

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Rechargeable Repairs Policy
DEPARTMENT:	Housing
TEAM:	Property Services service
LEAD OFFICER:	Valesca Wilton-Smith
DATE:	22 March 2021

NB: Please ensure you have read the accompanying EA guidance and instructions in full.

SECTION A – INITIAL SCREENING

1. Please provide a description of the policy, proposal, change or initiative, and a summary of its objectives and the intended results.

The purpose of the Rechargeable Repairs Policy is to be able to recharge former and current tenants and leaseholders of Brent Council for responsive repairs, service charge and void works as well as the financial recovery of garage repairs, household clearance, vehicle removal and garden maintenance, which result directly from their action(s) or negligence.

Having this policy in place will contribute to the effective maintenance of Brent Council's housing stock as well as related spend as rechargeable repairs do have a significant impact on expenditure.

The ability to recharge residents who are negligent or cause intentional damage will also assist in changing behaviours, as residents will be held to account for their actions.

We acknowledge that some people are currently struggling financially and now may not seem the best time to introduce a policy such as this. However, majority of people do look after their homes and not only do we want to encourage them to keep doing so, we do not believe it is right that they pay for those who do not.

In addition, a number of residents also suffer from diagnosed and undiagnosed mental health issues. Safeguarding policy will be followed in these instances.

Therefore, the primary objective of the policy is to discourage wilful neglect and/or abuse, rather than being punitive.

2. Who may be affected by this policy or proposal?

- All Brent residents who live in social housing
- Leaseholders

3. Is there relevance to equality and the council's public sector equality duty? Please explain why. If your answer is no, you must still provide an explanation.

Yes, specifically:

Equality of opportunity is expanded by placing a duty on the council to have due regard to the need to remove or minimize disadvantages connected to a characteristic of a protected group; take steps to meet the needs of protected groups; and to encourage participation of protected groups in public life where participation is proportionately low.

In relation to fostering good relations, there is a duty to have due regard to the need to tackle prejudice and promote understanding.

4. Please indicate with an "X" the potential impact of the policy or proposal on groups with each protected characteristic. Carefully consider if the proposal will impact on people in different ways as a result of their characteristics.

Characteristic	IMPACT		
	Positive	Neutral/None	Negative
Age			X
Sex		X	
Race			X
Disability			X
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage		X	

5. Please complete **each row** of the checklist with an "X".

SCREENING CHECKLIST

	YES	NO
Have you established that the policy or proposal <i>is</i> relevant to the council's public sector equality duty?	X	
Does the policy or proposal relate to an area with known inequalities?	X	
Would the policy or proposal change or remove services used by vulnerable groups of people?	X	
Has the potential for negative or positive equality impacts been identified with this policy or proposal?	X	
If you have answered YES to ANY of the above, then proceed to section B. If you have answered NO to ALL of the above, then proceed straight to section D.		

SECTION B – IMPACTS ANALYSIS

1. Outline what information and evidence have you gathered and considered for this analysis. If there is little, then explain your judgements in detail and your plans to validate them with evidence. If you have monitoring information available, include it here.

There is little evidence that can be considered for this analysis. The intention of this policy is only to discourage wilful neglect and/or abuse and we take due care in ensuring residents understand the Council's expectations about the condition of the property and their responsibilities when they move in to the property, therefore our judgment is that recharges will necessarily not impact any particular demographic group. We expect that, in line with the policy, recharges are proportionate to the repair works required and will not have an outsized financial impact on residents.

In order to ensure our judgment of the impact is correct, going forward we will monitor:

- Number of recharges and the demographics of the recipients
- Financial impact on recipients

2. For each "protected characteristic" provide details of all the potential or known impacts identified, both positive and negative, and explain how you have reached these conclusions based on the information and evidence listed above. Where appropriate state "not applicable".

AGE	
Details of impacts identified	<p>There may be a negative impact on "young" tenants – who might be more reckless, more prone to damage council property in anger or have friends who cause damage from wild parties, they generally have less money than other tenants or leaseholders - but this could potentially be mitigated, by early engagements with problematic tenants who are known to police, entering into ABCs, injunctions etc.</p> <p>There may be a potential negative impact on "elderly" tenants – who might cause damage as a result of falls in the home, installing unauthorised adaptations in the home as a consequence of old age, mobility and other aids, damage caused by aggression associated with dementia and alzheimer's or an inability to care for themselves, causing deterioration in the property beyond wear and tear. The mitigations can be the same as for disability individuals.</p>
DISABILITY	
Details of impacts identified	<p>There is potential for a negative impact amongst disabled residents, as they are more likely to cause internal damage to their properties due to the use of mobility and other aids. To mitigate this impact, in line with the Rechargeable Repairs Policy, we will take the decision not to recharge repairs that arise as a result of these circumstances. Disabled residents may also have accessibility barriers to understanding the policy, therefore all communications to residents will be made available in a variety of formats to suit particular needs.</p>

