

Colchester Borough Homes

Equality Impact Assessment Form - An Analysis of the Effects on Equality

Section 1: Initial Equality Impact Assessment

Name of policy/ decision to be assessed:

Services for Older People

1. What is the main purpose of the policy/ service?

To provide safe and secure housing of a good quality to promote independent living for older people (55+)

2. What main areas or activities does it cover?

- **The management of sheltered accommodation and 'extra care'**
- **Promoting the health and wellbeing of tenants**
- **Maintaining Personal Information Plans**

3. Are there changes to an existing policy being considered in this assessment? If so what are they?

Yes. These services used to be under contract from Essex County Council's 'Supporting People' fund but this housing related support, and the related Quality Assessment Framework, no longer exists.

4. Who are the main audience, users or customers who will be affected by the policy?

- **Tenants in sheltered accommodation**
- **Friends and family members of tenants**
- **Pre-assessment tenants**
- **Applicants for housing**

5. What outcomes do you want to achieve from the policy?

- **The successful provision of tenant led services that are accessible to older people**
- **Secure, safe housing which promotes their health, wellbeing and quality of life.**
- **Accessible and adaptable homes fit for life**
- **Good quality community facilities and events**

6. Are other service areas or partner agencies involved in delivery? If so, please give details below:

- **Age UK**
- **Essex Social Care**
- **NHS, GPs and prescription delivery services**
- **Emergency Services**
- **Translation Services**
- **Meals on wheels and other meal providers**
- **Other CBH staff such as Assistant Housing Officers and Asset Management**
- **CBC and their staff**
- **Swan Housing – provide care at The Cannons**

Note: Floating Support continues to be available to sheltered tenants. We do work with Community 360 who bring volunteers into schemes for activities.

7. Are you aware of any relevant information, data, surveys or consultations which help us to assess the likely or actual impact of the policy upon customers or staff?

Relevant data has been included at the end of this EqlA

8. The 'general duty' states that we must have "due regard" to the need to:

- (a) eliminate unlawful discrimination, harassment and victimisation
- (b) advance equality of opportunity between people who share a 'protected characteristic'¹ and those who do not²

¹ The Equality Act's 'protected characteristics' include age, disability, gender reassignment, pregnancy and maternity, race, religion or belief and sex and sexual orientation. It also covers marriage and civil partnerships, but not for all aspects of the duty.

² This involves having due regard, in particular, to the need to: (a) remove or minimise disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of

(c) foster good relations between people who share a protected characteristic and those who do not³

Not all policies help us to meet the 'general duty', but most do.

Where applicable, explain how this policy helps us to meet the 'general duty':

The policy helps us to 'eliminate unlawful discrimination, harassment and victimisation' in the following way(s):

Services for Older People helps to achieve this aim as it is a dedicated service designed to meet the accommodation needs of older people. A 'managed' building with communal facilities and visiting officers helps to facilitate an environment free from harassment and bullying.

The policy helps us to 'advance equality of opportunity...' in the following way(s):

Services for Older People exists specifically to help "advance equality of opportunity" as it is a dedicated service designed to meet the accommodation needs of older people.

The policy helps us to 'foster good relations...' in the following way(s):

The service helps to promote awareness, understanding and tolerance between older people and other age groups.

9. This section helps us to identify any disproportionate impacts. Please indicate in the table below whether the policy is likely to particularly benefit or disadvantage any of the 'protected characteristics'.

persons who do not share it, and (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

³ This involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
Younger people (17-25) and children (0-16)	Older people	X	Sheltered schemes operate for the benefit of this group.		None identified
	Younger people			X	The schemes are open to people over 60 (or over 55 where they have a disability). The policy treats people differently on the basis of age which could be discriminatory. See further below.
Disability	Physical	X	<p>Sheltered accommodation provides a safe secure environment with shared communal areas which is particularly suitable for people who are vulnerable because of a disability.</p> <p>CBH has upgraded much of its sheltered accommodation in order to support those with specific needs arising from a disability. This includes accommodation Worsnop House & Enoch House which offers "laid to fall" showers; full wheelchair accessibility; and new lifts.</p> <p>In 2018, CBH continues with improvement by upgrading facilities at Harrison Court.</p> <p>CBH provides an Extra Care scheme at the Cannons. This facility is dedicated to providing accommodation for people with more severe disabilities.</p>		None identified
	Sensory	X	As above		None identified

