Equality Impact Assessment

Organisational restructure

March 2011
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equality Impact Assessment – Section A</td>
<td>3</td>
</tr>
<tr>
<td>Equality Impact Assessment Process – Section B</td>
<td>4</td>
</tr>
<tr>
<td>Section 1 – Aims and Implementation of the Policy</td>
<td>7</td>
</tr>
<tr>
<td>Section 2 – Consideration of available data and research</td>
<td>11</td>
</tr>
<tr>
<td>Section 3 – Assessment of Impact</td>
<td>13</td>
</tr>
<tr>
<td>Section 4 – Measures to mitigate disproportionate or adverse impact</td>
<td>23</td>
</tr>
<tr>
<td>Section 5 – Conclusions and recommendations</td>
<td>24</td>
</tr>
<tr>
<td>Section 6 – Action Plan</td>
<td>26</td>
</tr>
<tr>
<td>Appendices</td>
<td>27</td>
</tr>
</tbody>
</table>
EQUALITY IMPACT ASSESSMENT – SECTION A

Name of the policy or function being assessed: Restructure of organisation – “Case for Change”

Directorate: Human Resources and Organisational Development, Strategy and Performance

Date Impact Assessment completed 31st March 2011

Is this a policy or function? Policy □ Function X

Is this a new or existing policy or function? New □ Existing X

Names and roles of the people carrying out the Impact Assessment:

Prepared by:
James Caspell, Customer Insight Officer (Diversity);
james.caspell@towerhamletshomes.org.
020 7364 6137

Key contributors:
Peter Brown, Policy and Service Planning Co-ordinator;
Taslima Begum, Human Resources Support Officer;
Shuhel Khan, Human Resources and Organisational Development Support Officer;
Lisa Sykes, Chair, THH Staff Forum;
Paul Rouhan, Organisational Development Manager;
Tony Childs, UNISON Convenor, Tower Hamlets Homes.

Service Head Jamie Carswell, Director of Strategy and Performance

Signature
<table>
<thead>
<tr>
<th><strong>Date</strong></th>
<th>31\textsuperscript{st} March 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sign Off Date</strong></td>
<td>31\textsuperscript{st} March 2011</td>
</tr>
<tr>
<td><strong>Review Date</strong></td>
<td>Monitoring of actions to coincide with monitoring of service and team plans.</td>
</tr>
</tbody>
</table>
EQUALITY IMPACT ASSESSMENT PROCESS
SECTION B

GUIDANCE

An Equality Impact Assessment (EqIA) is a thorough and systematic analysis of a policy, strategy or way of delivering our work, whether written or unwritten, formal or informal. As an organisation, we aim to always be accessible, inclusive and fair – and we use EqIAs to:

- assess whether we are meeting these goals in what we do and the way we do it
- decide what action we need to take to better meet these goals
- assess what impact there might be on our residents when we plan changes to what we do

Purpose of EqIA

Its function is to assess the likely equality implications either of implementing a new policy or initiative or of the operation of a current policy, function or service on different equality groups.

The main aim of the EqIA is to determine whether there is an adverse impact on different equality groups in the delivery of a policy, practice or service. We then decide what changes we can make to the policy, function or service so that it is more accessible, inclusive and fair.

Guidance

This page gives you more information on how we carry out EqIAs at Tower Hamlets Homes. Please review the process, the templates and supporting information that explains how to carry out an EqIA.

In order to make the EqIA process as effective and straightforward as possible, it is helpful to think of the process as being based on a number of underlying principles.

These include:

- **Using an intelligent & intuitive approach based on your expertise and knowledge of the service to flag up issues of concern.** Many of the questions that should be thought through as part of an EqIA will be understood by those closest to the service – you and your colleagues. This should be complemented by analysis of data and information about residents and who accesses the service.
• Welcoming the EqIA process as a means of gaining a better understanding of your service and providing a useful source of information rather than as a tick box exercise

• Carrying out an EqIAs whilst a policy or strategy is in the development stage as this avoids the possibility of setting up systems and ways of working that inherently have an adverse impact. However, external time pressures will not preclude the EqIA from being carried out after the strategy has been agreed.

• Carrying out EqIAs according to THH’s organisational priorities as indicated by the Board Forward Plan and/ or service delivery issues.

• Involving customers at a strategic level in the EqIA process and supporting service managers in liaising with stakeholders

**STEPS OF THE PROCESS**

**Step 1  Identifying/ prioritising the policy/ function for EqIA**
Where a new strategy/ policy/ function has been introduced, developed or selected retrospectively by the Board Forward Plan, it shall be considered for the full EqIA process by carrying out an initial screening. Please note the term ‘Policy’ is used for simplicity. The broad term can also refer to a function or a service.

**Step 2  Initial screening**
The initial screening is carried out through the completion of a Predictive Equality Impact (PEqIA) Questionnaire. Completion of the form is based on the local knowledge, experience and expertise of the manager involved. It is then sent to the Service Improvement Team, where a decision is made.

**Step 3  Assessing whether to proceed with EqIA**
Where the PEqIA suggests that there will be an adverse impact on any one of the groups that make up the six equality strands, or that the impact is inconclusive, a full EqIA should be carried out. At the point of deciding this, a date should be set for the start of the EqIA and members of the EqIA panel identified. This panel includes the service area manager, a staff member, service user, 3rd sector / or other external representative, a subject specialist and a member of the Service Improvement Team to manage the EqIA process.

**Step 4  Scoping & Defining**
The scoping and defining meeting is the first of 3 meetings held with members of the EqIA panel. During this meeting, the panel members map out the scope and timeframe for completion including meeting dates and deadlines. In particular, it is critical, at the outset, to determine the aims of the policy, as this will guide the subsequent development of an IA.
Step 5  Information Gathering
The Officer from Service Improvement who is facilitating the EqIA process will liaise with the service manager to discuss the research data that has been collected and a summary of the findings discussed. This is an opportunity for the service manager to gain an understanding of the data, identify gaps in the information and to clarify any relevant issues.

Step 6  Making a judgement – assessing the impact
This meeting is where the full impact of the changes/ introduction of the strategy/policy/function is discussed. Taking into account the research data, panel members look at the potential impact on each of the six strands in detail. Where the panel finds that groups are likely to be adversely impacted, measures for correcting this should be discussed.

Step 7  Action Planning
At this point, the panel reviews the conclusions arrived at during the previous meeting and draws up an action plan. The actions arising from the EqIA should feed into the team and service plans ensuring that the EqIA process is integral to service planning and development.

Step 8  Sign Off
Following completion of the EqIA process, the completed documentation is passed to the Strategic Management Team (SMT) for sign off.

Step 9  Publication
Once the EqIA has been signed off, it will be published on the THH website and in other accessible formats.

Step 10  Review
The review of EqIA should take place within a 3 year cycle. In the meantime, the SMT will monitor the implementation of the Action Plan on a quarterly basis.

Appendices
Further documentation to assist in carrying out the various steps of the EqIA process can be found in the Appendices at the end of this document.

Linkages
To assist in completing the EqIA template, the table below shows the linkages between the stages of the process and the sections of the template to which it relates.
<table>
<thead>
<tr>
<th>EqIA Process Overview</th>
<th>Relevant section of EqIA Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 4 - Scoping &amp; Defining</td>
<td>Section 1</td>
</tr>
<tr>
<td>Step 5 – Information Gathering</td>
<td>Section 2</td>
</tr>
<tr>
<td>Step 6 – Making a judgement</td>
<td>Sections 3, 4 &amp; 5</td>
</tr>
<tr>
<td>Step 7 – Action Planning</td>
<td>Section 5 &amp; 6</td>
</tr>
<tr>
<td>Step 8 – Sign Off</td>
<td>N/A</td>
</tr>
<tr>
<td>Step 9 – Publication</td>
<td>N/A</td>
</tr>
<tr>
<td>Step 10 – Review</td>
<td>Section A</td>
</tr>
</tbody>
</table>
SECTION 1

AIMS AND IMPLEMENTATION OF THE POLICY

Identifying the aims of the policy

What is the policy?
Reduce Tower Hamlets Homes’ costs and the size of our workforce, whilst providing services commensurate with resources available.

