

# Equality Impact Assessments Cabinet

7 November 2011

<u>Item</u>		<u>Pages</u>
6.	USE OF 2011/12 HFBP PROFIT SHARE TO FUND E-SERVICES IN 2011-12	1 - 7
7.	CUSTODY PATHFINDER PILOT - YOUTH OFFENDING SERVICE	8 - 11
8.	APPROVAL TO DELEGATE AWARD OF SEX AND RELATIONSHIPS AND SUBSTANCE MISUSE EDUCATION CONTRACT	12 - 15
9.	HEALTH AND SAFETY AUDIT PROGRAMME FOR HOUSING AND REGENERATION.	16 - 23
10.	OUTCOME OF CONSULTATION ON THE HOUSING ESTATE INVESTMENT PLAN	24 - 52
11.	PLANNED PREVENTATIVE MAINTENANCE AND BREAKDOWN REPAIRS OF MECHANICAL PLANT IN SPECIALIST NON-HOUSING PROPERTIES; PLANNED PREVENTATIVE MAINTENANCE FOR MECHANICAL SYSTEMS (INCLUDING AIR CONDITIONING) 2011-2015	53 - 59

### Equality Impact Assessment – Self Service

This document has been produced to help you assess the likelihood of impacts on equality groups – including where people are represented in more than one strand – with regard to your new or proposed policy, strategy, function, project or activity. It has been designed to complement the e-learning tool for Equalities Impact Assessments and to help with your business planning process, as well as to ensure that your policy/project does not incur a delay due to lack of equalities consideration.

#### Initial Screening Equality Impact Assessment Tool

<b>Section 01</b>	<b>Details of Initial Equalities Impact Screening Assessment</b>
<b>Financial Year and Quarter</b>	2011/12
<b>Name of policy, strategy, function, project, activity, or programme</b>	Reforming Public Service delivery - enabled through the introduction of e-services and self service initiatives
<b>Q1 What are you looking to achieve?</b>	<p>In response to Political priorities of reforming public service delivery to ensure best possible outcomes at lowest cost, it is recognised that the Council needs to transform its relationship with customers and increase the ability for them to serve themselves whilst also ensuring satisfaction.</p> <p>The Council recognises the importance of delivering a set of cost saving opportunities to support the delivery of the Medium Term Financial Strategy (MTFS). This includes an ‘e-services’ element that had been jointly developed by H&amp;F and Agilisys.</p> <p>This presents a range of opportunities to further automate access to services and indeed, where appropriate, full service delivery by telephone, web and mobile phone as part of a wider self serve strategy.</p> <p>This strategy will provide customers with the ability to transact with the Council up to 24 hours a day, 7 days a week and puts the customer in control whilst reducing business operating costs.</p>

The experience also helps to support a shift in customer behaviour and thus to reduce costs of customer access, moving away from a 'build it and they will come' philosophy as well as affecting a mindset shift e.g. customers being motivated and actively doing more for themselves.

The 2011/12 strategy focuses on high volume, transactional areas of the Council and we will provide a full self service offer to customers in the following areas:

- Housing Options,
- Development Management (Planning)
- Licensing (inc. Highways Licensing)
- Building Control
- Libraries
- Environmental Reporting
- Adult Learning

**Key service changes:**

Service	Outcome	Changes that effect customers
<b>Housing Register</b>	Self-certified pre-assessment	Short set of questions that signposts applicant to alternative housing options if not band priority
	New application for housing register	Complete application online removing paper applications
	Change of circumstances	Complete change of circumstances online removing paper change of circumstance forms
	Automated Re-registration	Reminders sent electronically and responses done electronically
	Identity verification	Cross check identity with additional secure services
<b>Development Management (Planning)</b>	Submit a new application	Link to (part of) National Planning Portal, provide validation and checklist and take payment up front
	Consult affected parties online	Notify affected parties
	(Potential) Variable pricing for applications	Paper application still available
<b>Building Control</b>	Automatic notification of Planning Application to building control	When planning application is submitted relevant third parties can be notified
	Building control online access to complete reports	Information available via My Account

		Book appointment with building control	Where advice/appointment is required citizen can book via eBookings
	<b>Adult Learning</b>	Change of circumstances	Change circumstances to have housing benefits recalculated
		Mediated support for new claim and change of circs	Terminals provided with floor walker to assist when applying
		Search for courses online	Citizens can search for relevant courses within the portal
		Book course online	Book courses online with integration into booking system
		View course materials online	View course materials online where appropriate
		Push under-subscribed courses online	Match under utilised courses with citizen profiles and promote/push courses
		View existing bookings and reminders	View existing courses booked and set reminders when course is due to start
	<b>Environmental Reporting</b>	Report environmental issue online	Citizens can report issues e.g. pothole, flytipping within the portal account
		Report missed bins	Report household environmental issues e.g. missed bin collection online
		Integrate with backoffice	Reports are automatically added to Confirm for end to end processing
		History of Reports	Customers able to view history of their reports made
		Third-party contractors involvement	Quick response enabled as Third parties update report online direct to customer
<b>Licensing</b>	Basic licensing applications fully online end to end	License applications online	
	Auto inform relevant authorities	e.g. Notify police when application received	
	Payment made	Online payment and receipt	
<b>Libraries</b>	Online/IVR renewal of book	Renew a book the citizen already has out on loan	
	Fines paid online	Pay fines online	
	Reminders sent to email	When book is due remind the citizen	
	Push DVD / Revenue generating rentals/services	Market chargeable items and services to portal users	

	Information provided online via IVR telephony	Library opening times etc..
<b>Q2 Who in the main will benefit?</b>	<p>The key benefits for the customer and the Council are:</p> <p><b>Council</b></p> <ul style="list-style-type: none"> <li>▪ Self service will lower our cost to serve and enable value to be extracted in terms of cashable savings</li> <li>▪ Increase in service demand and potential income</li> <li>▪ Services can be manage demand more effectively, reduce error demand</li> </ul> <p><b>Customer</b></p> <ul style="list-style-type: none"> <li>▪ The principles of self serve means customers can access services on their timeframe – so up to 365 days per year 24 hours per day</li> <li>▪ Delivery of a full e-enabled end-to-end service</li> <li>▪ Improvement in turnaround times for service provision by getting the customer to provide more information themselves or providing it in such a way that it enters direct into our systems, therefore not reliant upon office input</li> <li>▪ Encouragement to customers to access services in ways that are cheaper for the Council to administer.</li> </ul> <p>Consideration of new delivery models are likely to have an impact on a range of groups including:</p> <ul style="list-style-type: none"> <li>▪ The elderly</li> <li>▪ People with disabilities</li> <li>▪ We will ensure that when considering new delivery models e.g. the use of online channels, we test with key groups as they may have access requirements that need to be met in order to do</li> </ul>	

things online.			
Race	/	L	<ul style="list-style-type: none"> <li>As part of the initial 'diagnostic' phase, analysis of current customers, their needs and demands will be undertaken including understanding the key demographics of customers accessing affected services</li> <li>As part of the service redesign, race issues/impacts will be considered and key ideas will be tested with key customer groups</li> <li>A further EIA will be drafted to inform service redesign and at the point of recommendation for implementation of the new operating model</li> </ul>
Disability	/	L	<ul style="list-style-type: none"> <li>As part of the initial 'diagnostic' phase, analysis of current customers, their needs and demands will be undertaken including understanding the key demographics of customers accessing affected services</li> <li>As part of the service redesign, disability issues/impacts will be considered and key ideas will be tested with key customer groups in order to co-design solutions</li> <li>A further EIA will be drafted to inform service redesign and at the point of recommendation for implementation of the new operating model</li> </ul>
Gender	/	L	<ul style="list-style-type: none"> <li>As part of the initial 'diagnostic' phase, analysis of current customer demand will be undertaken including understanding the key demographics of customers accessing H&amp;F services</li> <li>As part of the service redesign, gender issues/impacts will be considered and key ideas will be tested with key customer groups in order to co-design solutions</li> <li>A further EIA will be drafted to inform service redesign and at the point of recommendation for implementation of the new operating model</li> </ul>
Age	/	L	<ul style="list-style-type: none"> <li>As part of the initial 'diagnostic' phase, analysis of current customer demand will be undertaken including understanding the key demographics of customers accessing H&amp;F services</li> <li>As part of the service redesign, age issues/impacts will be</li> </ul>

				<p>considered and ideas will be tested with key customer groups in order to co-design solutions</p> <ul style="list-style-type: none"> <li>▪ A further EIA will be drafted to inform service redesign and at the point of recommendation for implementation of the new operating model</li> </ul>
	Sexual Orientation	/	L	<ul style="list-style-type: none"> <li>○ As part of the initial 'diagnostic' phase, analysis of current customer demand will be undertaken including understanding the key demographics of customers accessing H&amp;F services</li> <li>○ As part of the service redesign, sexual orientation issues/impacts will be considered and ideas will be tested with key customer groups in order to co-design solutions</li> <li>○ A further EIA will be drafted to inform service redesign and at the point of recommendation for implementation of the new operating model</li> </ul>
	Religion/belief (including non-belief)	/	L	<ul style="list-style-type: none"> <li>○ As part of the initial 'diagnostic' phase, analysis of current customer demand will be undertaken including understanding the key demographics of customers accessing H&amp;F services</li> <li>○ As part of the service redesign, religion issues/impacts will be considered and ideas will be tested with key customer groups in order to co-design solutions</li> <li>○ A further EIA will be drafted to inform service redesign and at the point of recommendation for implementation of the new operating model.</li> </ul>
<p>Will it affect Human Rights, as defined by the Human Rights Act 1998? (Note: Human Rights will not be relevant in every case but must be considered. If unsure, seek advice from the Opportunities Manager)</p> <p>No.</p>				
<p><b>Q3</b> Does the policy, strategy, function, project, activity, or programme make a</p>	<p>No not at this point but it is envisaged that through focusing on customer outcomes and delivering services and decision making closer to the customer, the work will drive customer improvements including increased customer satisfaction.</p> <p>A further EIA will be drafted to inform service redesign, using knowledge of customer profile and needs,</p>			

