

Title of meeting: The Governance and Audit & Standards Committee

Date of meeting: 27 October 2017

Subject: Update on the council's compliance with its Equality Impact Assessment Process

Report by: City Solicitor

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1. To update the Committee on the compliance of council services with the council's Equality Impact Assessment process since the last meeting held on 4 November 2016.

2. Recommendations

- 2.1. That the Committee notes the contents of the report;
- 2.2. That the Committee continues to monitor the compliance of the council services with the Equality Impact Assessment process adopted by the Council, on an annual basis.

3. Update on the Council's compliance with the Equality Impact Assessment (EIA) process

3.1. Background

- 3.1.1. The Equality Act 2010 introduced the Public Sector Equality Duty, which requires the council to consider the impact of its day-to-day activities, including development of new or changed policies, strategies, projects and services, on people with any of the eight 'protected characteristics'. These are age, race, disability, sex, gender reassignment, sexual orientation, religion or belief, and pregnancy and maternity. The council must take steps to identify and mitigate

any potential discriminatory or disproportionately negative impact of its activities on any of the equality groups as part of its decision-making and implementation process.

3.1.2. Non-compliance can lead to costly, time-consuming and reputation-damaging legal challenge by individuals or pressure groups.

3.1.3. The council has a well-established Equality Impact Assessment (EIA) process which assists compliance with the Equality Duty. The process requires that a preliminary EIA, if relevant, should be undertaken at the initial stage of (re)design / development of a policy, strategy, project or service. If the preliminary EIA identifies a potential negative impact on any of the groups protected under the Equality Act 2010, a full EIA should be undertaken before any final decision is made. The full EIA should take into account results of any public consultation and any other relevant local and national information available, including any effects of similar initiatives elsewhere in the UK.

3.1.4. The EIA process requires that all completed EIAs are sent to the Equality & diversity team for quality assurance before being submitted with a relevant report for a decision.

3.2. Compliance of council services with the Equality Impact Assessment process

3.2.1. As part of the council's EIA process, council services are required to undertake review EIAs on the major services, policies, and functions of the council that have been identified by the management and the equality & diversity team as having a potential present or future disproportionately negative impact on people possessing any of the 'protected characteristics'.

Since November 2016, 61 Equality impact assessments have been completed, 52 of these were preliminary and 9 were full EIAs. EIAs are completed for reports that go to committee that require a decision as well as any new/changed policy, strategy, project or service, they are all required to be quality assured by the Equality & diversity team but this is not always the case.

All reports to Cabinet and Committees have their relevant EIA considered as part of the report review and decision making process. When committee reports are published on the web EIAs are normally attached. Sometimes the equality & diversity team does not get the opportunity to see the EIAs before

being published. Therefore, the list of EIAs below may not be the total number of EIAs that have been completed this year.

There is still work to be done with services to ensure all EIAs are sent to the equality & diversity team. There is then an opportunity to quality assure the EIAs before being published on the web to make sure mistakes are avoided.

3.2.2. The 9 full Equality impact assessments that were completed are listed below:

Adult social care and public health

- Portsmouth Pharmaceutical Needs Assessment 2018 (revised from 2015 version) – Consultation was undertaken
- Integrated Wellbeing Service restructure

Resources

- Amend the Council tax support scheme to enable a reduction in annual expenditure – Consultation was undertaken

Environment and community safety

- Supporting victims of domestic violence and abuse (DVA)– Consultation was undertaken

Education

- This Assessment relates to the bid for a Special Free school in Portsmouth, and is required by the Education, Skills and Funding Agency as part of the bidding process.

Adult social care and public health

- Domiciliary Care Preferred Provider List

Housing and property

- Household Waste Recycling Centre (HWRC) charging for NON-HOUSEHOLD ITEMS ONLY

Traffic and transportation

- Palmerston Road Regeneration Scheme– Consultation was undertaken
- Street lighting strategy – Consultation was undertaken

