

Draft report for Cabinet

Equality impacts of new savings proposals for 2020/21

1. Introduction and legal background

This report outlines how the impacts of the Council's budget proposals are being considered from an equality perspective. The Equality Act 2010 makes it unlawful to discriminate against an individual because of certain personal characteristics ('protected characteristics'). The law also requires that equality issues are considered by public bodies as part of decision making, especially where services are reduced or redesigned.

Failure to undertake proportionate Equality Analysis/Equality Impact Assessment could present risks of legal challenge to the Council for failing to pay due regard to its public sector equality duty.

2. Actions so far

Each budget proposal has been set out in a Medium-Term Financial Plan (MTFP) Proposal template, with the high-level intentions outlined. The proposals describe what service redesign is being proposed and identify if there will be impacts upon residents and/or service users.

As part of the Council's equality analysis process, Directors (and their officers with delegated responsibilities) have been tasked to consider their proposals from an equality perspective. This initial 'screening' process aims to highlight if any of the proposals have the potential to have significant impacts upon service users, and if so, what actions, if any, could be taken to mitigate any unexpected or unintentional impacts. The findings of this initial screening process are contained within this report.

The finer detail of how the proposals will be implemented will follow in due course, and it is recommended that comprehensive and detailed equality analysis is carried out on some of the proposals as they are taken forward (please see text boxes following some of the proposals). This will help to ensure that opportunities to enhance equality are utilised, and any possible negative impacts or barriers for particular groups are taken account of, and if possible, mitigated.

3. Policy Development and Scrutiny Panels- equalities scrutiny process

Budget proposals will be presented to Corporate Policy Development and Scrutiny Panel on 3rd February 2020.

The Corporate PDS panel is being briefed to enable them to scrutinise the proposals from an equality perspective (see *Appendix 1*).

4. Specific savings proposals

Across the Council, every attempt has been made to achieve efficiencies through service redesign, with minimum reduction in frontline services or disproportionate increases in charges.

In respect to impacts on staff, the Council's Human Resources policies and procedures ensure there is full consultation and consideration of staffing matters and that employment-related equality issues are fully considered. Therefore, the focus here is largely on impacts upon service delivery and service users. Each item is accompanied by an appropriate recommendation based on information available at time of drafting.

4.1 Resources portfolio

a). Corporate Budget rebasing. No equality issues have been identified, as this proposal involves reducing the budget to reflect the actual spending.

b). IT contracts and licenses – efficiencies in annual contract negotiations. No equality issues have been identified. Contract negotiations will not impact upon IT budgets that support IT access for service users and staff, particularly regarding disability.

c). Shared Legal Service. The proposal is for a shared legal service with a neighbouring authority providing £100k of savings in shared resources and reducing the cost of external advice. An EIA has been completed and consultation with service users will be done.

Equality considerations: how can we ensure that this change to an inhouse shared legal service will improve the service delivered to some of our most vulnerable users (e.g. children in care)?

4.2 Adult Services Portfolio

a). Public Health & Preventative Services - cost saving. There has been an underspend this year and there is now a commitment to work to the lower budget as we go forward.

Equality considerations: There will be no reduction in current services. Budgets in this area should be considered in the light of the focus on prevention within the new Corporate Strategy.

b). Public Health cost saving (grants to fund activity in other services). Inflationary increase in the public health grant has been signalled by Public Health England. (circa 50k). This could be released to fund council activities that are related to public health. No equality issues identified.

c). Adult Social Care - Community review of care package delivery

Equality considerations: equality analysis will need to be undertaken to ensure opportunities to enhance equality are taken, and to identify any particular impacts upon the quality of care for older people, disabled people and carers.

d). Adult Social Care – Homecare review and service redesign

Equality considerations: as above, equality analysis will need to be undertaken to ensure opportunities to enhance equality are taken, and to identify any particular impacts for older people, disabled people and carers and upon the quality of care.

e). Adult Social Care Specialist and Complex - purchasing efficiencies in package review

