

# Equality Assessment - Guidance and Recording Form

## 1. Introduction

Redditch Borough Council is committed to providing equality of access and recognises that discrimination does not need to be intentional for unfair treatment or adverse impact to occur. Our approach to equality recognises that the range of different groups in our society may have different needs and we seek to ensure that our services are fairly and equitably provided to all sections of the community.

We are **legally required** (The Equality Duty, The Equality Act 2010) to demonstrate that we have given 'due regard' to:

- eliminate unlawful discrimination, harassment and victimisation
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

This means that equality considerations need to be evidenced in our decision-making processes and policies. This template will support you to evidence how the Duty has been taken into account. The Equality duty is to meet 'needs', rather than any desires or preferences for a particular treatment or service. Complying with the General Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive actions provisions in order to provide a service in a way which is appropriate for a particular group. The General Duty also explicitly recognises that disabled people's needs are different from those of non-disabled people. In considering the requirements to meet the needs of disabled people, public bodies should therefore take account of disabled people's disabilities. This might mean making reasonable adjustments for them or treating them better than other people.

## 2. When is Equality Assessment required?

Any potential impact on equality should be considered **before any key decisions are made** and should be integrated into day-to-day policy-making, business planning and other decision-making arrangements. This is particularly relevant when making difficult financial decisions; if we are proposing to **stop, reduce or change a service** then we must have relevant equalities evidence to justify this.

**Due regard** means consciously thinking about the three aims of the General Duty as a part of the process of decision-making. This means that consideration of equality issues must influence the decisions we make, when:

- Developing, evaluating and reviewing policy
- Designing, delivering and changing services
- Commissioning and procuring from others

**You must consider what evidence is available and whether any more information is needed. You cannot assume that a policy will benefit all service users without evidence to support that conclusion.** It is not necessary in every instance, to have hard statistical data. We can also use more qualitative sources such as service user feedback or external sources, for example, information available from the Equality and Human Rights Commission, local or national representative groups etc. Local, regional or national statistical information and research may also be used if relevant.

### **3. How is the Equality Assessment to be carried out?**

To assess a service or policy, consider and use any or all of the following options:

- Walk through the processes as a customer would, or as a member of staff and test it from their point of view - this can be done by the service manager or jointly with the team. Record this experience and make a record of any actions required as a result.
- Set up a customer test with volunteers from community or staff groups. Get them to access the service from start to finish, assess their experience and feedback. Make a record of what was discovered, who the group members were and any actions required as a result.
- Conduct statistical analysis from any service usage information available or customer satisfaction surveys looking for patterns of usage by defined equality groups and obvious gaps in usage.

If further evidence comes to light after the initial completion of this assessment, if possible, go back to the original assessment and update it. Equality Assessment should be seen as a living, on-going process rather than a one off exercise.

### **4. Who carries out the assessment?**

The manager of the service is responsible for ensuring that the assessment is carried out and recorded on this form.

A list of every completed Equality Assessment will be published on the relevant Council's website. Any Elected Member or member of the public can ask for copies of the assessment and any information that has been used in the completion of the assessment.

#### **For further information or assistance please contact:**

Policy Team on 01527 548284 or 01527 881616 or [equalities@bromsgroveandredditch.gov.uk](mailto:equalities@bromsgroveandredditch.gov.uk)

#### **Useful documents:**

[Redditch](#) Equality Strategy

Quick start guidance to the Equality Duty can be found [here](#)

**Please ensure the following:**

- That the document is understandable to a reader who has not read any other documents, and explains (on its own) how the Public Sector Equality Duty is met. This does not need to be lengthy, but must be complete.
- That available support information and data is identified and where it can be found. Also be clear about highlighting gaps in existing data or evidence that you hold, and how you have sought to address these knowledge gaps.
- That the equality impacts are capable of aggregation with those of other EIAs to identify the cumulative impact of all service changes made by the council on different groups of people.

<b>Title of service/policy/procedure/spending review being proposed</b>				<b>Support to the voluntary and community sector 2020/21</b>			
<b>Name of service area</b>				<b>Community Services</b>			
<b>Name of Officer completing this assessment</b>				<b>Helen Broughton/Rebecca Green</b>			
<b>Date assessment completed</b>				<b>December 2019</b>			
<b>Name of decision maker (in relation to the change)</b>				<b>HOS- Judith Willis, Head of Community and Housing Services Executive Committee</b>			
<b>Date decision made</b>				<b>14<sup>th</sup> January 2020</b>			
<b>Sign off on completion</b>		<b>Name</b>		<b>Signature</b>		<b>Date</b>	
Lead officer completing assessment		<b>Helen Broughton</b>					
Equalities Officer		<b>Rebecca Green</b>					

**Overview – Set the context**

Provide a clear overview of the aims of the service/policy/procedure and the proposed changes being made. Will current service users' needs continue to be met? Why is the change being proposed? What needs or duties is it designed to meet?

