethnic communities on governing bodies and a significant percentage of existing governors have not declared their ethnicity. There are also a number of LEA governor vacancies, which can now be filled by people without political affiliation following a change in policy. The Council has produced booklets and posters for prospective and existing governors which are widely distributed throughout the community, publicity via radio, road shows and ‘governors one stop shop.’
43. The assessment has been carried out on the support service provided by the LEA and the conclusion reached is that we do not have all the information necessary to make an informed judgement but we suspect that there could be a positive impact on race, gender disability, age and sexuality.

- **Early Years Development & Childcare**

44. The Luton Early Years Development and Childcare Partnership is a government directive to provide free, full time, early years education for all 4 year olds and by September 2004 to provide free part time places for 3 year olds. The Flying Start is one such initiative, which is targeted at pre-school children whose attainment at school entry is low. The other strand is the Childcare development that covers children from the age of 0 – 14 years of age and children from 0 -16 for children with disabilities.
45. There are specific recruitment targets for the whole range of staff required to implement the Early Years & Childcare Development Plan. These include targets to increase the

numbers of support staff, child minders, and out of school hours childcare staff from minority ethnic communities, people with disabilities, and to increase the numbers of men and people aged 40 and over to ensure the staff match the communities they are serving. Other objectives set specific tasks to ensure that all sectors of the community have equal access to childcare and early years services regardless of their gender, age, special educational needs, disability, background, religion, ethnicity or competence in spoken English.

46. The Early Years Development & Childcare Plan, delivered by the EYDC Partnership, is designed to improve educational levels at school entry and to increase the attainment levels of particular under performing groups of pupils. The assessment therefore is that these initiatives will have a positive impact on race, gender, disability and age but a neutral impact on sexuality. The result of these initiatives requires further analysis when more information is available.

- **Connexions**

47. The Connexions Service is a national initiative but officially started in September 2002. It is targeted at young people between the ages of 13 – 19 years and aims to offer an integrated advice, guidance and access to personal development opportunities to help them make a smooth transition to adulthood and working life.
48. The Connexions Service is delivered by partnerships, which covers Luton and Bedfordshire and include representatives from the Borough Council and the County Council, the Police and the Voluntary sector.

There are three types of Connexions support services:

- i) the 'universal' delivery will be through the C.F.B.T (the previously careers service),
- ii) the Youth Service concentrate on those 'hard to reach' and 'disaffected' youth and will be a more 'intensive' support service.
- iii) Specialist support service (this aspect is currently under development)

49. The objective is that every young person requiring support will have a Personal Adviser. This is a new service, some monitoring is carried out and aggregated data is submitted to the local partnership. An initial analysis of the small amount of data currently available shows that the majority of young people accessing the Connexions intensive service are from a white background, followed by Caribbean and two third male and one-third female.

50. Specific targets have been set for the Partnership agencies to recruit personnel that represent the community they serve and monitoring of the Youth Service staff shows that there is a good representation from the Black and Minority Ethnic communities and an even number of male and female staff.

51. Connexions is an integrated part of the Youth Service and the assessment has only been made on this element. It is also extremely difficult to carry out an assessment without considering the whole of the Youth Service. It would appear that there is adverse impact with regard to race and gender, but the fact that this is a new service makes the judgement extremely subjective. Although Connexions staff makeup reflects the diversity of Luton's communities, the young people do not.

From the limited information so far, it is difficult to make a judgement on impact for disability and sexuality.

The assessment is that the service will make a positive impact on race, gender and age as it is targeted at young people.

## **HOUSING & SOCIAL SERVICES DEPARTMENT**

52. The policies which have been equality assessed within the Housing & Social Services Department include; The Private Sector Grants Policy, Houses in Multiple Occupation (HMO) Policy and the Enforcement Policies.

