

## Annex 3

### Equality impacts of 2023 to 2024 budget proposals

#### 1. Introduction and legal background

- a. This report outlines how the impacts of the Council's budget proposals are being considered within the context of the Equality Act 2010<sup>1</sup>. The Act makes it unlawful to discriminate directly or indirectly against an individual because of certain personal characteristics ('protected characteristics'). The Act also requires that equality issues are considered by public bodies as part of decision making, especially where services are reduced or redesigned.
- b. 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<sup>2</sup>. Courts have held that a local authority has to show they have consciously addressed their mind to the duty and actively considered any new plan or policy in light of the potential impact it may have on particular protected groups.

#### 2. Bath and North East Somerset background

- a. The Census 2021 results are currently being released, what we know so far is that Bath and North East Somerset is a diverse area which includes the City of Bath as well as vibrant towns, villages and rural communities. The latest population 2021 United Kingdom Census shows there is an estimated 193,400 residents in B&NES an increase of 9.9% since 2011.
- b. Bath & North East Somerset Council covers approximately 135 square miles. Bath is the largest urban settlement in the area, acting as the commercial and recreational centre of the district. It is home to just over 50% of the B&NES population and is a UNESCO World Heritage Site.
- c. At time of drafting full ethnicity data from the 2021 census is not yet available. According to the 2011 Census 94.6 % of the population is from white groups. 5.4% are from the following groups:
  - Chinese (1912 people) 1.1%
  - Other Asian (1160 people) 0.7%
  - Asian (Indian): (1116 people) 0.6%
  - Mixed white and Asian (954 people) 0.5%,
  - Mixed white and Caribbean (951 people) 0.5%
  - Black Caribbean (672 people) 0.4%
- d. The 9.9% increase in the size of the population (from an estimated 176,016) to an estimated 193,400 is higher than the overall increase for England (6.6%) and the South West (7.8%). This growth has come from a combination of increasing student numbers at the two Universities and an increasing number of new housing developments.

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2010/15/contents>

<sup>2</sup> <https://www.legislation.gov.uk/uksi/2011/2260/contents/made>

- e. As of 2021, B&NES is the 11th most densely populated local authority in the South West; since 2011 there has been a 17.5% increase in people aged 65 years and over in B&NES, lower than the national increase of 20.1%. We have also seen an increase of 8.2% in people aged 15-64 years and an increase of 7.6% in children under 15 years.
- f. Despite being an area with generally good health and low crime, there is significant variation within the area. Compared with the most affluent communities in the area, the most deprived communities experience a range of inequalities and poorer life outcomes. Bath and North East Somerset is ranked 269 out of 317 Local Authorities in England for overall deprivation, making it one of the least deprived in the country, however two areas are within the most deprived 10% nationally.

### **3. Actions to date**

- a. As part of the Council's equality analysis process, Directors (and their officers with delegated responsibilities) have considered their proposals from an equality perspective. Where available, these have been set out in a 2023/24 budget proposal template, with the high-level intentions outlined. The proposals describe what service redesign is being proposed and should identify if there will be impacts upon residents, employees and/or service users.
- b. This document highlights those individual proposals where Directors have identified a potential impact, either positive or negative on residents, employees and or service users.
- c. The 2023/24 budget proposal template and an initial overview of the equality implications have been considered by Corporate Equality Diversity Inclusion Steering Group (CEDIS) prior to being submitted to Policy Development and Scrutiny Panel (PDS).
- d. This 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.

### **4. Equality scrutiny process**

- a. The budget proposals were presented to Corporate Policy Development and Scrutiny Panel on 23<sup>rd</sup> January 2023.
- b. The PDS panel members have received a brief to support them to scrutinise the proposals from an equality perspective (see Appendix 1).

### **5. Savings proposals for 2023-24**

- a. Across the Council, every attempt has been made to achieve efficiencies through service redesign, with minimum reduction in frontline services.
- b. It should be noted that a number of proposals refer and rely on income generation. This in itself has the potential to increase pressure on stretched teams and have indirect impacts to other parts of the service, particularly should the income generation not be realised.

