

Diversity impact assessment

Guidance on carrying out a diversity impact assessment

A diversity impact assessment (DIA) (sometimes referred to as an equality impact assessment - EIA) is a process that helps you demonstrate that you have complied with the Council's statutory obligation to put fairness and equality at the centre of any change to service provision, policy or strategy and taken into account the impact on individuals.

The DIA process helps you to assess the likely impact any such change may have on all sections of the community and/or council staff, including people with protected characteristics as defined in the Equality Act 2010 ("the Act").

By considering the likely impact **before any decisions** are made that will result in a change to service, this process helps you to find ways that can prevent, or at the very least, reduce any potential adverse impact. You cannot fulfil your duty by justifying a decision **after** it has been taken.

Protected characteristics (Equality Act 2010)

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Why carry out a DIA?

Carrying out DIAs, and making sure decision makers take into account the findings of DIAs, is one way that the Council can demonstrate compliance with its public sector equality duty under the Act. Section 149 of the Act states that public authorities must, in the exercise of their functions, have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

Service improvement

DIAs are an effective tool to drive forward improvements to services which benefit our communities.

Medway's approach

In 2013, Medway reinforced its support to continue using DIAs as an effective way to demonstrate our focus on customers and citizens.

One of the two values of Medway Council is:

"Putting our customers at the centre of everything we do".

Carrying out DIAs is a vital tool for managers to ensure that they incorporate this value in the way they deliver services.

What if we don't carry out a DIA?

Done badly or not at all, it carries significant risks in terms of compliance with legal requirements and Council policy. There is no legal requirement to carry out a DIA, but without one, it's hard to show that the Council has fulfilled its legal duties to have due regard to the matters in the Act. This could result in Council decisions being challenged in the courts, in delays, legal costs and damage to the Council's reputation.

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Failure to carry out a DIA would also be a lost opportunity to improve the quality and accessibility of services for our residents.

What support is available to help me carry out an assessment?

Contact your Performance & Intelligence hub if you require any help carrying out the DIA.

Stage 1: Getting started – Identify what you are assessing?

Why are you carrying out a DIA? Be clear about what it is you are trying to assess. Are you trying to assess the impact of a proposed new service, project, strategy or policy - or the impact of a proposed change to an existing one of the above?

When is a DIA required?

You must assess the impact on protected characteristic groups (or any other disadvantaged groups) **before any decisions** are made in relation to any of the above.

You can only assess the likely impact of any proposed change if you have sufficient evidence on which to base your judgment.

Stage 2: Gathering evidence

What evidence do I gather?

All relevant evidence which will support your judgment about the likely impact (whether this is a negative or positive impact) on the protected characteristic groups.

Keep it in proportion

The amount of evidence collected should be proportionate to the scale and impact of the issue being assessed.

You need evidence to help you answer the following questions:

Can you quantify the current service?

- Actual number of service users
- Profile of service users (age/ethnicity/disability etc)
- Potential number of service users (enclosed Medway community profile information may be useful)
- Customer satisfaction results

- Budget information
- Performance information
- Benchmarking information

Can you quantify the scale of any problem which this proposed change is attempting to resolve?

- Number of incidents
- Number of complaints
- Previous DIAs addressing this

Can you quantify what changes are being proposed?

- What new/different services will look like compared to the current service

Can you quantify who will be impacted by the change?

- Numbers of staff
- Numbers of existing customers
- Numbers of potential customers
- Contractors/other groups/all of Medway community
- What protected characteristics do any of the above have

Who have you consulted to identify what the impact on the above groups will be, or what solutions could mitigate any adverse impact?

- Existing service users and/or their families/carers
- Staff/legal dept
- Other stakeholders
- Other organisations
- Service user, or performance information
- Staff forums

Where **evidence is missing**, and where appropriate, you should consider obtaining new evidence. This can be included in your Action Plan.

Again, remember any additional work to obtain new evidence must be proportionate to the subject under assessment.

Stage 3: Assessing the impact

How do I use the information gathered?

You must make an assessment regarding the likely impact that the proposed change will have on the protected characteristic groups.

You will need to identify if the impact is positive, negative, or a mix of both.

