

TACKLING DISCRIMINATION IN THE EAST

Year One - Evaluation

“ Meeting you today has lifted my spirits and I can’t express how much I appreciate your help in this matter.”

Victim of disability discrimination

“ I was being racially bullied at work, and the stress of it all was really getting me down. I didn’t know what to do and who to turn to. Then I was put in touch with ISCRE and the team who were all then able to help and give me the advice I needed to deal with the racism I was facing – this was right up to statements at the tribunal. I got a really great outcome with agreement and compensation from my employer. I can’t speak more highly of ISCRE and their invaluable help and patience. My life now is so much happier!”

Victim of racial discrimination

April 2014



What is **ISCRE**?

The Ipswich and Suffolk Council for Racial Equality (ISCRE) is a charity responsible for the provision of services and advice to both individuals and organisations across Suffolk with a view to improving the equality of opportunity for all and reducing discrimination on the grounds of race, disability, gender, religion and other linked equality themes.

Founded in 1977, the work of ISCRE is overseen by a Board of Trustees and is run by a small team of staff backed by a large network of volunteers. www.iscre.org.uk

What is **eg: consulting**?

Founded in 2006 and based in Bury St. Edmunds **eg: consulting** is an advisory, development, evaluation and fundraising consultancy targeted at medium sized voluntary and community sector organizations; and public sector agencies. In seven years the consultancy has worked with 58 clients, including assessing their positive impact and thus helping them to meet their organisational aspirations for growth and development. www.egconsulting.co.uk



Tackling Discrimination in the East (TDE) – four case studies

MARTA

Background & Discrimination issue: Marta brought a claim against her employer for pregnancy related discrimination. She worked as an agency worker for a wholesale meat processor and food supplier company. She had been a good worker. She became pregnant and shortly afterwards, she was told that the company had to cut back on the number of agency workers due to the lack of work. Other agency workers were given more permanent contracts. Marta lodged a grievance.



What TDE did: TDE staff helped Marta identify the issue of pregnancy related discrimination and advised her to bring a claim to the Employment Tribunal. Marta did this and the matter was settled through ACAS. However, the case was made more complex because of the changing law on whether agency workers have protection under the Equality Act – the employer challenged the client's right to claim protection and TDE had to argue this point with the Tribunal.

In addition, this was the first case where TDE had to assess the client to decide if she qualified for fee remission, which involved obtaining financial information not only about herself but also her partner.

TDE project staff and volunteer time allocated to this case was 27 hours.

STEPHEN

Background & Discrimination issue: Stephen suffers from a number of mental and physical conditions. These conditions affect the client's mobility, which means that a mobility buggy is required. He is living in social housing and had requested a shed for the buggy to a ramp to be put in place in order that the client could access accommodation. Stephen was refused the shelter and the ramp, even though a number of neighbours had been allowed one. He was also a victim of a number of negative remarks and insulting behaviour from other residents.



What TDE did: There have been a very large number of incidents over a long period of time which Stephen had reported. ISCRE established failure to make reasonable adjustments and hate crime. With the help of ISCRE, the client complained to the Housing Ombudsman of the failure to make reasonable adjustments regarding the ramp, refusal to agree to the construction of a buggy store with electrification, breach of confidentiality of personal circumstances and harassment and victimisation.

TDE project staff and volunteer time allocated to this case to date was 29 hours.

VERA

Background & Discrimination issue: Vera works as a cleaner in a local entertainment facility, and issued the employer with a racial discrimination claim.

What TDE did: TDE project team advised that due to the late nature of the claim, it might be best to put in a claim for unlawful deduction of wages (something else that had happened to Vera). The claim went ahead and she received full reimbursement of her wages off the employer. Vera speaks Portuguese and her English was extremely limited. This meant that communication, whether verbal or written, takes longer. TDE is seeing more and more migrant workers who come for advice and language translation always leads to more time spent on a matter.

TDE project staff and volunteer time allocated to Vera's case was 14 hours.



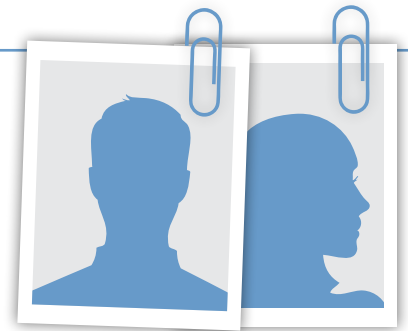
ANDRE & SALLY

Background & Discrimination issue: Andre and Sally live in a small Suffolk market town.