- c. Regarding any equality 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

- a. The details of how the selected proposals will be implemented will follow in due course. It is recommended that a 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 promote equality are identified, and any possible negative impacts or barriers for particular groups are considered, and where possible, mitigated.
- b. As above, regarding equality 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.
- c. The process has highlighted a number of proposals where there is a possibility of negative impact upon certain groups of people with protected characteristics and/or opportunities to promote equality. Each item is accompanied by an appropriate recommendation based on information available at time of drafting.
- d. The selected budget proposals, considerations and recommendations are listed below grouped in order of portfolio holder.

## 7. Table of portfolio holders holding budget proposals with potential impact

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**8. Budget proposals that note a potential impact on people with protected characteristics.**

**Portfolio holder: Cllr Alison Born and Cllr Tom Davies**

Adult Services and Council House Building: Safeguarding Staffing review										
<b>Precis:</b> To review management structure in the safeguarding team.										
<b>2023-24 budget proposal statement</b> <i>“Since the transfer of the HCRG safeguarding team back to the council there is need to review the overall structure of 2 teams which have come together. The first phase of this has been to hold a management vacancy for 22/23 and review whether this post will be needed in 23/24”.</i>										
<b>Considerations:</b>										
<ul style="list-style-type: none"> <li>➤ It could be possible that people with protected characteristics will be adversely affected by not receiving the required service.</li> <li>➤ Potential increase in pressure on existing members of staff, this may have a detrimental impact on existing staff requiring reasonable adjustments.</li> </ul>										
<b>Recommendation:</b>										
➤ Proportionate equality analysis should be carried out in order to identify if reduced staff numbers will have any negative impact on vulnerable service users.										
All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓								

**Adult Social Care: Funding Review**

**Precis:**

To ensure the right sized care package is provided to individuals who receive a service from Adult Social Care following discharge from hospital.

**2023-24 budget proposal statement:**

*“To review the size of packages of care at the end of the short term D2A period to ensure all packages are as small as they can be. Focus on UCB provision”.*

**Considerations:**

- Insufficient Social Worker time to engage with reviews.
- People with protected characteristics at risk of needs not being identified and met.

**Recommendation:**

- Complete a detailed EqIA considering where people with protected characteristics may be more impacted than others (see below). Determine whether people from particular groups are disproportionately more likely to benefit from care that is not within threshold.
- Consultation, including with Independent Equality Advisory Group (IEAG).

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓						✓		✓

## Adult services and Council House provision

<b>Proposal:</b> Housing Services Savings										
<b>Precis:</b> Greater use of development capitalisation; increased income provision; reduction in client grants; stopping discharge from hospital contract; and further use of Homeless Prevention Grant (HPG) to fund existing front-line services.										
<b>2023-24 budget proposal statement</b> <i>“The proposals aim to reduce service provision, rather than stopping provision, and are not viewed as directly conflicting with other proposals or existing policies. However, the cancellation of community alarm grants does conflict with the Decent Homes Policy, which states that the Council will offer such grants. However, these grants are infrequently accessed, and the policy also states that this offer is subject to available funding”</i>										
<b>Considerations:</b> <ul style="list-style-type: none"> <li>➤ Reduction in homelessness capacity; possible disproportionate impact on particular groups who are overrepresented in homelessness services; knock-on to Children and Families services.</li> <li>➤ Cumulative effect of reductions on older people.</li> </ul>										
<b>Recommendation:</b> <ul style="list-style-type: none"> <li>➤ EqlA required on community alarms and affordable warmth grants.</li> </ul>										
All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓									✓

Portfolio holder: Cllr Dine Romero

Children’s Services and Education proposal: Extend Family Group Conferencing										
<p><b>Precis:</b> To increase the provision and uptake of support for families, aiming to divert children from moving into care.</p>										
<p><b>2023-24 budget proposal statement</b></p> <p><i>“To prevent children from coming into care and to strengthen the family networks of CYP. There are waiting lists for this support. Delivering better outcomes for Children and young people being connected to family and community”.</i></p>										
<p><b>Considerations:</b></p> <ul style="list-style-type: none"> <li>➤ None</li> </ul>										
<p><b>Recommendation:</b></p> <ul style="list-style-type: none"> <li>➤ Complete a detailed EqIA to identify where the proposal complies with the PSED through the promotion of equality.</li> </ul>										
All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓				✓		✓		✓



**Children’s Services and Education proposal: Review of Social Care contribution to Joint Agency Pool**

**Precis:**

Reduction in budget paying for cost of care through more equitable contribution sharing with partner agencies.