What is the aim, objective, or purpose of the policy?
Tower Hamlets Homes needs to operate with lower costs of around £4 million in the next financial year. Given that staffing and staffing related costs form the majority of our expenditure, senior management have proposed that a large part of the saving must come from staffing reductions and staffing-related savings.

In doing so, we will use this Equality Impact Assessment to ensure that the process will enable us to:

- Maintain our organisational commitment to tackling inequality and disadvantage while making difficult decisions required of us;
- Inform better and more transparent decision making;
- Fulfil our legal obligations to have ‘due regard’ to the need to eliminate discrimination and promote equality.

1 Please note the term ‘Policy’ is used for simplicity. The broad term can also refer to a function or a service.
Rationale behind the policy and its delivery

Arms Length Management Organisations (ALMOs) were established to improve services for the residents of retained Council Housing as a means to securing the funding the previous Government had made available to ensure a decency standard as part of their programme to tackle social exclusion.

The base model ALMO was one that established a solid housing management function and had the capacity and capability to deliver a fairly standard large scale capital programme.

There have been a number of changes that mean the standard model no longer addresses the issues now facing us, including:

- Significant reduction in public expenditure over the lifetime of the current parliament.
- The abolition of the Audit Commission, 'bonfire of the KLOEs’ and the current star rating system;
- Reduction in the amount of Decent Homes (DH) funding available;
- Opening up of the Decent Homes programme to all Councils with retained stock;

What outcomes do we want to achieve from this policy?

As part of the process of creating an organisation that is fit for purpose, we are committed to ensuring that our services are accessible, inclusive and fair for staff as well as customers.

The role of this Equality Impact Assessment is as a service improvement tool that will support THH in “raising the bar” beyond simply legislative compliance.

Our core competency has to be the provision of services that meet a standard that is commensurate with the price; we have been developing some themes to that core offer that are part of the distinctive THH brand, namely:

- Being connected to one another;
- Customer insight identifying value and eradicating waste – appliance of lean principles;
- A neighbourhood way of working;
- Clear focus on vulnerability as part of the core offer, and ensuring that at the front end the experience of service delivery feels personalised.

THH is also committed to pursuing a path to excellence against the Equality Framework for Social Housing, which includes developing a progressive and diverse workforce.
What factors could contribute/detract from the outcomes?

The current version of the HRA Medium Term Financial Strategy requires £4.424m of savings to be generated over the three year period from 2011/12 to 2013/14 of which £3.458m needs to be achieved in the next financial year. This excludes savings required as a result of having less housing capital resources available in 2011-12 onwards.

There are a number of significant challenges in addition to our own finances which we need to consider moving forward:

- After an inspection/Audit Commission and top-down target world, how does THH measure success?
- Current Government policy within the new economic climate emphasises doing things for less with a smaller state and residents doing things for themselves;
- The need to deliver the core offer and making a unique contribution to the Borough in partnership with other public service agencies.

Changes to national housing policy, cuts to public sector spending, reduction in Supported Capital Expenditure and uncertainty about the settlement as part of the HRA review all mean that THH needs to consider not just what it does but how it does it.

Who is affected by the policy? Who is intended to benefit from it and how?

Who are the main stakeholders in relation to this policy?

- Staff;
- Trade unions;
- Residents and other customers;
- London Borough of Tower Hamlets.

Although this is a significant organisation-wide change, there are some teams that have from the outset been highlighted as more affected more than others, with some teams largely unaffected.

We have divided these into three groups:

Business as Usual (305 staff)
(No risk of job losses in these proposals; No access to voluntary severance scheme)
• Caretakers and Team Leaders
• Neighbourhood Housing Officers
• Customer Services
• Rents Team
• Leasehold Services (except Right to Buy and Dispute Resolution Teams)
• HR & OD Team
• Communications

**Some Change (104 staff)**
*(Access to voluntary severance scheme)*
• Senior Caretaking Staff
• Financial and Business Support (including FM, ICT, Asset Mgt finance team)
• Neighbourhood Housing Service (excluding Neighbourhood Housing Officers)
• Right to Buy and Dispute Resolution Teams
• Governance
• Service Improvement Team
• ASB Team
• Health and Safety

**More Change (116 staff)**
*(Access to voluntary severance scheme)*
• Directors
• Operational Management Team
• Repairs team
• Major Works team
• Engagement Teams

We aim that any reduction in staff size will not diminish our commitment to customers and staff in delivering services which are inclusive, accessible and fair.

**What outcomes would other stakeholders want from this policy?**

**Residents**

At the residents’ conference in October 2010, we asked residents what their ideal neighbourhood would be like to live in. At a subsequent workshop for residents held in November 2010, we asked residents who were at the conference to clarify and prioritise these ideas into a smaller number of suggestions through voting for the suggestions they thought were most important. As such, the following outcomes were identified as preferable areas of work for the organisation in the future:
• THH should listen to residents, make commitments and be accountable;
• More decision-making powers for residents in each neighbourhood, alongside taking responsibility;
• Break down barriers between staff and residents (for example, joint training, train each other, more social events, employ more residents);
• Listen to and act on residents views on how to improve the housing advice service and customer access;
• More residents engaged, more opportunities to voice their opinions and experiences e.g. questionnaires, online voting, target under-represented groups;
• More transparency about how residents are selected for involvement - more democratic and reflective forms of strategic engagement;
• Residents want to see outcomes and progress from meetings;
• More accountability of staff (particularly senior staff) who do not deliver;
• More opportunities to speak to senior management;
• Neighbourhood Action Plans need to reflect what residents want;
• Pilot a simpler local engagement structure - TRAs are often complicated and a big commitment;
• Meaningful work experience opportunities;
• Training suitable/targeted for all kinds of people (including young, old, return to work);
• Supporting local talent (arts, creative) especially for young people;
• Residents should have more access to employment. Feeling of nepotism that occurs in recruitment- more transparency needed;
• Trained residents to take part in recruitment process;
• Neighbourly custodianship of communal areas;
• Greener, cleaner neighbourhoods;
• Better open spaces and better managed;
• Orchards/food growing/allotments;
• Community days;
• Local energy efficiency initiatives/renewable energy generation;
• Consultation over how space is used (e.g. allotments have taken over playing space);
• Work in partnership with residents;

**ACTION:** In developing future organisational structure, and Business, service and team plans, ensure that residents’ preferred outcomes are embedded where possible.

**Staff (Trade Unions)**

At a joint union meeting on 23th December 2010, over 100 staff agreed on the following key points in response to the initial proposals on savings:

• No compulsory redundancies in this process;
• Removal of agency staff/consultants before cutting permanent staff;
• Consideration of “bumped redundancies” open to whole organisation;
• Further review of whether all senior management positions are required and/or whether they could be shared with TH Council;
• Continued retention of current contractual redundancy entitlement including 120% severance payment with no distinction between “voluntary” and “compulsory” redundancy;
• Abide by current procedures;
• No changes to terms and conditions;
• Transparency of pay for senior staff on agreed terms and conditions – no personal contracts;
• Produce at least outline structures so staff can properly consider whether they want to apply for voluntary redundancy;
• Move deadlines back to ensure a fair consultation process;

Further discussion with Tony Childs, UNISON Convenor suggest that that the lack of clear job descriptions makes it difficult for managers and staff to evaluate the pay grade of a job and the suitability of existing members of staff to be redeployed into these positions.