Equality considerations: as above, equality analysis will need to be undertaken to ensure opportunities to enhance equality are taken, and also to identify any particular impacts for older people disabled people and carers and upon the quality of care.

f). Adult Social Care Specialist and Complex – contract procurement

g). Adult Social Care Longer Term procurement

Equality considerations: Procurement activity carries with it important responsibilities – and opportunities – in relation to equality. It is important that officers conducting reviews of contracts are aware of the equality analysis/Equality Impact Assessment process within the Council. This will ensure that every opportunity for advancing equality is taken, and potential negative impacts are identified.

h). Adult Social Care New Charging policy. When the new policy is introduced, people will need to apply for certain benefits they are entitled to – and the council will take these into account (even if not applied for).

Full equality analysis has been undertaken on all the changes being introduced by the ASC charging policy and the consultation process. This has been used to inform the decision on any discretionary elements of the policy.

4.3 Climate Emergency and Neighbourhood Services Portfolio

a). Temporary reduction in CSB revenue needs – this will involve the waste depot project capital investment being delayed for one year. No equality issues have been identified.

4.4 Transport Services Portfolio

a). Further capitalisation of pothole repairs - Full capitalisation of permanent pot hole repairs will result in less money being spent on routine maintenance. Residual revenue funding will be prioritised on safety works.

There is no change to council policy. Disabled facilities work such as drop kerbs are funded via the Transport Improvement Grant and are therefore not impacted by these savings proposals. Also, there will be no impact upon safety of the network, as there is an asset management approach to carrying out repairs and improvements. Customer notifications and enquiries are considered as part of the asset management approach.

It is recommended that the team responsible monitor any effects that arise pre and during implementation.

4.5 Housing Planning and Economic Development Portfolio.

a). Spa water supply to Mineral water hosp. No equality issues identified

b). WECA funding: The West of England Combined Authority will contribute 35K to cover staff time. This funding will pay for existing officer time, and there are no impacts on service delivery or equalities identified.

c). Savings Reduction in budget. Reduction in Local Development Framework (LDF) budget. There will be no decisions on policy work next year, therefore there are no known potential equality impacts at this point.

d). Charges increases. There will be minor increases in charges for the following:

- Non-statutory planning advice charges for any type of development (in line with inflation)
- Discretionary charges (slightly above inflation)
- Building regulation charges (in line with inflation)

The impact of fee increases is monitored closely in order to ensure that the Local Authority maintains competitiveness with other providers (e.g. approved inspectors) and also maintains current high customer satisfaction rates.

Equality considerations: no equality impacts have been identified across the 9 protected characteristics of the Equality Act in relation to these minor increases of fees. Fee increases are mostly in line with inflation, and, planning process costs

are relatively small in relation to the whole build costs of any development. Customers accessing our council services will be able to receive advice and guidance that could promote equality (e.g. on sustainable and future-proof development).

4.6 Community services

a). Heritage services business Plan: The growth in profit from heritage services over the current additional profit target for 20/21.

Equality considerations – equality analysis will be done as part of the heritage services business plan. Heritage Services (and the Roman Baths) are involved in a number of initiatives that proactively promote equality (e.g. ongoing improvements to access for people who have physical mobility problems, those with autism or dementia; and the provision of employment opportunities for young people with learning disabilities through Project Search). An important consideration is whether there be any opportunities to undertake additional equalities promotional work as a result of this proposal, or if there could be any reduction in the good practice currently in place.

4.7 New ongoing growth items

The budget proposals include growth items that will serve to promote equality. These include: investment in Domestic Violence and Abuse (DVA) services; an increase in Mental Health team capacity; a package of improvements in respect of how we engage with local communities; an Empty Home review – to bring more properties into use for those who need them and a review of our Houses of Multiple Occupation policy to ensure communities are sustainable.