<b>positive contribution to equalities?</b>	in order to explore and test potential options.
<b>Q4 Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</b>	No



### Initial Screening Equality Impact Analysis Tool

<b>Section 01</b>	<b>Details of Initial Equality Impact Screening Analysis</b>
<b>Financial Year and Quarter</b>	2011/12 All year
<b>Name of policy, strategy, function, project, activity, or programme</b>	<b>Custody Pathfinder - This is a new programme.</b> Government plans to transfer costs of youth custody to local authorities, starting with a tapered transfer of costs for remanding young people in custody from 2012. This project provides means to reduce costs to the minimum, whilst ensuring public safety is not compromised.
<b>Q1 What are you looking to achieve?</b>	The two year “custody pathfinder” provides an upfront investment (£300,000) across a consortium of 4 local authorities. Westminster, Kensington and Chelsea, Hammersmith and Fulham and Ealing. Westminster is the lead authority. This will deliver a range of activities aimed at reducing the risk of custody and reducing risks of reoffending with an overall reduction in custody bed nights used by the consortium. As well as improving performance and sharing best practice across the four boroughs the consortium is currently proposing to commission a third sector partner to deliver these activities.
<b>Q2 Who in the main will benefit?</b>	<p>The direct beneficiaries of this project are young people aged 12 to 17 inclusive, who are at risk of being taken into custody following involvement in crime.</p> <p>Data from central government for the consortium shows there are 23% white youths in custody, 43% black, 13% asian, 12% mixed with 8% apparently not known.</p> <p>The age range for young people is less than 1% are age 12 and 13, with 14 year olds making up 2%, 15 year olds 14%, 16 year olds 31% and 17 year olds 52%.</p> <p>The gender distribution is vast majority male – of a range of between 13 and 20 young people in custody in a month 1 or 2 may be girls. 5% to 10%.</p> <p>The project will have a positive impact – it will provide additional capacity that is designed to reduce time incarcerated and effective supervision when released to live in the community, reducing risks of further offending.</p>

	Age	<p>Analysis of impact on age including due regard to PSED (above).</p> <p>Children under 18 do not have protection under this protected characteristic at present under the Equality Act 2010. However, in summary: the beneficiary age range is 12 to 17. It is likely that all within the range will benefit, but the older children will benefit proportionately more corresponding with the age distribution.</p>	M	+
	Disability	<p>Analysis of impact on disability including due regard to PSED (above).</p> <p>Additional support is being offered to help young people access services to help them stop offending. The principle disabilities supported will be learning disabilities.</p>	M	+
	Gender reassignment	<p>Analysis of impact on gender reassignment including due regard to PSED (above).</p> <p>To date there have been no young people who are gender reassigned that have been in the beneficiary group, those at risk of custody. If there were the programme would offer additional support to meet specific individual needs.</p>	L	+
	Marriage and Civil Partnership	<p>Analysis of impact on marriage and civil partnership including due regard to PSED (above).</p> <p>To date all young offenders receiving custody have been unmarried and not in civil partnerships. It is not anticipated this group will be offered services.</p>	L	+
	Pregnancy and maternity	<p>Analysis of impact on pregnancy and maternity including due regard to PSED (above).</p> <p>Young women vulnerable to receiving a custodial penalty who are pregnant would be specifically targeted to receive additional support through this programme to enable them to remain living in the community.</p>	H	+
	Race	<p>Analysis of impact on race including due regard to PSED (above).</p> <p>The race characteristics of young people in custody show they are disproportionately over-represented. 77% of those in custody across the</p>	H	+

	consortium are from non-white groups. Black-African and Caribbean young people make up 43% of those in custody, a 25% over-representation. The project is specifically targeting non-white groups and new ethnic community groups (e.g. Somali) to provide additional support to engagement in the activities needed to allow them to live in the community.		
Religion/belief (including non-belief)	<p>Analysis of impact on religion including due regard to PSED (above).</p> <p>Where religion is directly relevant as a factor influencing offending behaviour or ability to be supervised in the community young people at risk of custody will be offered additional support to engage with activities designed to increase their capability to be supervised and live in the community. Cultural and religious influences have been identified as factors to address among new ethnic minority communities.</p>	H	+
Sex	<p>Analysis of impact on sex</p> <p>The project targets both male and females, to reduce time spent in custody.</p>	H	+
Sexual Orientation	<p>Analysis of impact on sexual orientation</p> <p>Among the target group will be young people with different sexual orientation. Where this indicates the need for additional support the project will be able to provide it. E.g. where a young person might be vulnerable to abuse if sent to custody.</p>	M	+
<p><b>Human Rights and Children's Rights</b></p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)? Yes, it will contribute in a positive way to the following:</p> <ul style="list-style-type: none"> <li>▪ Rights for disabled children</li> <li>▪ Special protection for children in the juvenile justice system, children deprived of their liberty</li> </ul>			

<b>Q3</b> <b>Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</b>	<p>Yes</p> <p>The project will promote improved access to activities to reduce risks of offending and receiving a custodial sentence. It will reduce the time spent in custody by black and ethnic minorities and enable new minority ethnic communities more effective access to these activities.</p>
<b>Q4</b> <b>Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</b>	<p>No</p>

## Equality Impact Analysis Initial Screening Tool with Guidance

### Overview

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one – with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 5<sup>th</sup> April 2011 onwards. It is designed to help you determine whether you may need to do a Full EIA. If you already know that your decision is likely to be of high relevance to equality, and/or be of high public interest, you should contact the Opportunities Manager, as s/he may recommend moving directly to a Full EIA.

### General points

1. 'Due regard' means the regard that is appropriate in all the circumstances. In the case of controversial matters such as service closures or reductions, considerable thought will need to be given the equalities aspects.
2. Wherever appropriate, and in all cases likely to be controversial, the outcome of the EIA needs to be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.

### Timing, and sources of help

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk) or ext 3430.

## Initial Screening Equality Impact Analysis Tool

<b>Section 01</b>	<b>Details of Initial Equality Impact Screening Analysis</b>			
<b>Financial Year and Quarter</b>	2011-12 /Quarter 2			
<b>Name of policy, strategy, function, project, activity, or programme</b>	Sex & Relationship & Substance Misuse Education Programme – Existing delivery using a new commissioned model.			
<b>Q1 What are you looking to achieve?</b>	Educating young people to deliver the following outcomes: Reduction in Teenage Pregnancy Reduction in Sexually Transmitted Infections Reduction in use of illegal substances			
<b>Q2 Who in the main will benefit?</b>	Age	The programme is aimed at young people up to 19 (25 if disabled) other services are available for the older age group. It is of high relevance to Age, since it is designed to reduce teenage pregnancy, STIs, and use of illegal substances. As people under 18 are not protected under Age at present by the Equality Act 2010, further information is given under Children’s Rights	H	+
	Disability	Disabled young people will receive an education programme through this project at schools or in specialised youth provision. This will be similar to mainstream programme but will be targeted towards the needs of disabled young people. As disabled people – particularly those with learning difficulties – can be vulnerable, this is of high relevance to Disability as those aims to help those young people with complex issues to do with relationships (see Q1)	H	+
	Gender reassignment	The programme will educated young people about gender reassignment.	H	+

Marriage and Civil Partnership	The programme is not aimed at married couple or civil partners, but it does educate young people about these aspects of relationships	L	+
Pregnancy and maternity	The programme will educate young people about pregnancy with the aim of reducing teenage pregnancy rates further.	H	+
Race	No Impact	L	/
Religion/belief (including non-belief)	No Impact	L	/
Sex	This project will impact on both sexes, educating them on each of the sexes and relationships with each other. As such, it is of high relevance to Sex because it is aimed at generating understanding and safe relationships	H	+
Sexual Orientation	The programme will impact on this characteristic, education will focus on M:F, M:M & F:F relationships and how young people can stay safe	H	+

#### Human Rights and Children's Rights

Will it affect Human Rights, as defined by the Human Rights Act 1998?

No

Will it affect Children's Rights, as defined by the UNCRC (1992)?

Yes, it will have a positive impact on the following:

- The right to life, survival and development
- The right to have their views respected, and to have their best interests considered at all times
- Health and welfare rights, including rights for disabled children, the right to health and health care, and social security

	<ul style="list-style-type: none"> <li>▪ The right to education, leisure, culture and the arts</li> </ul> <p>This is because the programme aims to educate children and young people towards better outcomes and makes provision for disabled children and young people's needs</p>
<p><b>Q3</b> Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>The programme makes a positive contribution to equalities, aimed at reducing the three identified outcomes above, The programme will have a big impact on equality as it aims to improve young people's education, particularly where those young people may not have adults to steer them towards safe choices</p>
<p><b>Q4</b> Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</p>	<p>This programme does not hinder equality of opportunity.</p>



## Equality Impact Analysis Initial Screening Tool with Guidance

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one – with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 6<sup>th</sup> April 2011 onwards. It is designed to help you determine whether you may need to do a Full EIA. If you already know that your decision is likely to be of high relevance to equality, and/or be of high public interest, you should contact the Opportunities Manager, as s/he may recommend moving directly to a Full EIA.

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk) or ext 3430.

