

**North Hertfordshire Corporate Cumulative
EQUALITY IMPACT ASSESSMENT
CIVIC YEAR 2015/2016**

Summary

This report sets out the approach taken to consider the cumulative equality impact of North Hertfordshire decision making process in the civic year 2015/2016.

The report is based on a number of source documents: those council reports that required an equality impact analysis and those council and committee reports that did not require an equality impact analysis but demonstrated mitigating action to avoid treating one aspect of the community more favourably than another.

A number of reports were either merely for information only or seeking approval from council to pursue a certain course of action. Therefore some of these proposals/projects were in the early stages and as such may need further equality analysis. The process for Equality Impact Analysis is an evolving one, and proportionate, with assessments updated as projects develop.

The Equality Act 2010 guidance states that all policies must be analysed for their impact on equality, whether these are current and proposed policies or whether they are informal customs or practices. North Hertfordshire sets out guidance and support for staff on taking a proportional and meaningful approach to paying due regard to equality duties in the following areas NHDC are responsible for making a wide range of decisions, including decisions about overarching policies and setting budgets, to day-to-day decisions, which affect specific individuals or specific groups. The approach agreed for NHDC decision makers was the following areas would be targeted for Equality Analysis Assessments:

- Key decisions - i.e. those over £50,000.00 value or which have a considerable potential impact on the community and across the 'protected characteristics'. (NB. Contractual arrangements, such as contracts for energy, will be exempt from review as whilst they are of sufficient monetary value, the 'equality' impact on the community is nil).
- Major budget implications - i.e. efficiencies and investments such as those proposed within the corporate business planning process
- Major service provision revision - i.e. restructure proposals, changes to working practices and especially those with greatest impact on external customers.

The report has therefore considered those council reports were these targeted areas were considered during the last civic year. Where appropriate the Equality Impact assessment (EqIA) has been included in the overall report. Where due regard to the Public Sector Equality Act 2010 has been noted by the report author, this has been reflected in this overall assessment.

It should be noted that the Shared Internal Audit Service (SIAS) conducted a review of the Equality Internal processes in 2013 and provided overall **substantial assurance** that there were effective controls in operation. Officers have continued to adhere to these agreed processes. The Policy team will conduct an annual cumulative analysis of council decisions.

The potential for compounded impacts on particular groups are identified in individual equality impact assessments, which generally involve engagement and consultation with a wide range of stakeholders. The process uses available data from national and local sources identified as relevant to the individual equality impact assessment as well as the results from any local consultation. Continual monitoring is part of the

Appendix C

process, with the impact of any new policy or service only realised following implementation.

The continued pressure on the public sector to make savings, coupled with the changing demographics within the county, means fundamentally changing how services are delivered. This will have consequences for some equality groups within North Hertfordshire as vulnerable groups make up a large proportion of Hertfordshire service users

The table below summarises the relevant council decisions in the last civic year. The completed EqIAs have been attached to the end of this document.

1. Potential equality impacts identified by Council reports and the mitigating action either carried out or proposed, where appropriate.

| Council decision making over the civic year | How we will demonstrate ‘due regard’ to the Public Sector Equality Act 2010 |
|---|--|
| Council 16th July 2015 | |
| <p>Item 8. UPDATED CONTRACT PROCUREMENT RULES AND SOCIAL VALUES ACT RECOMMENDATIONS</p> <p>This report provides an update to the Contract Procurement Rules that seek to revise the rules to incorporate the recent legislative changes both at EU and UK level.</p> <p>To request that FAR Committee recommends the proposed changes to Cabinet, and onwards to Council, for adoption.”</p> | <p>The Contract Procurement Rules in themselves do not generate equalities implications, however their application when considering specific procurements of goods and services, or works, must take full account of this legislation.</p> |
| <p>Item 13 - COUNCIL CONSTITUTION – ANNUAL REVIEW</p> | <p>The proposals made within this report for changes to the Constitution do not materially affect any groups with protected characteristics, but it is the aim, in revising the Constitution and its content regularly, to make it more ‘user friendly’, ensure transparency and also to encourage greater participation in the Council’s decision making processes.</p> |
| | |
| <p>3rd September 2015 – Council Item 8.</p> <p>NORTH HERTFORDSHIRE LOCAL PLAN – REVISED STATEMENT OF COMMUNITY INVOLVEMENT</p> <p>The Executive Member for Planning and Enterprise presented a</p> | <p>As the SCI proposals affect more than two of the North Hertfordshire wards, a separate “equality analysis” has been prepared previously and submitted to the Head of Policy and Community Services to ensure the authority fulfils its</p> |