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Learning	X	<p>Sheltered accommodation provides a safe secure environment with shared communal areas which is particularly suitable for people who are vulnerable because of a disability.</p> <p>CBH provides an Extra Care scheme at the Cannons. This facility is dedicated to providing accommodation for people with more severe disabilities.</p> <p>CBH has provided 4 homes within Worsnop House, Colchester for people with learning, physical or sensory impairment.</p>		None identified

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Mental health issues	X	<p>Services for Older People has been working in partnership with the Alzheimer's Society which has held sessions with sheltered tenants to promote awareness and understanding of people suffering with Dementia. The aim is to promote inclusion and support amongst our residents by providing them with information and a chance to talk about the disease openly. Research has observed that people with dementia are sometimes excluded because of a lack of understanding and information about the condition which is something this initiative is designed to counter.</p> <p>CBH has trained all staff to become "Dementia Friends" and there are two Dementia Champions</p> <p>A program is in place to refurbish communal gardens within sheltered housing schemes based on a dementia design guide.</p> <p>Enoch House refurbishment used the dementia design guide to minimise reflective surfaces and incorporate other design features .</p>		None identified
	Other – <i>please specify</i>				
Ethnicity	White		None identified		None identified
	Black		None identified		None identified
	Chinese		None identified		None identified

'Protected characteristic' group		Positive Impact	Explain how it could benefit the group	Negative Impact	Explain how it could disadvantage the group
	Mixed Ethnic Origin		None identified		None identified
	Gypsies/ Travellers		None identified		None identified
	Other – <i>please state</i>				
Language	English not first language		None identified	X	Communication barriers may prevent equal access to the service for this group.
Pregnancy and Maternity	Women who are pregnant or have given birth in last 26 weeks		None identified		None identified
Religion or Belief	People with a religious belief (or none)		None identified		None identified
Sex	Men		None identified		None identified
	Women		None identified		None identified
	Transsexual / gender reassignment		None identified		None identified
Sexual Orientation	Lesbian, gay and bisexual		None identified		None identified
Marriage and Civil Partnership	People who are single, married or in a civil partnership		None identified		None identified

10. If you have identified any negative impacts (above) how can they be minimised or removed? Not all – see below

Age - The schemes are open to people over 60 (or over 55 where they have a disability). The policy treats people differently on the basis of age which could be discriminatory.

There is an inherent disadvantage to younger people who are not eligible for sheltered housing. This impact has not been minimised or removed and is considered further in section 2.

Race / Language - People who do not have English as a first language – Communication barriers may prevent equal access to the service for this group.

CBH uses a variety of different translation services and is open to requests for assistance from customers whose first language is not English, and who would like help with translation. This includes:

- Textual translation - for key documents such as Tenancy Agreements
- Face to face translation – for pre-arranged meetings
- Instant telephone translation – to overcome communication barriers quickly

A Note on Complaints Analysis 2016-17

(This analysis interprets data available in the appendix to this document.)

4% of all complaints during the relevant period relate to Services for Older People. The average age of CBH tenants (including Sheltered Housing) is 55 whereas the average age of *complainants* is 44. People in sheltered accommodation are therefore less likely (than all tenants) to make a complaint. This may be reflected in the further observation that complainants are less likely to have a disability (17%) than all tenants (27%).

The above suggests that older people and people with disabilities are not using the complaints process as much as *other* age groups and people *without* disabilities. CBH will review how it makes sheltered tenants aware of the complaints process in order to help ensure that tenants who are unhappy with services know how to make a complaint. This could help improve services for older people.

11. Could the policy discriminate⁴ against any ‘protected characteristic’, either directly or indirectly⁵?

Yes, (in regard to ‘Age’) - See section 2

⁴ The Council has a general duty to ‘eliminate unlawful discrimination, harassment and victimisation’. Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their ‘protected characteristic’ whether on grounds of age, disability, pregnancy and maternity, ethnicity; religion or belief; sex (gender), sexual orientation, or marriage and civil partnership. Indirect discrimination occurs when an apparently neutral provision or practice would nevertheless disadvantage people on the grounds of their ‘protected characteristic’.