Page 16

### Initial Screening Equality Impact Analysis Tool

Section 01	Details of Initial Equality Impact Screening Analysis
Financial Year and Quarter	2011/2012
Name of policy, strategy, function, project, activity, or programme	Entering an arrangement with an external consultant.
Q1 What are you looking to achieve?	Undertaking health and safety audits ensure compliance with health and safety legislation. This entails audits of communal areas of all housing accommodation with no significant access any private dwellings.
Q2 Who in the main will benefit?	This is a statutory requirement to ensure that the communal areas of housing accommodation are legally compliant with health and safety statute. This activity benefits all tenants equally, irrespective of vulnerability or protected rights.

Tool and Guidance updated for new PSED from 06.04.2011

**Information: Protected characteristics and PSED**

The public sector equality duty (PSED) states that in the exercise of our functions, we must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

Age	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Disability	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A

Gender reassignment	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Marriage and Civil Partnership	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Pregnancy and maternity	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Race	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Religion/belief (including non-belief)	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Sex	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A
Sexual Orientation	Not applicable: The audits are of communal areas of selected housing accommodation and the audit programme does not involve access to all the dwellings in the sample selected.	N/A	N/A

#### Human Rights and Children's Rights

Will it affect Human Rights, as defined by the Human Rights Act 1998?

No

Will it affect Children's Rights, as defined by the UNCRC (1992)?

No

gives more information on these rights. If unsure, seek advice from the Opportunities Manager)

<b>Q3</b> <b>Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</b>	No  The consultant has an Equality Policy to ensure that recruitment and appointment of staff and specialists promotes equality. However, this project involves a small number of experts with specialist knowledge, and recruitment and appointment will revolve around the requirement of expertise; part of that expertise will relate to UK Law.
<b>Q4</b> <b>Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</b>	Not applicable – the audits are of communal areas of all housing accommodation but do not involve access to any significant private dwellings

### Initial Screening Equality Impact Analysis Guidance

<b>Section 01</b>	<b>Details of Initial Equalities Impact Screening Analysis</b>
<b>Name of policy, strategy, function, project, activity, or programme</b>	<p>A <b>Policy</b> refers to an approved decision, principle plan or a set of procedures by Cabinet, or a Cabinet Member under delegated powers that affects the way that the Council conducts its business both internally and externally. A policy can include: strategies, guides, manuals and common practice.</p> <p>A <b>Strategy</b> refers to a systematic short term or a long term plan of action that is designed to achieve a specific business benefit or goal(s).</p> <p>A <b>Function</b> refers to any actions and/or activities designed to achieve a specific business benefit or goal.</p> <p>A <b>Project</b> defines how a temporary structure or scheme can achieve a specific business benefit or goal(s). A project can be implemented by setting up aims and objectives, resources, communication, budget needs and timelines.</p>

	<p>An <b>Activity</b> is a specific task (or a groups of tasks) which can also form as part of a 'function'.</p> <p>A <b>Programme</b> is a portfolio of activities and projects that are co-ordinated and managed as a unit such that they realise common outcomes and benefits.</p>
<p><b>Q1</b> <b>What are you looking to achieve?</b></p>	<p>For example this might help to implement outcomes identified in policies such as the <a href="#">Single Equality Scheme</a>, <a href="#">Disability Equality Scheme</a>, <a href="#">other EIAs</a> in your service department, or in another department that your service/service users also interact with and draw down services from, <a href="#">Corporate Plan</a>, <a href="#">LAA Targets</a>, CAA Aims, <a href="#">UDP</a>, or <a href="#">JSNA</a>.</p>
<p><b>Q2</b> <b>Who in the main will benefit?</b></p>	<p>Hereafter, 'policy' means policy, strategy, function, project, activity, or programme</p> <p><b>Disability</b> Service providers also have an anticipatory duty to make reasonable adjustments for disabled people. These two duties frequently overlap and it is sensible to consider them together. For example, can you:</p> <ul style="list-style-type: none"> <li>▪ Provide accessible communications?</li> <li>▪ Change how you collate and use data?</li> <li>▪ Revise how you involve service users?</li> </ul> <p>Analyse the impact of the policy on the <a href="#">protected characteristics</a> with due regard to the Public Sector Equality Duty.</p> <p>Use your reasoning in order to determine whether the impact will be high, medium or low. What do we mean by these terms?:</p> <p><b>High</b></p> <ul style="list-style-type: none"> <li>▪ The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human rights</li> <li>▪ There is substantial or a fair amount of evidence that some groups are (or could be) differently affected by it</li> <li>▪ There is substantial or a fair amount of public concern about it</li> </ul> <p><b>Medium</b></p> <ul style="list-style-type: none"> <li>▪ The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human rights</li> </ul>

- There is some evidence that some groups are (or could be) differently affected by it
- There is some public concern about it

### Low

- The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human rights
- There is little evidence that some groups are (or could be) differently affected by it
- There is little public concern about it

Use your reasoning to determine whether the impact will be positive, neutral, or negative. There are three possible outcomes:

- **Positive:** The EIA shows the policy is not likely to result in adverse impact for any protected characteristic and does advance equality of opportunity, and/or fulfils PSED in another way
- **Neutral:** The EIA shows the policy, strategy, function, project or activity is not likely to result in adverse impact for any protected characteristic and does not advance equality of opportunity, and/or fulfils PSED in another way
- **Negative:** The EIA shows the policy, strategy, function, project or activity is likely to have an adverse impact on a particular protected characteristic(s) and potentially does not fulfil PSED, or the negative impact will be mitigated through another means.

Should your policy not be applicable, you must note this and state why.

### Human Rights, Children's Rights

Additionally, demonstrate here that the impact on **Human and/or Children's Rights** arising from the policy has been considered.

### Human Rights

Public authorities have an obligation to act in accordance with the European Convention on Human Rights. These are:

- Article 2: [Right to life](#)
- Article 3: [Freedom from torture and inhuman or degrading treatment](#)
- Article 4: [Right to liberty and security](#)
- Article 5: [Freedom from slavery and forced labour](#)
- Article 6: [Right to a fair trial](#)

- Article 7: [No punishment without law](#)
- Article 8: [Respect for your private and family life, home and correspondence](#)
- Article 9: [Freedom of thought, belief and religion](#)
- Article 10: [Freedom of expression](#)
- Article 11: [Freedom of assembly and association](#)
- Article 12: [Right to marry and start a family](#)
- Article 14: [Protection from discrimination in respect of these these rights and freedoms](#)
- Article 1 of Protocol 1: [Right to peaceful enjoyment of your property](#)
- Article 2 of Protocol 1: [Right to education](#)
- Article 3 of Protocol 1: [Right to participate in free elections](#)

(Article 1 of Protocol 13 is: Abolition of the death penalty)

Each of the above links takes you to explanations and examples provided by the EHRC. Further, the [EHRC](#) and the [Ministry of Justice](#) both provide guides for public authorities.

### **Children's Rights (UNCRC)**

All children and young people up to the age of 18 years have all the rights in the Convention. Some groups of children and young people - for example those living away from home, and young disabled people - have additional rights to make sure they are treated fairly and their needs are met.

Every child in the UK has been entitled to over 40 specific rights. These include:

- The right to life, survival and development
- The right to have their views respected, and to have their best interests considered at all times
- The right to a name and nationality, freedom of expression, and access to information concerning them
- The right to live in a family environment or alternative care, and to have contact with both parents wherever possible
- Health and welfare rights, including rights for disabled children, the right to health and health care, and social security
- The right to education, leisure, culture and the arts
- Special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation

The rights included in the convention apply to all children and young people, with no exceptions.

	The above and more information can be found at <a href="#">Direct Gov.</a>
<b>Q3</b> Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?	Yes/No  Use your evidence from Q2 to state why
<b>Q4</b> Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity and/or human rights?	Yes/No  If the answer here is 'yes', then it is necessary to go ahead with a Full Equality Impact Analysis. You should also consider a Full Equality Impact Analysis if your decision is likely to be of high relevance to equality, and/or be of high public interest.



### Equality Impact Analysis Full Tool with Guidance

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one– with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 6<sup>th</sup> April 2011 onwards. It is designed to help you analyse decisions of high relevance to equality, and/or of high public interest

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk) or ext 3430.

### Equality Impact Analysis – Housing Estate Investment Plan

The analysis below provides a provisional guide on the impact on the key equality groups of the policy in its current form. In relation to the framework for area-based improvement, a further analysis will be produced following statutory consultation with tenants on this part of the policy. In relation to asset-based limited disposal of HRA voids, the analysis will be finalised in time for publication on agenda for the Cabinet meeting considering it for adoption.

