

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 25 JANUARY 2006

RACE RELATIONS (AMENDMENT) ACT 2000

Report by Executive Director of Neighbourhood Services

1 PURPOSE OF REPORT

- 1.1 To report action taken and progress made in implementing the Council's Race Equality Scheme (Year 3) within the Housing Service.

2 BACKGROUND

- 2.1 The Race Relations (Amendment) Act 2000 provides that all local authorities have a statutory "general duty" to work to eliminate unlawful racial discrimination, and to promote equal opportunities and good race relations. The duty is not optional and local authorities have to meet it even if the ethnic minority populations in their areas are small.
- 2.2 The Council, at its meeting of 24 October 2002, approved the adoption of a Race Equality Scheme for East Ayrshire in line with the Race Relations (Amendment) Act 2000. It was also agreed that each department would prepare and submit a report outlining the impact of the Act upon their particular service areas by undertaking an initial assessment of functions and policies for the purposes of developing and implementing a departmental action plan.
- 2.3 The Housing Committee, at its meeting of 26 March 2003, approved the department's action plan to conduct an initial assessment of each of its functions and policy areas, using the Race Equality Scheme's guidance and the methodology endorsed by the Commission for Racial Equality (i.e. functions and policies were to be classified into **High, Medium or Low Relevance** with regard to their impact on race equality and reviewed on a three year cycle).
- 2.4 Having completed a review of the High and Medium Relevance areas within the service (reported to Committee on 28 January 2004 and 26 January 2005 respectively), a review of Low Relevance areas was carried out in accordance with the Race Equality Scheme in relation to:
- **Improvement Programmes**
 - **Tenant Participation**

3. REVIEW OF SERVICE AREAS

3.1 The Service has conducted reviews, based on the criteria established by the Commission for Racial Equality, of the service areas referred to in paragraph 2.4 above.

3.2 The criteria for these reviews took the form of:

- (a) Did the functions/policies have any relevance to race equality as defined by the “general duty” of eliminating discrimination, promoting equal opportunities or promoting good race relations?
- (b) Is there any evidence to believe that some racial groups could be affected differently? And if so which racial groups?
- (c) The amount of evidence, if any, to support answers to question (b).
- (d) Is there any public concern that the policy or service was being carried out in a discriminatory way?

3.3 The reviews of the service areas, which included an examination of long standing ‘customs and practices’, management decisions and written policies have established that all the associated policies and functions have been and are applied to all sections of the community in a fair and equal manner. No evidence came to light to indicate that any policy or function has had any adverse implications or effects on any service user from the ethnic minority groups.

3.4 Monitoring arrangements for improvement programmes and tenant participation are in place to identify if there is any evidence to indicate that some racial groups could be affected differently by the policies and functions of these service areas. The Improvement Programme is based on the attributes of the property. Apart from historical records, information on attributes has been gathered by way of an on-site survey compiled by an independent contractor. This, in turn, has been audit checked by the contractor and a further verification check has recently been carried out by Housing staff. At the point of delivery, a Clerk of Works is allocated to ensure that the contractor carries out the work in a fair and impartial manner. All complaints are formally recorded in the Respond software system. There have been no complaints of a racially sensitive nature.

3.5 Tenant participation in East Ayrshire has been developed in accordance with the Council’s Tenant Participation Strategy which, in turn, complies with the requirements of Communities Scotland’s regulatory framework. Two of the key objectives of the Strategy are:

- to encourage tenant involvement throughout East Ayrshire responding to the different geographical and cultural needs of tenants throughout East Ayrshire and

- to ensure equality of access through the promotion of Equal opportunities requirements in the implementation of tenant participation processes.
- 3.6** It is a requirement that membership of an association and participation in its activities must be open to all eligible tenants. Moreover, in order to ensure as wide a representation as possible other residents are encouraged to become active in their communities through Tenants and Residents Associations which are also entitled to become Registered Tenant Organisations (RTOs). In the development of tenant participation in East Ayrshire, the Council has engaged the services of TIS (Tenants Information Service) which has a proven track record in this field of work and the promotion of Equal Opportunities at all levels across communities.

4. COMMUNICATION DIFFICULTIES

- 4.1** The department has no evidence from the ethnic minority groups in East Ayrshire that members of staff are unwilling to try and understand and communicate where a language barrier exists. However, there is a recognition that communication difficulties, due to the inability of a person to speak, read, or understand English can present difficulties, which could result in members of ethnic minorities having less access to the department's services than other customers in the general population.
- 4.2** In an effort to remove this form of racial inequality the department has prepared a number of basic information leaflets in the three main ethnic minority languages of East Ayrshire, namely Cantonese, Punjabi and Urdu. The leaflets provide a brief description of the department's services and how they may be accessed. In addition, the leaflets explain that the department will provide the services of an interpreter via a telephone link at its customer contact points to assist with their enquiries.
- 4.3** The department has in place a contract with a Translation Service who will provide various means of access to interpreters across a wide range of foreign languages. 'Language Point Cards', are prominently displayed in Area and Local Council Offices. The cards enable non-English speaking customers to point to their language in order that staff can make telephone contact with an interpreter in order to establish the customer's needs and access to the appropriate service.

5. PROMOTING RACE EQUALITY

- 5.1** The department is committed to the aim of the "general duty" and will continue to make race equality central to the way it delivers its services. In order to achieve this, arrangements are in place to:
- assess the impact of our existing and new policies and functions to ensure we continue to promote race equality

- consult with people who are likely to be affected by our services and their implications for promoting race equality
- review and revise our policies and functions, if assessment and consultation reveals that they have had or may have an adverse impact on some racial groups within the community

6. FINANCIAL IMPLICATIONS

- 6.1** The management of Race Equalities Scheme is met from within existing budgets.

7. LEGAL/POLICY IMPLICATIONS

- 7.1** The introduction and publication of the Council's Race Equality Scheme for East Ayrshire ensures that the Council complies with the requirements in this respect as laid down by the Race Relations (Amendment) Act 2000 and by the Scottish Parliament.

- 7.2** The activities laid out in this report comply fully with the Council's Race Equality Scheme and with the legal implications as laid out in the Act. They also support the objectives of the Council's Equality Opportunities Policy and those for improving opportunities within the Council's Community Plan.

8. RECOMMENDATIONS

- 8.1** The Committee is asked to:
- note the departmental actions detailed within this report as described in paragraphs 3 - 5 above;
 - otherwise note the contents of this report.

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Executive Director of Neighbourhood Services

CMCA/GD/LA

5 January 2006

LIST OF BACKGROUND PAPERS

1. Report by Depute Chief Executive/Director of Corporate Resources to the Council on 24 October 2002.

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