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'Positive impact' could include how the change may advance equality and/or foster good relations between people who share a protected characteristic.

You will need to identify how significant the impact is in terms of its nature and the number of people likely to be affected.

No adverse impact

There is likely to be no adverse impact on any of the protected characteristic groups. What happens next?

Complete the DIA and include evidence to show why you judge that there will be no adverse impact. This information will be vital should the DIA be challenged at a future date.

No further work is required on the DIA unless there is a significant change in the future which requires a new assessment.

Adverse impact

There is likely to be an adverse impact on one or more protected characteristic groups. What happens next?

You need to identify how you can avoid any adverse impact or at least mitigate the adverse impact.

You must set out in the Action Plan what mitigating measures you intend to put in place.

What if there are no options which will mitigate adverse impacts?

If you can't mitigate the adverse impact, it is important that you state that this is the case, and why, as it will act as an important early warning to managers and councillors.

What if I don't know what the impact will be?

If you don't know, you must demonstrate how you plan to get evidence of the likely impact. Include this in your Action Plan.

What should Action Plans contain?

The Action Plan is an important part of the DIA. It should include actions showing how you intend to:

- Mitigate adverse impacts

- Obtain new evidence to enable an informed judgment on the likely impact to be made

All actions should be Specific, Measurable, Achievable, Realistic and Time bound (SMART).

Stage 4: Recommendation

Based on the evidence available, the lead officer may include a recommendation for decision makers to consider.

If there is insufficient evidence to make a recommendation, say so. You may be able to make a recommendation once further evidence is obtained.

Stage 5: Authorisation

The completed DIA must be signed by your Assistant Director as confirmation that:

- The evidence included is satisfactory
- The action plan to mitigate adverse impacts and/or obtain new evidence is satisfactory
- Relevant service managers are aware of the content of the DIA
- The recommendation is satisfactory

What next?

All reports being submitted to Cabinet regarding a proposed change to a service, strategy etc must include a copy of the relevant DIA. Cabinet has to have due regard to equality matters when making decisions. It cannot do so if it does not have the relevant information in the report when it makes its decision.

All DIAs are published on the Council's internet site (including those which do not go to Cabinet). Email a copy of your completed DIA to the [Corporate Performance & Intelligence hub](#) where arrangements are made to publish on the internet.

Stage 6: Monitoring the Action Plan

The Action Plan should be incorporated into your existing service plan so that it can be monitored as part of your existing service plan monitoring process.

Medway community profile information

The 2011 Census provides a wide range of equality data relating to the communities in Medway. The following is a summary of this information which you may find useful as part of your evidence gathering.

If you require more detailed information relating to Medway communities, this can be found in Medway's annual equality report: *Delivering fair and responsive services*.

Age

- Medway's population at the 2011 census was 263,925.
- Broken down by age group, 24.5% (64,724) are aged 0-18, 61.5% (162,196) are 19-65 and 14% (37,005) are over 65.
- The last ten years has seen an increase in the number and proportion of the 65+ category and a decrease in the number of children (0-18) in Medway.
- Although there has been a decline in the 0 to 18 age group, the proportion of the population at this age remains higher than Kent, the South East and England & Wales.
- The decrease in the population of young people is likely to be reflective of a decline in births from 1997 onwards, although it should be noted that births have started to increase again from 2007.

Gender

- As recorded in the 2011 Census, the population in Medway is almost evenly split along gender lines with 49.6% male and 50.4% female.
- Since 2001 there has been a higher increase in the male population (+6.5%) compared to the female population (+5.1%).

Disability

- The majority of Medway's population, 82%, is in good or very good health, with the proportion of the population not in good health increasing slightly since 2001.
- 16.4% (43,354) of the population state that their day-to-day activities are limited. This is a lower proportion than the average cross England and Wales (17.9%) but higher than across the South East (15.7%).
- In addition, 24,289 households (24.9%) report having at least one person in the household with a long-term health problem or disability.
- There are 25,033 (9.5%) residents in Medway who provide some degree of unpaid care.