#### Full Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2011/12, Q1
Name and details of policy, strategy, function, project, activity, or programme	<p><b>Housing Estate Improvement Plan</b></p> <p>This is a policy framework to establish improvement and investment strategies for housing estates in the borough and the Council’s housing stock in general.</p>
Lead Officer	Name: Ian Ruegg

Tool and Guidance updated for new PSED from 06.04.2011

	Position: Enabling Manager Email: <a href="mailto:ian.ruegg@lbhf.gov.uk">ian.ruegg@lbhf.gov.uk</a> Telephone No: 020 8753 1722
<b>Date of completion of final EIA</b>	6 <sup>th</sup> April 2011

<b>Section 02</b>	<b>Scoping of Full EIA</b>
<b>Plan for completion</b>	<p>The EIA on the framework for area-based improvements will be completed following statutory consultation with tenants. Approval to undertake the statutory consultation is expected to be granted by Cabinet on 18th April 2011. Specific action plans for individual estates are outside the scope of this EIA. The equalities impact of these individual action plans will be considered as required at the time they are brought forward.</p> <p>The EIA on the asset-based approach to limited HRA voids disposal policy is set out below.          Resources: Data and policy          Lead Officer: Ian Ruegg</p>
<b>What is the policy, strategy, function, project, activity, or programme looking to achieve?</b>	<p><u>Area-based Improvements</u>          This proposed policy is designed to enable area-based methods of improvements to be applied to the Council's neediest housing estates. It is a borough-wide policy framework proposal, with proposed process and criteria for identifying estates for improvement, the types of methods backed by independent valuation which could potentially be applied, and the broad success measures and the monitoring arrangements that could be used. The success measures further the borough's wider community strategy goals. The framework proposes to require that any action plan for an estate designated as in need of improvement be approved by Cabinet subject to consultation with local residents.</p> <p>The area-based improvement framework is subject to consultation with Council tenants as required in law under s.105 Housing Act 1985.</p> <p><u>Asset-Based Limited Voids Disposal</u>          This policy puts in place additional funding arrangements for ongoing investment in the Council's housing stock and capital regeneration activities, including the area-based improvement programme and investment required to meet housing need. In particular, it revises and introduces a number of new conditions to the Council's current Limited Voids disposals policy in order to meet investment needs</p>

over the coming decades. The law, under Section 105 Housing Act 1985 does not require consultation with Council tenants on this proposal

Age	<p><u>Area-based Improvements</u></p> <p>The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. Many children and young people as well as elderly residents live on Council estates and would therefore be directly in line to benefit from expected gains.</p> <p>High impact can be expected for children and young people. Complete figures for the child population in council housing in the borough is not available. However, almost 80% of all family-sized accommodation (i.e. 2 bedrooms or more) in the Council's stock is on estates, and so it follows that the proposed policy requirement for neighbourhoods to encompass housing estates should mean improvement and investment flows to the parts of the stock where children and young people are most likely to live.</p> <p>Among the particular area-based estate improvement methods that could benefit children and young people are: support to raise educational standards; access to employment and training; health and well-being initiatives; and outreach to reduce overcrowding.</p> <p>Medium impact can be expected for older residents given that almost a third (28%) of Council tenants are aged 65 years and over, and almost two-thirds (61%) of these reside on Council estates. Health and well-being initiatives, as well as outreach services are among the most obvious examples of where positive impacts can be expected. Older residents can also be expected to benefit from area-based estate improvement methods which reduce crime and ASB as in the borough's last two Annual Residents' Survey older residents reported feeling less safe outside at night than younger residents.</p> <p>Estate action plans and the specific form of improvement packages will be equality impact assessed on a case by case basis, however</p>	+	H
-----	---	---	---

		<p>there is no indication that the proposed improvement methods per se - e.g. mixing tenures, physical and environmental improvements works – would have an adverse impact on the basis of age.</p>		
		<p>In terms of mixing tenures, increasing the number of low cost home ownership opportunities should enable more young people to become first-time buyers, as the average age of a first-time buyer without parental assistance has been rising, with the average age now 37 (source: Home Builders Federation, October 2010).</p> <p>Older first-time buyers nearing the end of their earning capacity may face obstacles in obtaining a mortgage. However, for older people who are existing home-owners and who may find it equally difficult to obtain a mortgage, low-cost home ownership can provide opportunities. For example, this could be in terms of downsizing for those who are finding it difficult to manage a large home, and who may want to release equity to meet care costs or to support their children to purchase a home. Similarly, low cost home ownership could enable moves for existing older home owners in inappropriate housing, for example due to floor level or internal stairs. In both these scenarios existing older home owners could potentially make an outright purchase of a portion of the property (as little as 25%), and in this way circumvent the need to obtain a mortgage. In addition, special shared ownership schemes administered by housing associations have been devised specifically for people over 55 years old who waive the rental element on the final quarter, once 75% of the property has been purchased. One advantage of the policy being proposed is that the marketing and sale of properties for shared ownership will be undertaken by housing associations. This should mean older residents are able to benefit from the sector's expertise generally, if not also in this scheme in particular.</p> <p>Consultation on the policy will ensure it is accessible – e.g. in formats preferred by different age groups - so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted orally and in writing, by post, telephone, on-line and</p>		

		<p>through third party representatives which should remove barriers to participation for people who are house-bound or have trouble with mobility.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>Achieving additional capital investment into the Council housing stock across the borough through limited voids disposal will be of benefit to all Council tenants and their households, which encompass both the young and the old. Use of these receipts to acquire large family units or to fund capital schemes that alleviate overcrowding could also be beneficial to children and young people as they are often members of these households. Schemes that enable grown-up children to move from overcrowded Council tenancies, which are another potential use of the receipt, could also be of benefit to tenants, generally older people, who would have potentially more space.</p>		
	Disability	<p><u>Area-based Improvements</u></p> <p>The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. People with disabilities and physical or mental ill health are disproportionately represented in Council housing. Complete figures are not available, however the majority of Council housing estates in the scope of the proposed policy (i.e. with 100 or more Council tenants) all fall within those parts of the borough with the highest incidence of health deprivation and disability. People with health problems and/ or disabilities could be more likely to benefit from the expected gains, should the policy be adopted.</p> <p>Disabled residents can be expected to benefit directly from area-based estate improvement methods, if they were implemented, to reduce crime and ASB. This is because the borough's last two annual residents' surveys of people with disabilities reported feeling less safe outside both in the day and at night than people without disabilities.</p>	+ and -	H

	<p>Disabled residents of working age in the borough could derive particular benefits from the proposed training and employment initiatives. This is because disabled people are proportionately less likely to be in employment than people without disabilities: around 46% of working aged people with disabilities have jobs; the employment rate for the general population is 65% (source - ONS data).</p> <p>Consultation on the policy will ensure it is accessible – e.g. takes place in physically accessible locations, literature is available in a range of formats - so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted orally and in writing, by post, telephone, on-line and through third party representatives which should remove barriers to participation for people with mobility impairments.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage people with disabilities on principle.</p> <p>While there is no indication that the proposed improvement methods will in principle disadvantage disabled people or those with physical or mental ill health, it is known that this group faces particularly barriers to accessing and retaining employment. In turn, lack of employment may impact on the ability of disabled people to access new shared ownership opportunities; it may also prevent moves to those estates selected for improvement that adopt an approach of prioritising allocations to working households.</p> <p>People with disabilities do become home owners. The Council has helped 16 households from this group to buy a home since 2007.</p>		
--	---	--	--

		<p>Data from 2010 shows 99 people with disabilities are active members on the Council's Home Buy Register.</p> <p>Results-driven outreach employment and training services may lessen the adverse effects in relation to securing and keeping employment and the ability to access low cost home ownership.</p> <p>The council is currently delivering a number of employment initiatives that provide paid work, (and, in the case of apprenticeships, training and qualifications), to enable residents to sustain employment. These initiatives have been particularly successful in recruiting disadvantaged groups including those described as 'adults with moderate to severe learning disabilities' by the PSA 16 categorization. Whilst the number is low, 23% of the 2010 Business Apprenticeship scheme and 7% of the LBHF Future Jobs Fund employees are from this group.</p> <p>In addition, to this Hammersmith and Fulham Action on Disability (HAFAD) and H&amp;F Mencap receive council funding to deliver services directly to residents with disabilities and to raise awareness amongst employers of the benefits of recruiting people with disabilities. LBHF Connexions also provides 'access to work' services to disabled residents up to the age of 24.</p> <p>The changes to the mainstream employment support with the introduction of the 'single work programme' this year is designed to ensure that the most disadvantaged receive most support by incentivising service providers with additional payments for securing and sustaining employment for these groups.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>Achieving additional capital investment into the Council housing stock across the borough through limited voids disposal will be of benefit to all Council tenants, which as has been mentioned has a significant</p>		

		<p>proportion of people with physical and mental ill health. In terms of increasing disposals and its impact on housing need, the main pressures are around large-family units. The supply of ground floor properties across bedroom sizes is well-distributed. The impact on disabled people or those needing to move for reasons of ill health, as opposed to more space is, therefore, expected to be neutral.</p>		
	Gender reassignment	<p><u>Area-based Improvements</u></p> <p>There is very little data on gender re-assignment of Council tenants or members of their household. That said, the effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of changing gender from male to female or vice versa or at partial stages in that process.</p> <p>Consultation on the policy will endeavour to ensure that residents are addressed by the name on current Council records and where referred to in the third person by the correct use of 'he' or 'she'.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage people undergoing gender re-assignment.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>The effects of this approach are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of undergoing gender re-assignment.</p>	neutral/ +	L



	Marriage and Civil Partnership	<p><u>Area-based Improvements</u></p> <p>The Council has limited data on the marital status of its tenants or members of their households. That said, the effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of whether they are married, single, divorced, cohabiting or in a civil partnership.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - have either a positive or negative impact on this protected characteristic in principle. For example, in relation to tenure diversity there is no evidence of mortgage applications being declined on grounds of marital status.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>Those with a housing need who are both single in terms of marital status and who are also a single person household are likely to be affected by a net loss of studio and 1 bedroom accommodation. In addition childless married or cohabiting or civil partnership couples are equally likely to be affected. Studios and 1 bed units are, however, already in relatively plentiful supply to meet housing need compared to larger properties, as evidenced in the analysis of the need and supply of social rented housing in the borough that accompanies the report (Appendix 3). Therefore, while there will be a loss of smaller units for letting the effect of this is not likely to be significant. It is anticipated that when weighed in the balance the overall cost/ benefit of losing smaller units versus the investment gains from the disposal receipts should result in varying net gains. For example, receipts may potentially be used to support overcrowded adult households living with their parents to purchase or rent their own home.</p>	neutral and +	L

