

ANNEX 3

Equality impacts of 2022 to 2023 Savings and Funding Proposals

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. Wider context – local and national challenges and opportunities.

There have been a number of opportunities and challenges in respect of equality, diversity and inclusion locally and nationally over the past two years. As well as the introduction of a Corporate Equality, Diversity and Inclusion Steering Group and the continuation of the Independent Equality Advisory Group, the council is currently reviewing whether an internal Equality Team expansion is needed to meet these additional requirements.

In July 2020, Council agreed to establish a Race Panel, following the murder of George Floyd in the USA, as public outrage was felt across the world about racial discrimination and the Black Lives Matter movement was formed. The collective aim of the Panel is to build a fairer community and to champion those living, working, and residing in B&NES who experience marginalisation, inequality and under-representation due to their ethnic background. The Panel members have strong links into our communities and part of the Panel's role has been promoting work, walks and talks across the area on slavery about race by collaborating with local organisations and communities.

The safety of women and girls has been brought into focus by the recent tragic murders of women including Sarah Everard and Sabina Nessa. In July 2021 Council agreed a motion relating to the rights of people (particularly women and girls) to be safe from violence and harassment on our streets, which included a commitment to a number of measures to help address this.

The council has faced challenges in how to maintain disabled access whilst at the same time trying to ensure people and public places are protected from the threat of terrorism. In 2021, the council undertook targeted consultation with disabled people about the City Centre Security Proposals (including commissioning an Access Study by an independent consultant). The findings of the consultation were considered carefully and led to a revision of the original proposals (by allowing Blue Badge Holders to access the restricted zone).

The council will continue to carry out equality impact assessments and public engagement to shape this and other proposals in the future.

3. Budget proposals - 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 aimed 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.

All savings proposals, new or recurrent recovery plans, were presented by lead portfolio members, supported by their Directors, to a panel comprising the Leader of the Council, Deputy Leader, Chief Executive and Chief Finance Officer (S151). Impacts of the proposals, including those of equality, were discussed and considered as part of these meetings. Proposals were either approved, amended or rejected at this meeting.

4. Policy Development and Scrutiny Panels - equality scrutiny process

A briefing has been developed for PDS panel members to enable them to scrutinise the proposals from an equality perspective (*see Appendix 1*).

5. Savings proposals for 2022-23

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.

Regarding 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.

6. Detailed equality analysis relating to delivery of services

The finer detail of how the final 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. 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.

As the council's Human Resources policies and procedures ensure that there is full consideration of staffing matters, the focus here is upon service delivery and service users.

The screening process has highlighted several proposals where there is a possibility of negative impact upon certain groups of people with protected characteristics and/or opportunities to enhance equality. Each item is accompanied by an appropriate recommendation based on information available at time of drafting.

6.1 Portfolio: Economic Development and Resources

There are a total of 15 budget proposals within this portfolio. No adverse equality impacts have been identified within the proposals.

Recommendation: As proposals are implemented, monitoring for impacts should be carried out and proportionate equality analysis undertaken where potential issues are highlighted.

6.2 Portfolio: Climate and sustainable travel

There are two proposals within this portfolio that relate to how we organise and finance posts within the council. There are no adverse equality impacts identified in relation to these proposals.

6.3 Adult and Council House Building

There are six proposals within this portfolio.

- The most significant proposal in respect of equality impacts relates to '**Community – review of care package delivery**' which plans to review existing packages to identify efficiencies. Older people, in particular women who have a longer life expectancy and disabled people (not living in residential care homes) are likely to be affected by this proposal. The Equality Impact Assessment states 'some service users have been used to over prescribed or under prescribed packages of care and may not want to see changes to their package. The social worker will advise the service family/carer of the rationale for the changes and ensure that the package in place is care act compliant meeting the needs of the individual. Training will continue with staff regarding the importance of strength-based approach so the individual can achieve their full potential'.
- In respect of '**Physical disability and sensory impairment purchasing activity**' – no impacts have been identified as this saving utilises an underspend.
- In respect of the other proposals, **Rebase budget spend on resources, Transformation projects, Efficiency outputs, Community contract management framework** and **Grant funding of adult social care**, no equality impacts have been identified at this stage.

Recommendation: As these proposals are implemented, impacts will need to be monitored to check that people are treated fairly and equally to ensure that these budget reductions do not have a disproportionate impact upon particular equality groups.

The ongoing effects of the 'Community – review of care package delivery' proposal need to be monitored closely on an individual basis as well as by protected characteristic in order to be able to identify any early trends.

6.4 Portfolio: Children and Young People, Communities and Culture

There are 12 budget proposals within this portfolio. Those with equality impacts are set out below.

- The **Review of the delivery of Library and Information Services** could lead to operational changes in how the library and information service is delivered. This could increase opportunities for access for all current and potential service users although it could result in less support for those with additional needs although there will be information points and digital access to services to help mitigate this. In addition, there will be a review of the mobile library service, which may lead to changes in provision and routes. This could have an impact on older people's social interaction although there may be ways that the mobile library service can be used to enhance outreach provision and support local communities, reaching a wider range of residents. In addition, the Home Library Service, which provides vital help and support to older and disabled people, is being invested in which will enhance the mobile library offer. We are also investigating options to move some information services into Bath Central Library to offer residents and visitors an enhanced service provision in our most popular Council location in central Bath.

