

## **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:

- **Complaints Policy and Service**

1. What is the main purpose of the policy?

- **To provide the framework through which complaints can be dealt with effectively, lessons learnt and customer service improved.**

2. What main areas or activities does it cover?

- **All activities in respect of the making and dealing with a complaint through to the various outcomes.**
- **Learning from complaints and reporting service improvements back to our customers.**

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

- **Complaints policy reviewed December 2020 in line with the Housing Ombudsman Complaints Handling Code.**
- **Complaints process streamlined from three stages to two.**
- **Defining what is a complaint and removing informal stage complaints.**
- **To show continuous learning and improvement.**

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

- **All customers making contact with CBH to make a complaint**
- **All staff who are responsible for responding and managing complaints**
- **All other CBH staff, stakeholders, contractors and partner agencies.**
- **Elected members and Ombudsman services**

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

- All customers should benefit from high quality and fully accessible services
- The business uses complaints effectively to improve customer service
- Complaints procedures are: Clear; User friendly; Accessible to all; and Confidential
- The framework encourages the resolution of complaints at each stage of the process
- The policies and procedures comply with new standards for housing organisations complaints as set out in the Housing Ombudsman code.

<https://lyng.org.uk/wp-content/uploads/2021/01/Complaint-Handling-Code-Dec-20.pdf>

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

- We work in partnership with Colchester Borough Council who facilitates the customer services contact centre on our behalf.
- Contractors providing services on our behalf.
- External translation and interpreter companies who support residents who do not have English as their first language.
- Elected members advocating on behalf of our customers.
- Governed by the Housing Ombudsman and Local Government and Social Care ombudsman.

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?

*If so provide details and include a link to the document or source where available.*

- Customer satisfaction survey for our online complaint services.  
<https://cbhomes.org.uk/contact-us/complaints-and-compliments/>
- Service Improvement action log to determine the measure of change and impact on strategic aims of the company.

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’<sup>1</sup> and those who do not<sup>2</sup>
- (c) foster good relations between people who share a protected characteristic and those who do not<sup>3</sup>

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):

- All customers who use CBH services have the opportunity to raise their concerns through the policy.
- Any complaint that involves possible unfair treatment on the basis of the Equality Act 2010 will draw upon appropriate advice from the operational lead for Equality and Diversity.

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

- The Complaints Policy includes a reasonable adjustments clause. This ensures that appropriate adjustments are made to the service to take account of individual needs on the basis of the Equality Act. This includes, for example, the provision of translation and interpretation services, large print, Braille and text talk as well as consideration of ‘Easy Read’ provision of decisions or documents.

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

- Enabling equality of opportunity to all customers to interact with the service area.
- Acting on behalf of customers to link up with different departments within CBH to remove any barriers to communication.
- We accept complaints through various methods of communication, such as telephone, online, and face to face visits.

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<sup>1</sup> The Equality Act’s ‘protected characteristics’ are 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.

<sup>2</sup> 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.

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

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+)                         | X               | Having a two-stage process streamlines the process, making it easier for our customers to understand.<br><br>Governance by code regulations that is nationally recognised as best practice.<br><br>Providing a robust service for our tenants, not only via investigation and communication of determinations, but also by showing learning and service improvement. |                 | None identified  |
|                                  | Younger people (17-25) and children (0-16) | X               | As above   |                 | None identified  |
| Disability                       | Physical                                   | X               | As above   |                 | None identified  |
|                                  | Sensory                                    | X               | As above   |                 | None identified  |
|                                  | Learning                                   | X               | As above   |                 | None identified  |
|                                  | Mental health issues                       | X               | As above   |                 | None identified  |
|                                  | Other – <i>specify</i>                     |                 |  |                 |  |
| Ethnicity <sup>4</sup>           | White                                      | X               | As above   |                 | None identified  |
|                                  | Black                                      | X               | As above   |                 | None identified  |
|                                  | Chinese                                    | X               | As above   |                 | None identified  |
|                                  | Mixed Ethnic Origin                        | X               | As above   |                 | None identified  |

<sup>4</sup> 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).

| 'Protected characteristic' group |   | Positive Impact | Explain how it could particularly benefit the group | Negative Impact | Explain how it could particularly disadvantage the group |
|----------------------------------|---|-----------------|---|-----------------|--|
|                                  | Gypsies/ Travellers   | X               | As above  |                 | None identified  |
| Language                         | English not first language                                  |                 |   | X               | The policy is in 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 <sup>5</sup> | Transgender/ Transsexual <sup>6</sup>                       |                 | None identified                                     |                 | None identified  |
| 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?

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<sup>5</sup> 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.

<sup>6</sup> 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.

*The policy is in English – Staff will actively assist customers to access appropriate translation and interpreting facilities.*

11. Could the policy discriminate<sup>7</sup> against any 'protected characteristic', either directly or indirectly<sup>8</sup>? **No**

### **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  | Sign off screening and finish.  |
| <b>Negative impacts have been identified but have been minimised or removed X</b> | <b>Sign off screening and finish.</b>                                 |
| 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:

- Ria Eustace, Claire James, Nikki Williams

14. Date of completion: July 2021

15. Date for update or review of this screening: July 2024, or as when significant changes are made to the Complaints Policy.

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<sup>7</sup> 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, sexual orientation, gender reassignment 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'.

<sup>8</sup> 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.