| Council decision making over the civic year | How we will demonstrate ‘ due regard’ to the Public Sector Equality Act 2010 |
|--|--|
| <p>report of the Strategic Director of Planning, Housing and Enterprise in respect of the proposed revised Statement of Community Involvement (SCI). The following appendices were submitted with the report:</p> <p>Appendix A – Amended Statement of Community Involvement - 2015; and Appendix B – Schedule of representations and responses to the consultation.</p> | <p>requirement under the Public Sector Equality Duty to complete an equality review of “major decisions” taken by the authority. The “equality analysis” showed that overall, the SCI should have a positive impact on how the community is consulted. The ‘hard to reach groups’ have been identified during previous consultations and the SCI amended accordingly to reflect this. The Council’s compliance will be checked against responses received to ensure that it has engaged with sufficiently diverse communities across the district in the preparation of its plans. (See attached analysis).</p> |
| <p>3rd September 2015 – Council</p> <p>Item 10 AMENDMENTS TO THE COUNCIL CONSTITUTION</p> <p>2.1 That the Council approves the following amendments regarding recording of meetings to the Council’s Constitution:-</p> | <p>The proposals made within this report for changes to the Constitution do not materially affect any groups with protected characteristics, but it is the aim, in revising the Constitution and its content regularly, to make it more ‘user friendly’, ensure transparency and also to encourage greater participation in the Council’s decision making processes. The reminder to users of flash photography to be mindful of its use in meetings is also helpful, as it can potentially impact attendees to that meeting who may have photosensitive epilepsy or similar condition, since the use of the flash can trigger such attacks.</p> |

| Council decision making over the civic year | How we will demonstrate 'due regard' to the Public Sector Equality Act 2010 |
|--|---|
| <p>Item 12 - NORTH HERTFORDSHIRE MUSEUM AND COMMUNITY FACILITY AT HITCHIN TOWN HALL</p> <p>That Council approves the immediate capital expenditure to a maximum of £138,000 for the fit out of the Hitchin Town Hall.</p> | <p>The proposals made in this report do not in themselves alter the overall project design as previously reported, but seek to ensure that in ensuring momentum to the existing contracts etc, a facility to meet the needs of all communities in North Herts can be completed and brought into community use. The report also suggests consideration of management arrangements for the facility which will be subject to the Public Sector Equality Duty.</p> |

| Council decision making over the civic year | How we will demonstrate ‘ due regard’ to the Public Sector Equality Act 2010 |
|--|---|
| <p>Council 26th November 2015</p> <p>Item 6 ADOPTION OF A STATEMENT OF LICENSING POLICY FOR THE PERIOD 2016–2021 REQUIRED BY VIRTUE OF SECTION 5 OF THE LICENSING ACT 2003</p> <p>The purpose of this report is for the Licensing and Appeals Committee to consider the draft policy prepared by officers and any public consultation responses in order to recommend the adoption of a Statement of Licensing Policy (“the policy”) to Full Council.</p> <p>Item 7 ADOPTION OF A STATEMENT OF LICENSING PRINCIPLES FOR THE PERIOD 2016–2018 REQUIRED BY VIRTUE OF SECTION 349 OF THE GAMBLING ACT 2005</p> <p>That the proposed Statement of Licensing Principles in respect of the Gambling Act 2005, as attached at Appendix A to the report, be supported by the Licensing and Appeals Committee: that the Licensing and Appeals Committee recommend the adoption of the Statement of Licensing Principles to Full Council</p> | <p>The proposed Policy adoptions do not place any barriers or unique requirements on any person on the grounds of ethnicity, gender, religion or any other protected characteristic. Officers work with all applicants and licence holders, where appropriate, to ensure that the Council’s duty under the Equality Act 2010 is met, for example, guidance notes could be provided in other languages Upon request.</p> |

| Council decision making over the civic year | How we will demonstrate ‘ due regard’ to the Public Sector Equality Act 2010 |
|---|--|
| <p>Council 21st January 2016</p> <p>Item 8 - NORTH HERTFORDSHIRE LOCAL PLAN – THE NEXT STEPS AND REVISED LOCAL DEVELOPMENT SCHEME</p> | <p>There are not considered to be any direct equality issues arising from this report although individual schemes or considerations hereafter will be subject to appropriate review to ensure they comply with latest equality legislative need. The latest national guidance on traveller sites, and specifically defining those who retain a ‘nomadic’ lifestyle, must also be considered alongside the protections afforded to some travellers by virtue of their ethnicity under the Equality Act 2010</p> |
| <p>Council 21st January 2016</p> <p>Item 9 - NORTH HERTS LEISURE CENTRE (NHLC) - CAPITAL PROJECT</p> <p>Agree to proceed with the development, noting the 7.5 months overall delay on the project and subject to Council approving the consequential amendments to the Capital programme</p> | <p>The proposals contained in this report should be viewed positively as they will provide greater opportunity and significant additional capacity for people, and especially children, needing to learn to swim.</p> |

