



Agenda Item No

DALE & VALLEY HOMES BOARD OF MANAGEMENT

27 JANUARY 2009

Report of the Access and Customer Care Manager
CODE OF PRACTICE ON RACIAL EQUALITY IN HOUSING

purpose

To provide information to the Board in respect of Dale & Valley Homes achieving compliance with the statutory Code of Practice on Racial Equality in Housing. This replaces the statutory codes of practice in rented and non-rented housing, issued by the Commission for Racial Equality (CRE) in 1991 and 1992, respectively. It covers all areas of housing in England.

background

1. The Race Relations (Amendment) Act 2000 came into force on 2 April 2002. The new Act amends the Race Relations Act 1976 and strengthens its application to public authorities in several important ways.
 - It broadens the definition of “public authority” to include any organisation which provides a service that is “of a public nature”
 - It extends the scope of the 1976 Act to cover areas that were previously excluded (e.g. Environmental Health, Licensing, investigation of benefit fraud etc) and makes it unlawful for public authorities to discriminate on racial grounds when carrying out any of their functions. It places a general statutory duty on a wide range of public authorities to promote racial equality and prevent racial discrimination
 - It provides for the Home Secretary to impose specific enforceable duties for public authorities to promote race equality
 - It gives the Equality and Human Rights Commission powers of enforcement and authority to issue statutory codes of practice, providing practical guidance to public authorities on how to fulfil their general and specific duties to promote race equality.

2. The Act places a mandatory requirement on public authorities, including housing authorities, to introduce policies and procedures that:
 - eliminates unlawful racial discrimination;
 - promotes equality of opportunity; and
 - promotes good relations between people of different racial groups.

3. This means we have a duty to “mainstream” the elimination of discrimination and to promote equality of opportunity and good race relations, by making these an integral part of the way we work. The aims of the Code are to:
 - set standards for achieving racial equality;
 - provide practical guidance and best practice; and
 - identify legislative requirements for service users and providers.

enforcement by the equality and human rights commission and the courts

4. An individual or an organisation, including the Equality and Human Rights Commission, can apply to the High Courts for a judicial review of a public authority’s alleged failure to comply with its general duty. The Commission has powers of enforcement to take legal action against a public authority for not fulfilling its specific and positive race equality duties.

work required to satisfy the code of practice on racial equality in housing

5. The legal requirements of the code are divided into nine themes. In November 2008 a gap analysis was completed on our performance in relationship to these themes. This gap analysis is at Annex 1. The gap analysis details the Background & Legal Requirements; Key Outcomes; Dale & Valley Homes Work to Date and Compliance with the Code. Following the Gap Analysis, and mock inspection findings, we have continued reporting on:
 - BME customer satisfaction with services by diversity (reported to the Board in Dec 08) and 6-monthly thereafter
 - Housing applicants and lettings by ethnic origin (see sections 6-9) of this report.

dale & valley homes applicants by ethnic group

6. The number of housing applicants between July – December 2008 has been calculated and split into applicants by ethnic origin. These results are shown in the table below:

Ethnicity	Number of D&VHs applicants	Percentage of D&VHs applicants
Black Minority Ethnic (BME)	7	1.15%
White British	521	85.55%
Refused / Missing	81	13.30%
TOTAL	609	100%

7. The percentage of BME Dale & Valley Homes Applicants over this 6 month period was 1.15% which is 0.35% higher than the total BME population in Wear Valley which is at 0.8% (Census 2001).
8. This data shows us that our practices for publicising and marketing our housing application processes are not discriminating against our BME population in Wear Valley.

dale & valley homes applicants re-housed by ethnic group

Ethnicity	Number of Applicants	Number of Applicants Re-housed	Percentage of Applicants Re-housed
Black Minority Ethnic	7	1	14.29%
White British	521	70	13.44%
TOTAL	528	71	13.45%

9. From the total number of applicants between July – Dec 2008 who stated their ethnicity on the application form (528), 13.45% were re-housed. The breakdown between White British and BME applicants shows that in percentage terms the greater percentage of re-housing for this period has been in relation to BME applicants.

customer profile findings

10. Our customer profile is 77% complete and the most up to date figures in respect of ethnicity of customers' shows that 99.6% are of a White British background. This is slightly higher than 99.2% across the District as a whole. This equates to approximately 13 tenants who class themselves as BME. This low number has no bearing on the statutory duties of the Code.