⁵ If you answer ‘yes’ to question 11 (above) you will need to complete this section *and* go on to complete Section 2 in order to conduct a full Equality Impact Assessment.

Summary and findings of Initial Equality Impact Assessment

12. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
No negative impacts have been identified <input type="checkbox"/>	Sign off screening and finish.
Negative impacts have been identified but have been minimised or removed <input type="checkbox"/>	Sign off screening and finish.
Negative impacts could not be minimised or removed X	Sign off screening and complete a full impact assessment – Section 2.
There is insufficient evidence to make a judgement. <input type="checkbox"/>	Sign off screening and complete a full impact assessment – Section 2.

13. Name and job title of person completing this form:

- Yvonne Day (Manager, Services for Older People) and Andrew Harley (Acting Equality and Diversity Officer)

14. Date of completion:

- February 2018

15. Date for update or review of this screening:

- February 2021

Section 2: Full Equality Impact Assessment

Where there is a negative impact which has not been minimised or removed

“Age - The schemes are open to people over 60 (or over 55 where they have a disability). The policy treats people differently on the basis of age which could be discriminatory.”

16. If you have identified negative impact(s) on the ‘protected characteristics’ that have not been minimised or removed, is this considered to be ‘a proportionate means of achieving a legitimate aim’?⁶ If yes, state how:

- **Yes. The “legitimate aim” is to increase equality of opportunity and access to good quality, safe and secure accommodation for older people who are more likely to be more vulnerable than other age groups. The “proportionate means” is the provision of Sheltered Housing. This amounts to *Positive Action* under the Equality Act 2010, and does not therefore amount to unlawful discrimination.**

⁶ This phrase is taken from sections 15 and 19 of the Equality Act 2010. ‘Positive action’, benefitting one or more protected characteristic(s), may result in a disproportionate negative impact upon another, but this may be justified as being ‘a proportionate means of achieving a legitimate aim’. The need to balance a budget can constitute a “legitimate aim”. Contact the Equality and Safeguarding Co-ordinator for more information or look at the [Equality and Human Rights Commission](#) webpage under “objective justification”.

Summary and findings of Full Equality Impact Assessment

17. Please put a tick in the relevant box to confirm your findings, and what the next step is:

Findings	Action required
Likely negative impacts have been identified but are considered to be a proportionate means of achieving a legitimate aim. X	Sign off and finish.
Further planned engagement with equality target groups will take place in order to gain sufficient evidence to make a judgement on impact. <input type="checkbox"/>	Sign off and review within 6 months.
Planned engagement has taken place: No likely negative impacts have been identified. <input type="checkbox"/>	Sign off and finish.
Planned engagement has taken place: Likely negative impacts have been identified but have been minimised or removed. <input type="checkbox"/>	Sign off and finish.
The policy could be unlawfully discriminatory and will not be implemented. <input type="checkbox"/>	Finish without signing off.

18. Name and job title of person completing this form:

- Yvonne Day (Manager, Services for Older People) and Andrew Harley (Acting Equality and Diversity Officer)

