

**The Highland Council**  
**Community Safety, Public Engagement**  
**and Equalities Committee**  
**12 June 2014**

Agenda Item	5
Report No	CPE 15/14

**Approach to understanding equalities impact**

**Report by Head of Policy and Reform**

**Summary**

This report informs members of the range of methods to use to listen to the views of equalities groups for the budget consultation in 2014. Also, it describes the assessment questions we consider when conducting an impact assessment of any policy or plan.

**1. Background**

- 1.1 Members were informed of the Council's proposed approach to consulting on budget savings proposals in a report to Council on 8<sup>th</sup> May 2014. The proposals are a key part of the budget setting process and equality groups will be included in these consultations in order to gather evidence of the potential for impact of decisions on different groups. This report highlights the process for assessing impact on equality groups in the budget decision-making processes and under the requirements of the Public Sector Equality Duty.

As stated in our Equality Plan, A Fairer Highland, the Council commits to the promotion of a fair and inclusive Highland where outcomes include that:

- people are, and feel, free to live their lives without harassment and discrimination, and can take part in community life.
- people benefit from public services in a fairer way and are able to have their say about them.
- our staff feel there is an organisational culture where everyone is treated with dignity and respect.

**2. The Public Sector Equality Duty**

- 2.1 The [Public Sector Equality Duty](#) of the Equality Act 2010 requires the Council to give due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
  - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
  - Foster good relations between people who share a protected characteristic and those who do not.
- 2.2 The **protected characteristics** in the Equality Act are: age, disability, gender, gender reassignment, marriage and civil partnerships\*, pregnancy and maternity, race, religion or belief and sexual orientation. \*The PSED only

applies to marriage and civil partnership in relation to employment.

### **3. Involving equality groups**

3.1 Stage 1 of the consultation is open to all members of the public to attend any of the 14 Budget Forums held in May and June. This will include equalities groups and people with protected characteristics. Some of the questions ask for views on whether some budget ideas will impact on particular groups in the community and this will be useful when we come to consider the equalities impact assessment, described below. In addition, we are asking people attending to tell us how they felt about the forum and where they provide information about their equalities profile we will be able to see if there are similarities or differences in opinion according to gender, age, disability or race. The Budget Leader's Blog is established and open to anyone seeking to respond. Also as part of Stage 1 there will be consultation with Highland Youth Voice at their conference in June.

3.2 Stage 2 of the consultation is planned for mid-September to end November 2014. This will include an open questionnaire for anyone interested to complete on line, but other methods in this stage offer more opportunity to target equalities groups for feedback on specific savings proposals. This will involve:

- Surveying the Citizens' Panel – and we can analyse responses from the Panel according to gender, age, disability and race;
- Running focus groups; and
- Surveying community groups that have a representative role. This will mean establishing a new Communities' Panel for the Council.

These methods will build on arrangements for consultations in previous budget consultations in 2010 and 2012.

3.3 Focus groups are useful in understanding people's experience and why they hold particular views. They will be run with people less likely to engage in surveys. As discussed at the Council meeting in May, we will run focus groups for:

- People affected by mental ill health, to be organised with HUG;
- People with learning disabilities, to be organised with People First;
- People with hearing impairment, to be organised with the Deaf Forum;
- People with visual impairment, to be organised with Sight Action;
- Older people, to be organised with the Senior Citizens' Network;
- People from particular ethnic and faith groups, through their representative groups.

We intend to have the UHI Centre for Rural and Remote studies to run the focus groups with Council staff supporting where required.

3.4 The Communities' Panel to be established will involve inviting those groups known to us to participate in surveys. We will ask them to nominate a contact to receive a survey and for the organisation to agree its response and return it. We will encourage electronic participation. The Communities' Panel would exist alongside the Citizens' Panel and the results from it would be considered qualitatively. Once established the Panel can be involved in other surveys and possibly in other types of engagement, depending on their preferences.

3.5 The purpose of the Panel is to be inclusive. Obvious community groups for us to contact will include community councils, parent councils, tenant participation groups and equalities groups. There may well be others. To ensure we are inclusive, we intend to report to Area Committees in the August cycle of meetings on the draft list of representative groups to invite for that area so that members can advise of any others to include from their Wards. The Communities' Panel would receive the same survey form as the Citizens' Panel.