benchmarking with 3* ALMO's

11. In view of the relatively low number of customers from BME background, we have considered best practice from other ALMO's operating in localities with a very small proportion of households of ethnic minority origin. Carrick Housing in Cornwall has less than 1.5% of BME customers against a district average of 1.3%. Carrick Housing is at Local Government Equality Standard Level 3. The performance measures they have established are very similar to work that Dale & Valley Homes are currently carrying out.
- The proportion of employees who declare themselves from BME is requested annually.
 - Carrick Housing is continuing to develop its computerised database of its tenants, now some 77% complete.
 - Carrick Housing uses the 3 year Status Survey Indicators to assess the satisfaction of its tenants from BME households against the overall tenant profile with the target aim of ensuring there is no evidence of a lower rate of satisfaction within any racial group.
 - All documents are available on request for translation when asked. The target here is 100%.
 - Assessment of the number of cases of racial harassment per quarter, with a breakdown of ethnic origin of the victims, the victims' assessment of their satisfaction with the way that the matter was handled and the outcome.
 - Carrick has a 3 yearly target to hold discussions with tenants from BME backgrounds.
 - The ALMO now has an Equalities and Opportunities Sub Committee.

results from gap analysis

12. As can be seen from the table at Annex 1, a great deal of work has been carried out to achieve the requirements of the Code. Coupled with the practices and performance measures that have been benchmarked in Para's 6-11, as a company, we can confidently say that we adhere to the Code of Practice on Racial Equality in Housing.
13. There are just a few areas where further work may be required. They are detailed below and built into existing Directorate plans.
 - Further interrogation of services delivered under SLA with WVDC to determine their adherence to the Code
 - Further interrogation of number of customers involved from a BME background

monitoring and review

14. Reviewing the code of practice on racial equality in housing will be carried out 6-monthly. The next report to the Board will be in July 2009.

business plan

15. This report is linked directly to the Business Plan 08-13 in relation to the strategic objective of running the business well.

value for money/financial implications

16. Ensuring we are compliant with the Code of Practice on Racial Equality in Housing adds value to the services we deliver to both existing and potential customers. There are no additional financial implications to the Company in relation to the delivery of this report.

equality and diversity implications

17. The equality and diversity implications of this report are implicit and include in the gap analysis at Annex 1.

consultation



18. Consultation on compliance with the Code of Practice on Racial Equality in Housing has been carried out with:
 - Access & Customer Care Working Group on 19 November 2008
 - Customer Panel on 2 December 2008
 - Executive Management Team on 2 December 2008

RECOMMENDED

1. Dale & Valley Homes Board notes the report on the Code of Practice on Racial Equality in Housing and Gap Analysis.
2. Dale & Valley Homes Board approves a review of the Code of Practice on Racial Equality in Housing and ethnic monitoring reporting on a 6-monthly basis.

Officer responsible for the report
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CRE Code of Practice on Racial Equality in Housing Gap Analysis – November 2008


Background & Legal Requirements	Key Outcomes	Work to Date	Compliance with the Code
1. Governance & role of Governing Bodies			
<ul style="list-style-type: none"> • Strategic direction & leadership • Agreement of vision, direction & standards • Accountability for their acts or failures to act • Racial equality is corporate responsibility & should be a core value of the organisation 	<ul style="list-style-type: none"> • Effective & fair recruitment systems for appointing board members & other leaders • Board to reflect the different communities served, including news & emerging • Leaders are aware of their RRA requirements & staff are clear on the organisations views/objectives • Evidence of meeting the RRA requirements & of advancing the strategy • Progress reports give Board/leaders: <ul style="list-style-type: none"> - sufficient detail - enable effective monitoring - frequency of information - ability to set new directions 	<ul style="list-style-type: none"> • Corporate Equality Scheme • D&VH Business Plan requires reports on diversity of Board & authorises target setting & positive action to redress imbalances through recruitment/raising awareness. • Survey & monitoring of Board of Management for Equalities targets (July 07) • Board members invited to E&D training (Sept 07 * Nov 08) • 6 monthly ethnic monitoring records, Nov 04 to Jan 06 • 6 monthly diversity monitoring of VMS survey 07-08 • 6 monthly E&D Strategy updates to Board (06-08) • Positive Action used to recruit female Board Members • Equality and Diversity handbook for Board Members • Formal induction procedure for Board members • Board Decision Tracker in place 	
2. New & Improved Housing			
<ul style="list-style-type: none"> • Access to new or improved housing has to be equally available to all racial groups • Undertake Equality 	<ul style="list-style-type: none"> • E/A of all planning/ development proposals • Ensure good understanding of housing needs of all communities served • Evidence of good practice & willingness to share information 	<ul style="list-style-type: none"> • The Decent Homes programme 2008/09 will bring 1191 properties up to D&VHs Decent Homes Standard • Development Directorate will complete EIA's of all their policies by July 2009 	