Andre, who is black, had been assaulted and racially abused by a local white man. The latter was arrested and charged. Whilst waiting for the Crown Court case, the family had been targeted by more anonymous racist abuse, including racist graffiti on their house. Andre who was suffering serious depression from the first racist attack, deteriorated. As the offender had many friends and family in the same neighbourhood they felt that they had to leave the area.

What TDE did: The team assisted with advocacy to the police (for covert surveillance and expressed concern about some police conduct); housing authority; housing benefit department; a local charity for financial assistance and debt counselling. TDE is also assisting with a criminal injuries compensation claim. To date the move has not occurred but it is hoped it will happen shortly, so Andre and Sally's case is on going.

TDE team time allocated (to date) is 17 hours.



1. Tackling discrimination in the East

Background & Lottery bid

1.1 For many years ISCRE, with a small team of lawyers and legal volunteers, has been delivering a discrimination law service (previously referred to as the Suffolk Discrimination Law Service) aimed at helping to support Suffolk residents facing discrimination due to their:

- Race, nationality or colour
- Disability
- Gender
- Religion or belief
- Age
- Sexual orientation or gender reassignment

Unlawful discrimination occurs in a number of settings: at work, in schools and colleges, in dealings with the Police and other public agencies, and in relation to the provision of goods and services. Until March 2012, the service was funded by the Government's Equalities & Human Rights Commission; based on this withdrawal of public funding, alternative sources of income were actively sought and **eg: consulting** undertook an external evaluation of the service.

1.2 Based on the external evaluation and extensive consultation initiated by ISCRE a successful submission was made to the Big Lottery Fund's Reaching Communities programme; the team was supported on a pro-bono basis by consultants from Big Society Funding CIC. ISCRE secured a three-year grant of almost £295,000 to fund **Tackling Discrimination in the East (TDE)**, with the grant specifically to pay for three staff salaries (including full-time manager and part-time outreach worker, and part-time information officer; subsequently re-adjusted to Discrimination Law adviser posts), project running costs, evaluation, training and travel, volunteer and interpretation expenses; and a contribution to ISCRE's administration and overheads costs.

The stated purpose and aim of the TDE service **is to tackle life-impairing discrimination (particularly race & disability) for disadvantaged, marginalised people; by raising awareness of their rights and how they can assert them; providing legal advice, representation, building capacity and improved mental wellbeing; increasing life, confidence and citizenship skills; promotion of social inclusion and justice in Suffolk.** As previously, the TDE continues to provide a free service to those experiencing unlawful discrimination.

Previous discrimination service evaluation - what we found out

1.3 It is instructive to reflect upon previous findings based on an evaluation exercise conducted in 2012, and the results of which helped to underpin the request to the Big Lottery Fund for additional resources. The following are just a few of the key findings:

- That the service was assisting between 158 to 203 people in any given year
- That clear and well-recorded quantitative information had been assiduously kept
- That 52% of service beneficiaries were female, 48% male; over half aged 25-44, with almost two-thirds (63%) residing in Ipswich; a fifth (19%) elsewhere in Suffolk; and further 16% from outside the County
- That just over half (54%) of beneficiaries reported being White, White Other or White Mixed Race; 26% African-Caribbean heritage; 13% Asian
- That 52% reported that they have no religious faith; 36% that they were Christian; 5% Muslim; and 2% either Sikh or Hindu
- That those accessing the service mainly found out about it by word of mouth, being signposted by other agencies and via ISCRE's publicity materials, media coverage and related activities
- That, and although information was not conclusive, without being able to access ISCRE's free discrimination services, it was found that the vast majority of beneficiaries lacked the financial resources to overcome unlawful discrimination they faced
- That the overwhelming number of discrimination issues presenting to ISCRE had been in relation to race (68%) and disability (29%), often with a combination of unlawful discrimination being experienced including because of gender and sexual orientation for examples.

1.4 In addition, from previous client satisfaction surveys, it was found that:

- 92% were satisfied with the service's response times to their advice needs and queries
- 88% maintained that they received relevant advice and support
- 96% said that they had received appropriate and sensitive treatment to their discrimination cases from the team
- 80% reported on a satisfactory outcome and conclusion to their case.