Race

- The white population is the most prominent ethnicity in Medway accounting for 89.6% (236,579) of the total population.
- This has decreased from 94.6% in 2001.
- White British is the largest individual ethnic group reporting at 85.5% of the population.
- The Black and Minority Ethnic group stands at 10.4% of the population, which is higher than Kent (6.3%) and the South East (9.4%) but lower than across England and Wales (14.1%). This has increased significantly from 5.4% in 2001.
- Residents who stated they were Black African saw the greatest proportional increase in population up from only 0.3% in 2001 to 1.8% in 2011.
- Medway's Profile: White (89.6%), Asian (5.2%), Black (2.5%), Mixed (2%), Other (0.7%)

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Religion or belief

- The most prominent religious group in Medway is Christian accounting for 57.8% (152,637) but this showed a large decrease from 2001 (72%) and is lower than Kent (62.5%), the South East (59.8%) and England and Wales (59.3%).
- This is followed by No Religion (29.9%) and Religion Not Stated (6.8%).
- Those who stated their religion as Muslim increased at a faster rate than Sikh since 2001 and now represents the fourth largest religious group in Medway.
- Proportionally, Medway has a significantly higher percentage of residents stating their religion as Muslim than Kent, but is significantly smaller - less than half - the proportion of England & Wales.
- Religion & belief: Medway Profile (2011): Christian 57.8%, No Religion 29.9%, Religion Not Stated (6.8%), Muslim (2%), Sikh (1.5%), Hindu (1%), Other Religion (0.5%), Buddhist (0.4%) Jewish (0.1%)

Gender reassignment

- There are no accurate local estimates of the transsexual population.
- There have been two studies in the Netherlands and Scotland, which have suggested that between 1 in 11,500 and 1 in 12,500 people are transsexual. (Trans: A Practical Guide, Department for Health, October 2008).
- In the UK there have been 3,863 applications dealt with by the Gender Recognition Panel between 2004/05 and 2012/13.

Marriage and civil partnership

- Of the population aged 16 or over, 46.1% (97,095) were married in 2011.
- This represented a 6.1% decrease in the marriage rate since 2001.
- The proportion of the population aged 16 or over who are single and have never married has increased by just over 17,200 or up by 5.8 percentage points.
- This will in part reflect Medway's younger age profile, and the national trend of declining numbers of marriages.
- The 2011 census also collected data on civil partnerships for the first time.
- There are just over 350 residents in Medway in a civil partnership; the low numbers reflect its relatively new legal status.

