

Enfield Equality Impact Assessment (EqIA)

Introduction

The purpose of an Equality Impact Assessment (EqIA) is to help Enfield Council make sure it does not discriminate against service users, residents and staff, and that we promote equality where possible. Completing the assessment is a way to make sure everyone involved in a decision or activity thinks carefully about the likely impact of their work and that we take appropriate action in response to this analysis.

The EqIA provides a way to systematically assess and record the likely equality impact of an activity, policy, strategy, budget change or any other decision.

The assessment helps us to focus on the impact on people who share one of the different nine protected characteristics as defined by the Equality Act 2010 as well as on people who are disadvantaged due to socio-economic factors. The assessment involves anticipating the consequences of the activity or decision on different groups of people and making sure that:

- unlawful discrimination is eliminated
- opportunities for advancing equal opportunities are maximised
- opportunities for fostering good relations are maximised.

The EqIA is carried out by completing this form. To complete it you will need to:

- use local or national research which relates to how the activity/ policy/ strategy/ budget change or decision being made may impact on different people in different ways based on their protected characteristic or socio-economic status;
- where possible, analyse any equality data we have on the people in Enfield who will be affected e.g. equality data on service users and/or equality data on the Enfield population;
- refer to the engagement and/ or consultation you have carried out with stakeholders, including the community and/or voluntary and community sector groups and consider what this engagement showed us about the likely impact of the activity/ policy/ strategy/ budget change or decision on different groups.

The results of the EqIA should be used to inform the proposal/ recommended decision and changes should be made to the proposal/ recommended decision as a result of the assessment where required. Any ongoing/ future mitigating actions required should be set out in the action plan at the end of the assessment.

The completed EqIA should be included as an appendix to relevant EMT/ Delegated Authority/ Cabinet/ Council reports regarding the service activity/ policy/ strategy/ budget change/ decision. Decision-makers should be confident that a robust EqIA has taken place, that any necessary mitigating action has been taken and that there are robust arrangements in place to ensure any necessary ongoing actions are delivered.

SECTION 1 – Equality Analysis Details

Title of service activity / policy/ strategy/ budget change/ decision that you are assessing	Report on the self-assessment against the Housing Ombudsman Complaint Handling Code
Lead officer(s) name(s) and contact details	Jayne Middleton-Albooye Jayne Paterson
Team/ Department	Complaints and Information Team
Executive Director	Sarah Carey
Cabinet Member	Cllr Needs
Date of EqIA completion	23.12.20

SECTION 2 – Summary of Proposal

Please give a brief summary of the proposed service change / policy/ strategy/ budget change/project plan/ key decision

Please summarise briefly:

What is the proposed decision or change?
 What are the reasons for the decision or change?
 What outcomes are you hoping to achieve from this change?
 Who will be impacted by the project or change - staff, service users, or the wider community?

Proposed Change

The Housing Ombudsman’s service has published its Complaint Handling Code in preparation for its assumption of greater powers at the beginning of 2021.

The Code provides the future framework for complaint handling by social landlords and aims to

- provide consistency across landlords’ complaint procedures
- create a ‘resident-focused process’ that makes it easier for tenants to make complaints about their landlords.
- encourage a more proactive approach to identifying systemic failure, which if found, will be referred to the Regulator of Social Housing,

The Code

- creates a universal definition of a complaint
- introduces a two-stage structure for the complaint's procedure
- sets out clear timeframes for responses
- introduces new powers to issue
 - complaint handling failure orders, for example, when a complaint gets stuck in the landlord's process or where landlords do not provide evidence requested by the Ombudsman in a timely manner
 - a 'severe maladministration' finding to clarify the range of determinations from service failure to maladministration to severe maladministration
- requires landlords to demonstrate learning after the Ombudsman's decision

The self-assessment found that the current policy needs to be aligned to the requirement of the Code and several areas for improvement including:

- Information about how to complain and the right to contact the Ombudsman for early resolution available to residents
- Explaining what reasonable adjustments will be made for residents with a disability
- Greater co-ordination between departments to respond to complaints
- Sharing of data and trend analysis to facilitate improvements to processes at an early stage
- Providing the opportunity for residents to engage and challenge any area of dispute before a decision on a final stage complaint is made to prevent escalation to the ombudsman
- Training to staff across the Council on the role of the Housing Ombudsman and complaints handling in general
- Share a list of Housing Ombudsman cases with relevant heads of service to ensure that trends are spotted earlier, to capture all relevant input to the response and to share any learning that results from the complaints.

The proposal is intended to improve the customer experience of the complaints process and provide organisational learning to inform service improvements, ensure policies and procedures meet the council's objective and identify individual training needs.

Equalities monitoring data is not available to inform this analysis but an action to collect equalities data and use this to understand the profile of complainants is included in the action plan at the end of this report.

SECTION 3 – Equality Analysis

This section asks you to consider the potential differential impact of the proposed decision or change on different protected characteristics, and what mitigating actions should be taken to avoid or counteract any negative impact.

According to the Equality Act 2010, protected characteristics are aspects of a person's identity that make them who they are. The law defines 9 protected characteristics:

1. Age
2. Disability
3. Gender reassignment.
4. Marriage and civil partnership.
5. Pregnancy and maternity.
6. Race
7. Religion or belief.
8. Sex
9. Sexual orientation.