**ACTION:** Ensure that trade unions preferred outcomes are considered when formulating proposed structures and carrying out agreed procedures, specifically avoiding compulsory redundancies, no changes to terms and conditions and removal of consultants before removal of permanent staff.

**ACTION:** Provide clear job descriptions with grades, to allow affected staff to make informed decisions.

**Staff (Staff forum)**

Early feedback from the staff forum suggested that the provision of raw data alone allowed perceptions of indirect discrimination and bias where this may not have been the case.

As a result, staff forum members requested greater transparency and clarity across all strands of equality and throughout every stage of the process.

**Action:** Ensure that data is provided throughout the process and analysed accordingly.

**Staff (All staff survey)**

A number of issues with equality and organisational change dimensions emerged in the 2010 staff survey. They will be outlined at length as part of the strand-specific assessment below. These issues have already been brought to
the attention of the Senior Management Team and Organisational Development Committee.

For example, disabled staff are less likely to think that:

1. they have the opportunity to contribute their views before changes are made which affect their job (just 10% think they do);
2. they are satisfied with the opportunities they have to get a better job in Tower Hamlets Homes (just 19% are satisfied);

A key outcome of this Assessment will be to identify how these issues can be improved upon through the formation of the new organisational structure.

**Contractors**

THH has recently appointed new repairs contractors, Mears. They have been invited to attend future Diversity Working Groups in order to discuss how the repairs service can be inclusive, accessible and fair as we move forward.

**ACTION:** Ensure that the new repairs contractors fully embed equality and diversity commitments in their strategic and operational processes.
Policy Priorities:
How does the policy fit in with THH wider aims?

In response to the new environment THH is proposing the following Business Model:

**Lo-cost**

- Ensuring that the operation is ‘lean’ – building on the ‘systems thinking’ work we have been doing on caretaking and the repairs service;

- Co-produced – focusing on behaviour change with residents to both reduce the number of ‘problems’ and encourage residents to work together to tackle the issues they face in their neighbourhoods;

- Standardised – ensuring that we drive down cost through the standardisation of ways of working;

- Taking a commercial view of the business to ensure we maximise income.

**Local**

- Insightful – knowing our customers means that we can get things right first time, anticipate their needs and deliver the value that they are looking for;
• Personalised – using that knowledge we also need to ensure that at the ‘front end’ the service feels individual;

• Close to the customer – we are a local service and we should ‘feel’ local, be visible, know our customers and make them feel valued;

• Devolved – ensuring that decisions get taken at the right level and as close to the frontline as possible to drive out bureaucracy and needless checking.

Creative

• Radical when required – not being afraid to do things in a different way and ensuring that we have the courage to respond to the agenda set by the Government and by residents;

• Innovative – we know that in the next few years we will need to be creative in our solutions to some of the challenges facing residents and neighbourhoods; we need to unleash the creativity of our staff to help meet those challenges;

• Entrepreneurial – being business-like in the way we think about risk, cost and benefit.

The above principles provide an overall steer with regard to how we need to think about the size and shape of the organisation; to ensure that we are lo-cost and have the capacity and capability to deliver against the current and future challenge.

How does the policy relate to other policies and practices within THH?

Relevant policies and documents that have been consulted for this Assessment and provide a basis for the restructure include:

• Handling Organisational Change Procedure (2008)
• Redundancy & Redevelopment Process (2008)
• Age Discrimination Policy (2008)
• Recruitment and Selection Procedure (2008)
• People Strategy (2009-2011)
• Equality Impact Assessment on People Strategy (2010)
• Flexible Working Scheme
• Grievance Procedure (2010)

How do these outcomes meet or hinder other policies, values or objectives of the organisation?
<table>
<thead>
<tr>
<th>The role of this Assessment is to assist in finalising restructure proposals and ensure that the process and outcomes of it are as accessible, inclusive and fair as possible for staff.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Equality Impact Assessments will need to be carried out on services that change for customers as a result of internal restructuring, where applicable.</td>
</tr>
<tr>
<td>Given the size and speed at which the organisation is being expected to restructure in light of budgetary cuts, there is a risk that some services and objectives will be affected or hindered whilst the new organisation is formed.</td>
</tr>
<tr>
<td>Relevant Heads of Service will be responsible for managing these risks.</td>
</tr>
</tbody>
</table>
How the policy is implemented

Who defines or defined the policy?

Senior management, the THH Board, new Heads of Service and London Borough of Tower Hamlets have devised the original proposals in consultation with staff, trade unions and other stakeholders. Much of the thinking behind the new proposed structure was based on engagement with residents the has taken place in recent months and feedback from the Audit Commission.

We anticipate a reduction of between 45-80 Full-Time Equivalent (FTE) employees by 31st March 2011 and therefore the change is covered by section 188 (1A) (b), consultation beginning in good time and “at least 30 days” before the first of the 80 employees’ employment ends.

The process will be applied in accordance with all other statutory obligations, the Redundancy and Redeployment Process as approved in April 2008, and all contractual terms and conditions.

Who implements the policy?

Senior management and newly appointed Heads of Service, supported by Human Resources and Organisational Development, will implement the restructure.

How does the organisation interface with other bodies in relation to the implementation of this policy?

As described in the Management Agreement, the London Borough of Tower Hamlets has been consulted through all appropriate mechanisms.

Regular trade union consultation has taken place and will continue to take place as agreed.

Is the service provided solely by the Department or in conjunction with another department, agency or contractor?

The restructure is being implemented across the organisation simultaneously.

If external parties are involved then what are the measures in place to ensure that they comply with the THH Diversity Strategy?

Not applicable.
SECTION 2
CONSIDERATION OF DATA AND RESEARCH

List all examples of quantitative and qualitative data available that will enable the impact assessment to be undertaken (include information where appropriate from other directorates, Census 2001 etc.)

- Appendix 1. Workforce profile analysis (November 2010);
- Appendix 2. Diversity analysis of voluntary severance process (February 2011);
- Appendix 3. Applicant journey map through recruitment process – ethnicity (November 2010);
- Staff Survey (2010);
- Equal Pay analysis (January 2010);
- Trade Union meetings for all staff (December 2010 and January 2011);
- Responses to voluntary options questionnaire (January 2011);
- Tenant profile;
- Leaseholder profile;
- Staff forum consultation;
- Direct staff feedback (channels have been made available through Strategy and Performance, Staff Forum and Trade Unions);
- Trade union representatives.

Equalities profile of customers
The context of this analysis is primarily on the equalities impact on staff. However, for context it is useful to refer to the profile of service users, as THH aims to be as reflective of the local labour market as possible.

Data collection – tenants
THH has made significant progress in collecting equality strand data over recent months. This has most prominently been through the “All About You” process.