3.6 We hold a database of over 100 local community groups with an interest in equality issues. This contact database is currently being refreshed and updated and will be used to invite representation from equality groups on the Communities' Panel.

#### **4 Equality Impact Assessment**

4.1 Under the Equality Act 2010, the Council has a specific duty to assess the potential for equality impact in all areas of its work including on proposed changes to key policies, which includes major financial decisions. Assessments should 'consider relevant evidence relating to persons with relevant protected characteristics in relation to such assessments of impact'.

4.2 The purpose of an Equality Impact Assessment (EQIA) is to ensure that our services or policies do not create unnecessary barriers which prevent people from different groups or backgrounds accessing Council Services and employment opportunities.

4.3 From May to November 2014 work will be undertaken to assess the impact of budget savings ideas and proposals on equalities groups and on rural communities and this will be informed too by the feedback we receive at ward forums. This will also inform the first stage of the Customer Services Review (Service Points).

4.4 As with budget decision processes undertaken in recent years, officers will be asked to initially identify (screen) which proposals are likely to be relevant to equality issues. Where there is potential impact on different groups an EQIA should be carried out using a simplified version of the Council's EQIA template. This asks for details of the identified impact, available evidence, and how any negative impacts can be mitigated. Consultation feedback would count as evidence.

4.5 This simplified EQIA form is designed to be more focused and relevant to this budget exercise. It will help us to know of the type of impact expected and this could be positive or negative impacts. Possible outcomes would be:

- The budget changes will have no equalities impact
- It is not possible at this stage to conclude if the budget changes will have any equalities impact. We will need to review the information we have or monitor for any impact over time.
- The budget changes will have a moderate equalities impact in relation

- to the delivery of this service
- The budget changes will have a major equalities impact in relation to the delivery of this service

4.6 Having identified any negative impacts we need to consider how to mitigate against them and to document this information. This would form part of the reports to members when they consider the budget savings proposals at the end of the year.

## **5. Implications**

5.1 Resource implications: The consultation planned will help gather information about the potential equality impact of proposed budget decisions. The costs of consulting can be met within current budgets for surveys and Ward Forums.

5.2 Legal implications: Community Planning legislation places a duty on the Council to consult with communities over changes to services that will affect them. The Equality Act 2010 (Statutory Duties) (Scotland) Regulations 2011 place a duty on the Council to:

- (a) assess the impact of its proposed policies and practices, including changes to and revisions of its existing policies and practices, on persons with relevant protected characteristics and on its ability to fulfil the section 149(1) duty;
- (b) consider relevant evidence relating to persons with relevant protected characteristics in relation to such assessments of impact; and
- (c) have due regard to the results of such assessments of impact

5.3 Equalities implications: The proposals include methods for engaging with equalities groups, through focus groups and by involving representative equalities groups in a new Communities' Panel. Budget proposals will be assessed for the impact on people with protected characteristics under equalities legislation and these will be reported to members to help in their decision-making. This will support the requirement for the Council to give due regard to the Public Sector Equality Duty.

5.4 Carbon clever implications: Focus groups may involve travel for staff, facilitators and members of the community. We will co-ordinate travel or encourage the use of public transport where possible to reduce carbon emissions. On-line methods for engaging via the blog and surveys of both Panels will reduce paper and postage costs and associated carbon emissions.

## **6. Recommendation**

6.1 Members are asked to note the range of methods being used for gathering views for the budget consultation from people with protected characteristics. Members are asked to agree that further information is provided to Area Committees to ensure local representative groups are included in the new Communities' Panel.

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Background Papers:

- EHRC Scotland [Assessing impact and the public sector equality duty](#) (2012)
- EHRC and the Improvement Service [Elected Members Briefing Note - The Public Sector Equality Duty PDF](#) (May 2013)
- EHRC [Making fair financial decisions](#) PDF (2010)
- Scottish Parliament [The Equality Act 2010 \(Statutory Duties\) \(Scotland\) Regulations 2011](#)