| Council decision making over the civic year | How we will demonstrate 'due regard' to the Public Sector Equality Act 2010 |
|--|---|
| <p>Council 21st January 2016</p> <p>Item 10 – COUNCIL TAX REDUCTION SCHEME 2016/2017</p> <p>To approve the Council Tax Reduction Scheme (CTRS) for North Hertfordshire for 2016/2017</p> | <p>The duty is not, however, to achieve in full the three equality aims but to take them into account, and demonstrate that they have been considered, when making a final decision. Therefore the duty does not stop difficult, but justifiable, decisions being made The Council is required, under the Local Government Finance Act 2012, to protect specific groups of individuals; these are subject to amendment or addition by the Secretary of State. By conducting extensive consultation when the scheme was first implemented, and again in 2015, the Council sought to collect information from those who may be potentially affected by these proposals. The public consultation showed broad support for the scheme. By retaining fundamentally the same scheme for 2014/2015, 2015/2016 and 2016/2017, it is reasonable to assume that the Council has met its obligations under the Equality Act but continuous review of implementation and potential effects will also continue to take place in year.</p> <p>The decision to provide a suitable 'Discretionary Council Tax Payment Scheme' provides an additional means by which those most in need financially can access such support were it necessary. As outlined at 8.30 above, this provision has been called into use on nine occasions in the past year, which represents a valuable 'safety net' for those in greatest need.</p> |

The table below shows analysis of potential impact on services and service users.

Equality Analysis Template

| | | | | |
|---|---|------------------------|------------------------|-----------------------|
| 1. Name of activity: | Community Centre Leases and Audit Outcomes | | | |
| 2. Main purpose of activity: | Review of various options in regard to current lease arrangements for Walsworth, St Michael's and Coombes Community centre | | | |
| 3. List the information, data or evidence used in this assessment: | Overview and Scrutiny report – 16/12/2014 NHDC Community Hall strategy Levels of community halls provision in Hitchin | | | |
| 4. Assessment | | | | |
| Characteristics | Neutral (x) | Negative (x) | Positive (x) | |
| | | | | Negative |
| | | | | See attached document |
| | | | | Positive |
| | | | | See attached document |
| | | | | Negative |
| | | | | See attached document |
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| 5 Results | | | |
|--|--|-------------------------------------|-----------------------|
| | Yes | No | |
| Were positive impacts identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | See attached document |
| Are some people benefiting more than others? If so explain who and why. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Were negative impacts identified (what actions were taken) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | See attached document |
| 6. Consultation, decisions and actions | | | |
| If High or very high range results were identified who was consulted and what recommendations were given? | | | |
| Not applicable | | | |
| Describe the decision on this activity | | | |
| Not applicable | | | |
| List all actions identified to address/mitigate negative impact or promote positively | | | |
| Action | Responsible person | Completion due date | |
| <p>There is currently sufficient community facility capacity in Hitchin to provide for the user groups that will be impacted by the closure of the hall.</p> <p>The refurbished Hitchin Town Hall in particular will provide accommodation to those with protected characteristic in Hitchin.</p> <p>The Council will offer assistance to displaced user groups to find suitable accommodation in Hitchin for their needs.</p> | Community Facilities officer/Head of Policy and Community Services | | |

| | | |
|---|-------------|--|
| Officer will work to provide a solution that tackles inefficient arrangements that currently exist between the named community associations. | | |
| When, how and by whom will these actions be monitored? | | |
| The Head of Service for Policy and Community Services, the Overview and Scrutiny Committee and Cabinet will monitor these actions via the normal reporting process in line with the Forward Plan. | | |
| 7. Signatures | | |
| Assessor | | |
| Name: Reuben Ayavoo | Signature** | |
| Validated by | | |
| Name: Liz Green | Signature** | |

**** Please type your name to allow forms to be sent electronically.**

A copy of this form should be forwarded to the corporate policy team and duplicate filed on the council's report system alongside any report proposing a decision on policy or service change.