<table>
<thead>
<tr>
<th>Equality Strands</th>
<th>April 2010</th>
<th>November 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethnicity</td>
<td>82%</td>
<td>88%</td>
</tr>
<tr>
<td>Gender</td>
<td>99%</td>
<td>100%</td>
</tr>
<tr>
<td>Disability</td>
<td>8%</td>
<td>47%</td>
</tr>
<tr>
<td>Age</td>
<td>80%</td>
<td>99%</td>
</tr>
<tr>
<td>Sexual orientation</td>
<td>13%</td>
<td>32%</td>
</tr>
<tr>
<td>Religion and belief</td>
<td>50%</td>
<td>62%</td>
</tr>
</tbody>
</table>
Current tenant profile (November 2010)

Over three-quarters of tenants are BME
Ethnicity of tenants

Black and Minority Ethnic, 78%
White British, 21%
Prefer not to say, 1%

The majority of tenants are female
Gender of tenants

Female, 56%
Male, 44%

Current data held on tenants is likely to under-report disability
Disability of tenants

Not disabled, 92%
Disabled, 8%

Tenant profile by age

The majority of tenants are Muslims
Religion and belief of tenants

Heterosexual Bisexual Gay / Lesbian

Muslim Christian No religion Jewish Buddhist Hindu Sikh
THHH has a relatively low collection of data on its leaseholders and residents in leasehold properties. There exists a commitment to improve this in the next Business Plan cycle.

**ACTION:** Collect outstanding profile information for leaseholders (including sub-lessees and non-resident leaseholders)

**Leasehold profile (November 2010)**

**Leaseholder profile by ethnicity**
Leaseholder profile by gender

<table>
<thead>
<tr>
<th>Gender</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>43%</td>
</tr>
<tr>
<td>Male</td>
<td>52%</td>
</tr>
<tr>
<td>Prefer not to say / unknown</td>
<td>5%</td>
</tr>
</tbody>
</table>

Leaseholder profile by disability

<table>
<thead>
<tr>
<th>Disability</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not disabled</td>
<td>71%</td>
</tr>
<tr>
<td>Disabled</td>
<td>29%</td>
</tr>
</tbody>
</table>
Leaseholder profile by age

- 20-29: 5%
- 30-39: 26%
- 40-49: 22%
- 50-59: 20%
- 60-69: 11%
- 70+: 17%

Leaseholder profile by religion and belief

- Christian: 35%
- Muslim: 32%
- None: 22%
- Prefer not to say: 5%
- Jewish: 2%
- Hindu: 2%
- Sikh: 1%
- Buddhist: 0%

Leaseholder profile - sexual orientation

- Straight / Heterosexual: 77%
- Prefer not to say: 19%
- Bisexual: 2%
- Gay Man / Homosexual: 2%
- Gay Woman / Lesbian: 0.2%
Equalities profile of whole workforce

See Appendix 1.

As a result of a workforce profile analysis we undertook in November 2010, we know that:

- A higher proportion of BME employees have joined the organisation than have left since July 2008, though Asians are significantly under-represented amongst new starters in senior management. Black and Minority Ethnic (BME) staff are under-represented compared to the tenant profile, especially at Principal Officer and Senior Management grades. When Tower Hamlets Homes was established around 40% of staff were Black, Asian or Minority Ethnic; this percentage has increased as 67.91% of staff who have joined THH since between July 2008 and November 2010 are BME. Currently, 45% of Principal Officers (PO1-PO6) are from a BME background, and 27% of Senior Management and Directors (LPO7+) are BME.
- Women are under-represented when compared to the tenant profile, especially in senior management and caretaking. A greater proportion of women have left the organisation than have joined.
- Disabled people are represented at every level of the organisation, though are slightly under-represented compared to the tenant profile.
- A diverse range of age groups are represented at all grades. However, over 65's are significantly under-represented within the workforce compared to the tenant profile. Starters tend to be younger than leavers; no starters have been over 65 since July 2008.
- Lesbian, gay and bisexual (LGB) employees are well represented at all grades. The same proportion of starters are LGB as leavers, based on information provided. There remains hesitation for employees to disclose their sexual orientation at work, which is likely to be as a result of fears of direct and indirect discrimination.
- A greater proportion of starters are Muslims compared to leavers. However, Muslims remain under-represented in the workforce compared to the tenant profile, particularly in senior management and caretaking. The percentage of Muslim staff has increased from 13% when we were established, to 19% currently.

**ACTION:** Hold open days or taster days exclusively for women, disabled and BME applicants.

**ACTION:** Join Stonewall Diversity Champion network in order to promote inclusivity relating to sexual orientation within the organisation.
Voluntary Severance Process

See Appendix 2.

The decision for accepting applications for voluntary severance was made by the Strategic Management Team based on the following factors:

- The need to reduce the organisation’s salary bill;
- The time it takes for the organisation to realise the savings of any severance;
- The need for the post and post-holder to remain for business continuity reasons.

The decisions were then compared with 6 strands of equality data (ethnicity, gender, disability, age, sexual orientation, and religion and belief) to ensure that the decision making process did not adversely impact or unlawfully discriminate against any groups of staff.

Secondly, in our ambition to create a diverse and progressive workforce that is reflective of our customer profile, we wish to monitor on an ongoing basis any positive or negative impacts towards this.

Therefore we have carried out three sets of data analysis as follows:

- A diversity analysis of the whole workforce compared to those staff affected by the restructure;
- Diversity of applications for voluntary severance compared to those accepted;
- Diversity analysis of the current workforce compared with the workforce as a result of accepted voluntary severances.

What are the outcomes from an equality and diversity perspective?

The first analysis shows that there are some differences in composition between the affected staff, compared to the workforce as a whole. For example, a greater proportion of women and White British staff are in the “Some Change” or “More Change” categories of the proposed restructure. BME staff are less likely to be affected.

The second analysis shows that broadly speaking accepted voluntary severances were in line with applications from all diverse groups, though there were some slightly different proportions as detailed in the graphs attached. For example, we found that a slightly greater proportion of White British, Heterosexual, Over 55 or Women staff were accepted compared to other groups in the application pool. However, this should be seen in the context of the relatively small number of
staff who applied and were finally accepted for voluntary severance (50 versus 39 at time of writing).

The third analysis shows that in terms of the impact on the overall reflectiveness of our customer profile, the following can be observed as a result of the voluntary severances process:

Areas that represent a positive impact in terms of reflectiveness include:

- Representation of BME staff slightly increases, meaning the organisation is more reflective of the tenant profile;
- Representation of Muslims and staff with no religion slightly increases;
- Representation of LGB groups remains almost identical, and reflective of the tenant profile.

Areas that represent a negative impact in terms of reflectiveness include:

- The representation of over 55s decreases*;
- Representation of disabled staff slightly decreases;
- Representation of women staff slightly decreases.

* early retirement provisions of the Local Government Pension Scheme start at the age of 55, which incentivises the voluntary severance for these staff.

**See Appendix 3**

Applicant journey mapping of 10 recent recruitment and selection campaigns suggest that a greater proportion of White applicants are both shortlisted and selected than BME applicants.

**Action:** Provide final equalities analysis of whole workforce compared to those pooled or in deleted positions, and carry out mitigation or positive action as required.

---

**Evidence of Complaints against the service on grounds of discrimination**

(Is there any evidence of complaints either from customers or staff (Grievance) as to the delivery of the service, or its operation, on the equality target groups?)

Not available at time of assessment.

**ACTION:** Collate and analyse this information, based on what harassment, victimisation and discrimination allegations have been made by staff since formation of Tower Hamlets Homes and ensure that this is incorporated in future planning and organisational development.
Potential outcomes may include:

- Formulating a Bullying and Harassment Policy and procedure shaped by staff feedback and concerns;
- Higher visibility for measures to counter bullying and harassment;
- Training for all staff on bullying and harassment, including component around management and team working as applicable
Known barriers and risks

What are the potential or known barriers to participation for the different equality target groups?