**2023-24 budget proposal statement:**

*“The current Joint Agency Pool (JAP) funding split does not reflect the reduced social care demand and increased complexity of health needs. The pool is funded by the Local Authority, Direct Schools Grant and Health, Integrated Care Board. Individual packages of care would not be impacted. Move to 30/30/30 contribution arrangement, thus reducing the current social care contribution”.*

**Considerations:**

- Budget savings will not be met should the Integrated Care Board / Local Authority decide to pull out of the joint pooled budget arrangements; Children’s social care costs will increase.

**Recommendation:**

- No further action.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic

**Public Health and Prevention proposal:** Use of Public Health Grant to fund additional health improvement services

**Precis:**

Move budget to other council services that promote health initiatives.  
To reduce the number and scale of public health campaigns

**2023-24 budget proposal statement**

*“Use of Public Health Grant to fund additional council services that benefit health.  
Move use of identified funding from Public Health team to fund other services in the council that also have an impact on improving health  
Reduction in capacity of commissioned public health services and reduction in number and scale of public health campaigns and projects”.*

**Considerations:**

- Allocations of the government Public Health Grant are made annually.
- Potential for reduction in capacity of commissioned public health services and number and scale of PH campaigns and projects to have negative impact on one or more equalities groups. However, such interventions are already focused on particular groups that experience poorer health outcomes.
- Mitigation – continue to ensure that services/projects/campaigns are focused on meeting needs of groups, including equalities groups, experiencing poorer health outcomes and greater barriers in accessing opportunities.
- Mitigation - greater targeting of campaigns and projects, and use of digital assets is in consideration.

**Recommendation:**

- During implementation and through an ongoing review process, consider any knock-on effects of the other proposals where the focus is on reducing or removing events and facilities that promote or enhance health and welfare including social contact and activities, and / or where transfer of funding puts extra pressure on other stretched services.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓	✓			✓		✓	✓	✓

**Portfolio holder: Cllr David Wood**

**People and Policy proposal:** Increased Income to Registrars Service

**Precis:**

Increase the number of ceremonies and ceremony fees in Council premises / facilities.

**2023-24 budget proposal statement**

*“To increase ceremonies income for the Registration Service by increasing fees in line with other LAs and promoting the ceremonies, developing the social media profile and building cross-service ceremony products. Additional resources from IT (web team) and Heritage (marketing and promotion) will also be needed”.*

**Considerations:**

- People with protected characteristics and those who are socio-economically disadvantaged may not be able to meet the increased costs although up to 18 ceremonies per week are available at the statutory minimum fee.
- Increased number and variety of venues will become available for hire which has potential to increase choice of accessible options.

**Recommendation:**

- Complete an EqlA to identify where the proposal contributes to cumulative impact re cost of public services to residents particularly to Disabled people.
- Carry out inclusive consultation.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
		✓		✓						✓

**Neighbourhoods proposal:** Increase in fees and charges & increased sales (allotments, commercial waste and horticultural services)

**Precis:**

To increase charges for allotment holders by 10%

**2023-24 budget proposal statement**

*“Increased charging for service provision to reflect inflationary pressures. There will be an anticipated financial impact on service users through increased charges, although allotment holders have already been notified of this. There is a positive impact of new allotment provision. There can also be a positive impact of providing services where there is user demand through the increased sales”.*

**Considerations:**

- Places barriers for people living with socio-economic disadvantage.
- Note the 50% concession already in place for those on relevant benefits.
- Note the low cost of allotment rental (compared with neighbouring local authorities) at £25 per 25m<sup>2</sup>
- Possible conflict with Public Health services. Possible impact on physical health benefits from the opportunity ‘allotmenting’ offers and in increased physical activity
- Potential impact on opportunities for making social connections and mental health benefits.