1.5 Therefore, overall the external evaluation based on the provision of high quality monitoring reports, data collection and client surveys, feedback and case studying evidenced clear and positive outcomes for people experiencing unlawful discrimination and accessing the charity's services.

2. Remit of Consultancy assignment

2.1 Following the completion of year one of project services provided by TDE the Consultant was set the following brief and set of objectives:

- To externally verify the positive impact, and related service achievements, in meeting the identified discrimination needs of residents in Suffolk and the outcomes as set out in the successful Reaching Communities grant application, namely:
 - People in Suffolk experiencing unlawful discrimination will have better life chances and skills to access employment and services by raising awareness of their right; and this included a target of 150 socially disadvantaged people in year one
 - The mental wellbeing of people involved in the project will be improved by helping them tackle the unlawful discrimination causing their distress
 - People involved in the project, lacking experience of asserting their rights, will have increased self-confidence and skills to challenge unlawful discrimination; and this included a target of 15 people in year one
 - People in Suffolk, from groups particularly affected by unlawful discrimination, will experience greater access to employment and services from local employers/service providers.
- To analyse, evidence and evaluate the achievement of individual benefits for beneficiaries including their perceptions of services, case studying, and ascertain the impact on their quality of life and ability to overcome various forms of discrimination and socio-economic disadvantage;
- To produce a short summary report that could be utilised by TDE managers (and ISCRE overall) to present to funders, including the Big Lottery Fund, as further evidence of effective discrimination service delivery.

2.2 This brief evaluation reporting exercise has been funded by the Big Lottery Fund as part of the TDE's core project running costs, and was scheduled to be undertaken after the completion of year one e.g. after 30 March 2014. A further evaluation is planned for mid way in the final project year.

2.3 In undertaking this brief examination and assessment of the TDE service to determine progress, benefits (and hence impact) the Consultant has employed the following methodology:

- Meeting and visiting: the charity's offices, meeting with the Director of Legal Services, other ISCRE staff, Administrative Volunteer and the Trustee with special responsibility for the TDE project to establish their perceptions on project benefits and achievements;
- Examining TDE project monitoring and outcome reports, feedback surveys, data collection and other information (media coverage, project promotion materials), and including the summary end of year one monitoring report to the Big Lottery Fund;
- Reviewing 10 detailed case studies to evidence impact and individual benefits; and undertaking detailed telephone interviews with a further three clients who had recently accessed the TDE service.

3. Consultant findings: Tackling Discrimination in the East - Benefits & Impact in Year 1

3.1 Resulting from focused planning, determined outreach and highly efficacious management TDE services (in year 1 of Big Lottery Funding's Reaching Communities grant funding) have been delivered exceedingly well. All actions and related activities identified for year one have been undertaken and completed.

From internal quantitative collated data and monitoring we find that:

- 158 socially disadvantaged people residing in Suffolk, and Norfolk, have been identified as experiencing unlawful discrimination; and consequently received legal advice, been advised on their rights to challenge the discrimination faced. This is slightly over the target set for year one of 150 people
- The majority have experienced either racial or disability related discrimination (mainly in the workplace); 40% and 35% overall respectively – a small number of cases related to gender, age and sexual orientation discrimination, there was a marked increase in employment related discrimination in relation to pregnant women
- 39% (52 clients from the 134 willing to provide personal income information) of the service beneficiaries had a monthly income of less than £400. Two-thirds (67%) of beneficiaries had an income of less than £1,000 per month. According to Joseph Rowntree Foundation's 2013 assessment of what constitutes a socially acceptable standard of living single people need to earn at least £16,850 a year (£1,404 per month) before tax for a minimum acceptable living standard. Couples with two children need to earn at least £19,400 each. Only 16 TDE clients (12%) have an income greater than JRF's socially acceptable minimum income level
- Over £39,000 has been secured for clients in settlements and awards in response to the discrimination that they have faced
- 58% of beneficiaries were male, and 42% female. 35% are aged under 35 years, 48% are aged between 35 and 55 years old. 17% were aged more than 55 years
- From data available on 146 clients 39% (57) had a long-standing illness, physical impairment or learning disability; 7% report mental ill-health
- Over half (54%) reside in Ipswich, and 13% elsewhere in Suffolk and almost 10% in Norfolk
- Almost 6 in 10 (59%) beneficiaries self-identify as White – including White European or White Other. A third, 35%, are visibly ethnic minority with the overwhelming majority reporting as Black or Black British. Whilst a third self-identify as not having any religion, 45% said they were Christian, and 12% Muslim and 2% Hindu.