At Enfield Council, we also consider socio-economic status as an additional characteristic.

“Differential impact” means that people of a particular protected characteristic (e.g. people of a particular age, people with a disability, people of a particular gender, or people from a particular race and religion) will be significantly more affected by the change than other groups. Please consider both potential positive and negative impacts, and, where possible, provide evidence to explain why this group might be particularly affected. If there is no differential impact for that group, briefly explain why this is not applicable.

Please consider how the proposed change will affect staff, service users or members of the wider community who share one of the following protected characteristics.

Age

This can refer to people of a specific age e.g. 18-year olds, or age range e.g. 0-18-year olds.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people of a specific age or age group (e.g. older or younger people)?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the revisions to the existing complaints policy will have a differential impact on the grounds of age. Whilst the council's operating model is digital by default it is recognised that older people may not have access to digital technology.

Mitigating actions to be taken

Promote digital inclusion for Council residents at library hubs
Ensure residents are made aware of alternative methods of making a complaint

Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person's ability to carry out normal day-day activities.

This could include:

Physical impairment, hearing impairment, visual impairment, learning difficulties, long-standing illness or health condition, mental illness, substance abuse or other impairments.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people with disabilities?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on disabled people. The inclusion of a reasonable adjustments policy will set out the measures the Council will take to ensure that the complaints process is accessible to disabled people and include guidance on handling a complaint by people with a disability.

Mitigating actions to be taken

Review communications to ensure accessible to all – e.g. information in easy read; review web pages with the web team to ensure they meet accessibility standards; work with the library Hubs to promote digital inclusion and online reporting. Include a reasonable adjustments section in the Complaints policy.

Gender Reassignment

This refers to people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on transgender people?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of gender reassignment.

Mitigating actions to be taken

Marriage and Civil Partnership

Marriage and civil partnerships are different ways of legally recognising relationships. The formation of a civil partnership must remain secular, where-as a marriage can be conducted through either religious or civil ceremonies. In the U.K both marriages and civil partnerships can be same sex or mixed sex. Civil partners must be treated the same as married couples on a wide range of legal matters.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people in a marriage or civil partnership?

Please provide evidence to explain why this group may be particularly affected

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of marriage or civil partnership.

Mitigating actions to be taken

Pregnancy and maternity

Pregnancy refers to the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on pregnancy and maternity?

Please provide evidence to explain why this group may be particularly affected

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of pregnancy or maternity.

Mitigating actions to be taken

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Race

This refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people of a certain race?

Please provide evidence to explain why this group may be particularly affected

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of race. However, language barriers may prevent some groups from accessing the complaints process.

Mitigating actions to be taken

Engage with faith and community groups to promote the policy and make people aware of the process.

Benchmark with other organisations about the provision of T&I services
Look at corporate approach towards translation and interpreting e.g. Newham Language Shop.

Religion and belief

Religion refers to a person's faith (e.g. Buddhism, Islam, Christianity, Judaism, Sikhism, Hinduism). Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who follow a religion or belief, including lack of belief?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of religion or belief.

Mitigating actions to be taken

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Sex

Sex refers to whether you are a man or woman.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on men or women?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of sex.

Mitigating actions to be taken

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Sexual Orientation

This refers to whether a person is sexually attracted to people of the same sex or a different sex to themselves. Please consider the impact on people who identify as heterosexual, bisexual, gay, lesbian, non-binary or asexual.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people with a sexual orientation?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of sexual orientation.

Mitigating actions to be taken

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Socio-economic deprivation

This refers to people who are disadvantaged due to socio-economic factors e.g. unemployment, low income, low academic qualifications or living in a deprived area, social housing or unstable housing.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who are socio-economically disadvantaged?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that the proposed changes to the policy will have a differential impact on the grounds of socio-economic status however digital inclusion may be an issue in relation to online reporting of complaints.

Mitigating actions to be taken.

Work with the Library Hubs to promote digital inclusion

SECTION 4 – Monitoring and Review

How do you intend to monitor and review the effects of this proposal?

Who will be responsible for assessing the effects of this proposal?

This policy will be managed by the Complaints and information manager. The policy is due to be implemented by the end of the financial year and reviewed six months after the implementation date.

Are you planning to introduce customer satisfaction for the complaints process? If so, is there any baseline for levels of satisfaction now? How will we be able to measure improvements?

The impact of the policy on people sharing protected characteristics will be assessed by the Complaints and Access to information Manager, the Business Development Manager for Place, relevant Heads of Service and the Director of Housing and Regeneration.



SECTION 5 – Action Plan for Mitigating Actions.

Identified Issue	Action Required	Lead officer	Timescale	Costs	Review Date/Comments
Equalities data	Collect equalities profiling information from complainants				
Organisational learning	Create learning log from upheld complaints – agree how to monitor implementation				NB: The actions identified in this EQIA have been picked up in the action plan attached to the published report on the self-assessment
Digital exclusion	Ensure residents are made aware of alternatives to online methods of making a complaint				
Communications	Review communications to ensure accessible to all – e.g. information in easy read; review web pages with the web team to ensure they meet accessibility standards; work with the library Hubs to promote digital inclusion and online reporting. Engage with faith and community groups to promote the policy and make people aware of the process.				
Language	Benchmark with other organisations about the provision of T&I services Look at corporate approach towards translation and interpreting				

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