

## Equality Impact Assessment / Equality Analysis

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| <b>Title of service or policy</b>                   | Gypsy, Traveller and Travelling Showpeople Site Allocations Development Plan Document (DPD) – Preferred Options consultation paper |
| <b>Name of directorate and service</b>              | Planning Policy  |
| <b>Name and role of officers completing the EIA</b> | Meghan Rossiter, Senior Planning Officer   |
| <b>Date of assessment</b>                           | April 2012   |

Equality Impact Assessment (or ‘Equality Analysis’) is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community. Equality impact Assessments (EqIAs) can be carried out in relation to service delivery as well as employment policies and strategies.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EqIA) or Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Council’s and NHS Bath and North East Somerset’s websites.

| <b>1. Identify the aims of the policy or service and how it is implemented.</b> |  |   |
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|   | <b>Key questions</b>   | <b>Answers / Notes</b>  |
| <b>1.1</b>  | <p>Briefly describe purpose of the service/policy including</p> <ul style="list-style-type: none"> <li>● How the service/policy is delivered and by whom</li> <li>● If responsibility for its implementation is shared with other departments or organisations</li> <li>● Intended outcomes</li> </ul> | <p>The document sets out potential land allocations for the development of Gypsy and Traveller sites. The document is at the second stage of public consultation. There will be at least one further public consultation stage (Pre-Submission Draft) before the document is submitted for formal Examination in Public and adopted.</p> <p>This Equalities Impact Assessment is on the Preferred Options stage, at which the public are invited to comment on land parcels considered suitable for allocation as Gypsy/Traveller or Travelling Showmen’s residential and transit sites. The actions raised in the previous Assessment have been used to inform the Preferred Options consultation document. The actions raised in the previous assessment have been reassessed against the Preferred Options document to produce this Equalities Impact Assessment.</p> <p>Once the Development Plan Document (DPD) is adopted it will be implemented by Development Management, the private sector, public service providers and individual households. The Preferred Options stage is the second stage towards the final adopted version and as such will not be directly implemented.</p> <p>The intended outcome of the DPD is to allocate land which can then be the subject of planning applications for development as authorised Gypsy and Traveller sites. The outcomes of this include reducing inequalities, increasing access to health and educational services, improving social interaction between communities, positive</p> |

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|            |   | mental health, prevention of overcrowding in accommodation and improving access to employment.   |
| <b>1.2</b> | <p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> <li>● Is it a new service/policy or review of an existing one?</li> <li>● Is it a national requirement?).</li> <li>● How much room for review is there?</li> </ul> | <p>The DPD is a new document that extends the development management policy CP11 of the Draft Core Strategy which sets out the criteria against which development proposals for Gypsy and Traveller sites will be assessed, to allocate specific sites for development. The allocation of sites is a national requirement set out in the Housing Act (2004) and the policy document Planning for Traveller Sites which accompanies the National Planning Policy Framework.</p> <p>As stated in 1.1 there are several more consultation stages planned prior to the DPD being adopted. As also stated in 1.1 this gives significant scope for review which will inform each stage of the document. The impacts noted in the previous assessment have been used to inform the site selection process on which the Preferred Options document relies.</p> |
| <b>1.3</b> | Do the aims of this policy link to or conflict with any other policies of the Council?  | <p>The DPD follows on from Core Policy 11 in the Council's Draft Core Strategy which directly states the need for the Site Allocations DPD. It is also linked to B&amp;NES Equal Opportunities Policy, aiming to ensure a fair society that offers everyone an equal chance to learn, work and live free from discrimination, harassment and prejudice, following on from the Corporate Equality Commitment by having regard to its stated commitment for equality.</p>  |

## 2. Consideration of available data, research and information

Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:

- **Demographic** data and other statistics, including census findings
- Recent **research** findings (local and national)
- Results from **consultation or engagement** you have undertaken
- Service user **monitoring data** (including ethnicity, gender, disability, religion/belief, sexual orientation and age)

- Information from **relevant groups** or agencies, for example trade unions and voluntary/community organisations
- Analysis of records of enquiries about your service, or **complaints** or **compliments** about them
- Recommendations of **external inspections** or audit reports

The sources of evidence used to inform the Development Plan Document (DPD) includes the West of England Gypsy and Traveller Accommodation Assessment (2007) and the biannual Caravan Count (CLG, 2011). This information is publicly accessible. Significant local consultation was conducted in the production of the Accommodation Assessment and further informal consultation with local members of the travelling communities as part of the Issues and Options consultation has also informed the Council's understanding of accommodation, health, educational and employment needs.

