

# Appendix 1: Cumulative Equality Analysis 2014 - 2015

## 1.0 Summary

- 1.1 This report presents an overview of the collective set of equality analyses that were completed over the 2014 – 2015 financial year to calculate the cumulative equalities impact of all the proposals and highlight any significant or disproportionate impacts on any equality groups. It puts forward recommendations to ensure that Brent's equality analysis process is sufficiently rigorous to support the council to make decisions in a fair, transparent and accountable way that takes into account the diverse needs of all local communities.

## 2.0 Detail Background

- 2.1 Equality analysis is core to policy development and decision making at Brent. It is an essential tool to put Brent's values into practice, by helping officers and Members to give thoughtful consideration to how the council's work could affect people in different ways. Equality analysis involves assessing a policy, strategy, proposal, service or practice in detail to identify and mitigate against any potential for discrimination. When used properly, equality analysis helps to ensure that policies and practices are fair and that the council delivers the most effective and responsive services for local communities.
- 2.2 Equality analysis is also the best way for the council to demonstrate that it is paying due regard to the need to promote equality of opportunity, eliminate discrimination and foster good relations in the exercise of all its functions, as required under the Public Sector Equality Duty of the Equality Act 2010.

## 3.0 Completion rates

- 3.1 All proposed policies, strategies, projects and procurement exercises that were presented to the Cabinet for discussion and decision-making over the 2014 – 2015 financial year should have been subject to an equality analysis process. The Equality Team's records show that 32 equality analyses of such proposals were completed over this period as follows:
- 5 proposals from Adults Social Care
  - 2 proposals from Children and Young People
  - 6 proposals from Environment and Neighbourhood Services
  - 17 proposals from Regeneration and Growth
  - 2 proposals from the Corporate Centre.
- 3.3 In addition, all budget savings proposals were reviewed to assess their potential impact on equality for service users and staff. Following a screening process, it was identified that 46 proposals required a full equality analysis.
- 3.5 Equality analyses were also conducted on 15 HR policies during this period.

## Cumulative equalities impact

Characteristic	Positive impacts	Neutral or unknown impacts	Negative impacts
Age	34%	31%	35%
Disability	35%	33%	33%
Gender reassignment	11%	84%	5%
Marriage & civil partnership	0	100%	0
Pregnancy & maternity	20%	67%	13%
Race	21%	43%	36%
Religion or belief	10%	83%	8%
Sex	28%	54%	19%
Sexual orientation	15%	83%	3%

- 3.6 It is notable that there is a fairly even division between proposals with a positive, negative and neutral impact on age and disability. The majority of proposals with negative impacts on older people, younger people and disabled people related to budget savings proposals. In many cases, these budget savings proposals were rejected because of their harmful impact on these vulnerable groups of residents.
- 3.7 Race was the only equality characteristic for which proposals were found to have more negative than positive impacts. It should be noted that all of the negative impacts identified in relation to race were either mitigated or justified.
- 3.8 The majority of proposals were found to have a neutral or unknown impact on gender reassignment, pregnancy and maternity, religion or belief and sexual orientation. In many of these cases, it has not been possible to analyse the impact of proposals on these equality groups because of data gaps. Brent Multi Faith Forum has often raised lack of diversity monitoring in relation to religion or belief as an issue and stressed the importance of gathering this information in a borough like Brent where such a high proportion of service users (90 per cent) identify as having a religion or belief. Under the Equality Act 2010, Marriage and civil partnership is only a protected characteristic in relation to employment (and not service use) and so is rarely relevant to equality analyses that are focused on service users.

## Adults Social Care

Characteristic	Positive impacts	Neutral or unknown impacts	Negative impacts
Age	4	1	0
Disability	4	1	0
Gender reassignment	0	5	0
Marriage & civil partnership	0	5	0
Pregnancy & maternity	0	5	0
Race	2	2	1
Religion or belief	1	2	2
Sex	1	4	0
Sexual orientation	1	4	0

- 3.9 The majority of Adults Social Care proposals had a positive or neutral impact on equality. The negative impacts were minimal and related to a low take-up of particular services from some equality groups; these impacts were mitigated during equality analysis.

- 3.10 It is concerning that Adults Social Care rarely gathers or analyses information about gender reassignment and sexual orientation of service users. Research from across the UK shows that lesbian, gay, bisexual and transgender people have often experienced, or fear, discrimination because of their sexual orientation or gender identity and say this creates a barrier to receiving appropriate care and treatment. This data could help the council to evaluate whether social care services in Brent are inclusive of LGBT people.