1. Initial analysis suggests that those in changing structures are more likely to be of already under-represented groups (especially women), compared to organisation as a whole; a reduction in staff could have a negative effect on reflectiveness of staff across the organisation as a whole;

2. Budgetary pressure inhibits external recruitment and therefore the potential to ensure that the workforce is more reflective in the longer term is limited;

3. Changes to the composition of the workforce could have a negative impact on measures to address any equal pay gaps and the average salary gaps;

   **ACTION:** Develop an Equal Pay Policy and finalise Equal Pay Audit across 6 strands of equality

4. Any lack of detailed proposals and guidance in written and alternative formats (e.g. structure charts) could potentially constitute indirect discrimination for staff who may have particular disabilities (e.g. sensory impairments), learning difficulties, or language barriers;

   **ACTION:** Requests details of needs of disabled employees and candidates in advance, acknowledging that employees may not have previously disclosed their disability.

5. Feedback indicates that many staff feel that the whole process has been rushed. For example, the end date for electing to take up alternative forms of working potentially too early for those off over Christmas period to care for dependents, potentially discrimination as detailed under Equality Act 2010; n.b. the statutory 30 days of consultation is a minimum and THH are free to extend this and subsequent consultation as required;

6. Lack of clarity and certainty of impact of the restructure during this and future years may cause sickness absence to increase due to stress, and cause strain on those with pre-existing disabilities associated with mental health;

   **ACTION:** Embed measures in Workforce Development Plan to acknowledge and mitigate workplace stress and support those with mental health issues. Pursue a relevant, cost-effective accreditation to this end, such as Mindful Employer (http://www.mindfulemployer.net)
7. Recruitment and redeployment panels may not be representative of the organisation and customer base. Current policy is to ensure that there is a balance of gender and ethnicity on interview panels. This is not currently monitored.

**ACTION:** Monitor composition of interview panels according to equality strands, ensuring that there is a gender and ethnic balance. Practically, this would suggest that there should be at least one woman and BME staff member on every interview panel (based on there being three interviewing staff).

8. Proposed changes/reductions in services for residents would need to be assessed on a service-by-service basis based on clear evidence;

**ACTION:** Carry out Equality Impact Assessment for specific services as necessary.

9. Potential increases in travelling times from redeployment may adversely impact on all employees, particularly those who use public transport. The impact, however, is likely to be greater for disabled employees, part-time employees (who are more likely to be female) and persons with dependants, whose working hours may be structured around current travelling times and domestic responsibilities/commitments. Staff with dependants may also incur higher care costs to cover the additional travelling time.

10. It is clear from the feedback from the voluntary option forms that many staff applied for voluntary severance initially as a result of lack of information about structures and compulsory redundancy entitlements.

Recent consultation exercises carried out
*(Detail consultation with relevant interest groups, other public bodies, voluntary organisations, community groups, trade unions, focus groups and other groups, surveys and questionnaires undertaken etc. Focus in particular on the findings of views expressed by the equality target groups)*

**Specific to this process**

- Staff Forum;
- All office-based staff via News and Views;
- Various consultations with HR staff concerning data;
- Trade unions representatives;
- Joint trade union meeting (UNISON, UNITE and GMB).
General

- Staff Survey 2010;

**Identify areas where more information may be needed and the action taken to obtain this data.**

*(You will need to consider data that is monitored but not reported, data that could be monitored but is not currently collected and data that is not currently monitored and would be impossibly/extremely difficult to collect).*

**Gaps in information:**

There are some relatively small gaps in information currently held regarding diversity characteristics of staff at THH. Currently, we do not collect information regarding gender reassignment for staff and applicants.

**Action:** Ensure that new iGrasp e-recruitment system allows collection and analysis of this data in order to enable THH to ensure that its recruitment processes are trans-inclusive.

A recent advertisement in the internal newsletter to all staff outlined the role of monitoring information and how it can be recorded and updated. It is felt that enough emphasis has been placed on the collection of data, and that now more focus needs to be on using it to reduce inequality and embrace diversity in the workforce.

In terms of measuring the impact on service users, the lack of leasehold data in particular is a barrier to carrying out an adequate impact assessment. Processes are in place for this to be collected in the coming financial year.

For tenant data, the relative lack of disability data in particular, and likelihood that current data collected under-records the prevalence of disability means that gaps in data is a barrier to providing a robust assessment.

**ACTION:** Continue progress in data collection, particularly with regards to disability;
SECTION 3

ASSESSMENT OF IMPACT

Race and ethnicity – testing of disproportionate or adverse impact

| From the evidence above does the policy affect, or have the potential to affect, racial groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination? |
| What actions have been identified to eliminate or mitigate this impact? |
| In order to reflect the community and labour market that we serve and reduce high levels of deprivation in Tower Hamlets, THH is committed to recruiting and retaining a workforce that reflects and is representative of the community. |
| In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against particular ethnic and racial groups. |
| Language is a potential barrier to adequate consultation particularly with respect to new migrant communities, where English is not a first language. Currently we have provided a ‘basic skills’ programme targeted at caretaking staff where literacy skills have been highlighted as a concern. |
| **ACTION**: Ensure that adjustments are made to provide information and consultation opportunities for any staff for whom English is not their first language. |
| **ACTION**: Ensure that such language needs are recorded centrally, if this is not already the case. |
| Through consultation, one member of staff perceived a disproportionate impact on Black members of staff. However data analysis so far does not corroborate this perception, as detailed earlier. |
| **ACTION**: Ensure that any data that is provided is analysed to explain trends within the relevant context, and that the wider context is explained and proposed actions to mitigate any adverse impact or unequal representation. |
| The 2010 staff survey results suggests that the attitudes and perceptions of staff varies according to ethnicity. At a time of significant restructuring, the impact on... |
the resilience of the organisation and morale of staff could exacerbate any inequality or dissatisfaction amongst certain groups.

Specifically, the following are where there is a difference of more than 5% less than the average response across all staff from the 2010 staff survey, and where positive responses were in the minority:

**Black Caribbean** staff are less likely to

1. be satisfied with their total benefits package (just 30% are satisfied);
2. be satisfied with the recognition they receive for doing a good job (31%);
3. feel that they have the resources necessary to carry out their job effectively (37%);
4. feel that they have enough information to do their job well (40%);
5. believe that action will be taken on problems identified in staff surveys (41%);
6. feel that they receive regular and constructive feedback on their performance (44%);
7. feel that are adequate opportunities for them to feed their views, concerns and ideas up in Tower Hamlets Homes (45%);
8. feel that poor performance is dealt with effectively where they work (46%);
9. feel that Tower Hamlets Homes motivates them to contribute more than is normally required in their work (48%);

**Black African** staff are less likely to think that:

1. considering their duties and responsibilities, they feel their pay is fair (just 30% are satisfied);
2. they are satisfied with their total benefits package (26%);

**Asian - Bangladeshi** staff are less likely to think that:

1. their induction gave them the knowledge and information needed to do their job effectively (just 24% are satisfied);
2. overall, they have confidence in the senior managers within Tower Hamlets Homes (27%);
3. their manager ensured they were inducted into their current job (29%);
4. they think it is safe to speak up and challenge the way things are done within Tower Hamlets Homes (32%);
5. change is managed effectively in Tower Hamlets Homes (32%);
6. their line manager motivates and inspires them to be more effective in their job (38%);
7. on the whole, Tower Hamlets Homes is well managed (41%);
8. health and safety is taken seriously in Tower Hamlets Homes (49%);

**White - Other** staff are less likely to think that:
1. They are satisfied with the opportunities they have to get a better job in Tower Hamlets Homes (just 26% are satisfied);
2. They have the opportunity to contribute their views before changes are made which affect their job (30%);
3. Poor performance is dealt with effectively where they work (45%);
4. Tower Hamlets Homes allows staff to adopt flexible working patterns to help them balance their work and home life (47%);

**ACTION:** Implement actions to encourage recruitment, retention and development of BME (including White – Other) staff.