	Pregnancy and maternity	<p><u>Area-based Improvements</u></p> <p>The Council has limited data on the proportion of its tenants or members of their households in this equalities category. The effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of being pregnant or being in the 26 weeks period post- birth of the child. whether they are married, single, divorced, cohabiting or in a civil partnership.</p> <p>Consultation on the policy will ensure it is accessible so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted orally and in writing, by post, telephone, on-line and through third party representatives which should remove barriers to participation for individuals who may find difficulty travelling with a new-born child or be in the late stages of pregnancy.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works - have either a positive or negative impact on this protected characteristic in principle. For example, in relation to tenure diversity, the Equality Act 2010 makes it unlawful for banks and financial services to refuse a mortgage on grounds of pregnancy or maternity. Women who can demonstrate they have the long-term means to manage a mortgage but who are currently on Statutory Maternity Pay (SMP) or maternity-related reduced pay from their employer may also argue that their standard salary should be used by mortgage providers in calculating affordability.</p>	neutral	L

		<p><u>Asset-Based Limited Voids Disposal</u> The effects of this approach are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of either pregnancy or maternity.</p>		
	Race	<p><u>Area-based Improvements</u> The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. Black and ethnic minority groups are disproportionately represented in Council housing. For illustration, 40% of all council tenants identify themselves as from black and ethnic minority groups .The majority of these tenants (66% of the 40%) live on Council estates.</p> <p>Council tenants who classify themselves as British are also more likely to be tenants of Council estates – 76% of this group live on Council estates rather than elsewhere in the stock - so this policy will also benefit the majority of this group as well. (The classification ‘British’ appears as one of a range of national and racial groupings within this data set. ‘White British’ tenants are more likely to identify with the category ‘British’ rather than the other possible options on the list. ‘British’ may also include those black British tenants and British tenants from ethnic minorities who prefer to identify themselves by nationality rather than racial characteristics.)</p> <p>Among the proposed area-based methods that could particularly benefit black and ethnic minority residents are:</p> <ul style="list-style-type: none"> <li>- support to raise educational standards (pupils not categorised as white accounted for more than half the pupils with Special Educational Needs in the borough’s primary schools – source: Borough Profile, 2010));</li> <li>- access to employment and training (just over 40% of those of working age classified as being in an ethnic minority are in</li> </ul>	+ and -	H

		<p>paid employment, compared to 74% of those of working age classified as being white – source ONS data));</p> <ul style="list-style-type: none"> <li>- outreach to reduce overcrowding (those recorded in ethnicity categories other than White British make up the majority of households in housing need in the borough, in December 2010 accounting for 46% of urgent cases (Band A), 52% of severe cases (Band B) and 66% of cases with some housing need (Band C));</li> <li>- access to low-cost home ownership opportunities (an up to date ethnic breakdown of average household income in the borough is not available, however those with an income of £30k or more per annum, in other words well above the threshold to access low cost home ownership opportunities accounted for 32.2% of tenants on the Council's largest estates (around 54% of tenants on the Council's largest estates have a household income above the entry income threshold for low cost home ownership of £19k). (source: CACI Paycheck 2010) This group is likely to include many households from black and ethnic minority backgrounds who would not otherwise be in a position to own their own home given the high representation of such households in the ethnic profile of Council estates, even allowing for a relatively lower employment rate amongst ethnic minorities.</li> </ul> <p>Estate action plans and the specific form of improvement packages will have to be equality impact assessed on a case by case basis, however there is no indication that the improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage black or ethnic minority groups on principle.</p> <p><u>Asset-Based Limited Voids Disposal</u> Achieving additional capital investment into the Council housing stock through limited voids disposal will be of benefit to all Council tenants, which as has been mentioned has a significant black and ethnic minority profile.</p>		
--	--	---	--	--

		<p>Disposal of more units will entail a net loss in properties available to meet housing need and as has been mentioned, the majority of people in housing need in the borough are in categories other than 'white British'. An important consideration in assessing the impact of this loss is the fact that the policy lowers the open market value threshold for triggering disposals and tiers these thresholds by bedroom size. The policy also lowers the refurbishment value for triggering a disposal. This new approach means studios and 1 bedrooms are more likely to be sold than was previously the case. The highest demand for studios and 1 bed units is from white British households. Studios and 1 bed units are, however, already in relatively plentiful supply to meet housing need compared to larger properties, as evidenced in the analysis of the need and supply of social rented housing in the borough that accompanies the report (Appendix 3). Therefore, while there will be a loss of smaller units for letting the effect of this is not likely to be significant. It is anticipated that when weighed in the balance the overall cost/ benefit of losing smaller units versus the investment gains from the disposal receipts should result in varying net gains for tenants and their households across different race groups.</p> <p>The analysis of the need and supply of social rented housing indicates however that the supply of larger properties is less plentiful. In terms of the demand for these properties, households from Black backgrounds are more likely to have a housing need for properties of 4 bedrooms or more (13%), compared to those households from Asian backgrounds (8%), and those households from White and Mixed backgrounds (3%) (Source: Hammersmith and Fulham Housing Market Assessment, December 2010). Therefore, if there is a net loss from the stock of larger properties this could have an adverse differential impact on households from a Black and Asian background (it should be noted here that in terms of actual households those needing 4 bedrooms or more compared to those waiting in the lower bedroom categories are relatively few in number).</p>		
--	--	--	--	--

		<p>A number of elements are built into the policy to provide checks and balances designed to mitigate against these impacts:</p> <ol style="list-style-type: none"> <li>1. The policy includes provision to retain dwellings for which there is an exceptional need either in the present or the near future (6 months into the future for properties of 4 bedrooms or more). Where disposals are approved these will be on the basis of a prior report from the Director of Housing and Regeneration demonstrating there is no exceptional need for the dwelling.</li> <li>2. The policy makes provision for factors of housing demand to be considered when deciding on disposal, for example whether the dwelling is required to meet an urgent or very severe housing need which cannot be met through existing stock or provision. (Where disposals are approved the policy requires that these be on the basis of a prior report from the Director of Housing and Regeneration evidencing that these factors have been given due consideration.)</li> <li>3. The policy makes provision to retain a given dwelling, typically a small unit, where this may facilitate a tenant to downsize and release a large family-unit.</li> <li>4. The policy makes provision to use receipts to acquire replacement stock, which can include larger family sized units, and to fund capital initiatives which address overcrowding and housing need, for example, enlarging properties through lateral conversions, or providing grants to enable mobility from the social rented sector into home ownership.</li> </ol>		
	Religion/belief (including non-belief)	<p><u>Area-based Improvements</u></p> <p>There is very little data on the religious persuasion of Council tenants. As a group Council tenants are ethnically diverse from which it might be inferred that a broad cross-section of world religions are represented in the tenant population. Ethnicity and nationality are not inevitable markers however of a particular faith or of belief or non-belief for that matter.</p> <p>That said, the effects of this policy are expected to be neutral in</p>	neutral	L

		<p>terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of holding a particular religious belief or the lack of one.</p> <p>Consultation on the policy will ensure it is accessible – e.g. where there are events that these do not clash with religious festivals - so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted from third party representatives.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works – have either a positive or negative impact on this protected characteristic in principle. For example, in relation to tenure diversity there are specific religiously sanctioned financial products to assist purchase for those whose religious obligations are not facilitated by the mainstream mortgage market, e.g. ‘Sharia’ mortgages.</p> <p><u>Asset-Based Limited Voids Disposal</u></p> <p>The effects of this approach are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain on account of holding a particular religious belief or the lack of one. For example, it has been noted that a net loss of larger sized properties could differentially impact on black and Asian households. However, there is no obvious religious co-relative in relation to black and Asian households in this instance, say for example, a religious prohibition on birth control behind the disproportionate number of black and Asian households needing larger family sized homes. There is therefore no evidence to indicate an additional adverse impact stemming from religion.</p>		

	Sex	<p><u>Area-based Improvements</u> The proposed policy of area-based intervention is aimed at improving the neediest Council estates and the lives and living environment of their residents. 61% of Council tenants are women, the vast majority of whom (78% of the 61%) live on Council estates and could therefore benefit from the expected gains, e.g. better resident satisfaction and area popularity, reductions in crime and ASB, support into employment and training, reductions in overcrowding, and so on.</p> <p>Women could be expected to benefit from area-based estate improvements that reduce crime and ASB given in the borough's last two Annual Residents' Survey women reported feeling less safe outside at night than men.</p> <p>Men of working age from black and ethnic minority backgrounds are proportionately less likely to be in employment than other groups when considered in terms of race and gender and, therefore, could be more likely to benefit from proposed training and employment initiatives.</p> <p>Consultation on the policy will ensure it is accessible – e.g. timing events not to clash with the school run - so that all Council tenants can learn of the proposals and convey their views.</p> <p>Estate action plans and the specific form of improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the improvement methods - e.g. mixing tenures, physical and environmental improvements works - disadvantage men or women in principle.</p> <p>For example, in relation to accessing low-cost home ownership, in</p>	+	H