3.2 Robust collection of pre and post intervention information relating to outcomes from clients has helped to evidence some excellent qualitative assessments regarding clients reported increase in their awareness of their rights, sense of wellbeing, confidence and general happiness levels. Clients are asked, as they begin to access TDE services and on resolution (exit from the project) of their unlawful discrimination issue, to provide scores (1 to 6) on how they feel in relation to 24 statements such as:

- I feel content and happy
- I am aware of my rights and responsibilities
- I understand how the system works for me
- I feel able to challenge unlawful discrimination.

It will be recalled (see 2.1 above) that improved mental wellbeing, reduced stress and anxiety is a key Reaching Communities outcome, as is increased self-confidence and skills to challenge unlawful discrimination.

The outcome scores from clients for 23 of the 24 outcome statements are highly significant, positive and pleasing for the TDE team. As way of illustration clients scoring on those outcomes, which specifically pertain to Reaching Communities outcomes, from, collated results analysed by the Consultant, we learn that the TDE has secured large majorities of clients reporting that:

- They now have an improved ability to challenge unlawful discrimination, with increased confidence to deal with problems and make complaints (however there is still a sustained need for external support and guidance to do so)
- They now feel less stressed or anxious; and alternatively report being more content and happy in their everyday lives, resulting in a greater sense of positivity and enhanced personal 'agency' to effect change and fulfill their own potential; they recorded better understanding of how the 'system' works for them and an awareness of what their rights are.

Whilst it is clear that the team have worked very hard to secure pre and post intervention outcome scores from clients it must be noted how difficult this task is, and this is especially pronounced when trying to communicate with clients after all interventions are completed. The team report not having extended long-term relationships with clients once their discrimination issues have been resolved, with many quickly moving on and then having only sporadic telephone (usually mobile) contact. These communication challenges are also discernible in the context of getting clients to complete simple feedback forms. The Consultant is convinced that the TDE team is making strenuous endeavours to secure outcome scorings, client feedback and obtain unambiguous information on which to make evaluative judgements. Within budget restraints it would be unreasonable and unjustified for them to allocate any further effort or resource into capturing qualitative information.

3.3 During year 1 the TDE team carried out a straightforward 'Help us to improve' client feedback, which received 13 responses (9% response rate). Clients said that they found services easy to access, and reported being 'very happy' or 'happy' with the services they received. The service can be accessed Monday to Thursday, 10am through to 4pm at ISCRE's offices, or monthly at the three Outreach Clinics in Lowestoft, Haverhill and Norwich. Those wishing to access the service make an appointment, with most of the beneficiaries accessing the service on a face-to-face basis, through the charity's offices (and now outreach clinics). Advice and support is also offered over the telephone. All but three of those providing feedback resided in Ipswich. A good third of clients had learnt about the TDE services via promotional leaflets, with the remaining two-thirds being referred to TDE by other organisations. The increased knowledge of the TDE service by other organisations is discernible and is resulting in more referrals; this trend is likely to increase further in years 2 and 3 of Reaching Communities grant funding.

3.4 Considerable evidence was provided to the Consultant of fresh outreach work (via Outreach Clinics held on a monthly basis for two to three hours) by the TDE team to ensure all residents across Suffolk, and into Norfolk, were made aware of the discrimination services available. Outreach to west and north-east Suffolk has been focused around two offices: Haverhill and Lowestoft. Six new clients have accessed the services from the Lowestoft office from October 2013 through to March 2014; and seven clients from the Haverhill office. On a slightly longer time frame 15 clients have accessed services when outreach has been provided in Norwich. A tenacious determination by the team to ensure the TDE service reaches parts of Suffolk, and into neighbouring Norfolk, is clearly evident and marks a steady improvement in ensuring access from the charity's organizational base in Ipswich. This will require further follow through in subsequent project years to capitalise on recent outreach measures and networking, and ensure the Ipswich-centric nature of the service is diminished.