**Recommendation:**

- Carry out EqIA, consider public health implications if people on low incomes are unable to retain / take on allotments.
- Consider the knock-on effects of the other proposals where the focus is on increasing charges to the residents.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓								✓

**Portfolio holder: Cllr Manda Rigby**

<b>Place Management proposal:</b> Clean Air Zone – review of financial assistance scheme, Euro 6 HGV charge and pricing model.										
<b>Precis:</b> To review pricing model of Clean Air Zone scheme. End the Blue Badge Holder charge exemption.										
<b>2023-24 budget proposal statement</b> <i>“Income from Financial Assistance Scheme use by other Authorities, HGV Euro 6 charge and review of CAZ charging structure.</i>										
<b>Considerations:</b> <ul style="list-style-type: none"> <li>➤ Further price increases may impact the disabled who have a low income. The sunset period exemption for blue badge holders (BBH) is due to expire in March 2023 and from this date BBH will be expected to make payment for zone entry.</li> <li>➤ From March 2023 potential risk of reputational damage / legal challenge by disabled rights groups</li> </ul>										
<b>Recommendation:</b> <ul style="list-style-type: none"> <li>➤ Revise and update the current EqIAs in line with feedback from current public consultation; contribute to cumulative impact re cost of public services to residents particularly to Disabled people.</li> </ul>										
All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
		✓								

**Place Management proposal:** Development and introduction of city centre permit process

**Precis:**

The Council currently has several layers of approvals to permit access for organisations, particularly contractors, event organisers and film production companies, including multiple invoicing/charging processes. This can be cumbersome, time-consuming and above all confusing for the customer.

**2023-24 budget proposal statement**

*“A review of the current processes and procedures is required, supported by Business Change Team, to understand whether this can be streamlined into one City Centre Permit, with one point of contact, alongside a single charging and invoicing process.”*

**Considerations:**

- This proposal will not begin until 2025/26 giving time for development of the plans and to complete statutory consultation.
- This would affect organisations such as events companies and TV and film production companies, not individual residents.
- Blue badge parking to be considered throughout implementation of individual schemes.

**Recommendation:**

- Complete an EqlA prior to implementation to identify any cumulative impacts
- Consider knock-on effects with street works permits
- Carry out inclusive consultation including with voluntary and community organisations who may use the city centre

All	Age	Disability	Gender reassignment	Marriage & civil partnerships	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio Economic
		✓						✓		✓

**Place Management proposal: Parking & Permit changes review**

**Precis:**

- To implement wider emissions-based charging via pay and display parking and new residents parking schemes through differential rates for non-compliant vehicles.
- Income generated from, residents parking zones, permit changes and enforcement review.
- To increase the number of residents parking zones.
- To ensure that enforcement activity is carried out proportionately across the local authority

**2023-24 budget proposal statement**

*“To implement a pay and display charging strategy to align with emission-based charging already in place for permit schemes within the city, implement new residents parking schemes with emission-based permits and review enforcement priorities to target areas where contraventions are occurring to ensure most effective use of the available resources”.*

**Considerations:**

- Consider cumulative impact, especially to Disabled people who are not blue badge holders and cost of living.
- Ensure technology is fully accessible for vehicle owners.
- Fully consider and publicise all other parking options, public transport availability and mitigations.

**Recommendation:**

- Continue to review EqIA to identify where the proposal contributes to cumulative impact re cost of public services to residents particularly to Disabled people.
- Ensure the statutory consultation re parking charges is inclusive and accessible.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓								✓