A Health Needs Assessment is due to be researched and produced by the Bath and North East Somerset Primary Care Trust which will also be used to inform future drafts of the Site Allocations DPD.

Further background information from other sources, including voluntary organisations, has been used to inform this DPD.

|            | <b>Key questions</b>  | <b>Data, research and information that you can refer to</b>  |
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| <b>2.1</b> | What is the equalities profile of the team delivering the service/policy? | The Planning Policy team comprises people of different ethnicities, sex, age and religion. The Planning Policy team does not include a member of the travelling communities.   |
| <b>2.2</b> | What equalities training have staff received?                             | The full Planning Policy team received corporate equalities training and EqIA training in 2008. The team have made themselves aware of the changes in equalities law since that time. The Team are also working closely with the Council Equality Team to ensure they are up-to-date on any legislative changes. The Senior Planning Officer progressing the DPD has had specific travelling communities training in 2011. Members of the team had specific cultural awareness training on travelling communities in 2011. Cultural awareness training was also delivered to officers from across the Council and Councillors in April 2012. |
| <b>2.3</b> | What is the equalities profile of service users?                          | We have information about the user profile from the 2007 Gypsy and Traveller Accommodation Assessment (GTAA) and from informal discussion with individual members of the travelling communities at the previous consultation stage.  |
| <b>2.4</b> | What other data do you have in terms                                      | We have some limited equalities data from Equality Mapping and the 'Population of  |

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|   | of service users or staff? (E.g. results of customer satisfaction surveys, consultation findings). Are there any gaps?   | Bath and North East Somerset' for data on those that live in the District. Further information at progressive stages of consultation will inform future drafts of the DPD and this Equalities Impact Assessment. We will also have access to the local equality data from Joint Strategic Needs Assessment when it is published.   |
| 2.5   | What engagement or consultation has been undertaken as part of this EIA and with whom?<br>What were the results?   | Input into the previous EqIA has been received from a Corporate Equalities and Diversity Officer. This input resulted in changes being made to improve the quality of information and to ensure full consideration of potential impacts. Once the second stage public consultation has begun there will be more information to feed into the EIA. The EIA will also go to <a href="#">The EIA Quality Control Group for further consultation</a> .   |
| 2.6   | If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?  | <p>The Council's Statement of Community Involvement which explains how the local community can get involved in the preparation of the LDF sets out our target groups. For the Site Allocations DPD the main target group is Gypsies and Travellers. Specific, constructive consultation with Gypsies and Travellers and equalities groups will be sought.</p> <p>Additional help and guidance will need to be given to equalities groups with an interest in the travelling communities. We will seek responses in verbal and written form to ensure literacy is not a barrier to becoming engaged.</p> <p>The impact on the local settled community has also been taken into account in ensuring sufficient scope for public engagement and in the detail of the DPD.</p> |
| <b>3. Assessment of impact: 'Equality analysis'</b> |  |  |
|   | Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy: <ul style="list-style-type: none"> <li>• Meets any particular needs of equalities groups or helps promote equality in some way.</li> <li>• Could have a negative or adverse impact for any of the equalities groups</li> </ul> |  |
|   | <b>Examples of what the service has done to promote equality</b>   | <b>Examples of actual or potential negative or adverse impact and what steps have been</b>   |