Recommendation: A full Equality Impact Assessment should be undertaken regarding any operational changes to library and information service. It is also recommended that a full Equality Impact Assessment is undertaken in respect of any changes to the mobile library service routes and provision.

- Our **Customer contact strategy** – will promote self-serving by the website for those who are able to use the technology, whilst retaining face to face mediated support for our most vulnerable residents.

Recommendation: It will be important to maintain non-digital customer access (e.g. face to face and by telephone) for those who cannot access digital options and may need additional support.

- **Foster care transformation project** – The purpose of the project is to increase the number of in-house foster carers – which would improve the lives and life chances of children and young people in care. There are currently not enough in-house foster carers in our area – the council relies on independent fostering agencies (IFAs), and

residential settings which are generally more expensive. In terms of positive equality impacts, the service is actively looking to increase the number of minority ethnic foster carers, in order to support the needs of the looked after population in B&NES, which tends to be more ethnically diverse than the general population.

- **Reunification transformation project** - This project has the potential for positive impacts upon the lives and life chances of children and young people in care. It delivers a managed approach to returning children home, for those children and their families who have been identified as being able to be reunified.
- **Odd Down Sports Ground – investment to enhance income generating activities.**

Recommendation: Proportionate equality analysis should be carried out in order to inform any consultation processes that are part of this proposal.

6.5 Portfolio: Neighbourhood Services

There are a total of 27 proposals, the majority of which do not have any equality impacts. The proposals that do have some impacts are listed below.

- **Street lighting – Capitalise street lighting column replacement with no reduction in service.** As this proposal is implemented, we will need to ensure that public safety concerns, particularly in respect of women and girls, are not compromised by changes to the maintenance of street lighting.

Recommendation: throughout the implementation, ensure that consideration is given to public safety concerns and detailed advice is sought from the Inclusive Communities and Equality Teams.

- Changes in charges to the public for various services (**cremation charges, garden waste collections and allotments**) will have a disproportionate impact upon those on lower incomes.

Recommendation As these charge increases are implemented, monitoring should take place in order to highlight other adverse impacts.

6.6 Portfolio: Transport Services

There are a total of 13 proposals under this portfolio. Those that have equality impacts are listed below.

- Increases in charges (in respect of **permits for reserved space in residential car parks, introduction of hourly based charging in Midsomer Norton and Radstock**, and the **introduction of parking charges in locations that are currently free**) have a disproportionate impact upon people with lower incomes. Those who rely on their car for their mobility (such as disabled people who are Blue

Badge Holders) do have the option to park for free on double yellow lines in accordance with the Blue Badge scheme. The equality impact assessment notes that further improvements have been identified and implemented throughout off street car parks to improve the sites for customers with range of impairments. These improvements include dropped kerbs and tactile paving; improved lighting and additional marked accessible / disabled bays.

Recommendation - As any consultations are carried out in relation to parking proposals, equality issues that are raised should be carefully considered as part of the decision-making process.

- **CCTV** – a review of the council's Security Surveillance Hub

Recommendation - As this proposal is implemented, we will need to ensure that public safety concerns are not compromised by any changes that are made, and that the new role of CCTV staff in assisting access for Blue Badge Holders into the City Centre Security zone is maintained. The Equalities Team will be part of the project team involved in the review.

6.7 Portfolio: Planning

There are 13 proposals within this portfolio. Those that have equality impacts are listed below.

Increases in fees (relating to **Pest Control, Building Regulations and Land Charges**) are not likely to have any disproportionate impacts upon people with protected characteristics, however they will have a disproportionate effect on those households with low income; monitoring of pest control uptake and therefore effectiveness should be noted during and after introduction.

Recommendation: the impacts of these fee increases should be monitored after their introduction.

7. 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 over-riding purpose of *improving people's lives*, along with its Corporate Strategy core policies of addressing the climate and ecological emergency, and giving people a bigger say, will continue to influence the way that each proposal is carried out and implemented. 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.

8. Recommendations for Budget implementation phase

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 or proportionate Equality Impact Assessments/equality analysis** should be carried out on all proposals where initial reviews have revealed likely impacts upon groups of people due to their protected characteristics (see 4.1 above). 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 an interpreting service 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.** Many of the budget proposals will be introduced during 2022-23; the individual and cumulative effects of proposals will come to light during and following their introduction. 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 [equality monitoring template](#) for the data categories that should be used. Senior staff should continue to focus on analysing the effects of each proposal, including any knock-on effects on other internal or external services (including impacts creating further pressures on voluntary sector services). Regular reporting to Corporate Management Team and to the Corporate Equality, Diversity and Inclusion Steering Group will enable the council to identify and address any equality issues arising that have been caused by these budget proposals.

Appendix 1.

Briefing note for Policy Development and Scrutiny 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 Equality perspective.

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

- 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 2021

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