Pregnancy and maternity

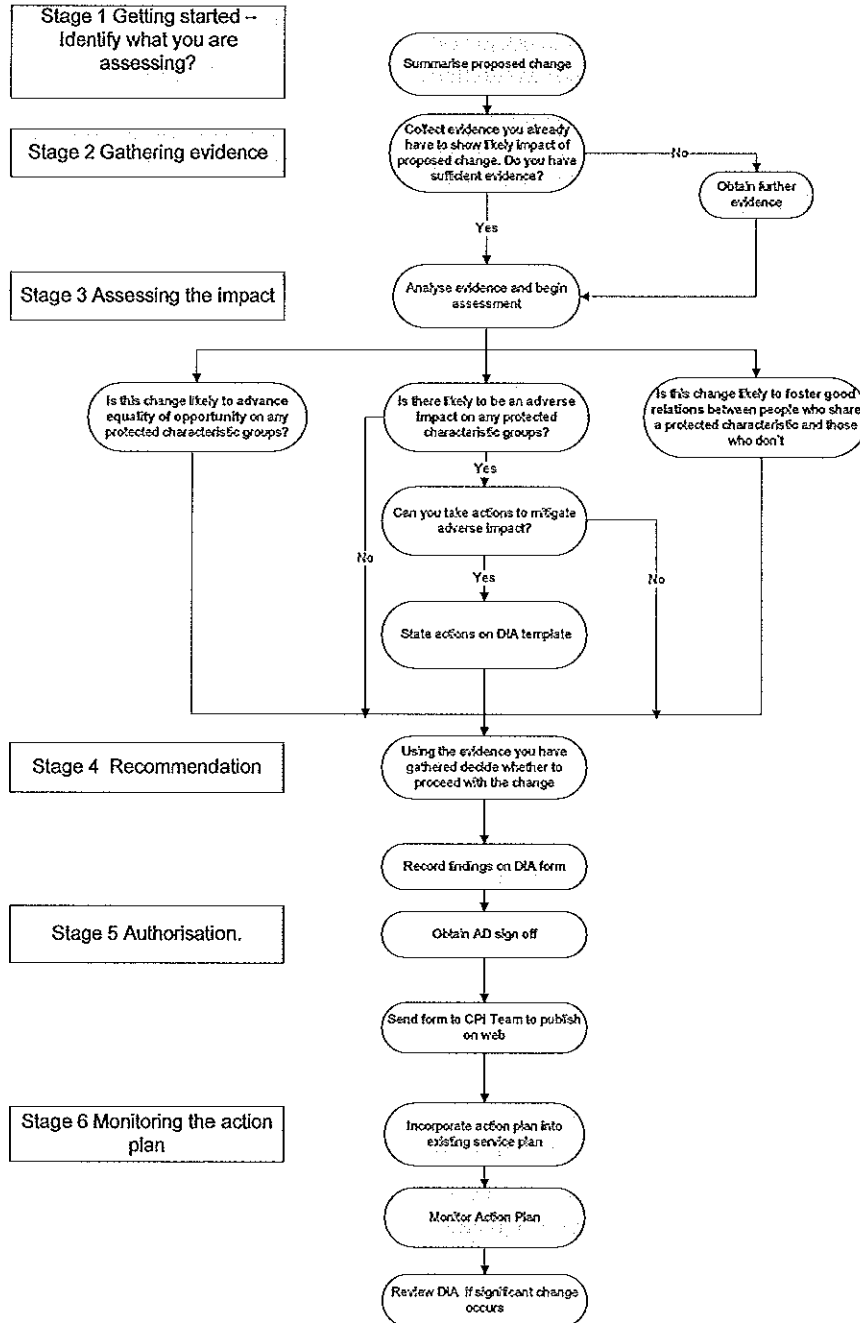
- In 2011 there were 4,714 conceptions within Medway; a rate of 86.3 conceptions per 1,000 women aged 15 to 44, higher than the Kent, South East and England and Wales rates.
- The rate of under 18 conceptions, 38.8 conceptions per 1,000 women aged 15 to 17 in 2011 was higher than Kent, the South East and England and Wales.

Sexual orientation

- Whilst there is no specific data available with regard to sexual orientation, research suggests that the lesbian, gay and bisexual (LGB) population account for between 5 and 7% of the population. (DTI, Final Regulatory Impact Assessment: Civil Partnership, 2004)
- Using these figures and the Medway mid-2012 population estimate, the Medway LGB population (18+) is likely to be between 10,300 and 14,500 people.
- In Medway the Census 2011 indicated that there were 1,589 people or 0.8% of the population living in a civil partnership or are a same sex couple cohabiting.
- This is broadly comparable with national trends.

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DIVERSITY IMPACT ASSESSMENT FLOWCHART



Diversity impact assessment

TITLE

Name/description of the issue being assessed

Asset Management Strategy

DATE

Date the DIA is completed

LEAD OFFICER

Name of person responsible for carrying out the DIA.

Michael Bull

1 Summary description of the proposed change

- *What is the change to policy/service/new project that is being proposed?*
- *How does it compare with the current situation?*

A review and update of the Housing Revenue Account (HRA) Asset Management Strategy is made annually to inform the strategic medium and long term approach to the Council's housing assets.

The Asset management strategy for 2015/16 is due for review and implementation by 31 March 2020, This DIA will consider the potential impacts the 2015/16 will have on equality and diversity.

The purpose of the proposed Asset Management Strategy 2015/16 can be summarised as follows:

- To ensure that it's the Housing Revenue Account (HRA) property portfolio is managed in a cohesive manner that maintains homes to a high standard for our customers.
- To meet all statutory and recognized good practice targets.
- To target resources where they will be most effective.