19. Date of completion:

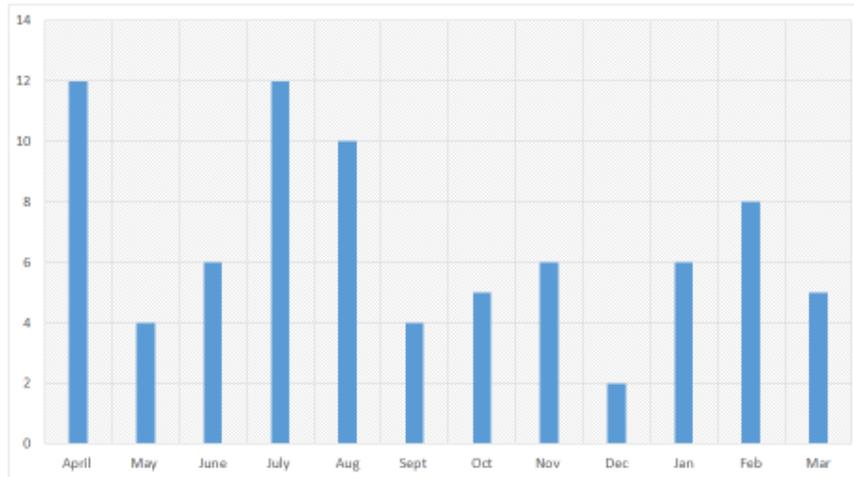
- February 2018

20. Date for update or review of this screening:

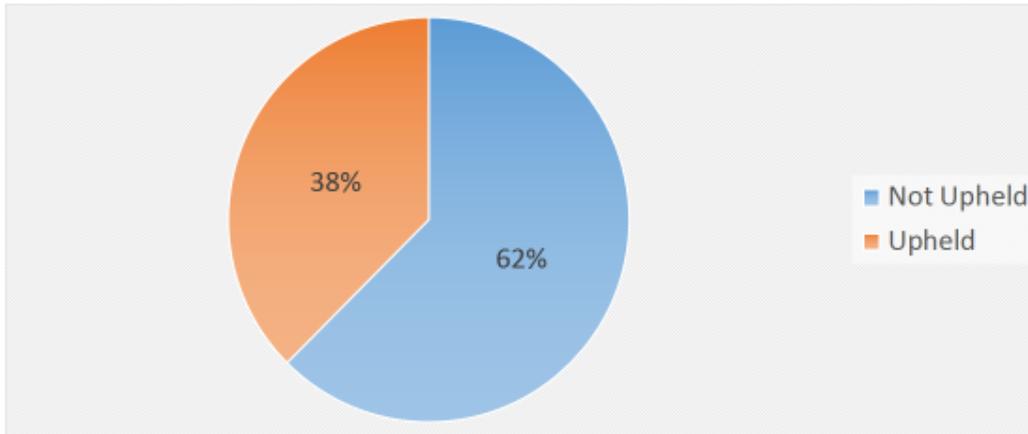
- February 2021

Appendix – CBH Complaints Analysis 2016-17

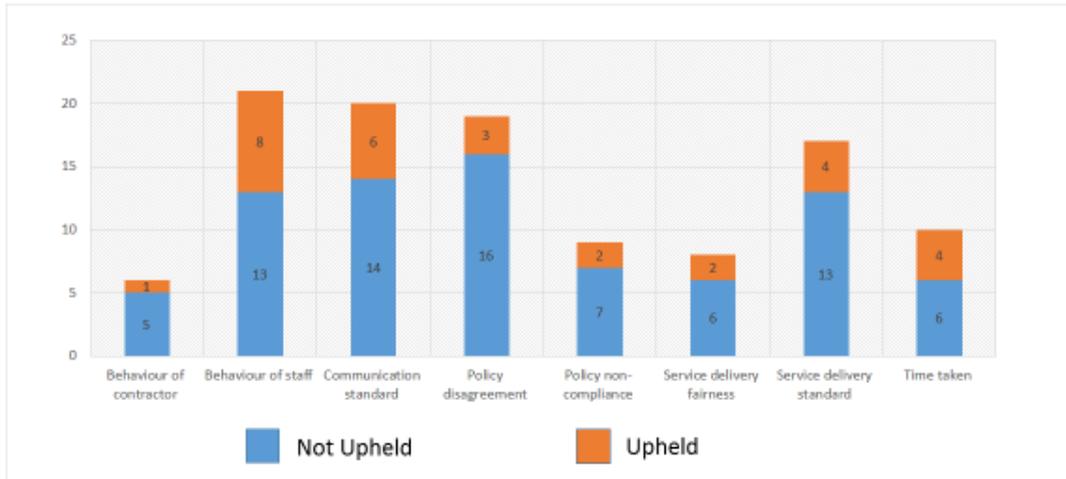