	<p>terms of income an up to date breakdown of average household income in the borough by gender is not available. However those with an income of £30k or more per annum, in other words well above the threshold to access low cost home ownership opportunities accounted for 32.2% of tenants on the Council's largest estates (around 54% of tenants on the Council's largest estates have a household income above the entry income threshold for low cost home ownership of £19k). (source: CACI Paycheck 2010) This group is likely to include many women given they represent the majority of tenants, even allowing for a relatively lower employment rate in the borough for women than for men (60.1% of women aged 16-64 are in paid work compared to 70.1% of men of the same age (source: CACI Paycheck 2010 ))</p> <p>Nationally, the gender pay gap varies according to age. For example, women aged 20-29 earn more than men the same age when either full-time or part-time employment are compared. The gender pay gap also varies depending generally on whether work is full-time or part-time, with men earning more in the former and women earning more in the latter. It also varies according to occupation. The gender pay gap for full-time employees in professional occupations is slight, as narrow as 1.6%, while there is a gulf in skilled trades with the pay gap as wide as almost 32%. When looked at across all employment the pay gap, though decreasing, continues to favour men. That said, variation between ages, occupation and in the size of the gap make it difficult to contend that either women or men will generally have more difficulty in purchasing a home on account of gender income disparities. (source: ONS, 2010)</p> <p><u>Asset-Based Limited Voids Disposal</u> Achieving additional capital investment into the Council housing stock across the board through limited voids disposal will be of benefit to all Council tenants, of whom many are women-led households, through reinvestment of the receipts realised..</p> <p>Use of receipts to meet housing need should act as a counterweight</p>		
--	--	--	--

		<p>to the rise in disposals and loss of properties available for letting. Introducing bedroom-based thresholds for disposal should also mean that more small size units are disposed, a more manageable loss in relation to addressing housing need in the borough. Use of these receipts to acquire large family units or to fund capital schemes that alleviate overcrowding will be beneficial to women as they are often the head of large family households.</p>		
	<p>Sexual Orientation</p>	<p><u>Area-based Improvements</u>  The Council has limited data on the breakdown of its tenants and their household members by sexual orientation. That said, the effects of this policy are expected to be neutral in terms of this characteristic, with nothing on the face of it to suggest a tenant or members of their household stand to lose or gain purely on account homosexual, heterosexual or bi-sexual.</p> <p>Consultation on the policy will ensure it is accessible so that all Council tenants can learn of the proposals and convey their views. Representations will be accepted from third party representatives.</p> <p>Estate action plans and the specific form of proposed improvement packages will have to be equality impact assessed on a case by case basis however there is no indication that the proposed improvement methods - e.g. mixing tenures, physical and environmental improvements works – have either a positive or negative impact on this protected characteristic in principle.</p> <p><u>Asset-Based Limited Voids Disposal</u>  Achieving additional capital investment into the Council housing stock through limited voids disposal will be of benefit to all Council tenants, whatever their sexuality.</p>	<p>neutral</p>	<p>L</p>

	<p><b>Human Rights and Children's Rights</b></p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998?</p> <p>Area Based Improvements</p> <p>Yes: Article 6: Right to a fair trial (to have your views heard), Article 8 (Right to respect for your family life, home and correspondence), Article 14 (Right to freedom from discrimination in respect of these rights and freedoms), Article 1 of Protocol 1 (Right to peaceful enjoyment of your property). It is considered that these would be positively impacted by the proposed policy, which will be consulted on.</p> <p>Asset-Based Limited Voids Disposal</p> <p>Only vacant properties so no human rights impacts.</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)?</p> <p>Area Based Improvements</p> <p>Yes:</p> <ul style="list-style-type: none"> <li>▪ The right to life, survival and development</li> <li>▪ The right to have their views respected, and to have their best interests considered at all times</li> </ul> <p>It is considered that these would be positively impacted by the proposed policy, which will be consulted on</p> <p>Asset-Based Limited Voids Disposal</p> <p>Only vacant properties so no human rights impacts.</p>
--	---

Section 03	Analysis of relevant data and/or undertake research
Documents and data reviewed	<ul style="list-style-type: none"> <li>- Equalities data on Council tenants and stock breakdown by bedroom size March 2011</li> <li>- Housing demand summary by banding and ethnicity, (LBHF, I-world, December 2010)</li> <li>- Hammersmith and Fulham Annual Residents' Survey 2010</li> <li>- Hammersmith and Fulham Annual Residents' Survey 2009</li> <li>- Annual Population Survey, Office for National Statistics (Office for National Statistics) (March 2011)</li> <li>- Hammersmith and Fulham Borough Profile 2010</li> <li>- Hammersmith and Fulham Housing Market Assessment, December 2010</li> <li>- CACI Paycheck 2010 data on household incomes on the Council's 20 largest estates</li> <li>- Broken Ladder: A Report into the Affordability Gap Faced by First-Time Buyers (Home Builders Federation, October 2010)</li> <li>- 'Provision of goods, facilities and services to Trans people: Guidance for Public Authorities in meeting your equality duties and human rights obligations', (Equality and Human Rights</li> </ul>

	<p>Commission, 2009)</p> <ul style="list-style-type: none"> <li>- 'Earnings – Full Time Gender Pay Gap Narrows', 8/12/10 (Office for National Statistics website)</li> </ul>
<b>New research</b>	No new research was undertaken. A consultation on the proposed Area Based Improvements Policy will be undertaken.

<b>Section 04</b>	<b>Undertake and analyse consultation</b>
<b>Consultation</b>	A consultation on the proposals for area-based improvements Policy will be undertaken No consultation is required for the asset-based approach to limited voids disposal.
<b>Analysis</b>	What did you learn from your consultation about your proposed or existing policy relation to the protected characteristics and/or human and children's rights? The consultation required has yet to take place on the area based estate improvement policy.

<b>Section 05</b>	<b>Analysis of impact and outcomes</b>
<b>Analysis</b>	What has your consultation and analysis of data shown? Is there evidence of lawful and/or unlawful discrimination? The analysis that has been undertaken does not indicate lawful or unlawful discrimination. In relation to area-based improvements it shows a potential adverse differential impact to accessing low cost home ownership by people with disabilities due to barriers to entering and retaining employment. In relation to asset-based limited HRA void disposals it shows a potential adverse differential impact for BME households in relation to the availability of larger family-sized dwellings.

<b>Section 06</b>	<b>Reducing any adverse impacts</b>
<b>Outcome of Analysis</b>	<p>Include any specific actions you have identified that will remove or mitigate against the risk of unlawful discrimination.</p> <p><u>Area-based improvements</u></p> <ul style="list-style-type: none"> <li>- <u>results-driven outreach employment services</u></li> <li>- <u>help for people with disabilities to find and stay in jobs</u></li> <li>- <u>Estate action plans and the specific form of improvement packages to be equality impact assessed on a case by case basis with specific mitigation measures devised as and where</u></li> </ul>

	<p style="text-align: center;"><u>required</u></p> <p><u>Asset-based limited voids disposal</u></p> <ul style="list-style-type: none"> <li>-provision to retain dwellings for which there is an exceptional need either in the present or the near future (6 months into the future for properties of 4 bedrooms or more). Where disposals are approved these will be on the basis of a prior report from the Director of Housing and Regeneration demonstrating there is no exceptional need for the dwelling.</li> <li>- provision for factors of housing demand to be considered when deciding on disposal, for example whether the dwelling is required to meet an urgent or very severe housing need which cannot be met through existing stock or provision. (Where disposals are approved the policy requires that these be on the basis of a prior report from the Director of Housing and Regeneration evidencing that these factors have been given due consideration.)</li> <li>- provision to retain a given dwelling, typically a small unit, where this may facilitate a tenant to downsize and release a large family-unit.</li> <li>- provision to use receipts to acquire replacement stock, which can include larger family sized units, and to fund capital initiatives which address overcrowding and housing need, for example, enlarging properties through lateral conversions, or providing grants to enable mobility from the social rented sector into home ownership.</li> </ul>

Section 07	Action Plan					
Action Plan	Issue identified	Action (s) to be taken	When	Lead officer	Expected outcome	Date added to business/service plan
	Accessing low cost home ownership by people with disabilities	Implement planned support as detailed in Section 6	2011/12	Gurnam Selvarajah	Disabled households offered support to retain and access employment	

	Availability of larger family sized dwellings for BME households	Stock replacement is considered on a case by case basis	On going	Ian Ruegg	Suitable stock is procured or stock that meets need is secured	
--	--	---	----------	-----------	--	--

<b>Section 08</b>	<b>Agreement, publication and monitoring</b>
<b>Chief Officer sign-off</b>	Name: Nick Johnson Position: Email: Telephone No:
<b>Key Decision Report</b>	Date of report to Cabinet/: 18/4/11 Confirmation that key equalities issues found here have been included: Yes/No
<b>Opportunities Manager for advice and guidance only</b>	Name: Carly Fry Position: Opportunities Manager Date advice / guidance given: 29.03.2011 Email: <a href="mailto:PEIA@lbhf.gov.uk">PEIA@lbhf.gov.uk</a> Telephone No: 020 8753 3430

### Full Equality Impact Analysis Guidance

<b>Section 02</b>	<b>Scoping of EIA</b>
<b>What is the policy, strategy, function, project, activity, or programme looking to achieve?</b>	Hereafter, 'policy' means policy, strategy, function, project, activity, or programme  <b>Disability</b> Service providers also have an anticipatory duty to make reasonable adjustments for disabled people. These two duties frequently overlap and it is sensible to consider them together. For example, can you: <ul style="list-style-type: none"> <li>▪ Provide accessible communications?</li> <li>▪ Change how you collate and use data?</li> <li>▪ Revise how you involve service users?</li> </ul>

Analyse the impact of the policy on the [protected characteristics](#) with due regard to the Public Sector Equality Duty.