5. Cumulative impacts

Budget proposals have the potential to impact on people across the full range of protected characteristics. In addition, whilst considerations of socio-economic status are not a requirement of the Equality Act public sector duty, the “narrowing the gap” agenda is an important focus for the Council and its partners. The Council’s priorities of addressing the climate emergency, delivering for residents, focusing on prevention and giving people a bigger say will continue to influence the roll out of the budget proposals. It will be important to ensure that all the equality impacts are considered alongside each other as further details are developed (and within any consultation), in order to identify the cumulative impacts. These impacts will be assessed and

managed through the Council's relevant programme and project management and other governance processes.

6. Recommendations

For each proposal that is taken forward, the following recommendations should be considered (as appropriate), to ensure that equality issues continue to be considered during the implementation stages.

- a. **Full Equality Impact Assessments/equality analysis** should be carried out on all proposals where initial reviews have revealed likely impacts upon particular groups of people due to their protected characteristics. This enables the Council to demonstrate it has taken due regard to equality issues and has thoroughly considered how to uphold the requirements of the Public Sector Equality Duty. The Council's Equality Impact Assessment template can be found on the Council's [EIA web pages](#), and support is available from the Equality Team in carrying out the assessments. Completed EIAs should be published on this web page.
- b. **Inclusive consultation.** Where consultation is arranged as part of taking any of these proposals forward, it is vital that a diverse range of people are encouraged to take part. This will help highlight any additional equality impacts that may need to be addressed and mitigated where possible. A variety of methods should be used to access consultees. The Equality Team can advise on this and on how to access participants from groups representing different equality strands. The [Independent Equality Advisory Group](#) can also be used as a consultative body, and will provide further guidance on likely impacts, and ways of mitigating these.
- c. **Clear and transparent communication.** Wherever it is planned to introduce changes, it is important to ensure that the communication and publicity strategies are accessible to disabled people (for example, people with visual impairment or learning disability) and those for whom English is an additional language. The Council has commissioned Oncall Interpreting services to assist with [Interpreting and Translation](#) where necessary.
- d. **Incorporating equality issues within commissioning specifications.** Where proposals include commissioning or recommissioning external providers, detailed equality requirements should be built into contract specifications. This will ensure that best practice relating to equality in delivery of services is continued and improved upon when delivered by external partners.

- e. **Workforce training and development.** A number of the budget proposals are dependent upon the ability of officers to recognise opportunities to advance equality (for example, within commissioning, or by targeting services towards those who are most vulnerable). It is also important that officers are aware of, and sensitive to, the particular needs of different groups of people. Equality training is available as part of the Corporate Training programme, and bespoke training can be arranged by the Council's Equality Team.

- f. **Ongoing monitoring.** Where services are subject to redesign, equality monitoring should be carried out to help identify if the service is operating as intended, if it is reaching and meeting the needs of our most vulnerable communities; and if there are any unforeseen impacts that need to be addressed. See the Council's sample [equalities monitoring template](#) for the data categories that should be used.

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January 2020

Appendix 1.

Briefing note for panel members on equality in financial decision making

Background

The Equality Act 2010 makes it unlawful to discriminate against an individual because of certain personal characteristics ('protected characteristics').

The law also requires that equality issues are considered by public bodies as part of decision making, especially where services are reduced or redesigned.

The Public Sector Equality Duty (PSED) requires us to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people.

The questions below are intended to assist PDS panels to scrutinise the proposals (within their remit) from an equalities perspective.

A). For each new draft proposal to be put before Cabinet in February 2019:

- Are panel members clear that this proposal has been considered from an equality perspective?
- Do we know what the impact will be on the most vulnerable people?
- Are there any potential unintended impacts or "knock-on" effects consequences - e.g. on partners, residents or other services?
- Have we consulted people and listened to what they have told us about this?
- During the implementation of the proposal – how will we continue to check for unintended effects on particular groups of people?
- Will there be room for discretion if during the implementation we discover that the change of service disproportionately disadvantages some people?
- Considering all the proposals together, what will the cumulative impact be, and will adverse impacts fall disproportionately on specific groups?

B). For any budget items agreed by Council in February 2019

- What have we learnt about equality impacts following the implementation of last years' proposals?