***Public Sector Equality Duty (PSED)***

*It is unlawful to discriminate against an individual because of their protected characteristics (Equality Act 2010)*

*The PSED helps us to integrate equality issues into day-to-day council business. Compliance with the duty is a legal obligation; we must, in the exercise of our functions, have due regard to the need to:*

* *Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.*
* *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.*

*Having due regard for advancing equality involves:*

* *Removing or minimising disadvantages suffered by people due to their protected characteristics.*
* *Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.*
* *Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.*

**Equality impact assessments / equality analysis (EqIAs)**

The Council must be able to demonstrate that we have a written record of the equality related considerations that have been taken within the decision making and budgeting process. Our decision-making processes include consideration of the actions that would help to avoid or mitigate any negative effects on particular protected groups; that our decisions have a stronger evidence base through the use of equality mapping which will be cited in the EqIAs and makes our decision-making processes more transparent.

EqIAs form part of our written record and are our way of showing the analysis we have carried out on our decision making. Please ensure you have completed all necessary EqIAs including sign-off from the appropriate Strategic Director or their nominated rep. They must also be forwarded to [equality@bathnes.gov.uk](mailto:equality@bathnes.gov.uk) for publication.

Please contact Samantha Jones, Policy Manager, Equality on 396364 or [Samantha\_jones@bathnes.gov.uk](mailto:Samantha_jones@bathnes.gov.uk) for assistance.

Previous finance-based EqIAs can be found at:

<http://www.bathnes.gov.uk/communityandliving/equality/Pages/Equality%20Impact%20Assessments.aspx>

The blank EqIA template can be found here:

[**EqIA blank template for financial plans**](http://www.bathnes.gov.uk/SiteCollectionDocuments/Community%20and%20Living/Completed%20Equality%20Impact%20Assessments/EIA%20-%20financial%20plan%20-%20template%20-%20revised%20DEC%2010%20(4).doc)

**Equality impact assessment for financial plans**

|  |  |
| --- | --- |
| **Financial Plan** | **Public toilets savings £120k target** |
| Name of directorate and service | Place, Environmental Services, Neighbourhoods |
| **Name and role of officers completing the EIA** | Kate Hobson |
| Date of assessment | 06/09/12  (based on the assessment carried out for the Public Toilets Provision Strategy in September 2011 by Kate Hobson, Waste Management Officer; Cathryn Humphries, Neighbourhood Environment Manager and Andy Chard, Parks & Green Spaces Manager) |

This Equality Impact Assessment (EAI) is used to systematically analyse a financial plan to identify what impact or likely impact it will have on different groups within the community.  It should identify any discriminatory or negative consequences for a particular group or sector of the community but will also highlight beneficial impacts.

It is intended that this is used as a working document throughout the EIA 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.