**ACTION:** Develop an Equal Pay Policy and finalise Equal Pay Audit across 6 strands of equality

**ACTION:** Monitor composition of interview panels according to equality strands, ensuring that there is a gender and ethnic balance. Practically, this would suggest that there should be at least one woman and BME staff member on every interview panel.

**ACTION:** Offer work shadowing opportunities to BME staff.

**ACTION:** Offer mentoring opportunities to BME staff.
Gender – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, gender groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

What actions have been identified to eliminate or mitigate this impact?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of gender.

However, there are a disproportionate amount of women in the "at risk" group, and THH already fails to reflect both the community it serves and wider job market at senior management and caretaking grades. This is also partly due to occupational segregation meaning that historically women were discouraged from and faced barriers to carrying out manual work. Currently there are insufficient measures to address these issues.

**ACTIONS:** Work with new repairs contractors to ensure that apprenticeships are positively aimed at women (e.g. school leavers).

It is possible that as a result of the restructure, the overall reflectiveness of THH on the basis of gender will worsen, and that women will remain significantly under-represented compared to our customer profile and the local labour market.

From the responses to the requests for voluntary options, of the two options for reduced hours or job sharing, of 9 applicants 6 were women. Therefore it can be inferred that women are more likely to prefer to work flexibly or on reduced hours below that of a 35 hour FTE. It was also more likely to be women who cited the need to care for a dependant as a reason to opt for voluntary severance. Women were also more likely to state they were dissatisfied with the length of time they were given in order to decide whether to express a preference for a voluntary option.

In discussion with staff, it was highlighted that if a female employee is required to change roles and working locations, a potential lack of availability of nearby childcare facilities/play-schemes may negatively impact persons with childcare responsibilities.

Consideration should also be given to the process with regards to those with caring responsibilities, or where school holidays etc. limits the ability of staff to prepare and experience fair opportunities through the restructuring process.

In changing work activity, part-time employees (or employees on an alternative contract, such as term-time working) of both genders may be adversely impacted
if the business need requires changes in working patterns or working hours, which impact on the current work/life balance of those employees.

Concern was expressed that reduction in staffing levels could result in increased workloads of remaining staff and therefore resulting in an increase in weekly working hours and impacting on work-life balance. This could have a disproportionate impact on staff with dependants, including children. It was perceived that this would be more likely to be women staff.

Staff survey results from 2010 indicate that the attitudes and perceptions of THH staff varies according to gender.

At a time of significant restructuring, the resilience of the organisation and morale of staff could exacerbate any inequality or dissatisfaction amongst certain groups on the basis of gender.

The survey shows that women staff are less likely to think that:

1. it is safe to speak up and challenge the way things are done within Tower Hamlets Homes (just 35% agree with this statement);
2. their induction gave them the knowledge and information needed to do their job effectively (39%).

Men are less likely to think that:

1. they are satisfied with the opportunities they have to get a better job in Tower Hamlets Homes (just 32% agree with this statement);
2. they are satisfied with their total benefits package (37%);
3. change is managed effectively in Tower Hamlets Homes (37%);
4. they can meet the requirements of their job without regularly working excessive hours (41%);
5. they have the opportunity for personal development and growth in Tower Hamlets Homes (44%);
6. they are comfortable with the amount of work they are expected to do (46%).

In March 2010 figures showed that women represented 50% of leavers and prompted the Strategic Management Team (SMT) to request that an investigation be carried out to understand why this was and an action plan put in place to address any issues.

It should also be noted that from the Staff Survey carried out in July 2010, a higher proportion of women stated that they were more likely to leave THH in the next 12 months than men.
To try and help our understanding of the issues that lay behind the trend that was being evidenced, research was undertaken by the Head of Human Resources and Organisational Development (HHR & OD). This involved:

- A series of 5 focus groups that were held across the organisation and took account of service, position, age and ethnicity. In all some 40 women attended the session (25% of the female workforce).

- 13 female past leavers exit interviews were reviewed to ascertain their rational for leaving the organisation and the factors that may have impacted on them during their employment that contributed to their leaving. A further 13 leavers who did not complete an exit interview were contacted and of these 6 returned their feedback forms.

In general the findings were not wholly conclusive however there were some areas that did seem to more likely impact on women than men. In particular, the issue of societal expectations around caring responsibilities for children, older relatives and other dependents.

In addition, for women of Asian descent there was perceived pressure to move to part-time working which the majority of women both attending the focus groups and leavers believed impacted on a woman’s chances of moving up in the organisation.

It was not generally felt that there was a positive view of part-time work within the organisation.

Focus Group Findings

1. For women attending the focus groups there was a sense that traditional work roles had an impact. The view was that there were more women in support and “caring” type jobs (e.g. neighbourhood housing) and there were less opportunities to “break out” into other areas in particular the technical / specialist side asset management and caretaking.

2. That the jobs that women tend to find themselves in were not valued as the environment was perceived to be more “masculine”. This was in the sense that the environment was seen to be more competitive and women were less successful in putting themselves forward and being “seen” than men. It was also expressed as a sense of the way the organisation worked which some of the women believed favoured men more than women in that there was a perception that there was a lack of opportunities to progress within the organisation if you are a woman.

3. The current pressure and pace of work at THH was a key issue which impacted and even though THH has flexible working arrangements these did not appear to
be implemented evenly across the business. In addition, women working in certain areas (e.g. neighbourhood housing), did not feel that it was possible to meet the expectations that were currently being placed on them to deliver and balance this with their domestic commitments. It was generally viewed that this impacted on both men and women.

Findings from Leavers Exit Interviews

1. 50% of women leavers stated that THH was a good place to work however there were 25% who felt strongly that it was not a positive employment environment.

2. In terms of what influenced their decision to leave 50% stated that it was to do with their pay, the volume of work and the need for a career change. All the leavers who responded said that factors relating to poor management also influenced their decision to leave THH.

3. 25% of women leavers who responded stated that the lack of flexibility in working patterns impacted on their ability to deal with their family commitments. The same number stated that they did not feel that departments were joined up very well and their perception was that transferring to another role within the organisation would not be supported.

4. There was a general view that change could be managed better as those responding did not feel that there was enough opportunity to state a view and be heard and also did not feel that they were appropriately supported during change.

**ACTION:** Review scope of flexible working options available to existing and future employees. This could include review of flexible working scheme, availability of term-time working and condensed hours.

**ACTION:** Ensure flexible working and work/life balance is discussed as part of 1:1s and any redeployment transition.

**ACTION:** Implement actions to encourage recruitment, retention and development of women staff.

**ACTION:** Develop an Equal Pay Policy and finalise Equal Pay Audit across 6 strands of equality

**ACTION:** Monitor composition of interview panels according to equality strands, ensuring that there is a gender and ethnic balance. Practically, this would suggest that there should be at least one woman and BME staff member on every interview panel.
ACTION: Offer work shadowing opportunities to women staff.

ACTION: Offer mentoring opportunities to women staff.
Transgender – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, transgender groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

What actions have been identified to eliminate or mitigate this impact?

The current gender equality duty requires public authorities to eliminate unlawful discrimination and harassment on grounds of gender reassignment. The new Public Equality Duty requires public authorities to have due regard to advance equality of opportunity and foster good relations between people who share the protected characteristic of gender reassignment and those who do not.

THH currently does not collect information on the transgender identity of staff. There is a risk that should an employee be transgender, transitioning or undoing gender reassignment, moving office, line management or job role may cause additional distress above and beyond that of other staff.

**ACTION:** At this stage, a proportionate action would be to begin to collect information from staff who wish to disclose their gender reassignment status, and ensure that this is monitored for all future applicants in the recruitment process.
Disability – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, disability groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

What actions have been identified to eliminate or mitigate this impact?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of disability.