<p>Impact Assessments (EIAs)</p>	<ul style="list-style-type: none"> • Equal satisfaction across all racial groups with housing services 	<ul style="list-style-type: none"> • D&VHs Resident Liaison Officers ensure that individual customer need is taken into account before, during and after Decent Homes work has been undertaken. This includes working in partnership with Social Services to ensure adaptations are programmed into the work • 100% stock condition survey • Visits to all residents associations were Decent Homes working is taking place • VMS Decent Homes survey rated by diversity of customers. Report to Board Nov 08 	
<p>3. Sales & Lettings</p>			
<ul style="list-style-type: none"> • Unlawful to discriminate directly on racial grounds including access to information • Unlawful to segregate by racial group in the way housing is provided, unless this results from individual household mobility over time 	<ul style="list-style-type: none"> • Lettings are offered in proportion to each racial group amongst applicants, considering preference & needs • Effective communication with all groups, with translation on request • Good links with local people from all racial groups, & used to improve services • Evidence that housing system works fairly & equitably for all racial groups • Staff trained in racial equality & specifically on RRA 1976 • Monitoring systems work well & provide reliable information on local housing needs, & how these are met • All people treated fairly, to high standard, at all stages of the housing & re-housing process • BME households are proportionately represented in line with census data etc. • Evidence to show from feedback of equal satisfaction regardless of racial group 	<ul style="list-style-type: none"> • 6 monthly ethnic monitoring reports based on: housing applicants and applicants re-housed; Monitoring stats shows that BME households are proportionately represented in line with Census data, and slightly higher than average no's apply to be housed by D&VH. • Staff training on E&D, Customer Care, EIA (Sept 07 & Nov 08) • VMS satisfaction surveys on new tenancies by diversity reported to Board Nov 08 • EIA of Housing Management policies & procedures on schedule for completion by July 09 • Choice Based Lettings to go live by July 2009 and a nomination agreement will be in place with RSL's in line with this • Equality and Diversity Handbook for Staff • New ICT Strategy being developed • Housing Needs survey in draft form • Choice Based Letting's Allocation Policy is due to be Impact Assessed as part of the County Wide 	<p>✓</p>

		<ul style="list-style-type: none"> scheme Monitoring systems and Benchmarking will be put in place once CBL's is implemented by July 2009 	
4. Homelessness & Housing Advice			
<ul style="list-style-type: none"> BME households are often 'over' represented as clients in homelessness services Promote good race relations & race equality in carrying out housing advice or homelessness functions 	<ul style="list-style-type: none"> Has established sound, well co-ordinated homelessness Strategy, developed in consultation, contains targets, and monitoring & review arrangements Awareness of & confidence in advice services across all racial groups Evidence of reducing year on year applications from racial groups that are over-represented as homeless or being threatened with homelessness 	<ul style="list-style-type: none"> Homelessness service is provided by Wear Valley District Council. 6 monthly monitoring statistics provided Willingness to translate information on request Individual & Housing Support Service ensures advice services are co-ordinated WVDC Homelessness services have appropriate strategies in place for advice & communication Partnership working with Co. Durham Gypsy and Traveller Working Group Individual and Housing Support Team – Vulnerable Adult Policy and diversity database 	✓
5. Neighbourhood Regeneration & Integration			
<ul style="list-style-type: none"> Based on ensuring: <ul style="list-style-type: none"> - equality- equal access to jobs & services - participation- engagement & influence to shape policies & services - interaction- positive contact, bridge building across communities to achieve understanding Integration within 	<ul style="list-style-type: none"> The needs of all racial groups are considered from the earliest stages of developing new or housing renewal programmes Racial groups are consulted & encouraged to get involved in renewal & regeneration initiatives Staff are trained on racial equality & understand their responsibilities under RRA Integration & cohesion are essential aspects & projects are monitored & evaluated by racial groups Satisfaction surveys & feedback show consistent levels of satisfaction amongst all racial groups Effective monitoring & evaluation systems are in place 	<ul style="list-style-type: none"> Practical support for and encouragement of T&RA activity Training available for T&RA's on Equality & Diversity issues. Information provided to guide and support T&RA engagement with their communities. Staff training on Equality & Diversity delivered Sept 07 & Nov 08 Customer Panel training on Equality & Diversity delivered Sept 07 & Nov 08 VMS Satisfaction Survey on Customer Involvement by Diversity report to Board Nov 08 All Equality Impact Assessments are due to be completed on all policies and procedures by July 2009 Housing Needs Assessment is in draft form 	✓