Community Centre leases and Audit outcomes – Additional information for Equality Analysis 7th March 2016

Options for analysis: -

- Continue as you are –get best terms possible with current occupiers - noting variance to Hall Strategy and liability of the authority for remaining repairs, maintenance etc:
- Resolve that leases are only on a full repairing basis.
- Cease tenancy of current community associations; seek alternative tenants
- Disposal of community sites for other uses – to be explored

The substantial aspect of the potential adverse impact can be categorised as the community considerations. It will impact across the communities. Dependant on the various client base, the impact would be felt across a range of users; varying from young toddlers, parents and the elderly.

Community Centres are primarily run by local volunteers and provide a place for people from the local community to engage in a range of activities. Successful Community centres provide a complementary service to those delivered by statutory functions. Many centres successfully enable third sector organisations to deliver services etc. to a range of people from across the community. The enabling of third sector organisations is not evident within this report.

The report acknowledges that the primary purpose of a community centre is to serve the local community. However the operation of the identified centre's, has over time, incurred a considerable use of public funds and will continue to do so.

There is a real need to ensure that the needs of the community are being effectively met and that value for money is pursued.

The proposed closure of the hall will impact the current users. However analysis has shown that sufficient community capacity exists, certainly, in Hitchin, to provide alternative accommodation for those that are displaced. As with other closures, the authority will ensure that alternatives are sought.

Previous reports have stated the closure of Walsworth centre would not impact heavily on the community space available to residents in the Hitchin area. With the imminent opening of the District museum and community facility there is the potential for an alternative and more flexible provision becoming available.

FAR COMMITTEE (22.9.16)

Previous reports have note that ' there is an overriding responsibility to reduce/remove the financial impacts on the wider taxpayer.' If the cabinet agreed to approve to conclude the best terms possible with the groups, then council tax payers would continue to subsidise the operation of facilities which goes against the council 's agreed strategy for community halls and facilities.' In light of this strategy aim , the council would be better to divert the funds that it currently uses to support these groups to use more effectively for other vulnerable groups. The obligation to show due regard, in terms of equalities requires the need to not only to avoid discrimination but to also identify the advancement of equality and foster good relations amongst different community groups. Certain associations have not always embraced new ways of working to make better use of their limited volunteer resources. This then impacts on the services that are provided to only a limited section of residents. A change in tenant could potentially increase the opportunities to get involved and build a more resilient community across various demographics in each area.

The report states that the community associations financially operate in a way to ' only break even'. To offer a full repair lease would not be advantageous in these circumstances. This could lead to the failure of the association to the detriment of the community and the use of the asset. Or it has the potential to allow the instatement of new tenants to run the facility in a more financially viable manner and better serve the community in a more realistic manner. If this were to occur then the aspects of the Equality Act - ' to identify advancement of equality and foster good relations' would be better realised.

- Disposal of community sites for other uses – to be explored

The report identifies the significant investment required to sustain the buildings' serviceability over a five year period. This investment does not guarantee the reinvigoration of these facilities for community. In particular, the Walsworth Community Centre has considerable infrastructure issues - a lack of a damp proof membrane/course, a reduced floor flexibility and no onsite parking available. This reduces the accessibility for those that exhibit certain protected characteristics and reduces revenue generation opportunities for potential clients. As already noted there is sufficient community hall provision in Hitchin that could better serve the community requirements. .

Policy Team
March 2016

Equality Analysis Template

| | | | | | |
|--|--|----------------------------|----------------------------|-----------------|--|
| 1. Name of activity: | Update to the Common Housing Allocation Scheme (CHAS) | | | | |
| 2. Main purpose of activity: | The CHAS sets out how social housing is allocated in the district. The policy is being updated to ensure it better meets the housing needs of the district - the qualification criteria for joining the Common Housing Register, initially introduced in 2013, have been rebalanced to improve accessibility and other changes made to ensure compliance with case law. As such the number of households expected to be affected by the updated policy is very small; furthermore the update is anticipated to improve some impacts of the original CHAS reported in the associated Equality Analysis. | | | | |
| 3. List the information, data or evidence used in this assessment: | (1) A review of anti-social behavior orders, Home Office Research, 2002 | | | | |
| 4. Assessment | | | | | |
| Characteristics | Neutral (x) | Negative (x) | Positive (x) | | |
| | | | | Negative | |
| | | | | Positive | |
| | | | | Negative | |