Formal Complaints - Monthly Totals



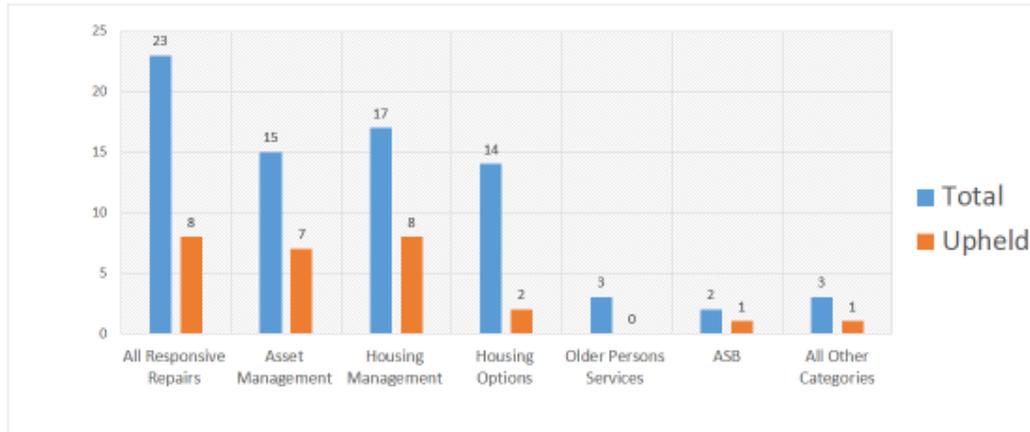
Proportion of Complaints Upheld



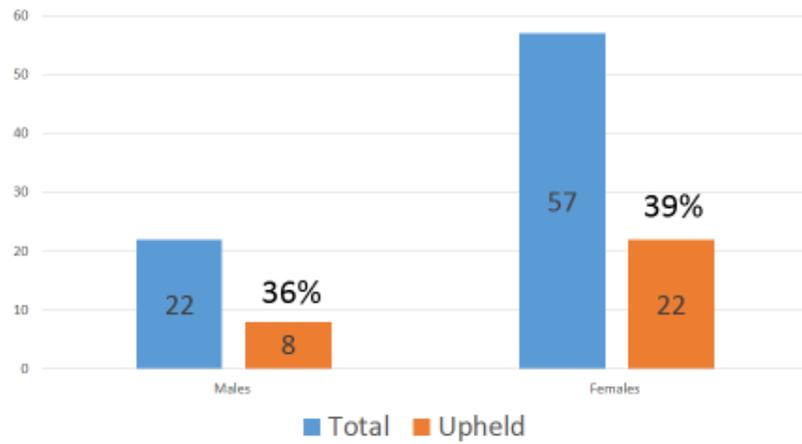
What are Complaints About?



How Do Services Compare?

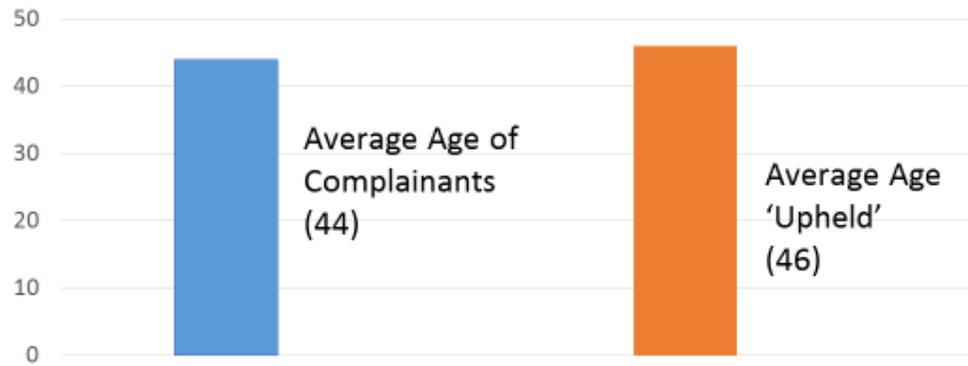


How Does Data Compare by Sex?