|            |  |   | <b>or could be taken to address this</b>   |
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| <b>3.1</b> | <b>Gender</b> – identify the impact/potential impact of the policy on women and men. (Are there any issues regarding pregnancy and maternity?) | <p>The DPD aims for accommodation developments to meet the needs of the travelling communities; the mix of site sizes (which could accommodate different pitch sizes and tenures) should align with the needs of the communities. This will have a positive impact on both genders, allowing for changing household sizes and needs such as through divorce, remarriage and the accommodation of children.</p> <p>The aim of the document to provide permanent and transit sites will enable certainty of accommodation to travelling households. The use of a recognised postal address will positively impact on access to employment, education and health facilities in particular.</p> <p>Access to health facilities (which incorporates maternity care for pregnant women) has been specifically included as a site selection criterion in assessing sites. The ability to access these will positively impact on the travelling communities who often have great difficulty in accessing health facilities. This is particularly relevant to maternity care as Gypsy and Irish Traveller women are 20 times as likely to experience the death of a child than the settled population.</p> <p>The provision of authorised sites will allow for stable access to culturally appropriate support services.</p> | <p>There is the potential for adverse impacts if the DPD is not adopted through non delivery of the many positive impacts identified in this assessment.</p> <p>The continued absence of authorised permanent and transit Gypsy and Traveller pitches in B&amp;NES will fail to plan for the needs of all genders in accessing stable accommodation, employment and health and educational facilities. Poor access to health facilities in particular is likely to result from the failure to provide sites and may negatively impact on antenatal care and other health issues.</p> |
| <b>3.2</b> | <b>Transgender</b> – identify the impact/potential impact of the policy on transgender   | <p>Access to stable accommodation, health and education facilities, and employment opportunities will enable equality of opportunity, including for transgender members of the travelling communities. These aspects of health and well-being have been specifically included as site selection criterion in assessing sites.</p>   | <p>Non delivery of this DPD is likely to continue negatively impacting on the travelling community, including transgender people, through non delivery of land allocations for accommodation.</p>  |

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|            | people  |  | There is currently a lack of knowledge about Gypsy & Traveller Transgender people and without access to the Gypsy and Traveller communities we will not be able to identify if we are effectively meeting the needs of this section of the community.   |
| <b>3.3</b> | <b>Disability</b> - identify the impact/potential impact of the policy on disabled people (ensure consideration of a range of impairments including both physical and mental impairments) | <p>The site selection methodology and scoring matrix used to assess land for the purposes of site allocations use an approach that specifically acknowledges the issues of access to local services and facilities. This has had a positive impact on directing development to the most sustainable locations. In determining final site allocations this should impact positively on those people with physical access needs, who are unable to drive and that rely on public or community transport, including those with special needs.</p> <p>The approach to site selection has taken into account the need for sites to be accessible. This will promote equality of access.</p> | Non delivery of this DPD is likely to continue negatively impacting on members of the travelling community with disabilities or special needs who may otherwise not be able to access facilities, in particular health services.  |
|            |   | <b>Examples of what the service has done to promote equality</b>   | <b>Examples of potential negative or adverse impact and what steps have been or could be taken to address this</b>  |
| <b>3.4</b> | <b>Age</b> – identify the impact/potential impact of the policy on different age groups   | A lack of site provision (either transit or permanent) is associated with poor access to health and education which has led to significant inequalities across the Gypsy and Traveller population. The approach to site selection has specifically included access to education and skills opportunities, directing development to the most sustainable locations. Locating development in close proximity to local services and facilities will have a positive impact in particular on the young in accessing education, and on the elderly in ensuring access to public transport   | As bullying of school age Gypsy and Traveller children is a common experience this can result in reluctance to attend school. Lack of access to stable education may exacerbate this problem and lead to problems with school-based and lifelong learning and training for employment. Consultation with the B&NES Education and Learning team has sought to address these impacts, including assessing ease of access to schools for in- |

