

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:

Board Members Code of Conduct

(See [this page](#) of the CBH website)

1. What is the main purpose of the policy?

- To make Board Members and potential Board Members aware of the conduct expected of them in their role
- To facilitate the effective and efficient governance of the Company

2. What main areas or activities does it cover?

- Meetings: preparation, attendance and conduct
- Relationships with staff and residents
- Representing the Company
- Interests, gifts and hospitality

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

No

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

- Board members
- Customers

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

- Board Members consistently displaying a high standard of conduct
- Board Members complying with their duties as a company director
- Any incident of conduct unfitting of a Board Member to be investigated and resolved in a timely, transparent and robust manner

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

- CBH Governance
- Corporate Management Team
- Colchester Borough Council

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?

No

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
- (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.

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 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.

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):

- The Code provides clear guidelines on expected behaviour that applies to all Board Members irrespective of culture or ethnic background and prohibits ‘racist or other discriminatory behaviour.’

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

- Provisions for support aid members in full participation at meetings and events helps to advance equality of opportunity.
- The Board Appraisal Process covers the annual one-to-one meetings held between the Chair and individual Members and examines how individuals can show that they have treated others ‘fairly and with respect’.

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

- N/A

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’.

Remember to include reference to any relevant consultation, data or information.

‘Protected characteristic’ group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Age	Older people (60+)		None identified		None identified
	Younger people (17-25) and children (0-16)		Note: All constituencies of Board Member require that Board Members are 18 or over.		None identified
Disability	Physical	X	The Code details support should a Board Member require assistance		None identified
	Sensory				
	Learning				

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
	Mental health issues				
	Other – <i>specify</i>				
Ethnicity ⁴	White		None identified		None identified
	Black				
	Chinese				
	Mixed Ethnic Origin				
	Gypsies/ Travellers				
	Other – <i>please state</i>				
Language	English not first language		None identified	X	Language – the Code is long and uses some technical terms, so might be difficult to understand for someone whose first language was not English.
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
Gender Reassignment ⁵	Transgender/ Transsexual ⁶		None identified		None identified

⁴ National Census 2011 categories are: Bangladeshi, Indian, Pakistani, Other Asian (Asian or Asian British), African, Caribbean, Other Black (Black or Black British), White and Black African, White and Asian, White and Black Caribbean (Mixed), British, Irish, Other White (White), Chinese, Other (Other Ethnic Group).

⁵ The protected characteristic of gender reassignment is defined by the Equality Act 2010 as “a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.” This is a personal process that may involve medical interventions such as counselling, psychotherapy, hormone therapy or surgery, but does not have to.

⁶ It is generally held that people who are *transgender* disguise their features or clothing to resemble their preferred sex, whereas people who are *transsexual* wish to change their body to completely resemble their preferred sex.

'Protected characteristic' group		Positive Impact	Explain how it could particularly benefit the group	Negative Impact	Explain how it could particularly disadvantage the group
Sexual Orientation	Bisexual, Heterosexual, Gay or Lesbian		None identified		None identified
Marriage and Civil Partnership	People who are 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?

Language – the Code is long and uses some technical terms, so might be difficult to understand for someone whose first language was not English.

- Staff will support any Board members who seek to access translation services for this or other documents.
- The Governance Business Partner meets with all new Board Members at induction to ensure they understand the conduct required of them. The Code requires those wishing to make a complaint about a Board Member to do so in writing. Support will be offered to those who would find it difficult to put a complaint in writing.

11. Could the policy discriminate⁷ against any 'protected characteristic', either directly or indirectly⁸? No

⁷ 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'.

⁸ 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.

12. Summary and findings of Initial Equality Impact Assessment

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 X	Sign off screening and finish.
Negative impacts could not be minimised or removed <input type="checkbox"/>	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:

- Andrew Harley (Business Partner: Equality & Safeguarding)/ Jo Paget (Business Partner: Governance)

14. Date of completion:

- January 2021

15. Date for update or review of this screening:

- January 2024