- **Grants Policy**

53. The Councils Renovation Grant Policy is reviewed annually and is currently up to date having received a review this year 2002. Consultation on the review is carried out within the department between managers and operational employees before being reported to Executive Committee for approval. The policy itself has been made available on the Councils Internet site so the general public has access to it. There is a high degree of training and awareness on the policy and its implications including a 'questions time' facility that explores problems and solutions within the grant policy processes.
54. There is a low level of complaint made about this service and of those, there is a tendency to complain about the amount of grant available, rather than the quality or delivery of the service. A service satisfaction slip is regularly sent to service users, which is not translated or available in any of the 5 community languages. The low levels of complaints received are logged under the corporate complaint procedure but again, there is no monitoring of these complaints by ethnicity, age disability, or gender. Both these areas identified have been addressed within the Action Plan and will be discussed during the public consultation exercise.
55. The policy has a number of positive impacts particularly on people with a disability as there are specific grants available for those with a disability (Disabled Facility Grants) also on age, as priority is given to people above 65 for a home repair grant because of poor health implications. Families with

children under 5 years old were there was no hot water or heating facilities within the property were also given priority for a home repair grant. There is also a positive impact in terms of ethnicity as a high proportion of grants are made available to the inner town area where there is also the largest population of ethnic minority tenancies and owner-occupiers.

- **Houses In Multiple Occupation (HMO) Policy**

56. The result of the Equality Impact Assessment on the Houses In Multiple Occupation Policy was found to be neutral in respect of Race, Gender, Disability, Age and Sexuality. The Policy is reviewed annually, and is due to be reviewed early in 2003. There is a low level of user involvement and complaints against the service are rare. There is a database of Landlords kept within the department and a frequent meeting of the Landlords Forum, However no monitoring data is kept on the Landlords or tenants of the properties. The main issues requiring further action include the HMO Policy itself is not available in any of the 5 community languages and there are no records on the nature of complaints. Both of these issues have been addressed within the Action Plan.

- **Enforcement Policy**

57. The Enforcement Policy was introduced in April 2002. The enforcement services covered by the policy are; Food Safety, Food Standards and Feeding Stuffs; Health & Safety; Environmental Protection; Pest Control; Dog Wardens; Licensing; Trading Standards; Markets and Private Sector Housing.
58. The result of the Equality Impact Assessment on this Policy has only shown an adverse Impact in the collection of equality monitoring data. There are no equality data available of those

being prosecuted or for those who may be adversely affected by the prosecution. The policy states that:

*'...A prosecution is likely to be needed if...' An offence is motivated by any form of discrimination against the victim's ethnic or national origin, sex, religious beliefs, political views or sexual orientation, or the suspect demonstrated hostility toward the victim based on any of those characteristics'.*

59. There is no mention within the Enforcement Policy of the Council's Racial Incident Reporting Procedure. This will be addressed when the policy is being reviewed this has been highlighted within the Action Plan. The Policy document itself is not available in any of the community languages neither is there a translated message in different languages, informing the public that they can request information in other languages and format. These issues have also been addressed with the Action Plan and will be discussed during the public consultation exercise.

## **CORPORATE AND CUSTOMER SERVICES DEPARTMENT**

60. The main issues around Human Resources are those of ensuring consistency between different, decentralised services. There is an HR forum established to further this and, jointly, a formal Human Resources strategy is being developed. There is a need to improve monitoring across a range of policies (see below) but there are resource implications in doing so.
- **Equal pay policy**
61. The Council is implementing job evaluation across all former manual and APT&C graded posts. In addition, a range of check evaluations will need to take place to ensure consistency across Craft, various JNC and Soulbury graded posts. Market factors, however, also need taking into account.



- **Disciplinary procedure**

62. Concerns have been expressed about consistency of application and monitoring systems are in the process of being set up.

- **Grievance procedure**

63. Concerns have been expressed about consistency of application and monitoring systems are in the process of being set up.

- **Probationary periods**

64. A monitoring system needs to be set up.

- **Recruitment policy**

65. There are actions planned and in progress around a whole range of recruitment issues.

### **The Corporate Finance Service overall**

66. The Corporate Finance Services is not considered a front line service, however there is some contact in respect of debtors, procurement and insurance. There have been no issues logged. A detailed assessment in respect of procurement is underway.

- **Customer Services**

67. An assessment has taken place which has flagged no specific issues at this, developmental, phase. An action plan needs developing.

- **Disabled Access**

68. No issues were identified.

## **APPENDICES**

Appendix A - Summary of Impact Assessments across all services

Appendix B - Action Plans for each service assessed: Chief Executive Department, Lifelong Learning Department, Housing and Social Services Department and Corporate and Customer Services Department.