3.5 Furthermore, the team has worked hard to build an improved network of referral organisations with a better understanding of the unlawful discrimination service on offer via TDE. Presentations have been made to Age UK, CABs (Ipswich, North East Suffolk & Suffolk West) and Ipswich Disabled Advice Bureau, to name but a few. The focused endeavours to reach out to relevant referring organisations in West Suffolk is palpable. Two awareness raising workshops have been delivered and these were well-received by the 13 participants (LGBT and

Gypsy and Traveller sessions) learnt to better understand how to identify unlawful discrimination and more confidently and better express their rights. The team have undertaken robust pre and post evaluation of their awareness raising workshops with strong evidence of an improved understanding of discrimination law, making effective complaints and how to access help about challenging discrimination. More awareness raising workshops are planned, and it is expected that targets overall will be achieved.

Sympathetic media coverage has been secured in local newspapers and radio. New promotional materials have been produced, and over 1,000 leaflets distributed to public venues including libraries and other voluntary and community sector organisations. Impressively leaflets have been produced in a variety of community languages: Portuguese, Polish and other East European languages.

3.6 The TDE project team provided the Consultant with 10 case studies, four of which have been slightly re-written as shown on pages 2 and 3 above. All the cases reviewed demonstrate the detrimental impact of the unlawful discrimination on each client, the stress and anxiety caused and consequent adverse effect on a client (and their family's) wellbeing. Each case requires considerable application by the team, and carefully planned interventions and follow through; with high levels of professional dedication displayed. Time and time again the team clearly evidence a resolute determination to secure a positive outcome for each client. In most cases this will require many hours of work; the four case studies on page 3 show that the time required by the team in each case can vary from just a few hours, then up to 14 or 17 hours; but the majority of cases often involve more than 20+ hours. A significant number of cases are on-going for many months (usually well over six months), and the team are constantly chasing for responses from authorities and seeking, via bureaucratic procedures, fee remission for very low-income clients.

Furthermore, analysis of the summary case data (for 147 clients) by the Consultant shows that the team action a significant number of 'communication episodes' for each client, ranging from a handful (say a letter, phone call followed by another chasing phone call) up to in many cases 14, 19 and even 29 'communication episodes'. All these communications and actions on behalf of a client are diligently entered onto the project's database, as would be the case with the provision of legal advice in any other setting. Overall, the case studies provided by the team evidenced further clear achievement of outcomes.

3.7 The Consultant contacted a further three clients, two who had faced straightforward disability discrimination in regards to accessing public services and another racial abuse and discrimination at the workplace. All three clients had approached the TDE service after having experienced sustained discrimination and to quote one client *'being at the end of their tether, with no idea what to do'*, or another who said talking to the authorities was like *'talking to a brick wall'*. Not only did they identify themselves as not able to resolve their personal circumstances and overcome the discrimination they encountered, but also they were distressed, anxious and in many ways bewildered. They expressed desperation as they accessed the TDE for the first time. From the outset these clients, and those provided as case studies by the team, were felt listened to by the TDE staff and volunteers; and immediately put at ease, with an expectation that their discrimination problems could in fact be tackled. One referred to the service as a *'lifeline'*, another *'invaluable'*. One mentioned that *'just that one email from the TDE team'* made all the difference and their previously highly distressing situation began to improve. Having received *'absolutely brilliant advice'* and then resolution of the discrimination issues they faced these clients also valued the on-going support offered, and mentioned their desire to help the project team in any way they could e.g. as volunteers, or in helping to champion discrimination campaign work for others. Those interviewed provided additional illustration of how the team achieves positive outcomes for clients to a very high standard indeed, and the often life-enhancing and life-changing nature of the TDE service.

3.8 In discussions with staff, and from case studies provided, it is apparent that serious issues have emerged relating to central Government changes to legal procedures including cuts to legal aid support to those on low incomes and how clients can generally access legal redress to the unlawful discrimination they face. Consequently, this has entailed the team expending more administrative time than anticipated on claiming fee remissions for low-income clients. This situation is likely to be exacerbated in years 2 and 3 of the Reaching Communities grant funding period.