<p>approach to neighbourhood development</p>		<ul style="list-style-type: none"> • Customer Involvement, Access & Customer Care and Equality & Diversity Strategies 2008-10 • VMS satisfaction by diversity reports going to Board Nov 08 across all service areas • STATUS survey satisfaction of BME customers – separate survey carried out July 07 	
<p>6 Tenancy & Housing Management</p>			
<ul style="list-style-type: none"> • Equal & fair access to all racial groups in the way housing is made available, in its lettings, quality, services it provides e.g. care & supported housing 	<ul style="list-style-type: none"> • All tenants have parity of service • Satisfaction with services similar across all racial groups • Contractors have consistent & compatible approach • Take up of benefit entitlements meet needs of all racial groups • Services are monitored by racial group & differences addressed • All tenants able to access services fairly & equally 	<ul style="list-style-type: none"> • 6 monthly monitoring reports for Board • VMS satisfaction surveys new tenancies & Estate Management by Diversity Board Report Nov 08 • Any translation requests actioned within 10 working days • Equality and Diversity training for staff (Sep 07 and Nov 08) • Gentoo contractors have Equality and Diversity policies/procedures and will be receiving Equality and Diversity training from Gentoo training section • Complaints System has received publicity and leaflets are available for all customers to explain procedure • Tenancy Enforcement Team have procedures in place to investigate complaints relating to harassment • The Customer Profile is checked regularly before contacting customers, to identify their individual needs • Rent arrears and evictions are monitored by LPI's but not in relation to Diversity issues • Dunelm contractors will be attending Dale & Valley Homes' Equality & Diversity training in Nov 08 	<p>✓</p>
<p>7. Racial Harassment & Anti-Social Behaviour</p>			

<ul style="list-style-type: none"> • Harassment or racial national origins is unlawful in housing & related services. The RRA 1976 defines this as: <ul style="list-style-type: none"> - violating a persons dignity - creating intimidation, hostility or humiliation • Antisocial Behaviour Act 2003 & Part 6 of Housing Act 2004 relates to this & to development of crime reduction strategies 	<ul style="list-style-type: none"> • Comprehensive anti harassment policy & procedures, including victims support • Staff training is effective • Monitoring shows quick & effective responses • Feedback shows evidence of satisfaction from all concerned • Evidence that action is taken to address persistence harassment or ASB 	<ul style="list-style-type: none"> • WVDC Racial Harassment & ASB policies monitored monthly • ASB Service Standards monitored monthly/quarterly & six-monthly • Wear Valley District Council, Tenancy Enforcement Team have appropriate strategies in place 	
8 Contractors & Procurement			
<ul style="list-style-type: none"> • D & VH are responsible for the complaint delivery of its functions that are contracted to an external supplier • Contractors must not discriminate unlawfully on racial grounds but do not have the same responsibility to promote the equality of opportunity & good race relations • D & VH has to comply with EC directives & procurement rules 	<ul style="list-style-type: none"> • Tenders & contracts refer to racial equality outcomes & requirements • Racial equality is assessed as part of contract monitoring • Contractors gives specific examples of what they have done • Evidence of ethnic minority businesses being employed • Ethnic minority businesses are satisfied that the housing organisations procurement policies offer equal opportunities 	<ul style="list-style-type: none"> • Racial Equality assessed as part of all procurement procedures – supporting information requested at first stage of procurement process • Services are monitored through LPI's and VMS surveys – report by diversity to Board in Nov 08 • Monitoring of Dunelm and Gentoo contractors by ethnicity quarterly 	
9 Involvement of Residents & Tenants			

<ul style="list-style-type: none"> • All groups to be consulted & given opportunity to be involved • Links to integration & cohesion 	<ul style="list-style-type: none"> • BME representation is an explicit aim of the policy of the organisation & is set out • BME tenants & residents do get involved in consultation & there is evidence that their views are taken to account • Residents, tenant representatives & staff involved in policy decisions have been properly trained • All tenants & residents including those from BME backgrounds are satisfied with the arrangements for their involvement & the effectiveness of the monitoring arrangements 	<ul style="list-style-type: none"> • CI Strategy 06 • CI Strategy 08 • Customer Compact 06 • Involvement Methods reviewed • Residents' Association constitution states that the group is open to all racial groups • Equality and Diversity Training for customers (Sep 07 and Nov 08) • Equality and Diversity Handbook for customers • Work carried out to remove barriers to involvement and Customer Involvement Database is representative of hard-to-reach groups • VMS satisfaction survey on Customer Involvement by Diversity to Board Nov 08 • Residents' Associations arrange for speakers to attend their meetings such as Tenancy Enforcement Team, Local Police, Neighbourhood Watch etc to discuss issues of Anti-Social Behaviour including harassment. Each Residents' Association also carries out an annual survey to identify the issues in their area • Customer Involvement database monitored by diversity 6 monthly 	
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