



Equalities Committee

11 January 2016

Report from the Director, Performance, Policy and Partnerships

Wards affected: ALL

Report on equality and diversity related complaints received by Brent Council (April – September 2015)

1.0 Summary

- 1.1 The Equalities Committee requested a report on equality and diversity related complaints at their meeting in July 2015. This report provides an overview of the diversity profile of people who have made complaints to the council (complainants) and any associated equalities issues. The report covers both corporate and statutory social care complaints during the first half of the year (April 2015 to September 2015) where this information has been declared or provided.

2.0 Recommendations

- 2.1 The Equalities Committee are asked to:
- note the findings of this report
 - note that based on the findings there is no evidence of discriminatory practices or trends.

3.0 Detail

- 3.1 In the first six months of the year 2015/16, the council received a total of **984** first stage complaints, comprising 921 Corporate Complaints and 63 Statutory Complaints.

Diversity Profile of Complainants

- 3.2 Although the online complaints system allows complainants to provide information about themselves based on equalities protected characteristics, not all complainants choose to do so. Some complainants provide partial information, for example about their age or gender, but do not complete the other sections about themselves. Other complainants do not provide any information or select the 'prefer not to say' box.

3.3 With some of the protected characteristics there was such a low disclosure rate that it was not possible to identify trends or provide a realistic comparison.

3.4 Table 1 below shows the diversity data provided for the **984** complaints received during the first half of 2015/16:

Table 1 – Diversity Profile of Complainants (April – September 2015)

Equality Characteristic	No of people who disclosed profile	Breakdown	Number	Profile %
Gender	477	Female	252	53%
		Male	212	44%
		Preferred not to say	13	3%
Disability	33	Physical Impairment	<10	21%
		Mental Health	<10	21%
		Learning Difficulties	<10	18%
		Mobility Issues	<10	18%
		Visual Impairment	<10	10%
		Hearing Impairment	<10	6%
		Long standing illness	<10	6%
Age	359	Prefer not to say	25	7%
		65+	57	16%
		55-64	41	11%
		45-54	84	23%
		35-44	65	18%
		25-34	67	19%
		16-24	20	6%
Faith	281	Christian	103	37%
		Prefer not to say	64	23%
		Muslim	31	11%
		Hindu	30	11%
		No religious belief	30	11%
		Other religion	<10	2%
		Agnostic	<10	1%
		Jewish	<10	1%
		Buddhist	<10	1%
		Humanist	<10	1%
		Greek Orthodox	<10	1%
Race (Ethnicity)	283	White British	82	29%
		Prefer not to say	46	16%
		White Other	32	11%
		Indian	25	9%
		Caribbean	18	6%
		Black/Black British Other	14	5%
		African	14	5%

Equality Characteristic	No of people who disclosed profile	Breakdown	Number	Profile %
		White Irish	13	5%
		Asian/Asian British Other	12	4%
		Somali	<10	2%
		Pakistani	<10	2%
		Other	<10	2%
		Mixed other	<10	2%
		Mixed White & Black Caribbean	<10	1%
		Mixed White & Asian	<10	0.5%
		Vietnamese	<10	0.5%

3.5 Table 1 above shows the diversity data we received in five of the protected characteristics. As stated above, the information provided against the remaining characteristics was either nil or negligible.

3.6 Table 2 below compares the diversity profile of complainants with the diversity profile for Brent. The declared profile of complainants broadly compares with the Borough profile. However, the declaration of disability on the complaints database is significantly lower than the borough profile, but the reason for this is unknown.

Table 2 – Diversity Profile of Complainants compared to Brent Profile

Equality Characteristic	Complainants Profile (Apr-15 – Sep-15)	Brent Profile	Commentary
Gender	<ul style="list-style-type: none"> 53% Female 44% Male 3% Preferred not to say 	<ul style="list-style-type: none"> 50% Female 50% Male <p><i>Source: GLA short term population projections 2014 rnd (Aged 16+)</i></p>	Broadly comparable to the borough profile
Disability	<ul style="list-style-type: none"> 33 out of 984 (3.4%) complainants declared a disability 	<ul style="list-style-type: none"> 14.4% of residents have a disability that limits their day to day activities <p><i>Source: 2011 Census Aged 15+</i></p>	Significantly lower declaration of disability by complainants compared to the borough profile
Age	<ul style="list-style-type: none"> 16-24 - 6% 25-34 -19% 35-55 -18% 45-54 -23% 55-64 -11% 65+ -16% 	<ul style="list-style-type: none"> 16-24 - 14% 25-34 - 26% 35-44 - 19% 45-54 - 16% 55-64 - 12% 65+ - 14% <p><i>Source: GLA short term population projections 2014 rnd (Aged 16+)</i></p>	Broadly comparable to the borough profile, although the proportion of complainants aged 16 – 24 is significantly lower than the borough profile

Equality Characteristic	Complainants Profile (Apr-15 – Sep-15)	Brent Profile	Commentary
Faith	<ul style="list-style-type: none"> • Christian – 37% • Hindu – 11% • Muslim – 11% • Other – 7% • No rel' belief – 11% • Prefer not to say – 23% 	<ul style="list-style-type: none"> • Christian - 43% • Hindu - 19% • Muslim - 16% • Other - 3% religion <ul style="list-style-type: none"> • No rel' belief - 12% • Prefer not to say – 11% <i>Source: 2011 Census Aged 16+</i>	Broadly comparable to the borough profile, although the percentage of those who prefer not to disclose their data is much higher
Race	<ul style="list-style-type: none"> • White British - 29% • White Other – 11% • White Irish – 5% • Caribbean – 6% • Black or Black British Other – 5% • African – 5% • Indian – 9% • Prefer not to say – 16% 	<ul style="list-style-type: none"> • 38% white • 19% black • 36% Asian • 7% other <i>Source: GLA short term ethnic population projections 2014 rnd (Aged 16+)</i> <i>Please note that the White category in the GLA projections combines White British and White Other</i>	Broadly comparable to the borough profile – please note that the GLA Brent profile data is based on projections and therefore does not report on 'prefer not to say category)