The Disability Discrimination Act (DDA) 1995 requires THH to make “reasonable adjustments” wherever necessary to ensure that a disabled employee is not placed at a disadvantage compared to a non-disabled employee. Tower Hamlets Homes should promote disability equality by eliminating discrimination and harassment, promoting equality of opportunity between disabled persons and other persons, and take steps to take account of a disabled persons’ disabilities, even where that involves treating disabled persons more favourably than others.

An employer also has a duty to ensure that nothing disadvantages a disabled employee in the redeployment process where it is known or reasonable to expect that an employee is disabled. It will be important to ensure throughout process that adjustments are made to the process to support disabled staff. Potential delays in making reasonable adjustments for disabled employees will adversely impact those employees affected.

**ACTION:** Ensure that relevant managers are aware of adjustments required where this is already known, and that at every stage of the pooling and redeployment process, staff are asked to disclose if they require any reasonable adjustments.

Disabled staff may be adversely impacted by relocation due to redeployment if public transport is less accessible for the new route, if there is a lack of disabled car parking available at the new location or if networks, support structures, facilities and services (including health services) are less accessible within the new location.

**ACTION:** Ensure that disabled staff are not unreasonably disadvantaged through pooling or redeployment as a result of access to travel or other services and facilities. If moving to a different work location, would need to discuss existing reasonable adjustments with disabled employees and establish what their requirements would be in the new location.

**ACTION:** Ensure that restructuring process does not substantially disadvantage a candidate and adjustments should be made when necessary, for example:
- Giving the candidate a reader or scribe during written tests;
- Allowing a candidate longer to take a test;
- accepting a lower pass rate if a candidate is disadvantaged by the test procedure;
- allowing a candidate to take a test using an adjustment which they would have available if they got the job, for example an adapted keyboard.

It will be necessary to identify any new demands which some staff may need support for e.g. physical aspects which were not part of their role in the past. Potential changes to work activity may impact on all employees, but may have a greater impact on disabled employees, particularly where there are restrictions around specialist IT equipment. In changing the work activity of disabled employees, THH managers must be aware that THH software may not be compatible with all types of specialist equipment.

**ACTION:** Ensure that throughout the process, any specialist equipment or other adjustments are made available. Request details of needs of disabled employees and candidates in advance, acknowledging that employees may not have previously disclosed their disability.

If working hours change as a result of demands of a new role, this could disproportionately affect those who with caring responsibilities of disabled dependants. Under the new Equality Act protection is extended to carers of disabled people. As such it would be a practical to ensure that flexible working arrangements take this into account.

**ACTION:** Ensure flexible working and work/life balance is discussed as part of 1:1 and throughout redeployment process.

Staff survey results suggest that the attitudes and perceptions of staff varies according to disability. At a time of significant restructuring, the impact on the resilience of the organisation and morale of staff could exacerbate any inequality or dissatisfaction amongst certain groups.

**Disabled** staff are less likely to think that:

1. they have the opportunity to contribute their views before changes are made which affect their job (just 10% believe that they have this opportunity);
2. they are satisfied with the opportunities they have to get a better job in Tower Hamlets Homes (19%);
3. they are satisfied with their total benefits package (29%);
4. they are satisfied with the recognition they receive for doing a good job (33%);
5. considering their duties and responsibilities, they feel their pay is fair (33%);
6. the reasons behind change are clearly communicated to staff (35%);
7. there are adequate opportunities for them to feed their views, concerns and ideas up in Tower Hamlets Homes (38%);
8. they are comfortable with the amount of work they are expected to do (43%);
9. they would feel able to report bullying/harassment without worrying that it would have a negative impact on them (43%);
10. Tower Hamlets Homes motivates them to contribute more than is normally required in their work (43%);
11. they believe that action will be taken on problems identified in this survey (43%);
12. they have enough information to do their job well (48%);
13. their performance has improved as a result of skills they have developed over the last year (48%);
14. their line manager motivates and inspires them to be more effective in their job (48%);
15. they’re confident we can consistently deliver the service standards to residents (48%).

The staff survey revealed that disabled staff are less likely to feel that THH is committed to diversity.

**ACTION:** Improve the inclusiveness of the organisation through developing the way that we support and understand the needs of disabled staff. As a first step, obtaining Disability Two Ticks accreditation would be positive. Other accreditations such as Mindful Employer would help build the capacity of the organisation in relation to mental health.
Age – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, age groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of age.

The proposed areas for restructuring disproportionately affect older workers, particularly those over 50 years old.

Before the voluntary severance process was carried out, employees reported that they felt that their age would be a key determinant when undertaking a restructuring exercise due to the likely higher costs associated with THH paying severance. Any trend of a disproportionate amount of longer serving staff not being accepted for voluntary severance could be seen to constitute indirect discrimination on the basis of age. However, as it emerged, 10 of 11 applicants over 55 had their applications for voluntary severance accepted and therefore this perception is not corroborated.

Employees with fewer than 2 years Local Government are not eligible for redundancy, status which could be considered disadvantageous for younger employees. However, this timeframe reflects the statutory requirement to receive a compensatory payment. This would therefore not be unlawful age discrimination in the current legal context.

Employees aged over 55 are eligible for immediate pension benefits if made redundant through early retirement. This could be considered disadvantageous for people below 55 as they would not have access to their pension benefit. This is a condition of Local Government Pension Scheme, and held to be justifiable, and as such cannot be altered. This would therefore not be unlawful age discrimination in current legal context.

Changes in work activity and increases in travelling times/costs – with the incentive of qualifying for pension benefit - may prompt older employees to consider volunteering for voluntary severance with early retirement, which may result in a loss of expertise/skills to the organisation. Such potential skills losses should be considered when carrying out an impact assessment on specific services.

In changing job roles and redeployment, all employees may be impacted if managers require posts to be filled by individuals with certain skills or experience. This may have a greater impact on younger employees who have less work experience, but also staff who have not gone through a recruitment or training process for many years.
**ACTION:** Ensure adequate training is provided throughout the redeployment process and afterwards to ensure that all staff have an equal opportunity to prove their qualification for any future role.

The move to phase out the default retirement age (DRA) has been confirmed in January 2011. Employers will no longer be able to force staff to retire at 65 from October; The change means that from 6 April, bosses will not be able to issue notifications for compulsory retirement using the DRA procedure. Between 6 April and 1 October, only those people who were told before 6 April, and who are due to retire before 1 October, can be compulsorily retired using DRA.

**ACTION:** Update Age Discrimination Policy so that it is in line with legislation.

The 2010 staff survey monitored length of service, which can be seen to correlate positively with age, but is not definitive. Age itself was not monitored.

**ACTION:** Ensure that future staff surveys monitor age (and not just length of service).
Sexual orientation—testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect people of varying sexual orientation differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of sexual orientation.

However, the gaps in staff, tenant and leasehold profile data suggests that sexual orientation is still not an area in which people always feel comfortable disclosing generally, and specifically in a work environment. Organisational development in this area would help to combat prejudice and create a more progressive and inclusive organisation in this regard.

Where a member of staff is out to their manager or immediate colleagues, but may not feel comfortable in disclosing if they are LGB to colleagues that they do not know that well, changing job roles may cause disproportionate stress compared to staff who are straight.

For the 2010 staff survey, sexual orientation was not monitored.

**ACTION:** Stonewall Diversity Champion participation would help to combat prejudice and create a more progressive and inclusive organisation in this regard.

**ACTION:** Ensure that future staff surveys monitor sexual orientation.
Religion and Belief – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, religious or belief groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of religion and belief.