The planned overall priorities of the Asset Management Strategy 2015/16 for Medway are:

1. To maintain well designed repair and maintenance systems in order to keep the stock in a good state of repair
2. To maintain a well designed database about Medway's assets and invest in the necessary IT systems and processes to be able to use the data efficiently and effectively.
3. To increase the ratio of spending on planned rolling programmes rather than reactive spending to ensure that the housing stock and its environs are maintained and improved so as to provide quality accommodation for existing and future residents.
4. To increase the amount of environmental and cyclical maintenance to ensure that the housing stock and its environs are maintained and improved so as to provide a quality environment for existing and future residents

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5. To deliver the best value from our assets by replacing obsolete or uneconomic assets with new or improved assets
6. To regenerate and build new Council housing to meet housing need.
7. To develop a long term strategy to improve the thermal efficiency of the HRA stock in order to reduce fuel poverty

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Medway is now in a position to maintain its stock at a higher level than the Decent Homes standard and Medway Council's maintenance work will now include the external environment as well. To this end the Council has developed a Medway Standard for Accommodation, on which future investment programmes will be based. This sets life cycles for key components such as windows, kitchens and bathrooms. However, it goes beyond this to look at standards for energy efficiency, improvements to communal areas and how any investment programme can improve neighbourhood facilities and the local environment.

The Medway Standard for Accommodation will meet all current statutory, regulatory and health and safety requirements for the maintenance of the decent homes standard across the stock as well as additional criteria that Medway Council has set..

The standard will be implemented through rolling programmes commencing in 2016/17. In order to support the planning and delivery of this programme a three-year budget for capital, cyclical and planned maintenance works will be set.

The main elements of the Medway Standard for Accommodation are as follows:

- Decent Homes– To maintain the Decent Homes standard across the stock including the programmed renewal of kitchens and bathrooms.
- Health and Safety – To prioritise the maintenance of health and safety standards including the completion of a major programme of fire safety improvements over the first 3 years of the strategy.
- Programmed Renewals – To replace all key building elements including roofs and doors at the end of their economic life.
- Energy Efficiency – To undertake targeted energy efficiency works, with the support of additional external funding, to reduce fuel poverty
- Mechanical and electrical – Timely renewal of communal and dwelling heating systems and a five year cycle of electrical testing and rewiring works across the stock

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Currently all of council properties, excluding those with a signed waiver meet the Decent Homes Standard.

2 Summary of evidence used to support this assessment

- Eg: Feedback from consultation, performance information, service user records etc.
- Eg: Comparison of service user profile with Medway Community Profile

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The following was considered when deciding the main elements that would form the Medway Standard for Accommodation.

In 2013 the Council undertook a bi-annual postal survey of our tenants and leaseholders. In total 989 (863 general needs, 126 homes for independent living) surveys were returned, giving a response rate of 33%. The overall quality of tenant's homes (55%) and the neighbourhood as a place to live (36%) were in the top three priorities for tenants.

Planned maintenance allows Medway Council to make replacements to assets before they fail the decent home standard. This is a more efficient exercise as it saves money that would need to be spent on future routine repairs. It is also more beneficial to our residents as it ensures good living standards are maintained.

As of 08/05/14 25% of our tenants stated that they had some form of disability. Considering this, one of the intentions with the 2015/16 strategy is to put more emphasis into improving the environment in order to improve the health and well-being of our residents. In 2015 we will be embarking on a new approach based on looking holistically at our estates.

The strategy will include a long-term approach to improving the thermal efficiency of the HRA stock in order to reduce fuel poverty. As of 24/06/14 71% of our tenants were on full or partial Housing benefit. This means that for our Council tenants fuel poverty (where households spend more than 10% of their income on heating their home to an adequate temperature) is a key issue especially in a time of rising utility bills. A key factor when deciding on whether to proceed with sustainability improvements will be the cost of usage to residents.

In a study by Age UK in 2012 it was reported that 24,000 people died from cold related illnesses such as hypothermia and strokes in 2011. The vast majority of these deaths were among older people, with 21,700 in the over 65-age group.

As of 08/05/14 34.4% of our tenants are aged 65+ but all household types can be affected by cold related illnesses. In order to reduce cold related illnesses a minimum Energy Performance Certificate (EPC) rating will also be set for the Council's stock. An EPC gives a property an energy efficiency rating from A (most efficient) to G (least efficient) and is valid for 10 years. From 2018 new regulations will mean that the Council will not be able to re-let properties that are below EPC level E. It is proposed that by 2018 the Council aims to achieve an average of level C.