3.9 From financial information provided it would also appear that the Reaching Communities project budget was set at the right levels, excepting under spends in year one have been identified for volunteer, interpretation and translation costs; and staff travel and training. These under spends will be easily rectified. There have been good levels of oversight in terms of budget management and reporting to the Trustee board (there are six weekly Trustee board meetings where the TDE manager presents a comprehensive service update and financial information), and to the project's newly established Advisory Group. The latter was set up as part of the project planning and then submission of the Reaching Communities application and comprises of 27 individuals, some are former project beneficiaries and others represent a diverse range of relevant organisations: African Cultural Forum, Age UK Suffolk, CABs, Suffolk LGBT Network, Mencap, Suffolk Refugee Support Forum and local solicitors. They are regularly informed of service developments and their views sought as to how the TDE service can be improved. In years 2 and 3

3.10 The Consultant met one of the Trustee's (with an extensive legal background and experience) who plays an active role in quality audit and reviewing case files on a quarterly basis. This Trustee offers a supportive 'critical friend' role and is currently reviewing all of the TDE's policies as part of a re-application for a Quality Mark. In reviewing the case files the Trustee reported being quite surprised by the 'degree of complexity' of each case and severity of discrimination experienced; and maintained how this 'demonstrated the absolute need for the TDE service'. Other TDE staff and volunteers were equally effusive on the work they were undertaking to help deliver services and help highly disadvantaged people overcome the discrimination they were experiencing. They reported being clear about their respective roles, what the TDE's expectations of them were as staff and volunteers. All mentioned being well-managed and supported, and an integral part of a well-functioning and focused organizational setting. The managerial continuity, dedication and high standards are playing an intrinsic and vital role in the high performance being achieved and the overall sense of team purpose and consequent resolute application to the tasks required. It is difficult to envision how this could be improved further in the context of the resources available and the huge scale of the discrimination problems and challenges that the charity faces. The Consultant has been very impressed by the manner in which the TDE service is being managed and the collation of information and data to ensure that positive outcomes for beneficiaries are being secured and then evidenced.

3.11 The TDE service continues to benefit from an outstanding level of commitment from predominantly young female volunteer input (law students and unemployed lawyers) which boost casework and research capacity in a highly quality manner. A significant number of these TDE volunteers are from diverse black and minority ethnic backgrounds, and according to well-kept monitoring records the 12 TDE volunteers have donated a staggering 2,272 hours to service delivery (over double the levels recorded in the previous year of 1037 hours). Over the last six months two volunteers are effectively volunteering on a full-time basis, another part-time; the majority volunteer for six hours weekly.

4. Concluding Remarks

4.1 In year one the Tackling Discrimination in the East discrimination service provided by ISCRE - and funded by the Big Lottery Fund's Reaching Communities grant - is being delivered to high exemplar standards, meeting all of its targets and achieving all of its outcomes. The team have hit the ground running in terms of making sure the service meets the discrimination needs of local people and communities, and initiated an outreach programme designed to ensure that previously seldom (or never) served localities can also have equal access. There has been a major uplift in provision and engagement with referring organisations; and the awareness raising aspects of TDE are now beginning to bear fruit.

4.2 TDE beneficiaries score the service very highly, with most saying that they could not have possibly made any headway with it. Outcomes in relation to their increased mental wellbeing, confidence and ability to fathom the complexities of the legal quagmire of unlawful discrimination are particularly salient and noteworthy. Outcomes scoring for the first time has enable year one evaluation to detail the extend of each client's journey in relation to key statements, ranging from stress levels to understanding their rights better.

Monitoring information is being collated methodically and with real - and pleasing - conviction that it is vital for the charity to evidence positive outcomes and impact. Having done so, for example, in relation to client incomes means that we now know that the services is overwhelmingly helping the most socially disadvantaged members of the local community. Two thirds of the beneficiaries have incomes well below the JRF's socially acceptable standard of living of £1,404 per month. If they were unable to access the TDE service these beneficiaries would not have any recourse to addressing the discrimination issues they are experiencing.

4.3 As a brief assessment of year one this interim evaluation report can, it is hoped, serve as a clear and unambiguous barometer of service success and achievement thus far. The Consultant has made minor observations and comments in the context of the findings outlined in section 3 of the report, which underscore the excellence currently being achieved by the team. With two more project years of Reaching Communities grant funding to go there is no reason whatsoever of not anticipating that all the targets and outcomes set out in the original grant application will not only be achieved, but significantly exceeded.