The Council has been required by auditors to make significant financial savings in order to balance the budget; as a result, it must consider options to change some of the support which the Council provides to the Voluntary and Community Sector (VCS). Both the Concessionary Rents Scheme and the VCS Grants Pot (including the Councillor Community Grants Scheme) have been reviewed and details of options for future delivery of these schemes and financial changes considered:

- Option 1 - Cease all funding to the VCS including concessionary rents, VCS Grants Pot and Financial Advice and Problem Solving grant
- Option 2 – End the concessionary rents scheme and reduce the VCS Grants Pot to £175k
- Option 3 – Maintain the concessionary rents scheme but withdraw the wider VCS Grants scheme completely
- Option 4 - Close the Concessionary Rents scheme but maintain the scheme for existing organisations only with a reduction of support for the wider VCS Grants Pot (Note: As and when existing VCS organisations vacant premises they are re-let on a commercial basis).
- Option 5 - End the concessionary rents scheme but provide a stepped down transition over a 2 or 3 year period paid for out of the £125K.
- Option 6 - End the concessionary rents scheme but provide a transition over a 2 or 3 year period. Maintain the current Council budget in order to do this. Fund the £125k on top of this.

Redditch Borough Council does not fund any organisation in their entirety; concessionary rents and grants are a contribution to these organisations, all of whom do access other funding streams. The grants are also reviewed every year and no organisation is guaranteed to receive them.

9 organisations currently receive concessionary rents at 30% of market value; however, there are other VCS organisations that sublet from them.

<b>Who is the proposal likely to affect?</b>	<b>Yes</b>	<b>No</b>
All residents	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Specific group(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
All Council employees	<input type="checkbox"/>	<input type="checkbox"/>
Specific group(s) of employees	<input type="checkbox"/>	<input type="checkbox"/>
Other (identify)	<input type="checkbox"/>	<input type="checkbox"/>

**Detail-** Outline who could be affected, and how they could be affected by the proposal/service change. Include current service users and those who could benefit from but do not currently access the service.

The changes could impact those members of the community who access services and support provided by the voluntary and community sector organisations that are in receipt of concessionary rent or receive a grant from the Council. This impact varies depending on the option selected; it could be that services are reduced, amended or even cease if the organisations are not able to find alternative funding streams.

This impact could particularly affect disadvantaged members of our community who access support.

Potential users of the VCS could also be affected by any reduction in provision and future support.

### **Evidence and data used to inform your equality impact assessment**

What **data, research, or trend analysis** have you used? Describe how you have got your information and what it tells you.

As there are multiple options and the organisations support a wide spectrum of the community (and the grants process could support any diverse VCS organisation that decides to apply and is successful) it is very difficult to gather specific data and information attributable to protected characteristics. Another issue is that the impact of the resulting change could be mitigated entirely by the VCS groups accessing alternative sources of funding. However, funding streams have diminished over recent years, particularly for core costs, which could present a challenge to the groups.

The value of the VCS needs to be considered; the social value of money invested is often difficult to quantify. Recent research by the Charity Commission (September 2019) identified the following:

“The charity sector is seen as an increasingly important part of society and in the delivery of services which have traditionally been provided by the public sector (e.g. in areas like safeguarding, cancer research, homelessness and loneliness). According to NCVO, areas of activity with the greatest involvement of voluntary organisations are social services provision, culture and recreation and religious services”.

“The impact of the charity sector needs to consider the social value created. This includes the value placed on charity by its direct recipients, but also the (indirect) value to others in the community, donors and the benefits to the millions of volunteers who deliver charity services... very little of the value created by the volunteer sector is easily visible to statisticians, to policymakers, to politicians, to companies, indeed to the volunteers themselves”.

## Engagement and Consultation

What engagement and consultation have you undertaken about the proposal with current service users, potential users and other stakeholders? What is important to them regarding the current service? How does (or could) the service meet their needs? How will they be affected by the proposal? What potential impacts did they identify because of their protected characteristic(s)? Did they identify any potential barriers they may face in accessing services/other opportunities that meet their needs?

Consultation with the VCS included an open meeting and a meeting with the concessionary rent holders.