| | | | | |
|------------|--|--|--|---|
| disability | | | | Positive |
| | | | | The updated CHAS improves access (within tightly defined criteria) to social housing for those convicted of anti-social behaviour. Individuals with mental health issues are disproportionately represented in this group – Home Office research (1) suggests that up to 60% of individuals issued with an ASBO had some mitigating factor contributing to their behaviour such as addiction, learning difficulties or mental distress. |
| | | | | Negative |
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| | | | | Negative |
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| | | | | Positive |
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| | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| A person of a particular age | x | <input type="checkbox"/> | <input type="checkbox"/> | Negative |
| | | | | |
| | | | | Positive |
| | | | | |
| | | | | Negative |
| | | | | |
| | | | | Positive |
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| 5 Results | | | | |
| | Yes | No | | |
| Were positive impacts identified? | x | <input type="checkbox"/> | | The updated CHAS will allow improved access (within tightly defined criteria) to social housing for those with a history of ASB/crime, housing debt and previous evictions. Those with mental health issues are likely to be disproportionately represented in this group. The number of households likely to be impacted by the changes in policy is thought to be small. |
| Are some people benefiting more than others? If so explain who and why. | x | <input type="checkbox"/> | | As above. |
| Were negative impacts identified (what actions were taken) | <input type="checkbox"/> | x | | |
| 6. Consultation, decisions and actions | | | | |
| If High or very high range results were identified who was consulted and what recommendations were given? | | | | |
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| | | |
|---|--------------------|---------------------|
| Describe the decision on this activity | | |
| | | |
| List all actions identified to address/mitigate negative impact or promote positively | | |
| Action | Responsible person | Completion due date |
| | | |
| When, how and by whom will these actions be monitored? | | |
| Generally, the CHAS will be monitored on an annual basis, and the results published, to ensure that duties set out in the public sector Equality Duty are being adhered to. | | |
| 7. Signatures | | |
| Assessor | | |
| Name: | Signature** | |
| Validated by | | |
| Name: | Signature** | |

**** Please type your name to allow forms to be sent electronically.**

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Equality Analysis Template

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|---|---|----------------------------|----------------------------|--|-----------------|--|-----------------|---|
| 1. Name of activity: | Planning consultations | | | | | | | |
| 2. Main purpose of activity: | The SCI sets out how consultations will take place during the preparation of the local plan, supplementary planning documents or in determining planning applications | | | | | | | |
| 3. List the information, data or evidence used in this assessment: | The preparation of the SCI is required in the Planning and Compulsory Purchase Act 2004. The 2011 version of the SCI has been prepared in light of this requirement and also in response to changes in the associated regulations and in how consultations on local planning documents have been conducted since 2006. | | | | | | | |
| 4. Assessment | | | | | | | | |
| Characteristics | Neutral (x) | Negative (x) | Positive (x) | | | | | |
| | | | | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr style="background-color: #eee;"> <td data-bbox="1249 1082 1832 1129">Negative</td> </tr> <tr> <td data-bbox="1249 1129 1832 1209"></td> </tr> <tr style="background-color: #eee;"> <td data-bbox="1249 1209 1832 1257">Positive</td> </tr> <tr> <td data-bbox="1249 1257 1832 1388">The SCI sets the details of how communities will be consulted and also includes details of which groups within the community will be consulted.</td> </tr> </table> | Negative | | Positive | The SCI sets the details of how communities will be consulted and also includes details of which groups within the community will be consulted. |
| Negative | | | | | | | | |
| | | | | | | | | |
| Positive | | | | | | | | |
| The SCI sets the details of how communities will be consulted and also includes details of which groups within the community will be consulted. | | | | | | | | |

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|-----------------------------------|-------------------------------------|--------------------------|--------------------------|----------|
| A person living with a disability | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Negative |
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| 5 Results | | | | |
| | Yes | No | | |
| Were positive impacts identified? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| Are some people benefiting more than others? If so explain who and why. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| Were negative impacts identified (what actions were taken) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| 6. Consultation, decisions and actions | | | | |
| If High or very high range results were identified who was consulted and what recommendations were given? | | | | |
| Once consultations for local planning documents, supplementary planning documents and planning applications have been completed, officers consider all the responses and make recommendations as to how a consultation document should be amended or a decision made. | | | | |
| Describe the decision on this activity | | | | |
| A report is prepared for Members to consider and approve, through Cabinet or the Planning Control Committee. | | | | |
| List all actions identified to address/mitigate negative impact or promote positively | | | | |
| Action | Responsible person | | Completion due date | |
| The SCI sets out how consultations will take place & has identified particular hard to reach groups – monitoring forms will be used to assess the effectiveness of consultations | Louise Symes | | 01/07/2015 | |

| | |
|---|-------------|
| When, how and by whom will these actions be monitored? | |
| The Planning Policy & Projects Group will review future consultations after each consultation period. | |
| 7. Signatures | |
| Assessor | |
| Name: Clare Skeels | Signature** |
| Validated by | |
| Name: Louise Syme | Signature** |

**** Please type your name to allow forms to be sent electronically.**

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