**Portfolio holder: Cllr Richard Samuel**

<b>Business Change and Customer Services proposal:</b> Creation of Business Change Hub										
<b>Precis:</b> To create a team of five full time equivalent posts to focus on business change to improve outcomes for our residents and customers.										
<b>2023-24 budget proposal statement:</b> <i>“To lead business change and transformation across the Council in a consistent and coordinated way, with effective governance and programme management processes in place to enable and support services to deliver efficiencies and realise benefits from their change programmes. As well as supporting services, there will also be a number of high risk / reputation programmes that will be delivered centrally by the Business Change Hub”.</i>										
<b>Considerations:</b>										
<ul style="list-style-type: none"> <li>➤ The aim of the Business Change Hub is to continually improve and transform services to make them accessible for all our customers and residents; accessible communication with the public will be instrumental in its success.</li> <li>➤ Discretionary option to provide services in different ways for individuals should remain available on request where that request is reasonable</li> </ul>										
<b>Recommendation:</b>										
<ul style="list-style-type: none"> <li>➤ To consider and address all potential access requirements and utilise best practice during the implementation of change programmes.</li> <li>➤ To ensure the Business Change Hub team are aware of the Equality Act with particular emphasis to have due regard to the requirements of the Public Sector Equality Duty.</li> </ul>										
All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
✓										



**Business Change and Customer Services proposal: Customer Experience programme**

**Precis:**

To encourage customers to self-serve via the website by the introduction of a web bot

**2023-24 budget proposal statement**

To introduce a web bot to enable our customers to contact us 24/7 at a time convenient to them should they wish to do so.

The current methods of contact will also be available for customers should they wish to use the telephone or access face to face mediated support.

**Considerations:**

- An online customer service web bot / portal may not be fully accessible for some residents, for example those in rural areas without reliable internet access; people with digital poverty; some Disabled people; some older people.
- This proposal may reduce face to face contact with residents thus limiting opportunities for local authority staff to identify and provide support to vulnerable people.
- It should be noted that simple queries could be resolved by the bot for those with ability, freeing up staff time for face to face interaction with residents and customers.

**Recommendation:**

- To consider and address all potential access requirements and utilise best practice during the design, configuration and introduction of the web bot.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓	✓								✓

**Portfolio holder: Cllr Kevin Guy**

**Place Management proposal: Remembrance & Community Events**

**Precis:**

To use alternative funding sources for some Council events including Remembrance Service and community events. This will be in place from 2025 onwards.  
 An alternative funding source has been identified to cover cost of the remembrance event for 2023 and 2024. Work with external partners is ongoing to plan and prepare for either handing over responsibility or for full cost recovery for remembrance events from 2025 onwards.

**2023-24 budget proposal statement**

*“The Events Office delivers Bath Remembrance Service on behalf of the Mayor's Office and the Royal British Legion, as well as smaller community events, such as Summer Sundays. The Chartered Trustees will fund from 2023/24”.*

**Considerations:**

- Risk of unaffordable events – exclusion for people living with socio-economic disadvantage.
- Some discounts for community groups are available for space hire.
- May impact on Council’s ability to comply with the Public Sector Equality Duty to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- Costs such as road closures, repair, maintenance and making good ground after community events are hidden costs that the Council can no longer carry.

**Recommendation:**

- Although outside the Equality Act legislation, this may have a detrimental impact on people on low incomes/ who are at socio-economic disadvantage meaning inequality in access to culture/heritage/learning opportunities/community events; Potential marginalisation of the most vulnerable and people with protected characteristics)
- Consider the knock-on effects of the Increasing Filming and Events Fees proposal.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓									✓

**Place Management proposal:** Increasing Filming and Events Fees

**Precis:**

To increase income by increasing charges to event and film organisers including community and charity events.

This needs to provide full cost recovery of, for example, the provision of road closures and access to historic (and other) rooms and buildings.

**2023-24 budget proposal statement**

*“Increase all Filming & Event Fees & Charges to reflect inflationary pressures. Increased charges may deter filming and event organisers, particularly smaller organisations, community and charitable organisations”.*

**Considerations:**

- Potential for increased costs being passed onto customers, impacting people & families on lower income.
- Charities supporting people with protected characteristics may have an increase in cost to film in the local authority not only for filming this is also for events
- May impact on Council’s ability to comply with the Public Sector Equality Duty to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- It may impact on people who are socio-economically disadvantaged meaning inequality in access to culture/heritage/learning opportunities/community events  
Potential marginalisation of the most vulnerable and people with protected characteristics.

**Recommendation:**

- Complete a proportionate EqIA to identify where the proposal contributes to any possible cumulative impact re reduction of provision of local services to residents, particularly to those people on low income.
- Consider the knock-on effects of the Remembrance and Community Events proposal.