3.2.3. The 52 Preliminary Equality impact assessments that were completed are the following:

Housing

- Staff review of Statutory Services Team within Property & Housing Service

Traffic and transportation

- Doyle Avenue Parking bay - provision of
- Palmerston Road South – Improvements– Consultation was undertaken
- Parking Resident Permits Renewal module
- London Road / London Avenue Junction Improvements
- Elkstone Road traffic calming
- Anglesea Rd bridge abutment demolition, plus layout changes to the controlled crossing over Anglesea Rd / Park Rd.
- Wickham Street Reconstruction plus associated works
- Northern Parade Cycle Route– Consultation was undertaken
- Air Quality Strategy 2017 – 2027– Consultation was undertaken
- Traffic Regulation Order no.24 of 2017: Doyle Avenue
- Traffic Regulation Order no.36 of 2017
- Isambard Brunel (IB) Car Park Improvement and Maintenance.
- Tendered Bus Routes – Review of the 19/19A contract
- Review of transport team
- Review of KA Old Portsmouth residents' parking zone: Proposed reduction of 2 hours' free parking for non-residents to 1 hour.
- Western Road - Clearway & Speed Reduction
- Scootability Training to be provided to primary school aged children up until March 2017.
- Family Cycle Training and Learn to Ride training packages aimed at vulnerable road user groups to take place on-road.
- One-way system, Wickham Street, Portsmouth
- Sustainable Travel Transition Fund 2016/17
- Job Seekers - Active Steps
- Changing Pay and Display operating hours and amendments to loading and waiting restrictions (TRO 58/2016)
- Victoria Road North.
/Bradford Road Junction pedestrian refuge

Resources

- Means Testing Assessment Policy for Adoption, Special Guardianship, Child Arrangement & Residence Orders
- Revenue and Benefits SMS

Employment

- Substance Misuse - Drug and Alcohol Testing Policy
- PCMI Employment and Training
- Events Service Review 2017
- A voluntary commitment to Disability Confident that encourages employers to recruit, retain and develop disabled staff and those with health conditions.
- Staff review of Statutory Services Team within Property & Housing Service

Education

- Re-tendering of 2 current contracts:
 - Outreach provision for Families with children 0 - 5
 - Volunteer, Recruitment, Support and Development
- A review of the Special Educational Needs and Disability team, Children's Disability Team and Local Offer team structures - January 2017
- Decommissioning of current traded service, development of new model of strategic support for governors, through the Portsmouth Education Partnership, utilising external providers.
- Reduction of the number of Progression Advisers due to a reduction in the external funding stream.

Licensing

- Town Police Clauses Act 1847 - Demand for the services of hackney carriages

Culture, leisure and sport

- Portsmouth Museums annual update - review of previous year and priorities for the year ahead. Transforming the D-Day Museum remains the priority.
- Portsmouth City Council Sports Facilities Strategy 2017-2027
- Library and Archive Service website development

Adult social care and public health

- Health and Wellbeing Strategy refresh 2018-2021
- Public Health Transformation Fund

- Better Care Fund 2017-2019
- Transforming Adult Social Care
- Savings Proposal - Review of high cost Older Persons and Physical Disability Packages of care cases to identify the correct funding stream.
- Savings Proposal - Review of low cost packages of care with the possibility of a percentage of people who receive non personal care services to be transferred to a willing VCS. This saving is the cost differential on the hourly rate.

Planning, Regeneration & economic development

- Review of the existing Portsmouth Core Strategy

Environment and community safety

- Boarding Dogs for the Homeless
- Cessation of grants from the community safety element of the environment and community safety portfolio

Children's social care

- Intensive family support service for children and families currently delivered as a Family Intervention Project by Barnardo's.
- Reduction of the number of Data Tracking Officers due to a change in statutory requirements for tracking and the need to make financial savings.
- Ensuring sustainability of Beechside overnight residential short break service and increasing occupancy from 79% to closer to an efficient 90% occupancy.

Education, children and young people scrutiny

- Education, Children and Young People Scrutiny Panel review into how well Portsmouth City Council and partners are preventing and dealing with Child Sexual Exploitation (CSE).

Council services are overall pro-active in planning for equality analysis as part of their project processes and contacting the equality & diversity team for advice and support. Occasional prompting is necessary as well as the team's support in ensuring the EIAs are of good quality. When that happens, the team provides additional training and guidance to individual officers in question.

In addition, in order to ensure that council officers and members are provided with information about latest developments in the Equality Law and their

implications for the way council services operate, and understand the council's EIA process, the Equality & Diversity Team:

- a) Provides reports on developments in equality law to Directors Board, Departmental Management Team Meetings, and the Governance and Audit & Standards Committee.
- b) Works with our Learning & development services to ensure that their training courses are up-to-date.
- c) Provides advice and training to council officers on an individual basis - this is often preferred to group training sessions as it helps our officers understand the practical relevance of the Equality Law in the context of their service's work.

- **Reasons for recommendations**

- To assist the Council to comply with its legal obligations under the Equality law.

- **Equality impact assessment (EIA)**

- This report does not require an Equality Impact Assessment as it does not propose any new or changed services, policies or strategies.

6. Legal Implications

- 6.1.** The public sector equality duty calls for due regard to be had to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

7.

- 7.1.** The EIA process, described above, contributes to this

8. Finance Comments

- 8.1.** There are no financial implications in respect of the recommendations.

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Signed by:

Appendices: Nil

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Nil	

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Signed by: