

EAST AYRSHIRE COUNCIL

HOUSING COMMITTEE – 28 JANUARY 2004

RACE RELATIONS (AMENDMENT) ACT 2000

Report by Director of Homes and Technical Services

1 PURPOSE OF REPORT

- 1.1 To report action taken and progress made in implementing the Council's Race Equality Scheme within the Department of Homes and Technical Services.

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, beginning in year one with those of **High Relevance**).
- 2.4 The Committee also authorised the department to conduct, by 30 November 2003, a review in accordance with the Race Equality Scheme of its service areas in relation to:
- **Allocations**
 - **Complaints**
 - **Homelessness**
 - **Information and Advice**
 - **Neighbour Disputes**

On the grounds that these services were considered as having a **high relevance** to race equality, due to their possible impact on all three parts of the "general duty" under the Act.

3 REVIEW OF SERVICE AREAS

- 3.1** Since March 2003 the department 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 has 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 affects on any service user from the ethnic minority groups. However, the department must continue to regard these service areas as being relevant under the Act as they could at any time have implications in relation to the “general duty”.
- 3.4** Monitoring arrangements for Allocations, Complaints, Homelessness and Neighbour Disputes 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. Monitoring has established that the ethnic minority groups in East Ayrshire have made limited use of the Allocations and Homelessness services and no use whatsoever of the Complaints and Neighbour Disputes services.
- 3.5** Given the wide range of means of being able to access information and Advice from the department it is not viable to create accurate arrangements to measure the level of uptake by ethnic minority groups.
- 3.6** The limited data available from the Allocations and Homelessness monitoring arrangements there is no direct evidence to indicate that any racial group is being affected differently when they access these services.
- 3.7** The department has not received any expressions of public concern, from any source including meetings of the Council’s Ethnic Minority Forum and the Council’s Ethnic Communities Awareness Day on 25 March 2003, indicating that its policies and services were being carried out in a discriminatory way.

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 is currently in the process of finalising a contract with a Translation Service company who will provide various means of access to interpreters across a wide range of foreign languages. The Translation Service will provide 'Language Point Cards', which will be available at all customer contact points. The cards will 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 them to the appropriate service.
- 4.4** The employment of a Translation Service will enable the department to introduce monitoring arrangements in respect of the Information and Advice provided to our non-English speaking customers, remove racial inequality created through language barriers and encourage ethnic minority groups to make better use of service provision.
- 4.5** The department intends to have the mechanisms to overcome any communication difficulties in place by the end of February 2004.

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 being made to:
- assess the impact of our existing and future policies and functions to ensure we continuing 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 polices 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. The proposals within the plan further organise existing commitments and responsibilities.

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

The Committee is asked to:

- i. approve the departmental actions detailed within this report and described in paragraphs 3 - 5 above;
- ii. note that the Director of Neighbourhood Services will provide a report on the department's second year progress after 30 November 2004; and
- iii otherwise note the contents of this report.

James Lavery
Director of Homes and Technical Services

8 January 2004

LIST OF BACKGROUND PAPERS

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

For further information, please contact Joseph Cassidy, Policy Manager, on 01563 576617.

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