All	Age	Disability	Gender reassignment	Marriage & civil partnership	Pregnancy & maternity	Race	Religion or belief	Sex	Sexual orientation	Socio economic
	✓									✓

## **9 Cumulative impacts**

- a. 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 impact of cost of living increases and other financial pressures is an important focus for the Council and its partners.
- b. Financial decisions need to be made with consideration for the unintended effects of budget proposals. The cumulative impact identifies that people may be affected multiple times, by different policies and service changes. i.e. the impact of all the proposals on Disabled people should be viewed together rather than only through the lens of an individual proposal.

## **10. The socio-economic context**

- a. It should be noted that the council aims to ensure that services were protected from 'cuts' as much as possible during this budget setting process. However, with year-on-year savings we must balance the due regard duty and the longer term effects on frontline services that provide support to vulnerable service users as well as those with protected characteristics, particularly those people who may be less able to cope with service changes.
- b. Services users and residents are facing changes from other services other than the council, in Bath & North East Somerset this includes some proposals for significant changes to public transport availability. We are mindful that the council budget setting process forms only one part of the challenges that will face our residents over the coming years relating to the economic and cost of living crisis.
- c. Although socio-economic status is not a protected characteristic, this report notes that even relatively modest cost increases for services can have a substantial impact on the lives of households with low income. These households can often be more reliant on a range of public services; the cumulative impacts of multiple small cuts, increases in charges, travel times or costs can represent a significant barrier to accessing services for those on low incomes. This can impact on some peoples' ability/availability for work, thus keeping them in a cycle of limited opportunity to increase the household income.
- d. Ongoing tightening of eligibility thresholds for example for some health and social care provision, sometimes reducing to statutory provision only may cause unexpected consequences for other services, voluntary and community organisations where capacity is already stretched.

## **11. Council-wide mitigating action**

- a. Bath and North East Somerset Council is committed to addressing any potential negative impacts on people with protected characteristics.
- b. Responsible officers will carry out proportionate equality analysis including equality impact assessment to ensure it has demonstrated due regard to the requirements of the Equality Act 2010. Any consultation carried out on these will aim to reach a variety of

people including and especially those who are likely to use the service and who may be affected by any changes.

- c. Undertake regular review of equality analysis and will update documentation as new information becomes available. Responsible officers will ensure that monitoring and analysis is carried out during implementation of proposals; this will be used to identify and develop further mitigations for any unexpected consequences of service changes. Individuals and groups who use services will be encouraged to give feedback on the revised services.
- d. Impacts identified throughout the process along with any monitoring information will be available to inform the following year's budget process.

**12. Where specific Protected characteristics have been highlighted in initial screening:**

<b>Religion and Belief</b>
<p>The Equality Act 2010 states you must not be discriminated against because:</p> <ul style="list-style-type: none"> <li>• you are (or are not) of a particular religion</li> <li>• you hold (or do not hold) a particular philosophical belief</li> <li>• someone thinks you are of a particular religion or hold a particular belief (this is known as discrimination by perception)</li> </ul>
<ul style="list-style-type: none"> <li>• you are connected to someone who has a religion or belief (this is known as discrimination by association) In the Equality Act religion or belief can mean any religion, for example an organized religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system. The Equality Act also covers non-belief or a lack of religion or belief.</li> </ul>
<b>Potential equality impact:</b>
<p>Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to religion and belief.</p>

