

# **Equality Impact Assessment (EIA)**

Community Legal Advice Services in Derby

Review of Equality Objectives and Targets- November/  
December 2010

**Equality Impact Assessment for Community Legal Advice Services in Derby**

## Review of Equality Objectives and Targets – November/December 2010

<b>1. OBJECTIVE / TARGET</b>
To improve advice providers access to interpretation services.
<b>FINDINGS</b>
This proposal was supported by the local legal advice agencies following evidence that demonstrated gaps in translation services for specific groups including Chinese and Eastern European communities. The EIA review team agree this was the right objective to set.
<b>PROGRESS AGAINST TARGETS</b>

Citizens Advice launched Translation Sheets in September 2009 to help advisors deal with clients who do not speak English, these sheets obviously including various Chinese and Eastern European languages. The sheets are basic but have been a great asset as regards helping clients to access the services of the Community Legal Advice Centre CLAC, including those from Chinese and Eastern European communities. The sheets are mainly held and used by reception staff in their initial contact with clients. The CLAC still use their own staff and volunteers to translate when necessary and are still finding the vast majority of clients who struggle with English are bringing along someone who can translate for them, especially in regard to clients who wish to access generalist advice. The CLAC report that their staff and volunteer resource is now more diverse than it was last year which has helped the situation as regards interpretation services. As for clients accessing specialist Immigration advice, the CLAC can claim the costs of any necessary interpreters through disbursements paid by the Legal Services Commission. If the CLAC need the services of a paid interpreter for other specialist areas of law they can and do use interpreters although this cost comes out of the standard fixed fee payment for that case. In these circumstances there is no additional funding for these disbursements. Funding from the Council's Community Grants Budget, through the new and emerging communities programme was granted to E-Mac Derby Ltd in August 2009 to help provide an interpreting service for Eastern European people wishing to access the CLAC and mainstream services. Unforeseen delays in setting up the Funding Agreement for E-Mac resulted in the Agreement not being signed until September 2010, this means relevant 6 monthly monitoring information from the organisation will not be available until mid February 2011. One specific output in the Agreement is "number of people using interpreters to access services from the Community Legal Advice Centre" with a target of 60 for the year. Although evidence for the usage of the service will not come from E-Mac until mid February 2011, the CLAC have reported that some Eastern European clients have been supported by E-Mac at the offices of the CLAC when seeking advice. Eastern European clients are mainly captured within the "White Other" category of the CLAC's ethnicity monitoring, which in year 1 for generalist advice recorded 7.9% usage, interestingly this figure has now increased to 10.6% by the end of September in year 3, although not conclusive the CLAC feel the rise is mainly attributable to an increase in Eastern European clients.

Derby Advice DA continue to use Language Line as a last resort, as this is not seen as the perfect answer to the issues around interpretation services. DA still use internal staff resources to answer the needs of diverse communities whose first language is not English. Through financial resources gained through the Migration Impacts Fund DA have been able to employ a specialised worker and use the services of E-Mac for Eastern European interpretation services and other providers when needed. The Fund however will come to an end in February 2011 and this will undoubtedly put extra pressure on DA, who by then will be based at

Heritage Gate but will be delivering their services from the Council's new Customer Services premises on Albion Street in the heart of the city. DA continue to have concerns around interpretation services and although better placed now than last year when the EIA was conducted the loss of Migration Impacts Fund will be a real loss and concern as regards interpretation services.

#### **ANY FURTHER ACTION**

Review output and other monitoring information from E-Mac Ltd which is due to be received in mid February 2011, outcome information is gathered annually and this could be received mid August 2011. It would be prudent to review the situation in relation to Derby Advice especially following the loss of the Migration Impacts Fund MIF next year. Obviously DA could use the services of E-Mac through the Community Grants Budget funding E-Mac receive but this is relatively small funding and in no way could replace MIF monies.

#### **2. OBJECTIVE / TARGET**

To develop a standard referral process.

#### **FINDINGS**

This proposal was fully supported by advice agencies as no standard referral process existed at the time of the full Equality Impact Assessment for referring into and out of the Community Legal Advice Centre. This caused confusion between the agencies and resulted in some clients becoming lost between agencies. It was also agreed at the CLAC Liaison Board that the development of a standard referral process would help to market the CLAC's services within the advice sector. The EIA team agree this was the right objective to set.

#### **PROGRESS AGAINST TARGETS**

As set out in the Community Legal Advice Services in Derby Action Plan within the Equality Impact Assessment, the CLAC, Legal Services Commission and the Council developed a standard referral process and protocol between October 2009 and March 2010. The paperwork and process was launched in April 2010 in accordance with the timescales set in the Action Plan. The development of the referral forms has also helped some advice providers to understand that through referring clients to Derby Advice they are already interacting with the services of the CLAC, which they did not realise before. The CLAC report that not all referrals made to them come through on the form launched in April 2010, however the main plus with having the official easy to use form is that they have had no comments since April 2010 from other providers that they cannot get clients referred into the CLAC. The CLAC also use the official form to refer clients out of the service when appropriate.