Key points raised included:

- the fact that the £82k quoted as the Council's budget for the remaining 70% rent they do not receive from the VCS tenants was not an actual loss for the Council, it was just income not collected;
- if the Council removed the concessionary rent scheme some organisations would not be able to pay for their rent and would therefore close. Groups explained that it was very difficult to find funders who would fund core costs like rent. Rent could be put into funding bids as part of full cost recovery but this would not be enough to help maintain paying the rent. One organisation representative said they were due to make a decision about the future of their units in the New Year with a view to closing by the new financial year if the Council were to stop the scheme;
- the Council were cutting from the VCS twice (both concessionary rent scheme and the main VCS Grants pot). Representatives felt that Councillors did not understand what they did and what the impact would be if VCS organisations had to close because of the proposed changes;
- the costs to the Council of dealing with empty units would be far greater than if the Council continued to subsidise the current groups renting them;
- the Council was at risk of being financially worse off if the VCS withdrew from the units and they were then to remain vacant. A report had been written by the tenants affected which pointed out that along with the loss of income from rent, there would be a large amount of money to pay in business rates on the units which would actually cost the Council more than subsidising the current tenants and keeping the scheme;
- in some units, the Council paid to rent space on a sessional basis for various health and leisure activities – the rise in costs for the VCS organisations would mean a rise in cost for the Council to rent space for these activities;
- the Council needed to be clear about the level of rent that could be charged for these units given that many of them were and still are in poor condition and were unlettable. They questioned whether there really was any commercial

organisations wishing to let the units;

- the Council sets the value of the units at market rate but it was felt the commercial value of the units is likely to be less than that;
- it was questioned if the market value of units in Matchborough and Winyates could be made when they were potentially going to be knocked down as part of the District Centre redevelopment plans;
- groups had invested a lot of money in maintaining and improving the units, one organisation quoted that they had spent £18000 on refurbishment costs. It was questioned how groups who had spent money on refurbishment would get this back if they were forced to close or move;
- it was felt by the concessionary rent holders that each unit and VCS organisation should be considered individually taking into consideration all factors about the unit they rent and the services they provide and impact on the community. It was felt that if organisations did make a profit then they could be expected to pay more towards their rent; and
- it was suggested that the Council could continue the Concessionary Rents scheme but for those units which were lettable, put the VCS organisations which were inhabiting those units onto a meanwhile lease. If commercial organisations were then interested in letting these units, the VCS organisations in them would be given notice to leave.

### Public Sector Equality Duty

Due regard must be given to the three aims of the Equality Duty. This means that you must consciously think about the three aims as part of the process of decision-making. Consider the current service and any proposed changes, thinking about what issues may arise.

Equality Duty aims	Evidence
<p><b>Eliminate unlawful discrimination, harassment and victimisation</b> How does the proposal/service ensure that there is no barrier or disproportionate impact for anyone with a particular protected</p>	<p><b>The VCS support many members of the community and add social value; there could be an impact for community members, who could have particular protected characteristics (the Council holds no specific data, however individual VCS organisations may hold this data). Once the chosen option has been selected an action plan for delivery will be developed to reduce any impact.</b></p>

characteristic	
<p><b>Advance equality of opportunity between different groups</b>  How does the proposal/service ensure that its intended outcomes promote equality of opportunity for users? Identify inequalities faced by those with specific protected characteristic(s).</p>	<p><b>The VCS support many members of the community; there could be an impact for community members, who could have particular protected characteristics (the Council holds no specific data, however individual VCS organisations may hold this). Once the chosen option has been selected an action plan for delivery will be developed to ensure equality of opportunity</b></p>
<p><b>Foster good relations between different groups</b>  Does the service contribute to good relations or to broader community cohesion objectives? How does it achieve this aim?</p>	<p><b>The VCS supports community relations and cohesion; once the chosen option has been selected an action plan for delivery will be developed to promote good relations.</b></p>

**Is there evidence of actual or potential unfairness for the following equality groups?**

- Does the proposal target or exclude a specific equality group or community?
  - Does it affect some equality groups or communities differently and can this be justified?
  - Is the proposal likely to be equally accessed by all equality groups and communities? If not, can this be justified?
- (It may be useful to consider other groups, not included in the Equality Act, especially if the proposal is specifically for them e.g. lone parents, refugees, unemployed people, carers)

**Impact of proposal-** Describe the likely impact of the proposal on people because of their protected characteristic and how they may be affected. How likely is it that people with this protected characteristic will be negatively affected? What are the barriers that might make access difficult or stop different groups or communities accessing the proposal? How great will that impact be on their well-being? Could the proposal promote equality and good relations between different groups? How?

**If you have identified any area of actual or potential unfairness that cannot be justified, can you eliminate or minimise this?**

What mitigating actions can be taken to reduce or remove this impact? (Include these in the action plan at the end of the assessment) Equal treatment does not always produce equal outcomes; sometimes you will have to take specific steps for particular groups to address an existing disadvantage or to meet differing needs.