<b>Age</b>	
<p>The Equality Act 2010 states that you must not be discriminated against because:</p> <ul style="list-style-type: none"> <li>• you are (or are not) a certain age or in a certain age group</li> <li>• someone thinks you are (or are not) a specific age or age group, this is known as discrimination by perception</li> <li>• you are connected to someone of a specific age or age group, this is known as discrimination by association</li> </ul>	
<b>Potential equality impact:</b>	
<ul style="list-style-type: none"> <li>➤ Safeguarding staffing review</li> <li>➤ Adult services funding review</li> <li>➤ Housing services savings</li> <li>➤ Extend family group conferencing</li> <li>➤ Public health grant fund additional health improvement services</li> <li>➤ Increase in fees and charges &amp; increased sales (allotments, commercial waste and horticultural services)</li> </ul>	<ul style="list-style-type: none"> <li>➤ Parking and permit changes review</li> <li>➤ Creation of business change hub</li> <li>➤ Customer experience programme</li> <li>➤ Remembrance and community events</li> <li>➤ Increased filming and events fees</li> </ul>
<p>Many people who use the internet may benefit from proposals to increase digital engagement. However there are risks that some older people, people from lower socio-economic groups and those in rural areas may be disadvantaged by not being able to engage with digital technology.</p>	
<p>The individual service EqIAs will address these issues and will develop mitigations as the proposals are developed and will review these during implementation.</p>	

<b>Sex</b>
<p>The Equality Act 2010 states you must not be discriminated against because:</p> <ul style="list-style-type: none"> <li>•you are (or are not) a particular sex</li> <li>•someone thinks you are the opposite sex (this is known as discrimination by perception)</li> <li>•you are connected to someone of a particular sex (this is known as discrimination by association) In the Equality Act, sex can mean either male or female, or a group of people like men or boys, or women or girls.</li> </ul>
<b>Potential equality impact:</b>
<ul style="list-style-type: none"> <li>➤ Adult services funding review</li> <li>➤ Extend family group conferencing</li> <li>➤ Public health grant fund additional health improvement services</li> <li>➤ Development and introduction of city centre permit process</li> </ul>

<b>Gender Reassignment</b>
<p>The Equality Act 2010 states that you must not be discriminated against because you are transsexual, when your gender identity is different from the gender assigned to you when you were born.</p>
<b>Potential equality impact:</b>
<p>Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to gender reassignment.</p>

## Marriage/Civil Partnership

The Equality Act states you must not be discriminated against in employment because you are married or in a civil partnership. In the Equality Act marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex or opposite sex. People do not have this characteristic if they are:

- single
- living with someone as a couple neither married nor civil partners
- engaged to be married but not married
- divorced or a person whose civil partnership has been dissolved

Potential equality impact:

- Registrars

Across the Budget proposals the initial impact assessments have not highlighted any negative impacts on individuals in relation to marriage or civil partnership.

Registrars service will be able to increase the number of services carried out across a series of new venues, this includes marriage and civil partnership.

## Pregnancy & Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to pregnancy and maternity.



<b>Sexual orientation</b>
<p>The Equality Act 2010 states you must not be discriminated against because:</p> <ul style="list-style-type: none"> <li>• you are heterosexual, gay, lesbian or bisexual</li> <li>• someone thinks you have a particular sexual orientation (this is known as discrimination by perception)</li> <li>• you are connected to someone who has a particular sexual orientation (this is known as discrimination by association) In the Equality Act, sexual orientation includes how you choose to express your sexual orientation, such as through your appearance or the places you visit.</li> </ul>
<b>Potential equality impact:</b>
<ul style="list-style-type: none"> <li>➤ Public health grant fund additional health improvement services</li> </ul>

<b>Race</b>
<p>The Equality Act 2010 states you must not be discriminated against because of your race. In the Equality Act, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality.</p>
<b>Potential equality impact:</b>
<ul style="list-style-type: none"> <li>➤ Extend family group conferencing</li> <li>➤ Public health grant fund additional health improvement services</li> </ul>
<p>There are risks that accessibility to information may disadvantage non-English speakers. The lack of access to technology, digital capability, and cultural barriers are some of the challenges likely to be experienced by some people. The Council aims to use inclusive consultation for its budget proposals and will use plain language throughout its communication with the public.</p>

**Disability**

The Equality Act 2010 states that you must not be discriminated against because:

- you have a disability
- someone thinks you have a disability (this is known as discrimination by perception)
- you are connected to someone with a Disabled person (this is known as discrimination by association) It is not unlawful discrimination to treat a disabled person more favourably than a non-disabled person.