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|            |  | <p>and local services, including health facilities. More stable access to health and social care facilities for the elderly will improve community care assessments which is a particular area of concern.</p> <p>Consultation with The Children’s Society has sought to address the issue of local travelling households accessing consultation on the DPD and in informing the long-term approach to site delivery through constructive discussion.</p> | <p>term admissions.</p> <p>Consultation on the Preferred Options DPD is anticipated as being highly contentious with potentially negative and harmful impacts on local Gypsy / Traveller households. Specific consultation with local travelling households, including those with children, seeks to improve communication with the Council, improving social inclusion, and to mitigate against negative perceptions arising from anticipated wider responses. Effective consultation with local travelling communities will help to deliver good quality, well designed sites which should assist in integration.</p> <p>There is a risk that the Council will fail to progress the DPD. This would significantly negatively impact on the Council’s ability to actively engage with local Gypsy / Traveller households in encouraging participation in education, predominantly for school-age children.</p> |
|            |  | <b>Examples of what the service has done to promote equality</b>  | <b>Examples of potential negative or adverse impact and what steps have been or could be taken to address this</b>  |
| <b>3.5</b> | <b>Race</b> – identify the impact/potential impact on different black and minority ethnic groups | The development of the DPD aims to enable the Council to meet its obligations under the Equality Act 2010 and seeks to promote better race relations between the travelling community and the settled community. Engagement with the travelling community seeks to improve trust and a partnership approach to ensure policy is not ‘imposed’ but formed through open and co-operative working.   | There is a concern that the travelling communities are not able to participate effectively with the planning system, including with the development of the Site Allocations DPD. Failure to sufficiently engage with the local travelling community may lead to disenfranchisement with the plan making   |

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|            |   | <p>Each of the site options seek to meet the diversity of local Gypsy / Traveller and Travelling Showpeople households' needs. This will have a positive impact on meeting individual needs.</p> <p>The option to provide permanent and transit sites in accordance with the identified level of need promotes cultural equality. The provision of transit sites will enable the travelling way of life without recourse to illegal encampments or developments. The use of a recognised postal address at authorised sites will positively impact on access to employment, education and health facilities in particular.</p> <p>To promote equality the document also seeks to foster good race relations between the travelling and settled communities by seeking to allocate suitable land in the most sustainable locations.</p> | <p>process. A method of ensuring engagement may be to ask Gypsy and Traveller community representatives to hold or co-host consultation events themselves.</p> <p>It is anticipated however that these risks will be limited given the active approach to be taken in engaging with the travelling communities.</p> <p>Potential negative impacts arising from the development of the DPD includes significant adverse local media coverage. Racism towards Gypsies and Travellers remains common, overt and perceived as justified. Negative media coverage and racist statements from politicians compounds ignorance and prejudice where this is unchallenged. The Council has posted a Frequently Asked Questions (FAQ) section on the Planning Policy webpages to combat some of this in advance of public consultation.</p> |
|            |   | <b>Examples of what the service has done to promote equality</b>   | <b>Examples of potential negative or adverse impact and what steps have been or could be taken to address this</b>  |
| <b>3.6</b> | <b>Sexual orientation - identify the impact/potential impact of the policy on lesbians, gay, bisexual &amp;</b> | <p>Access to stable accommodation, health and education facilities, and employment will enable equality of opportunity of people of all sexual orientations. These factors have been prioritised in assessing sites for their suitability.</p>   | <p>Non delivery of this DPD is likely to continue negatively impacting on the travelling community, including people of all sexual orientations, through non delivery of land allocations for accommodation.</p>  |

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|            | heterosexual people   |   |   |
| <b>3.7</b> | <b>Religion/belief</b><br>– identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.  | Allocating sites for authorised residential use enables stability of access to local services and facilities, including places of religious worship. This has a positive impact on religion / belief through opportunities to extend community networks and aid community integration.  | The uncertainty of unauthorised sites can reduce households' access to places of faith, as well as reducing mental health and ability to carry out normal cultural practices.<br><br>Provision of transit sites will also enable the travelling way of life which is a key aim of the DPD.  |
| <b>3.8</b> | <b>Socio-economically disadvantaged</b><br>– identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances | The allocation of land for the provision of permanent and transit pitches through this DPD will positively impact on the travelling community who are often socio-economically disadvantaged as arising from poor access to stable accommodation.<br><br>The site selection process, including use of Sustainability Appraisal, has sought to direct development to the most sustainable locations. This has prioritised areas with good or reasonable access to education, work and skills opportunities with the aim of positively impacting on health, well-being and equality of opportunity. | Potential negative impacts arising from the allocation of sites includes land being developed in areas with poor access to education and work opportunities, poor access to health services, and stigmatisation through social exclusion where sites are inappropriately located or negative perceptions not overcome.<br><br>To address these negative impacts the site selection process has sought to identify sites in sustainable locations, and to address negative perceptions through positive media use and in developing a positive approach to public consultation. The public consultation process will seek to demystify issues surrounding Gypsy and Traveller site |