Use your reasoning in order to determine whether the impact will be high, medium or low. What do we mean by these terms?:

### High

- The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human/children's rights
- There is substantial or a fair amount of evidence that some groups are (or could be) differently affected by it
- There is substantial or a fair amount of public concern about it

### Medium

- The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human/children's rights
- There is some evidence that some groups are (or could be) differently affected by it
- There is some public concern about it

### Low

- The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human/children's rights
- There is little evidence that some groups are (or could be) differently affected by it
- There is little public concern about it

Use your reasoning to determine whether the impact will be positive, neutral, or negative. There are three possible outcomes:

- **Positive:** The EIA shows the policy is not likely to result in adverse impact for any protected characteristic and does advance equality of opportunity, and/or fulfils PSED in another way
- **Neutral:** The EIA shows the policy, strategy, function, project or activity is not likely to result in adverse impact for any protected characteristic and does not advance equality of opportunity, and/or fulfils PSED in another way
- **Negative:** The EIA shows the policy, strategy, function, project or activity is likely to have an adverse impact on a particular protected characteristic(s) and potentially does not fulfil PSED, or the negative impact will be mitigated through another means.

Should your policy not be applicable, you must note this and state why.

### **Human Rights, Children's Rights**

Additionally, demonstrate here that the impact on **Human and/or Children's Rights** arising from the policy has been considered.

### **Human Rights**

Public authorities have an obligation to act in accordance with the European Convention on Human Rights. These are:

- Article 2: [Right to life](#)
- Article 3: [Freedom from torture and inhuman or degrading treatment](#)
- Article 4: [Right to liberty and security](#)
- Article 5: [Freedom from slavery and forced labour](#)
- Article 6: [Right to a fair trial](#)
- Article 7: [No punishment without law](#)
- Article 8: [Respect for your private and family life, home and correspondence](#)
- Article 9: [Freedom of thought, belief and religion](#)
- Article 10: [Freedom of expression](#)
- Article 11: [Freedom of assembly and association](#)
- Article 12: [Right to marry and start a family](#)
- Article 14: [Protection from discrimination in respect of these these rights and freedoms](#)
- Article 1 of Protocol 1: [Right to peaceful enjoyment of your property](#)
- Article 2 of Protocol 1: [Right to education](#)
- Article 3 of Protocol 1: [Right to participate in free elections](#)

(Article 1 of Protocol 13 is: Abolition of the death penalty)

Each of the above links takes you to explanations and examples provided by the EHRC. Further, the [EHRC](#) and the [Ministry of Justice](#) both provide guides for public authorities.

### **Children's Rights (UNCRC)**

All children and young people up to the age of 18 years have all the rights in the Convention. Some groups of children and young people - for example those living away from home, and young disabled people - have additional rights to make sure they are treated fairly and their needs are met.



Every child in the UK has been entitled to over 40 specific rights. These include:

- The right to life, survival and development
- The right to have their views respected, and to have their best interests considered at all times
- The right to a name and nationality, freedom of expression, and access to information concerning them
- The right to live in a family environment or alternative care, and to have contact with both parents wherever possible
- Health and welfare rights, including rights for disabled children, the right to health and health care, and social security
- The right to education, leisure, culture and the arts
- Special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation

The rights included in the convention apply to all children and young people, with no exceptions.

More information on UNCRC can be found at [Direct Gov](#).

Section 03	Analysis of relevant data and/or undertake relevant research
Documents and data reviewed	<p>Examples:</p> <ul style="list-style-type: none"> <li>▪ Previous EIAs</li> <li>▪ <a href="#">Single Equality Scheme</a></li> <li>▪ <a href="#">Disability Equality Scheme</a></li> <li>▪ <a href="#">Corporate Plan</a></li> <li>▪ <a href="#">LAA Targets</a></li> <li>▪ <a href="#">UDP</a></li> <li>▪ <a href="#">JSNA</a></li> <li>▪ <a href="#">LBHF Consultations</a></li> <li>▪ <a href="#">Deprivation information</a></li> <li>▪ <a href="#">Census info on population</a></li> <li>▪ <a href="#">Ward Profiles</a></li> <li>▪ <a href="#">CRAIG</a> information, including <a href="#">local plans and research</a></li> <li>▪ <a href="#">Council</a> or External Studies or <a href="#">Research</a> (inc. for hidden populations such as LGBT)</li> <li>▪ Service Monitoring Reports (qualitative and quantitative)</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Consultation/focus group feedback (inc. feedback from users and/or organisations that represent users)</li> <li>▪ Complaints and Comments</li> <li>▪ Monitoring information (inc. service equality or workforce monitoring etc).</li> <li>▪ Information from formal audits</li> <li>▪ Previous customer research and satisfaction surveys – such as the <a href="#">Annual Resident's Satisfaction Survey</a> and <a href="#">Place Survey</a></li> <li>▪ Staff Surveys, opinions and information from Trade Unions (contact <a href="#">Organisation Development</a>)</li> <li>▪ Workforce monitoring: contact the <a href="#">TRENT</a> team and/or see <a href="#">HR Statistics</a> for LBHF</li> <li>▪ Contract monitoring reports</li> <li>▪ Press coverage</li> <li>▪ Feedback from focus groups, area panels or forums, etc</li> <li>▪ Feedback from individuals or organisations representing the interests of key target groups or similar</li> <li>▪ The knowledge, technical advice, expertise and experience of the people assisting in the completion of the EIA</li> <li>▪ Academic, qualitative and quantitative research, including findings from other councils. (There are many institutions that carry out this kind of research and it is not possible to list them here. Those such as <a href="#">IESR</a> and <a href="#">IFS</a> focus on economics, as examples)</li> <li>▪ Outcomes of Judicial Reviews/<a href="#">Judgements</a></li> </ul> <p>Assess your sources against the protected characteristics and the aims of your policy in order to plan your consultation.</p>
<b>New research</b>	If you find that you need to undertake new research, please contact the Opportunities Manager
<b>Section 04</b>	<b>Analyse or undertake consultation</b>
<b>Consultation</b>	<p>The specific duties assume the need to undertake engagement as they state that public bodies must publish information about the engagement they have undertaken with persons with an interest in furthering the aims of the equality duty.</p> <p>The specific duties do not set out how or when we should engage and consult. This means that your consultation will need to be proportionate to the decision that is being taken.</p> <p>You may wish to draft the EIA and make it available alongside the policy that you are consulting on,</p>

	<p>during consultation, in order to gain feedback.</p> <p>The EHRC has produced a <a href="#">guide to consultation</a>, and <a href="#">general guidance</a>. These may help you.</p> <p>Design your consultation with the <a href="#">Involving Residents Policy</a> in mind and in line with the Council's <a href="#">Consultation Guidelines</a>. <a href="#">Community Liaison</a> also have a list of community and voluntary organisations in the borough (<a href="#">officer details</a>).</p>
<b>Analyse</b>	<p>What did you find in your consultation about your proposed or existing policy in relation to the protected characteristics? What were their experiences and/or needs, and how do these relate to outcomes/your proposed or existing policy?</p>

<b>Section 05</b>	<b>Analysis of impact and outcomes</b>
<b>Analysis</b>	<p>In assessing the impact(s) on protected characteristics, including where people are represented in more than one, consider whether there is potential for it to result in unlawful discrimination, or a less favourable impact on any protected characteristic, or if an opportunity to promote equality has been missed.</p> <p>To do this, you need to analyse your evidence and whether what you have found indicates direct or indirect discrimination. You must consider the relevance of your policy to the protected characteristics, and the weight given to each of these (including where people are represented in more than one).</p> <p><b>Direct discrimination</b> This is where a person, or group of people, are treated less favourably than others in the same circumstances on the grounds of a protected characteristic.</p> <p><b>Indirect discrimination</b> This is where a requirement or condition is applied to all individuals or groups equally, but which is such that:</p> <ul style="list-style-type: none"> <li>▪ The proportion of one group who can comply is considerably smaller than those of another group who can also comply with it</li> <li>▪ It cannot be shown to be justifiable</li> <li>▪ It is to the disadvantage of that group because they cannot comply with it</li> </ul> <p><b>Relevance and Proportionality</b></p>

	<p>The weight given to each protected characteristic should be proportionate to its relevance to the policy. for example, the London Borough of Ealing lost a case in which the Judge considered that they had not taken the relevance of race and gender into account when redesigning the funding criteria for domestic violence services. Part of the Judgement stated:</p> <p><i>Ealing observed that the largest proportion of domestic violence in its borough was suffered by white European women. But that statistic was meaningless and irrational unless compared with the fact that 58 per cent of the female population of Ealing during the same period consisted of white European women. As the documents show, 28 per cent of domestic violence was suffered by Indian, Pakistani and other Asian women. That statistic is of vital importance when one considers that those groups made up only 8.7 per cent of the population within Ealing. In those circumstances it is plain from the statistics available to Ealing that a very large proportion of women from that background suffered from domestic violence in comparison to white European women.</i></p> <p><i>Had Ealing appreciated that the important focus of their attention should be upon the proportion of black minority ethnic women within the borough and consideration of how high a proportion of those women suffered from domestic violence, it could never have reached the conclusion that there was no correlation between domestic violence and ethnicity. Any such conclusion was, in my judgment, perverse.</i></p> <p><a href="#">[2008] EWHC 2062 (Admin)</a></p>
--	---

<b>Section 06</b>	<b>Reducing any adverse impacts</b>
<b>Outcome of Assessment</b>	<p>From your assessment of impacts and outcomes, identify any specific actions that will remove or mitigate against the risk of unlawful discrimination in the delivery and implementation of your policy.</p> <ul style="list-style-type: none"> <li>▪ If the policy/strategy or service affects people adversely, can this be justified? Can an adverse impact be overcome?</li> <li>▪ Where the adverse impact is unlawful the policy/strategy or service must be changed – identify another way to meet objectives.</li> <li>▪ Will changes to reduce adverse impact be significant? If so consultation will usually need to be undertaken.</li> </ul> <p>Where it is perceived that the needs of two service users could conflict, you must ensure:</p> <ul style="list-style-type: none"> <li>▪ Firstly, that both are treated with dignity and respect; and</li> </ul>