### Children and Young People

Characteristic	Positive impacts	Neutral or unknown impacts	Negative impacts
Age	2	1	5
Disability	2	3	3
Gender reassignment	0	7	1
Marriage & civil partnership	0	8	0
Pregnancy & maternity	0	6	2
Race	2	0	6
Religion or belief	0	8	0
Sex	1	3	4
Sexual orientation	0	7	1

- 3.12 Excepting the budget savings proposals, equality analyses were only completed for two Children and Young People proposals before they were submitted to the Cabinet over the past financial year.
- 3.13 It is vital that all proposals from Children and Young People undergo a rigorous and timely equality analysis process to protect the council from any costly legal challenges. The Chair of the Children and Young People Departmental Equality Group and the Equality Team have discussed this and agreed a way forward to ensure that officers in the department carry out robust equality analyses in a more timely fashion.

### Environment and Neighbourhood Services

Characteristic	Positive impacts	Neutral or unknown impacts	Negative impacts
Age	4	5	15
Disability	3	7	14
Gender reassignment	2	21	1
Marriage & civil partnership	0	24	0
Pregnancy & maternity	2	16	6
Race	3	14	7
Religion or belief	2	20	2
Sex	4	17	3
Sexual orientation	2	20	2

- 3.14 Overall, the Environment and Neighbourhood Services budget savings proposals were found to have a cumulative negative impact on elderly, disabled and frail residents and on children and young people. Most of the negative impacts were minimal and were either mitigated against or justified in the context of the requirement to achieve significant savings. The negative impacts identified for all other proposals were mitigated effectively.

## Regeneration and Growth

Characteristic	Positive impacts	Neutral or unknown impacts	Negative impacts
Age	9	5	9
Disability	9	8	6
Gender reassignment	4	19	0
Marriage & civil partnership	0	23	0
Pregnancy & maternity	10	11	2
Race	6	9	8
Religion or belief	3	19	1
Sex	9	8	6
Sexual orientation	4	19	0

3.15 Regeneration and Growth completed more equality analyses throughout the year than any other department and have robust systems in place to ensure that equality analyses are produced and scrutinised in a timely fashion. Most of these equality analyses related to housing, employment and developments. All the negative impacts identified during routine equality analyses were mitigated against or justified.

## Corporate Centre

Characteristic	Positive impacts	Neutral or unknown impacts	Negative impacts
Age	6	11	0
Disability	7	7	3
Gender reassignment	2	13	2
Marriage & civil partnership	0	17	0
Pregnancy & maternity	4	13	0
Race	2	14	1
Religion or belief	3	14	0
Sex	5	10	2
Sexual orientation	4	13	0

3.16 The majority of Corporate Centre proposals were equality analyses of HR policies. Both the wording and the implementation of the HR policies were assessed to understand the effect of employment policies on equalities. Some amendments were made to the HR policies as a result of this exercise.

3.17 HR also supports departments to carry out equality analyses of restructuring exercises to ensure that all decisions and criteria are fair, transparent and non-discriminatory.

## Refresh of approach to equality analysis

3.18 In January 2015, the following changes were introduced to make the equality analysis process more robust and user-friendly:

- the old paper form was replaced by an online system with more straightforward questions and step-by-step guidance for users
- a screening stage was introduced into the process to ensure that the level of analysis is proportionate to the relevance to equality
- officers are now required to complete an e-learning module about equality analysis before being given access to the online system

- diversity profiles for the borough, wards and services are being developed and published on the online system to inform analysis
- a separate new form was developed to assess the equalities impact of restructuring exercises.

3.19 In addition, equality analyses are now audited by Departmental Equality Groups with support from the Equality Team. This approach aims to encourage departments to take greater ownership over the process and to share learning from equality analyses. To ensure that equality analyses are carried out in a timely manner, Departmental Equality Groups have reviewed their area's business plans to identify and assign the equality analyses that will be required over the current financial year.

3.20 The Diversity Reference Group is monitoring the effectiveness of this new approach. So far, feedback on the online system and new content of the form has largely been positive. Officers have commented that the questions are far clearer than the old paper form, the system is easy to use and that it is helpful to have more immediate access to equalities data and resources. In the early stages of the system, some officers have experienced technical difficulties, all of which have been resolved promptly by the system provider once reported.

3.21 All staff who are direct reports to Heads of Service and above have been asked to complete the e-learning module. In total, almost 200 officers from all areas and levels of the council have completed the module so far. CMT receives regular reports on equality analysis training take-up.

## **Next steps**

3.22 Getting equality analysis right will be vital for Brent to negotiate the challenges facing the local authority in the years ahead successfully. The Diversity Reference Group will continue to monitor the effectiveness of Brent's approach to equality analysis. CMT will continue to ensure that managers in their areas understand the importance of completing the e-learning module and carrying out high-quality equality analyses in a timely manner.

## **4.0 Financial Implications**

4.1 There are no financial implications.

## **5.0 Legal Implications**

5.1 Effective equality analysis supports the council to demonstrate compliance with the Public Sector Equality Duty and withstand legal challenges to decisions.

## **6.0 Diversity Implications**

6.1 Effective equality analysis supports the council to understand how its activities and decisions could impact on local communities and to identify and mitigate against any potential for discrimination.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

7.1 There are no staffing/accommodation implications.