In redeploying and re-training employees to undertake alternative work in the organisation, it should be recognised that there may be particular days or times of the year where religious festivals may impact on the availability of employees to participate.

**ACTION:** Provision of flexible training options in preparation for restructuring, such as “e-learning” with management support or “in-house” training may provide suitable alternatives.

One member of staff informed that they feel indirectly discriminated against on the basis of their religion and belief on a regular basis. They reported that they felt that this was the case because their belief is was one which is relatively misunderstood and practised by a relatively small number of people.

**ACTION:** Develop a staff “Diversity Handbook” which outlines the core beliefs of officially recognised religions and belief systems practiced in Tower Hamlets/UK and ensure that this informs future equality and diversity training.

For the 2010 staff survey, religion and belief was not monitored.

**ACTION:** Ensure that future staff surveys monitor religion and belief.
Pregnancy and Maternity—testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, pregnancy and maternity groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of pregnancy and maternity.

The right to return to a suitable alternative post following return from maternity / adoption leave is a statutory entitlement therefore THH must uphold this obligation.

**ACTION:** Employees on maternity and adoption leave should be offered a suitable alternative vacancy to return to if a restructure takes place during their absence.

If a female employee is required to change roles and working locations, a potential lack of availability of nearby childcare facilities/play-schemes may impact persons with childcare responsibilities.

**ACTION:** As part of redeployment guidance, highlight the availability of childcare facilities in and around THH locations (e.g. nursery in Jack Dash House)
Civil Partnership and Marriage– testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, civil partnership and marriage differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

In accordance with legislation, there are no measures as part of this restructure which could be seen to directly discriminate against staff on the grounds of civil partnership and marriage.

Relationship status data, where relevant, is recorded on the electronic HR systems for pension purposes. However for those employees not currently in the LGPS, we do not have this data to analyse any impact.

It is not felt that there could be in any adverse impact on these groups or that any further action is required.

Socio-economic – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, socio-economic groups differently and if so do any of the differences amount to adverse impact or unlawful discrimination?

Scale 3 Caretakers – THH’s lowest paid staff - are exempt from this restructure.

In the case of redundancy, there is clearly the potential for a negative impact on staff who are voluntarily or compulsorily given severance. In line with the Handling Organisational Change Procedure (2008), any staff who experience compulsory redundancy will be given the 120% severance which they would have received should they has been accepted for voluntary severance.

Potential changes to travel arrangement as a result of redeployment may adversely impact on employees, particularly those who use public transport and are on lower incomes. This may have multiple adverse impacts on disabled staff, part-time workers, carers or those with dependants.

**ACTION:** As part of pooling and redeployment, any travel benefits available to staff (e.g. bike loan, season ticket loan) is publicised.
**Human Rights – testing of disproportionate or adverse impact**

*From the evidence above does the policy affect, or have the potential to affect, human rights differently and if so do any of the differences amount to adverse impact or unlawful discrimination?*

The Human Rights Act (1998) and Equality Act (2006) embed a legislative duty for public sector agencies to uphold human rights of all individuals. In accordance with legislation, there are no measures as part of this restructure which could be seen to directly detriment or deny the human rights of staff.

The Equality and Human Rights Commission has a duty to monitor progress towards the development of a society in which (under section 3 of the Equality Act 2006):

- people’s ability to achieve their potential is not limited by prejudice or discrimination;
- there is respect for and protection of each individual’s human rights;
- there is respect for the dignity and worth of each individual;
- each individual has an equal opportunity to participate in society, and
- there is mutual respect between groups based on understanding and valuing of diversity and on shared respect for equality and human rights.

For THH staff, the most relevant application of human rights is in relation to bullying, harassment, victimisation and discrimination. Many of these rights are upheld by the staff code of conduct.

**ACTION:** In order to further development of THHs commitment to human rights, collate and analyse information based on harassment, victimisation and discrimination allegations which have been made by staff since formation of Tower Hamlets Homes and ensure that this is incorporated in future planning and organisational development.

Potential outcomes may include:

- Formulating a Bullying and Harassment Policy and procedure shaped by staff feedback and concerns;
- Higher visibility for measures to counter bullying and harassment;
- Training for all staff on bullying and harassment, including component around management and team working as applicable.
Community Cohesion – testing of disproportionate or adverse impact

From the evidence above does the policy affect, or have the potential to affect, community cohesion and if so do any of the differences amount to adverse impact or unlawful discrimination?

It should be noted that any perception of inequality within the workforce could have negative reverberations within the wider community and carry a reputational risk, as well a potential threat to community cohesion.

**ACTION:** Measures to ensure that THH is more reflective of the local labour market would mitigate this risk.

Health Impact – testing of disproportionate or adverse impact

Identify the effect of the policy on physical or mental health of service users and the wider community from any information that is available. (This might include an increased risk to health for some groups in the community, which although not intended, may have still occurred. The impact on health might include: increased mental stress, greater risk of accident or injury, reduced opportunities to have a quality diet, reduced opportunity for physical exercise, or greater incidence of diseases such as heart disease and diabetes).

The process of restructure, redeployment and redundancy could increase the level of sickness amongst affected staff. This is particularly likely to be concerning mental health.

Lack of clarity and certainty of impact of the restructure during this and future years may cause sickness absence to increase due to stress, and cause strain on those with pre-existing disabilities associated with mental health;

**ACTION:** Embed measures in Workforce Development Plan to acknowledge and mitigate workplace stress and support those with mental health issues. Pursue a relevant, cost-effective accreditation to this end, such as Mindful Employer (http://www.mindfulemployer.net)
Additional groups which may experience a disproportionate or adverse impact

Identify if there are groups, other than those already considered, that may be adversely affected by the policy?

No additional groups were identified through the process of consultation.
SECTION 4

MEASURES TO MITIGATE DISPROPORTIONATE OR ADVERSE IMPACT

Actions above are specific measures that can be taken to remove or minimise any disproportionate impact or adverse effect identified for each strand (in Section 3) or in general (Sections 1 and 2).

The use of positive action can play an important role in helping large organisations to achieve more representative workforces, and should be embedded throughout THH’s recruitment and selection processes where this is not already the case.

As a result of this assessment, changes will be made, and staff should be informed of the response to their comments, particularly where a change has not been taken on board and the rationale behind that.
SECTION 5

CONCLUSIONS AND RECOMMENDATIONS

Does the policy comply with equalities legislation, including the Duties to promote equality in relation to race, disability and gender? Take into account your findings from the impact assessment and consultations and explain how the policy was decided upon its intended effects and its benefits.

yes √ no ☐

What are the main areas requiring further attention?

Compliance with existing policies and ensuring that immediate measures to mitigate and eliminate any disproportionate impact on equalities groups as outlined in actions above, summarised in action plan.

How will the results of the Impact Assessment feed into the performance planning process?

Outcomes of the assessment will be come part of the performance monitoring framework for HR & OD to be reported on to SMT, PMC, ODC and ultimately the Board.
Future Monitoring and Consultation

How and when will the policy be monitored?
Primarily by the Human Resources and Organisation Development service, with strategic monitoring, analysis and reporting supported by the new Business Development service.

When will the policy be reviewed?
The actions agreed will be reviewed as part of ongoing performance management of business, service and team plans.

Suggested consultation for the future
(Identify areas for future consultation and any barriers to participation in consultation with proposals to overcome these).

Future consultation will be undertaken with:

- Managers & Staff within the organisation through various forums available (e.g. SMT, OMT, Staff Forum)
- Board, ODC and PMC
- Trade union representatives

No barriers are anticipated.
SECTION 6 – ACTION PLAN

See Appendix 4.