- Secondly, that each treats each other with dignity and respect

For further help please view the intranet, EHRC [website](#), or contact the Opportunities Manager at:

[PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk)

020 8753 3430

<http://theintranet/Departments/Finance%5Fand%5FCorporate%5FServices/Equality%5Fand%5FDiversity/>

**Initial Screening Equality Impact Analysis Tool**

<b>Section 01</b>	<b>Details of Initial Equality Impact Screening Analysis</b>
<b>Financial Year and Quarter</b>	<b>2011/2015</b>
<b>Name of policy, strategy, function, project, activity, or programme</b>	<b>Planned Preventative Maintenance and Breakdown Repairs of Mechanical Plant in Specialist Non-Housing properties</b>
<b>Q1 What are you looking to achieve?</b>	<b>Establishing a 4 year framework contract to effectively manage Planned Preventative Maintenance to Specialist Mechanical Plant (Including Air Conditioning Systems) 2011 – 2015</b>
<b>Q2 Who in the main will benefit?</b>	<p>Analyse the impact of the policy on the protected characteristics (including where people / groups may be in more than one protected characteristic). You should use this to determine whether the policy will have a positive/neutral/negative impact and whether it is of low/medium/high relevance to equality.</p> <p>You should also use this section when your policy may not be relevant to one or more protected characteristics. If this applies, case law has established that you must give your reasoning. It is not sufficient to state 'N/A' without saying why.</p> <p><b>Information: protected characteristics and PSED</b> The public sector equality duty (PSED) states that in the exercise of our functions, we must have due regard to the need to:</p> <ul style="list-style-type: none"> <li>▪ Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act;</li> <li>▪ Advance equality of opportunity between people who share a protected characteristic and those who do not; and</li> <li>▪ Foster good relations between people who share a protected characteristic and those who do not.</li> </ul> <p>Having due regard for advancing equality involves:</p> <ul style="list-style-type: none"> <li>▪ Removing or minimising disadvantages suffered by people due to their protected characteristics;</li> <li>▪ Taking steps to meet the needs of people from protected groups where these are different from the</li> </ul>

- needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

Age	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on age groups, but keep the building in a good state of repair.	L	/
Disability	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on disabled people, but keep the building in a good state of repair.	L	/
Gender reassignment	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on disabled people, but keep the building in a good state of repair.	L	/
Marriage and Civil Partnership	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on marriage and civil partnership, but keep the building in a good state of repair..	L	/
Pregnancy and maternity	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on pregnancy and maternity, but keep the building in a good state of repair.	L	/
Race	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on race groups, but keep the building in a good state of repair.	L	/

	Religion/belief (including non-belief)	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on religion or belief, but keep the building in a good state of repair.	L	/
	Sex	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on men or women, but keep the building in a good state of repair.	L	/
	Sexual Orientation	This is a building contract to effectively manage planned preventative maintenance and will not have an effect on sexual orientation, but keep the building in a good state of repair.	L	/
<p><b>Human Rights and Children's Rights</b></p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)? No</p>				
<p><b>Q3</b> Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>No: This is a technical/building contract</p> <p>Does this provide an opportunity to promote equality? Use your reasoning from Q2 to state why.</p>			
<p><b>Q4</b> Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</p>	<p>No This is a technical/building contract</p> <p>If the answer here is 'yes', then it is necessary to go ahead with a Full Equality Impact Analysis. You should also consider a Full Equality Impact Analysis if your decision is likely to be of high relevance to equality, and/or be of high public interest.</p>			



## Initial Screening Equality Impact Analysis Guidance

<b>Section 01</b>	<b>Details of Initial Equalities Impact Screening Analysis</b>
<b>Name of policy, strategy, function, project, activity, or programme</b>	<p>A <b>Policy</b> refers to an approved decision, principle plan or a set of procedures by Cabinet, or a Cabinet Member under delegated powers that affects the way that the Council conducts its business both internally and externally. A policy can include: strategies, guides, manuals and common practice.</p> <p>A <b>Strategy</b> refers to a systematic short term or a long term plan of action that is designed to achieve a specific business benefit or goal(s).</p> <p>A <b>Function</b> refers to any actions and/or activities designed to achieve a specific business benefit or goal.</p> <p>A <b>Project</b> defines how a temporary structure or scheme can achieve a specific business benefit or goal(s). A project can be implemented by setting up aims and objectives, resources, communication, budget needs and timelines.</p> <p>An <b>Activity</b> is a specific task (or a groups of tasks) which can also form as part of a 'function'.</p> <p>A <b>Programme</b> is a portfolio of activities and projects that are co-ordinated and managed as a unit such that they realise common outcomes and benefits.</p>
<b>Q1 What are you looking to achieve?</b>	<p>For example this might help to implement outcomes identified in policies such as the <a href="#">Single Equality Scheme</a>, <a href="#">Disability Equality Scheme</a>, <a href="#">other EIAs</a> in your service department, or in another department that your service/service users also interact with and draw down services from, <a href="#">Corporate Plan</a>, <a href="#">LAA Targets</a>, CAA Aims, <a href="#">UDP</a>, or <a href="#">JSNA</a>.</p>
<b>Q2 Who in the main will benefit?</b>	<p>Hereafter, 'policy' means policy, strategy, function, project, activity, or programme</p> <p><b>Disability</b> Service providers also have an anticipatory duty to make reasonable adjustments for disabled people. These two duties frequently overlap and it is sensible to consider them together. For example, can you:</p> <ul style="list-style-type: none"> <li>▪ Provide accessible communications?</li> <li>▪ Change how you collate and use data?</li> <li>▪ Revise how you involve service users?</li> </ul> <p>Analyse the impact of the policy on the <a href="#">protected characteristics</a> with due regard to the Public Sector Equality</p>

## Duty.

Use your reasoning in order to determine whether the policy will be of high, medium or low relevance to the protected characteristics. What do we mean by these terms?:

### High

- The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human rights
- There is substantial or a fair amount of evidence that some groups are (or could be) differently affected by it
- There is substantial or a fair amount of public concern about it

### Medium

- The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human rights
- There is some evidence that some groups are (or could be) differently affected by it
- There is some public concern about it

### Low

- The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human rights
- There is little evidence that some groups are (or could be) differently affected by it
- There is little public concern about it

Use your reasoning to determine whether the impact will be positive, neutral, or negative. There are three possible outcomes:

- **Positive:** The EIA shows the policy is not likely to result in adverse impact for any protected characteristic and does advance equality of opportunity, and/or fulfils PSED in another way
- **Neutral:** The EIA shows the policy, strategy, function, project or activity is not likely to result in adverse impact for any protected characteristic and does not advance equality of opportunity, and/or fulfils PSED in another way
- **Negative:** The EIA shows the policy, strategy, function, project or activity is likely to have an adverse impact on a particular protected characteristic(s) and potentially does not fulfil PSED, or the negative impact will be mitigated through another means.

Should your policy not be applicable, you must note this and state why.

### **Human Rights, Children's Rights**

Additionally, demonstrate here that the impact on **Human and/or Children's Rights** arising from the policy has been considered.

### **Human Rights**

Public authorities have an obligation to act in accordance with the European Convention on Human Rights. These are:

- Article 2: [Right to life](#)
- Article 3: [Freedom from torture and inhuman or degrading treatment](#)
- Article 4: [Right to liberty and security](#)
- Article 5: [Freedom from slavery and forced labour](#)
- Article 6: [Right to a fair trial](#)
- Article 7: [No punishment without law](#)
- Article 8: [Respect for your private and family life, home and correspondence](#)
- Article 9: [Freedom of thought, belief and religion](#)
- Article 10: [Freedom of expression](#)
- Article 11: [Freedom of assembly and association](#)
- Article 12: [Right to marry and start a family](#)
- Article 14: [Protection from discrimination in respect of these these rights and freedoms](#)
- Article 1 of Protocol 1: [Right to peaceful enjoyment of your property](#)
- Article 2 of Protocol 1: [Right to education](#)
- Article 3 of Protocol 1: [Right to participate in free elections](#)

(Article 1 of Protocol 13 is: Abolition of the death penalty)

Each of the above links takes you to explanations and examples provided by the EHRC. Further, the [EHRC](#) and the [Ministry of Justice](#) both provide guides for public authorities.

### **Children's Rights (UNCRC)**

All children and young people up to the age of 18 years have all the rights in the Convention. Some groups of children and young people - for example those living away from home, and young disabled people - have additional rights to make sure they are treated fairly and their needs are met.

	<p>Every child in the UK has been entitled to over 40 specific rights. These include:</p> <ul style="list-style-type: none"> <li>▪ The right to life, survival and development</li> <li>▪ The right to have their views respected, and to have their best interests considered at all times</li> <li>▪ The right to a name and nationality, freedom of expression, and access to information concerning them</li> <li>▪ The right to live in a family environment or alternative care, and to have contact with both parents wherever possible</li> <li>▪ Health and welfare rights, including rights for disabled children, the right to health and health care, and social security</li> <li>▪ The right to education, leisure, culture and the arts</li> <li>▪ Special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation</li> </ul> <p>The rights included in the convention apply to all children and young people, with no exceptions.</p> <p>The above and more information can be found at <a href="#">Direct Gov</a>.</p>
<p><b>Q3</b> Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>Yes/No</p> <p>Use your evidence from Q2 to state why</p>
<p><b>Q4</b> Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity and/or human rights?</p>	<p>Yes/No</p> <p>If the answer here is 'yes', then it is necessary to go ahead with a Full Equality Impact Analysis. You should also consider a Full Equality Impact Analysis if your decision is likely to be of high relevance to equality, and/or be of high public interest.</p>