In the Equality Act a disability means a physical or a mental condition which has a substantial and long-term impact on your ability to do normal day to day activities. You are covered by the Equality Act if you have a progressive condition like HIV, cancer or multiple sclerosis, even if you are currently able to carry out normal day to day activities. You are protected as soon as you are diagnosed with a progressive condition. You are also covered by the Equality Act if you had a disability in the past.

**Potential equality impact:**

<ul style="list-style-type: none"> <li>➤ Safeguarding staffing review</li> <li>➤ Adults Funding review</li> <li>➤ Extend family group conferencing</li> <li>➤ Public health grant fund additional health improvement services</li> <li>➤ Increased income to Registrars</li> </ul>	<ul style="list-style-type: none"> <li>➤ Increase in fees and charges &amp; increased sales (allotments, commercial waste and horticultural services)</li> <li>➤ Clean Air Zone – review of financial assistance scheme, Euro 6 HGV charge and pricing model.</li> <li>➤ Development and introduction of city centre permit process</li> <li>➤ Parking &amp; Permit changes review</li> <li>➤ Customer Experience programme</li> </ul>
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There is a risk that proposals increasing digital citizen engagement may disadvantage disabled service users, and / or those with difficulty with literacy. Accessible software has been introduced for Council web pages and there is a focus on accessible information as a priority in setting up the revised council web site.

Specific equality analysis for proposals before and during implementation will address and mitigate where possible; ongoing monitoring will inform these mitigations.

### **13 Recommendations for implementation of accepted budget proposals**

- a. The following recommendations should be considered (as appropriate), to ensure that equality issues continue to be considered during the implementation stages.
- b. **Full or proportionate equality impact assessments / equality analysis.**

This should be carried out on all proposals where initial reviews have revealed likely impacts upon particular groups of people due to their protected characteristics. EqlAs must be carried out at a formative stage so that the assessment is an integral part of the development of a proposal, not a later justification of a policy that has already been adopted. The assessment should form part of the proposal, and should be considered before making the decision.

This enables the Council to demonstrate it has taken due regard to equality issues and has thoroughly considered how to meet 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.
- c. **Inclusive consultation.**

Where consultation is required, it is vital that a diverse range of people are encouraged to take part. This will help to identify any additional equality impacts that may need to be addressed and mitigated where possible. A variety of methods should be used to access consultees with varying protected characteristics. The Independent Equality Advisory Group can be used as a consultative body, and will provide further guidance on likely impacts, and ways of mitigating these.
- d. **Clear and transparent communication.**

It is important to ensure that the communication and publicity strategies about service changes are accessible to disabled people (for example, people with visual impairment or learning disability) and to those for whom English is an additional language. The Council has a commissioned interpreting and translation service to assist with this.
- e. **Including equality issues within commissioning specifications.**

Where proposals include commissioning or recommissioning external providers, detailed equality requirements in line with public sector equality duty 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.
- f. **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.
- g. **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. (In this instance the EqIA should be updated). See the Council's sample [equality monitoring template](#) for the data categories that should be used.

## Appendix 1

### 1 Briefing note for elected members on equality in financial decision making

- a. The Equality Act 2010 makes it unlawful to discriminate against an individual because of certain personal characteristics ('protected characteristics').
- b. The Act requires that equality issues are considered by public bodies as part of decision making, especially where services are reduced or redesigned.
- c. The Public Sector Equality Duty (PSED) requires us to have due regard of the need to:
  - eliminate discrimination,
  - advance equality of opportunity and
  - foster good relations between different people.
- d. The questions below are intended to assist PDS panels to scrutinise the proposals from an equality perspective.

### 2 For each new draft proposal

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

### 3 What course of action does the EqIA suggest? Is it justifiable?

- a. There are four possible outcomes of an EqIA, more than one may apply to a single proposal:
  - *No major change required*: no potential for discrimination or adverse impact and all opportunities to advance equality have been taken.
  - *Adjustments to mitigate the issues identified*: will the proposed adjustments remove the barriers identified?
  - *Continue despite having identified some potential for adverse impacts or missed opportunities to advance equality*: the justification should be included in the assessment and should be in line with the duty to have 'due regard'. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.

- *Stop and rethink*: when an assessment shows actual or potential unlawful discrimination