

Legal Services

Legal services provide advice to all council departments on their responsibilities and powers and represents the council in all legal proceedings. One of our key responsibilities is to ensure that the council's interests are protected at all times, and that the rights of our residents are also respected by challenging the adequacy of work carried out by departments.

There are a number of ways that the service has demonstrated how it supports the council in discharging its Duty under the Equality Act 2010.

- 1) Ensuring that effective and adequate Equality and Proportionality Assessments are completed in cases where the resident has a diagnosis of a mental health condition or other type of disability.
- 2) Completing Equality Impact Assessments as part of the democratic decision making process. For example, with regards to the regeneration of two estates in Hayes.

The Council wished to carry out much-needed regeneration in Hayes involving the demolition of 2 estates and their rebuilding. If necessary, the Council would seek to use compulsory purchase powers to compel homeowners to sell their properties to the Council.

Compulsory purchase powers should only be used as a last resort and where there is a clear public interest. It is vital that the characteristics of all occupants are taken into account to ensure that their interests are protected and to demonstrate that is reasonable and proportionate for the Council to exercise its powers.

A comprehensive Equalities Impact Assessment was undertaken to inform the Council's application for planning permission to demolish and rebuild the estates. This showed a short-term disproportionately negative impact on older people, vulnerable people and those with a disability. It recommended that the new estates should provide step free access to all areas and that a number of homes should be fully wheelchair accessible in order to cater for disablement needs. In addition, various support measures should be put in place to assist vulnerable tenants in moving including a packing and transportation service.

An overwhelming majority of the Council's tenants voted for the redevelopment scheme and the Secretary of State has authorised the Council to proceed with the compulsory purchase of properties. Planning permission has also been granted for the demolition and rebuilding of both estates which will provide much-needed and improved accommodation for the residents including, as stated above, fully accessible accommodation.

- 3) Supporting residents with protected characteristics with their relationship with the council.

For example, supporting a teenager who wanted to undergo gender reassignment which was not supported by the family.

A child and adolescent psychiatrist was instructed to undertake an assessment to assess the young person's gender identity and mental health diagnosis and to recommend support that could be put in place.

The mother also formed part of this assessment so the psychiatrist could assess the additional help and support that she needed. The assessment recommended therapy for the young person to address their low self-esteem and feelings of confusion, the consequences of bullying and discrimination about their sexual orientation and gender reassignment.

Family therapy was also recommended to improve the relationship between the young person and their mother. An action plan was also put in place with the school to support the young person.

Both the young person and the mother received support to assist them both through the gender reassignment process.

- 4) Supporting, where applicable, assessments such as those for capability and cognitive understanding to be carried out in native languages and/or adapted for the needs of older people. This has allowed the service to restore relationships between residents and the council and in making applications to the Court of Protection.