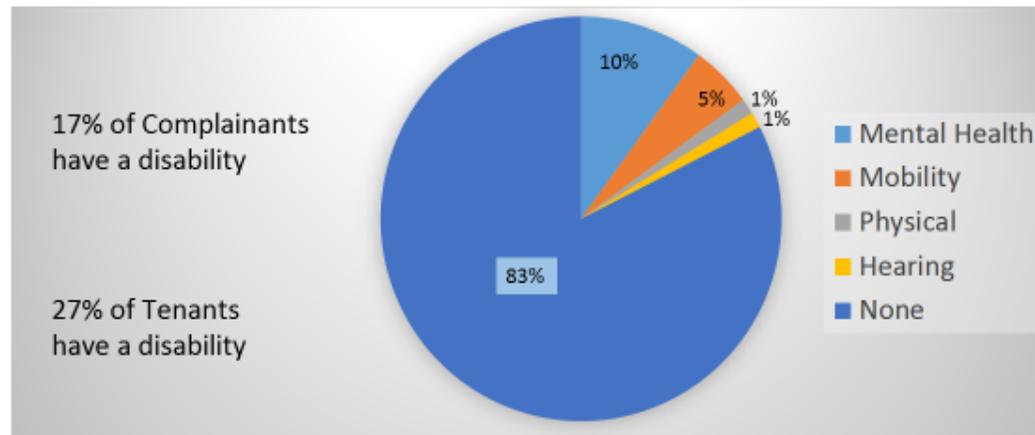
- Of all tenants:
63% are female
and 37% are male
- Of complainants:
72% are female
and 28% are male

How does Data Compare by Age?

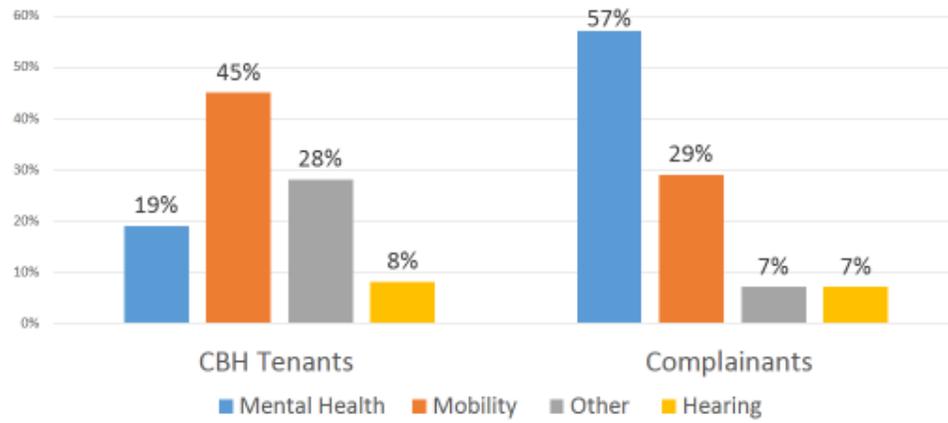


- Average age for all tenants is 55

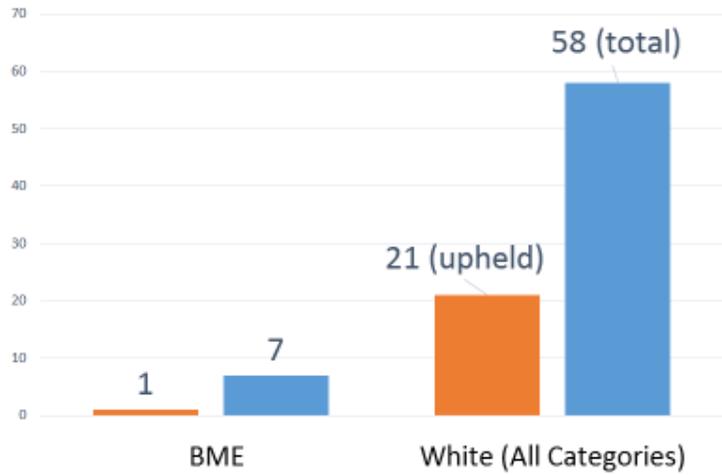
Disability Profile



Type as a Proportion of All Disability



Black and Minority Ethnic Profile



Complainants whose ethnicity is BME: 7 (11%). This compares with 5% of tenants.

14% had their cases upheld.

Complainants whose ethnicity is White (All categories): 58 (89%). This compares with 95% of tenants.

36% had their cases upheld.