Equalities Related Reasons for Complaints

3.7 The Complaints database was interrogated in order to identify whether the root cause of complaints were discriminatory or if there were any unfair practices on the grounds of equalities. We searched against the 9 protected characteristics and associated key words as described below:

- Gender – gender, transgender
- Disability
- Age
- Faith - religion
- Race – racism, ethnicity
- Gender reassignment
- Marriage and Civil partnership
- Pregnancy and maternity - maternity
- Sexual orientation – homosexual, bisexual, LGBT

3.8 Table 3 below shows a summary of the records identified using these equalities criteria (search of the 984 complaints cases received during April 2015 – September 2015).

Table 3 – Complaints Identified by equalities characteristics

Equalities Characteristics	No. of records found	Commentary
Gender	0	<ul style="list-style-type: none"> No records found
Disability	11	<ul style="list-style-type: none"> Eleven cases in which disability was mentioned in the complaint details, but only four where disability was a reason for the complaint (see paragraph 3.9 below)
Age	383	<ul style="list-style-type: none"> We received a high number of hits when searching on age. Reviewing a sample of these hits highlighted that the search was picking those cases where the 'age field' had been completed. Age was not a factor in the nature of the complaint.
Faith	<10	<ul style="list-style-type: none"> Insufficient records found
Race	283	<ul style="list-style-type: none"> The random dip samples conducted because of high number of hits. In random sample, this was picked up because of the 'ethnicity' field in the online form. This was not a factor in the nature of the complaint. There were 4 cases where race was a reason for the complaint see paragraph 3.10
Gender reassignment	<10	<ul style="list-style-type: none"> Insufficient records found
Marriage & Civil Partnership	<10	<ul style="list-style-type: none"> Insufficient records found
Pregnancy and maternity	<10	<ul style="list-style-type: none"> There was one case where the complainant felt vulnerable as a result of their pregnancy
Sexual orientation	<10	<ul style="list-style-type: none"> Insufficient records found

Disability Related Complaints

3.9 Six cases were found on the database regarding disability related complaints. Only one out of these six cases was upheld as shown below:

Complaint	Outcome
Customer Service – disabled customer interviewed and complained that there had been discrimination on grounds of disability.	<ul style="list-style-type: none"> • The complaint has been Upheld and remedied. • The complaint was not escalated to the Final Complaint stage.
Audit and Investigation – complainant made a claim of harassment because the council didn't believe there was a disabled child living in the household.	<ul style="list-style-type: none"> • This complaint was Not Upheld and has not been escalated to the Final Complaint stage next stage.
Housing Needs – the complainant who is blind, attended a viewing and stated that the viewing officer had not been made aware of their disability and that the council's records had not been updated with his latest information.	<ul style="list-style-type: none"> • The complaint was Not Upheld and did not escalate to the Final Complaint stage.
Housing Needs – complainant stated emergency accommodation was not suitable for their disabled child.	<ul style="list-style-type: none"> • The complaint was Not Upheld and did not escalate to the Final Complaint stage. • The council had already identified the problem and were in the process of identifying suitable accommodation for the family
Children & Young People – this complaint concerned a family made homeless and in need of accommodation being referred to the Midlands due to the benefit cap.	<ul style="list-style-type: none"> • The complaint was Not Upheld and did not escalate to the Final Complaint stage
Children & Young People – the complainant was unhappy with the council's refusal to provide a Disabled Facilities Grant for ground floor toilet / washing facilities.	<ul style="list-style-type: none"> • Complaint was Not Upheld and did not escalate to the Final Complaint Stage. The Occupational Therapist felt that a stairlift should be provided so that family have safe access level access shower on the first floor.

Race Related Complaints

3.10 Four cases were found on the database regarding race related complaints. None of these cases were upheld as shown below:

Complaint	Outcome
BHP Operations – the complainant had been included on the BHP staff at risk register.	<ul style="list-style-type: none">• The complaint was Not Upheld at stage. The complaint was escalated to the Final Complaint stage but was resolved when the service user were withdrawn from the list.
Public Realm – the complaint concerned abusive and racist behaviour to a resident.	<ul style="list-style-type: none">• The complaint was resolved at point of contact.
Customer Service – the complainant stated that an officer had told them that they had been racist.	<ul style="list-style-type: none">• The complaint was Not Upheld and did not escalate to the next stage. Letter sent to complainant warning of their future behaviour.
C&YP – the complaint concerned attitudes of social workers.	<ul style="list-style-type: none">• Complaint was Not Upheld and did not escalate to the Final Complaint Stage.

Maternity Related Complaint

3.11 One case was found on the database regarding a maternity related complaint and this was not upheld:

Complaint	Outcome
The complaint concerned access to property, difficulty climbing stairs whilst pregnant.	<ul style="list-style-type: none">• Complaint was Not Upheld and did not escalate to the Final Complaint Stage.

3.12 Having reviewed the complaints highlighted in paragraphs 3.7 – 3.11 there are no significant trends highlighted of discriminatory practice on the grounds of equalities. Out of 984 corporate and statutory cases in the first half of 2015/16 only one case was Upheld on the basis of disability and action was taken to remedy this.

4.0 Financial Implications

4.1 None.

5.0 Legal Implications

5.1 None.

6.0 Diversity Implications

6.1 None.

7.0 Staffing/Accommodation Implications (if appropriate)

7.1 None.

Background Papers

None.

Contact Officer

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