#### **ANY FURTHER ACTION**

There could be some merit in advertising the close working links between the CLAC and Derby Advice as sometimes this message is lost and can cause a little confusion amongst some Advice providers. Although all community legal advice providers have the new referral forms and protocol, this should be resent to all providers to remind them of the system used. The CLAC have now started to record the numbers of referrals coming through to them, where it is clear where the referral has come from and will continue to record and report on this.

#### **3. OBJECTIVE / TARGET**

Market the service within the Chinese and Irish Communities.

#### **FINDINGS**

Evidence supported the conclusion that Chinese and Irish communities were not represented, in terms of accessing advice, at the level we would expect. These two communities were certainly under represented when analysing monitoring information coming from the CLAC. That said other advice agencies expressed similar issues especially as regards clients from the Chinese community. This objective was fully supported by the EIA team who still feel it was the right objective to set.

The Derby Population, Migration and Community Profile produced in 2008 was used for comparison purposes during the original EIA finalised in 2009. This Profile still gives us the best and most recent figures for comparison, and is also consistent with the original EIA. When comparing the Profile figures with the CLAC's ethnicity monitoring figures for the first 6 months of 2010/11 the following can be assumed:

- Chinese community is now represented at a level to be expected going from population figures
- Evidence shows the Irish community is represented close to the level expected and if assumptions are made regarding self categorization of ethnicity it is possible the level of Irish clients coming forward is near to what can be expected for the city.
- Asian communities are represented at a level appropriate to the population profile
- Black communities are over represented with 9.75% of the CLAC's clients being black against a population profile of 2.6%
- Dual Heritage communities are slightly over represented with 3.6% of the CLAC's clients being dual heritage against a population profile of 2.25%
- The White Other ethnicity category which contains clients from Eastern Europe is very over represented with 7.65% of the CLAC's clients being White Other against a population profile of 3.74%

Population figures from 2008 suggest a White British population of around 78% with the CLAC recording White British take up as 57%. Although under represented the category will potentially be in a more empowered position than some communities hence the difference recorded here.

## **PROGRESS AGAINST TARGETS**

To further this objective the CLAC met with the Derbyshire Chinese Welfare Association DCWA in January 2010 and began a much more proactive approach in collaboration and understanding between the two agencies and ultimately between the CLAC and people from Chinese Communities in Derby. This new collaboration has been interrupted in recent months with the complete change of Management Committee members and a new worker within the DCWA. The Derby Population, Migration and Community Profile produced in 2008 gives us the most up to date community and population figures. Going from this information the estimated Chinese population in Derby is 1.1% and for the Irish community this stands at 1.4%. The CLAC Liaison Board have been following the progress of the EIA equality objectives at Board meetings. Usage figures for the Chinese community in the second year demonstrated an increase with 1.1% in generalist and 1.2% in specialist advice (a 100% increase in this category). For the first 6 months of the current financial year the figures are 1.0% in generalist and 1.2% in specialist, giving an average across the categories of 1.1% which directly reflects city expectations.

The estimated Irish population in Derby stands at 1.4% with only 0.8% of Irish people coming forward for CLAC services in both generalist and specialist advice in 2008/9. Following further proactive work by the CLAC, the need of this being highlighted in the EIA conducted in 2009, the second year of operation 2009/10, then demonstrated an increase in use in both categories to 1.3% for generalist and 1.1% for specialist. For the first 6 months of the current financial year the figures are 1.3% generalist and 1.0% specialist, an average of just under 1.2% which reflects more closely city expectations but potentially leaves a small amount of room for further improvement. It must be noted however that the Irish community usage of the CLAC is currently monitored under the heading "White Irish" but clients from the Irish Community will on occasion identify themselves under other ethnicity headings such as "Other, White Other, White British and Unknown/Refused". With this in mind it could be said that the number of clients coming through from Irish communities is at, or near a level to be expected for the city.

#### **ANY FURTHER ACTION**

All community legal advice agencies will continue to market their services within all communities.

#### **NEW AND EMERGING ISSUES:**

Derby Advice and CLAC have raised the issue of changes to the benefits system that could put further pressure on advice

providers, for example Housing Benefit changes.

CLAC raised the issue of future funding post Comprehensive Spending Review. This is especially associated with Local Authority and LSC future funding, and the effects this might have on potential staffing levels within agencies across the City, and the knock on effect on the services provided to residents.

### **FUTURE REVIEW PROCESS**

The EIA Review Team agreed the findings of this EIA Review and the original Equality Impact Assessment on Community Legal Advice Services in Derby should continue to be reviewed annually. The next review would therefore take place in January 2012.