The average expenditure per unit equates to £33,160 per unit over a 30-year

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period (excluding disabled adaptation, fees and inflation), which put the investment requirement very much within expected benchmarks for the type of stock within Medway. The implementation of the Asset management strategy 2015/16 will incur no additional costs for HRA residents apart from their standard rent charge. This means that there will be no monetary barrier for residents requiring improvement.

The draft Asset Management Strategy was consulted on at quarterly Asset Management Group meeting on the 28th January. The meeting is chaired by the Portfolio holder for Housing and Community Services and includes a representative of councilors, tenants and officers. The strategy was approved at the meeting and it was decided that the strategy would not adversely impact any particular protected characteristic group.

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The Council will start to develop the approach of focusing on improving the environment by consulting with residents on a rolling programme of works with a view of piloting the approach on one estate during 2015. This DIA will be reviewed in light of this consultation

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3 What is the likely impact of the proposed change?

Is it likely to:

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups	Adverse impact	Advance equality	Foster good relations
Age		✓	
Disability		✓	
Gender reassignment			
Marriage/civil partnership			
Pregnancy/maternity			
Race			
Religion/belief			
Sex			
Sexual orientation			

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Low income groups ✓

4 Summary of the likely impacts

- *Who will be affected?*
- *How will they be affected?*

It is proposed that the Asset Management Strategy will only serve to advance equality, by improving the living conditions of residents whose properties and estates are due for improvement.

The programme will be based on the Properties assets and not the characteristics of the household receiving the work. Decision on units and stock is solely based on their lifecycle, performance and our obligations that are set by Government.

The benefit of our continued approach is that it is proactive as it anticipates failure rather than responding to a failing unit thus fostering good relations. In addition it allows the Council to be clearer to residents about when they can expect certain elements to be renewed. The focus on fuel poverty and improvements to estates will also serve to foster good relations and advance equality for low-income households.

No adverse impacts have currently been identified through internal and external consultation. Any adverse impacts identified through future consultation on the rolling programme of works will trigger a review of this DIA and where appropriate mitigating actions will be built into the strategy.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- *Are there alternative providers?*
- *What alternative ways can the Council provide the service?*
- *Can demand for services be managed differently?*

Currently N/A

6 Action plan

- *Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence*

Action	Lead	Deadline or review date
Identify the types of properties that are performing less in terms of fuel efficiency and analyse whether there is any correlation with a specific customer profile. Prioritise accordingly.	Strategic Asset Manager	March 2016

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Consider 'estate profiles' when planning environmental improvement works to ensure benefits across all customer groups.	Strategic Asset Manager	July 2015	Formatted
The draft Asset Management Strategy consulted on at the quarterly Asset Management Group meeting	Strategic Asset Manager	January 2015	
<u>Consulting with residents on the rolling programme of works</u>	<u>Strategic Asset Manager</u>	<u>January 2015</u>	
<u>Pilot the approach on one estate</u>	<u>Strategic Asset Manager</u>	<u>January 2016</u>	

7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- *to proceed with the change implementing action plan if appropriate*
- *consider alternatives*
- *gather further evidence*

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

- Proceed with the strategy.
- Review the DIA in light of further consultation

8 Authorisation

The authorising officer is consenting that:

- *the recommendation can be implemented*
- *sufficient evidence has been obtained and appropriate mitigation is planned*
- *the Action Plan will be incorporated into service plan and monitored*

Assistant Director

Stephen Gaimster

Date

24 Feb. 2015

Contact your Performance and Intelligence hub for advice on completing this assessment

RCC: phone 2443 email: annamarie.lawrence@medway.gov.uk

C&A: (Children's Social Care) contact your normal P&I contact

C&A (all other areas): phone 1481 email: paddy.cahill@medway.gov.uk

BSD: phone 2472/1490 email: corppi@medway.gov.uk

PH: phone 2636 email: david.whiting@medway.gov.uk

Send completed assessment to the Corporate Performance & Intelligence Hub (CPI) for web publication (corppi@medway.gov.uk)