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|            |   |  | provision and improve race relations.   |
|            |   | <b>Examples of what the service has done to promote equality</b>   | <b>Examples of potential negative or adverse impact and what steps have been or could be taken to address this</b>  |
| <b>3.9</b> | <b>Rural communities</b> – identify the impact / potential impact on people living in rural communities | <p>The assessment (both formal and through the Sustainability Appraisal) of land in rural locations has taken into account sustainability criteria, including access to health and education services, work and skills opportunities, and public transport. This has promoted the most sustainable locations as those most suitable for development, though with reference to the need to respect traditional ways of life which includes rural living.</p> <p>The public consultation process will seek to demystify issues surrounding Gypsy and Traveller site provision and improve race relations. This will seek to positively impact on settled rural communities by improving understanding of the need for accommodation in rural locations and the benefits that can arise from the development of authorised sites.</p> <p>The preferred sites identified for public consultation include a number in rural locations adjacent or close to existing rural settlements. A typical complaint of planning for Traveller sites is that special treatment is given. The Council has progressed the Core Strategy which sets out policies on developing housing, including affordable housing in rural locations. The Council is required to consider the need to deliver Traveller sites by its Single Equality Duty and is progressing the DPD to achieve this.</p> | <p>Non delivery of the DPD may result in sites coming forward outside the development plan process at less sustainable locations than desired. This would negatively impact on both the travelling and settled communities in rural areas.</p> <p>Negative perceptions and prejudice against the travelling communities may give rise to adverse publicity and objections to individual sites. This may have a significant adverse impact on race relations, in particular from rural communities. A comprehensive consultation strategy, including through internal cultural awareness training with Council officers and Councillors, and a positive media strategy will be used to mitigate against these impacts.</p> |

## 4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions / targets should be measurable, achievable, realistic and time framed.

| Issues identified  | Actions required   | Progress milestones   | Officer responsible | By when                 |
|--|--|---|---------------------|-------------------------|
| Cultural awareness training for Council officers.  | Cultural awareness training to officers to be delivered.   | Training in advance of public consultation.   | Meghan Rossiter     | May 2012 (now complete) |
| Cultural awareness training for Councillors.   | Cultural awareness training to Councillors to be delivered.  | Training in advance of public consultation.   | Meghan Rossiter     | May 2012 (now complete) |
| The equalities profile of service users information is not comprehensive and is 5 years old. | Further evidence should be gathered through the consultation process.  | Additional data.  | Meghan Rossiter     | July 2012               |
| The Planning Policy Team's Equality training requires updating.                              | The Planning Policy Team to receive Equality Refresh Training to ensure Equality knowledge is up to date.                  | All members of the Planning Policy Team to receive Equality Refresh Training.   | Richard Daone       | December 2012           |
| Ongoing liaison with relevant agencies for education, health and social care.                | Consultation with the B&NES Education and Learning, Health and Social Care teams.  | External consultation conducted and responses used to inform future drafts of the DPD.  | Meghan Rossiter     | July 2012               |
| Need to engage with travelling communities to promote ownership of the document.             | Direct contact with all travelling community groups in B&NES and engagement of community representatives at future events. | Contact with all travelling community groups in B&NES.<br><br>Representatives of the travelling communities engaging with consultations and appearing at / facilitating events. | Meghan Rossiter     | July 2012               |

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| This Equalities Impact Assessment will need to be updated at each stage of the document's progress. | Review the Equalities Impact Assessment against the Pre-Submission stage DPD. | Refreshed Equalities Impact Assessment. | Meghan Rossiter | July – November 2012 |
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## 5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team ([equality@bathnes.gov.uk](mailto:equality@bathnes.gov.uk)), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

**Signed off by:** Richard Daone

(Divisional Director or nominated senior officer)

**Date:** 02.05.12