RACE	
Details of impacts identified	There is a potential for negative impact amongst residents where certain groups of residents may face language barriers. To mitigate this impact, all communications to residents will be made available in other languages as needed to ensure accessibility.
SEX	
Details of impacts identified	
SEXUAL ORIENTATION	
Details of impacts identified	N/A
PREGANCY AND MATERNITY	
Details of impacts identified	N/A
RELIGION OR BELIEF	
Details of impacts identified	N/A
GENDER REASSIGNMENT	
Details of impacts identified	N/A
MARRIAGE & CIVIL PARTNERSHIP	

Details of impacts identified	N/A
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3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

No

4. Were the participants in any engagement initiatives representative of the people who will be affected by your proposal and is further engagement required?

Two consultations took place. The first was via online surveys. Little interest was shown by residents regarding participation. This was despite several attempts at promoting the engagement opportunity over several forums. 7 residents participated in the survey.

The residents were all in the 40 to 70 age group; and comprised 6 tenants and 1 leaseholder. The demographics were:

- 3 ladies
- 4 men

The results of the survey were inconclusive. Therefore a further on-line consultation took place with open questions. This provided a better understanding of residents' perspective.

The key feedback was:

1. Residents agreed that the policy was fair but had to be correctly administered.
2. Residents did not want to subsidise costs arising from other tenants who did not look after their homes.
3. Residents had some concern about the policy being utilised where the Council was not delivering the required level of service.

The only comment about inequality was that the policy may have a greater impact on poorer residents. However, it was pointed out to the group that officers had discretion in these situations.

Unfortunately, there was no great interest in residents participating in the consultation. This is not unusual as higher interests are usually seen when residents perceive that a policy is punitive and/or will have an adverse effect on them.

As such, we don't believe further consultation will add any value.

4. Please detail any areas identified as requiring further data or detailed analysis.

None

5. If, following your action plan, negative impacts will or may remain, please explain how these can be justified?

N/A

6. Outline how you will monitor the actual, ongoing impact of the policy or proposal?

- Monitor number of recharges and the demographics of the recipients
- Monitor the financial impact on recipients
- Following the six-monthly review, the EIA will be updated with additional data and conclusions

SECTION C - CONCLUSIONS

Based on the analysis above, please detail your overall conclusions. State if any mitigating actions are required to alleviate negative impacts, what these are and what the desired outcomes will be. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why.

Based on the level of resident participation, it is unfortunate that a robust equalities analysis has not been possible. Having said that, the feedback received has informed some amendments to the original draft policy.

While there is potential for negative impact on disabled residents, there is already mitigation within the policy as we will take the decision not to recharge the resident where damage has occurred due to the use of mobility aids/etc.

There is also the potential for negative impact on younger and older residents. There is mitigation within the policy to support both age groups, and especially the elderly. The younger age group will benefit from early intervention, the older age group will benefit from a more considerate approach.

In addition, officers will ensure that the application of the policy is clearly communicated to residents who do not have English as a first language. Officers will be empowered to use their discretion where there is evidence that the resident does not clearly understand the policy and its implications. As these are tenants and leaseholders of the Council, officers are already in regular communication with them and are aware of the appropriate channels and language to use when doing so.

The intention of this policy is to discourage wilful neglect and/or abuse and we take due care in ensuring residents understand the Council's expectations about the condition of the property and their responsibilities when they move in to the property, therefore our judgment is that recharges will necessarily not impact any particular demographic group.

We will also ensure that the Safeguarding policy is followed in terms of dealing with vulnerable residents and those who have diagnosed or suspected mental health issues.

SECTION D – RESULT

<i>Please select one of the following options. Mark with an "X".</i>		
A	CONTINUE WITH THE POLICY/PROPOSAL UNCHANGED	X
B	JUSTIFY AND CONTINUE THE POLICY/PROPOSAL	
C	CHANGE / ADJUST THE POLICY/PROPOSAL	
D	STOP OR ABANDON THE POLICY/PROPOSAL	

SECTION E - ACTION PLAN

This will help you monitor the steps you have identified to reduce the negative impacts (or increase the positive); monitor actual or ongoing impacts; plan reviews and any further engagement or analysis required.

Action	Expected outcome	Officer	Completion Date
Monitor number of recharges and the demographics of the recipients	Policy demonstrates fairness amongst all demographics.	Valesca Wilton-Smith	6 monthly
Monitor the financial impact on recipients	Recharges in line with the policy are proportionate to the specific recharge.	Valesca Wilton-Smith	6 monthly
EIA will be updated after reviews to reconsider the implications in light of the new data		Valesca Wilton-Smith	6 monthly

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Valesca Wilton-Smith
REVIEWING OFFICER:	Bryony Gibbs
HEAD OF SERVICE:	Giuseppe Coia 17 April 2021