Protected Group	Impact of proposal	Justification for any actual or potential unfairness identified	If you have identified any area of actual or potential unfairness that cannot be justified, can you eliminate or minimise this?
Age	Possible to Likely	Required savings	Although the savings are required, there are mitigating actions that can be considered, dependent on the option that is selected. These include: <ul style="list-style-type: none"> <li>• Targeted support from the Grants Officer</li> <li>• Accessing alternative funding streams</li> <li>• More joint working</li> <li>• Phased approach to any funding reduction</li> </ul>
Disability	Possible to Likely	Required savings	
Transgender	Unknown		
Marriage and Civil Partnership	n/a		
Pregnancy and Maternity	n/a		
Race	Possible to Likely	Required savings	
Religion or Belief	Unknown		
Sex (Male/ Female)	Possible to Likely	Required savings	
Sexual Orientation	Unknown		

<b>How will you monitor any changes identified?</b>
<ul style="list-style-type: none"> <li>• Once the option has been selected an action plan will be developed which will be monitored by officers and Portfolio Holders</li> </ul>

The actions required to address these findings are set out below.

Action Required	By Whom	By When	Completion Date
Develop action plan based on selected option	Helen Broughton	March 2020	Ongoing

**When you have completed this assessment, retain a copy and send an electronic copy to the Policy Team (Equalities) attaching any supporting evidence used to carry out the assessment.**

### **Glossary**

#### **Direct discrimination**

- Treating someone less favourably than someone else in the same circumstances, e.g.:
  - In employment, racist or sexist banter, derogatory comments and innuendo
  - Failure to treat grievances seriously or to investigate effectively
  - Unfairly denying access to employment, training or facilities and services

#### **Indirect discrimination**

- Where a provision, criterion or practice is applied equally to all but has the effect excluding or reducing the access for a particular group and is not a proportionate means of achieving a legitimate aim. Even if this effect is unintentional, it can still be unlawful, e.g.:
  - Unnecessary height restrictions for access to employment opportunities
  - Refusing training for promotion to people who work part-time
  - Requiring fluency in a language where this is not necessary
  - Relying on word of mouth to recruit to employment or training opportunities
  - Qualification requirements that are not justified for the level of the job.

#### **Policy, Practices and Services**

- Refers to any activity the council does, be that a service we provide, an initiative we run, a policy we write or a procedure we observe.
- It may refer to the way we do things which are customary
- It may refer to activities we undertake such as meetings, focus groups or publications we produce.

#### **Protected Characteristics**

**Age** - consider all age groups although legal protection only applies to people aged 18 or over

**Disability** - consider all types of impairment, physical and mental, sensory, visible and hidden

- Learning disability
- Families and carers of disabled children
- Mobility impairments
- Wheelchair users
- Mental health needs/ disorders and psychological conditions
- HIV/ Aids
- Sensory impairments such as sight and hearing
- Cancer and long term progressive conditions such as MS

**Gender** – refers to the physiological fact of being male or female

- consider whether something has a different impact on men or women - particularly if it's more of an impact on women, consider the impact if they have caring responsibilities whether its childcare or other types of care

**Gender re-assignment** - Transgender (Gender Dysphoria )- or the preferred term, Gender Confirmation

- Consider all stages of re-assignment, before, during and after re-assignment treatment or gender confirmation surgery

**Marriage and Civil Partnerships** –

- It *only* covers those who are married or in a civil partnership (NB single status is not protected in the Equality Act)

**Pregnancy and maternity**

- Physical state of pregnancy
- On maternity leave or planning maternity leave or returned from maternity leave
- Includes breast feeding

**Race – this includes race, colour, nationality, national or ethnic origin and caste (caste through case law, not explicitly referenced)**

- Race is a generic overall term
- Colour refers to the colour of a person's skin
- Nationality applies to internationally recognised nationalities
- National Origin applies where you have changed your nationality in your life time or there is something about you that indicates that your parents or grandparents' origins were in another part of the world – e.g. name, religion
- Ethnic Origin applies where identifiable groups have established a unique and different ethnicity to the rest of the population – this currently applies to Jews, Gypsies, Sikhs Irish and Scottish Travellers
- Caste is the traditional organisation of South Asian, particularly Hindu, society into a hierarchy of hereditary groups.

**Religion or Belief** – all established religions and beliefs (and non-belief) including but not limited to the following:

- |                |                           |                  |
|----------------|---------------------------|------------------|
| • Christianity | • Baha'i                  | • Rastafarianism |
| • Hinduism     | • Buddhism                | • Atheism        |
| • Islam        | • Jainism                 | • Agnosticism    |
| • Judaism      | • Paganism                | • Humanism       |
| • Sikhism      | • Parsi or Zoroastrianism |                  |

**Sexual orientation**

- Gay – usually refers to men with sexual orientation towards other men although sometime refers to women with sexual orientation towards other women

- Lesbian – refers to women with sexual orientation towards other women
- Bisexual – refers to men and women with sexual orientation to either or both their own gender or the opposite gender
- Heterosexual refers to men and women with sexual orientation towards the opposite gender