

EQUALITY ANALYSIS (EA)

POLICY/PROPOSAL:	Authority to Procure the next phase (post-October 2020) of the bulk energy (electricity and gas) supply contracts for Corporate, Street lights, Housing and Schools
DEPARTMENT:	Finance
TEAM:	Energy
LEAD OFFICER:	Neil Luscombe
DATE:	16.04.20

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 its objectives and the intended results.

The council currently buys its gas and electricity through the LASER framework, established by Kent County Council. The current contracts commenced on 1st October 2016, and expire on 30th September 2020.

The Report seeks approval for the invitation of tenders or expressions of interest for gas and electricity supply under two new LASER Framework Agreements let by Kent County Council in 2018, namely LASER Framework [Ref: Y81002] for gas supply and LASER Framework [Ref: Y81002] electricity supply.

The cost of these contracts will be funded from the relevant department's budgets.

The key objectives for the energy re-procurement project are to:

- achieve an optimal overall price for the required energy usage and associated services (made up of commodity costs, non-commodity costs, and supplier fees)
- to maximise the beneficial associated services included in the price that enable good practice energy management i.e. to achieve further energy and financial savings, and
- to achieve the Councils environmental objectives, including consideration of how to move towards procuring zero carbon energy (to meet Brent's 2030 Climate Emergency zero carbon pledge)

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

The proposal covers energy supply to the following areas:

- Corporate
- Street lights
- Housing
- Schools

Residents would not be affected in terms of energy supply, as it is guaranteed regardless.

Residents would only be affected in terms of pricing if they are Right to Buy tenants, as only these are recharged for the communal energy use, which is affected by this proposal.

Energy procurement could potentially have an equalities impact on Housing if council leaseholders are recharged the cost and the Council doesn't go for the cheapest option. This would only apply to Right to Buy tenants who own their properties, as only these are recharged for the communal energy use. These groups may constitute people who are more likely on lower incomes, e.g. BAME, women, disabled people.

However justification is provided in the report and this Equality Analysis as to the procurement process, which through the LASER framework includes a measure of quality as well as cost. The procurement process of the LASER framework also ensures that a discount is obtained through buying energy in bulk through a third party organisation.

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.

Energy procurement is a public function, and therefore due regard to the Public Sector Equality Duty must be ensured at the time when the proposal is being decided upon.

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	
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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.

Energy procurement could potentially have an equalities impact on Housing if council leaseholders are recharged the cost and the Council doesn't go for the cheapest option. This would only apply to Right to Buy tenants who own their properties, as only these are recharged for the communal energy use. These groups may constitute people who are more likely on lower incomes, e.g. BAME, women, disabled people.

This risk is mitigated because LASER is the best price option as far as we can ascertain. Right to Buy Leaseholders with protected characteristics will not be charged more than those without the same characteristics will have to pay, for gas and electricity supply to communal areas, as part of their service charge.

It could impact on these Right to Buy tenants if they were overcharged due to billing errors. This will be mitigated by the employment from a new Housing Energy Officer, who with support of the Energy Manager, will closely monitor energy bills to ensure no billing errors or over payments.

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>It is not anticipated that the proposal would have a disproportionate impact on older residents.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
DISABILITY	
Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact on residents with a disability.</p> <p>People with disabilities are more likely to be on lower incomes, less likely to be in employment or online, and more likely to have higher outgoings due to the cost of having a disability.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
RACE	

Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact on residents from Black, Asian and Minority Ethnic backgrounds.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
SEX	
Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact on women.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
SEXUAL ORIENTATION	
Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact on Lesbian, Gay or Bisexual people.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
PREGANCY AND MATERNITY	
Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact people with the protected characteristic of pregnancy or maternity.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
RELIGION OR BELIEF	
Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact people with the protected characteristic of religion or belief.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
GENDER REASSIGNMENT	
Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact people with the protected characteristic of gender reassignment.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
MARRIAGE & CIVIL PARTNERSHIP	

Details of impacts identified	<p>It is not anticipated that the proposal would have a disproportionate impact people with the protected characteristic of marriage or civil partnership.</p> <p>The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments.</p>
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3. Could any of the impacts you have identified be unlawful under the Equality Act 2010?

It is not believed that there could be any impacts from this proposal that could be unlawful under the Equality Act 2010.

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

The proposal largely does not impact on residents.

It is believed that residents would only be affected in terms of pricing if they are Right to Buy tenants, as only these are recharged for the communal energy use, which is affected by this proposal. However, this risk is mitigated because LASER is the best price option as far as we can ascertain as assessed in the options price comparison. Right to Buy Leaseholders with protected characteristics will not be charged more than those without the same characteristics will have to pay, for gas and electricity supply to communal areas, as part of their service charge.

The Housing Energy Officer will also closely monitor energy bills to ensure no billing errors or over payments amongst Right to Buy leaseholders and tenants.

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

The equalities information for Right to Buy tenants will be examined, where possible, by working with the Home Ownership Manager in Housing.

The Housing Energy Officer will closely monitor energy bills to ensure no billing errors or over payments amongst Right to Buy leaseholders and tenants.

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

It is not anticipated that any negative impacts will remain on protected groups as a result of this proposal.

This is because:

- i) LASER is the best price option as far as we can ascertain as assessed in the options price comparison.
- ii) the employment from a new Housing Energy Officer, who with support of the Energy Manager, will closely monitor energy bills to ensure no billing errors or over payments.

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

The Energy Manager will manage the new scheme and prices will be monitored as part of this.

The new Housing Energy Officer, who with support of the Energy Manager, will closely monitor energy bills to ensure no billing errors or over payments.

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.

LASER is the best price option as far as we can ascertain.

Right to Buy Leaseholders with protected characteristics are not any less favourably treated than Right to Buy Leaseholders who do not have such characteristics.

They will not be charged more than those without the same characteristics will have to pay for gas and electricity supply to communal areas as part of their service charge.

The Council charges both groups of Right to Buy Leaseholders the same levels of service charge, regardless. Their service charges, which take into account the cost of lighting and heating communal areas, is calculated in the same way and they are charged the same amounts.

The impact of any higher gas and electricity payments doesn't fall discriminatorily, on those Right to Buy Leaseholders with "protected characteristics" in breach of the Equalities Act 2010.

Furthermore, the employment from a new Housing Energy Officer, who with support of the Energy Manager, will closely monitor energy bills to ensure no billing errors or over payments.

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
The employment from a new Housing Energy Officer, who with support of the Energy Manager, will closely monitor energy bills to ensure no billing errors or over payments.	Reduction in billing errors or overpayments amongst Right to Buy leaseholders.	Housing Energy Officer, who with support of the Energy Manager, Neil Luscombe	December 2020
Work with Home Ownership Manager to review the equality information for Right to Buy leaseholders	Understand the equality information for Right to Buy leaseholders.	Equality Officer	June 2020

SECTION F – SIGN OFF

Please ensure this section is signed and dated.

OFFICER:	Neil Luscombe <i>NLuscombe</i>
REVIEWING OFFICER:	Natalie Gordon, Equality Officer
HEAD OF SERVICE:	