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| --- | --- | --- | --- | --- | --- |
| **1.** | | **Identify the scope of the financial plan** | | | |
|  | | **Key questions** | | **Answers / Notes** | |
| **1.1** | | Briefly describe the aims of the financial plan including   * How the financial plan is delivered and by whom * If responsibility for its implementation is shared with other services or organisations * Intended outcomes | | Our guidance shows us that the plan is used to:   * *To facilitate the delivery of the Services responsibility within the Council’s Corporate Plan and Bath & North East Somerset’s Community Strategy and to achieve established policy priorities* * *To ensure maximum economy, efficiency and effectiveness in the use of financial resources* * *To ensure the sustainability of the Council’s budget in the medium term* * *To facilitate proactive, strategic management of the Council’s budget* * *To guarantee responsiveness to an ever-changing and uncertain financial climate* | |
| **1.2** | | Provide brief details of the scope of the financial plan being reviewed, for example:   * Is it a new financial or review of an existing one? * Is it a national or legislative requirement? * How much room for review is there? | | New savings targets of £120k for 3 year MTSRP | |
| **1.3** | | Do the aims of the financial plan conflict with any other financial plan or service activity of the Council or Partnership? | | The Provision Strategy for public toilets will need to be reviewed and adjusted to reflect the shift in policy to provision only where there is no alternative provision (primarily parks and green spaces) and the reduced number of Council-run facilities | |
| **1.4** | | What steps have you taken to ensure your financial plan does not *inadvertently* affect another service? | | Consulting Property and Parks primarily at this stage. | |
| **2. Consideration of available data, research and information** | | | | | |
| You need to show that you have made decisions based on evidence. Monitoring data and other information can help you analyse whether you are developing fair financial proposals: a decision which is informed by relevant local and national data about equality is a better quality decision. Please consider the availability of the following as potential evidence:   * Demographic data and other statistics, including census findings * Recent research findings * Results from recent consultation or surveys * 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 and community organisations * Analysis of records of enquiries about your service, or complaints or compliments about them * Recommendations of external inspections or audit reports | | | | | |
|  | | **Key questions** | | **Data, research and information that you can refer to** | |
| **2.1** | | What equality training have those who developed the financial plan received? | | Ongoing corporate equalities training. | |
| **2.2** | | What is the equality profile of the employees who will be affected by this financial plan? Are there any particular staffing issues? (e.g. high proportion of female workers etc) | | Two Council staff, one male, one female. Agency staff are male and female. | |
| **2.3** | | If there are proposed staffing reductions: what are the potential knock-on effects of this on other service areas including other public services where we collectively serve our citizens? | | The savings proposal retains two full-time Council staff posts, plus one additional full-time but part-year over the Summer period, which may be Council fixed term or agency | |
| **2.4** | | What is the equality profile of service users who will be affected by this financial plan? | | Potentially all sectors of society | |
| **2.5** | | What do you know about service users’ needs in relation to this service area? (e.g. results of customer satisfaction surveys, results of previous consultations) | | The strategy used census data and British Toilet Association guidelines to inform future standards of quality, quantity and distribution.  Specific responses to a prior public consultation were in support for more accessible provision and baby-changing facilities. | |
| **2.6** | | Are there any gaps in the data, research or information that is available? What additional information would assist you in developing your financial plan? | | No specific data on demographics of service users, this is difficult to obtain.  User count information is being gathered but is limited to numbers and time/day. | |
| **2.7** | | What consultation have you carried out on your financial plan? | | With the Cabinet Member who is also consulting Cabinet colleagues. | |
| **3. Assessment of impact** | | | | | | |
|  | Based upon any data you have analysed, or the results of consultation or research, use the spaces below to list how the financial plan:   * Meets any particular needs of each of the equality groups or helps promote equality in some way. * Could have a negative or adverse impact for each of the equality groups | | | | | |
|  | **Identify the impact / potential impact of the financial plan on** | | **Examples of how the financial plan promotes equality** | | **Examples of potential negative or adverse impact and what steps have been or could be taken to address this** | |
| **3.1** | **Age** –  different age groups | | Other than the specific negative and adverse impacts noted in the next column, the impact of closure of public toilets will affect a range of people across these equality groups.  Successful delivery of other elements of the Provision Strategy such as Community Toilet Schemes, co-location in Council buildings and tourist attractions and more private sector-led development provision will help to promote equality across the groups. | | The elderly are frequently quoted as needing access to greater numbers of toilet facilities.  People with young children need more and accessible facilities | |
| **3.2** | **Disability** –  Disabled people (ensure consideration of a range of impairments including both physical and mental impairments) | | As above, plus the need for the actual facilities to be accessible. There are specific-illness groups which require greater numbers of toilet facilities. | |
| **3.3** | **Gender** –  women and men | | Closures could prove more inconvenient for women | |
| **3.4** | **Gender identity -**  transgender people | | Some from these groups may feel unable or uncomfortable to go in and use toilet facilities inside pubs, certain cafes, restaurants and shops, even Council building facilities. | |
| **3.5** | **Race** –  People from black and minority ethnic groups | |
| **3.6** | **Religion / belief** –  people of different religious/faith groups and those with no religion or belief | |
| **3.7** | **Rural communities** –  people living in rural communities | | None | |
| **3.8** | **Sexual orientation -**  lesbian, gay, bisexual & heterosexual people | | As 3.4, 3.5, 3.6 | |
| **3.9** | **Socio-economically disadvantaged** –  people who are disadvantaged due to factors like family background, educational attainment, neighbourhood and employment status | |
| **4. Monitoring and review** | | | | | | |
| **4.1** | What arrangements have you put in place to monitor the *actual* effect of your financial plan following its implementation? | | Monitoring of incoming complaints, | | | |

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

The outcome of this EIA will fall into one of four categories:

Please tick which is appropriate:

|  |  |  |
| --- | --- | --- |
| 1 | No major change required |  |
| 2 | Adjustments to remove barriers identified by EIA or to better promote equality |  |
| 3 | Continue despite having identified some potential for adverse impact or missed opportunities to promote equality |  |
| 4 | Stop and rethink |  |

List actions below that you plan to take as a result of this EIA. These actions should be based upon the analysis of data, 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 financial plan and future service planning framework. Actions/targets should be measurable, achievable, realistic and time framed. (Add rows as appropriate)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Issues identified** | **Actions required** | **Progress milestones** | **Officer responsible** | **By when** |
| Progress with Strategy Delivery | Project Team to review action plan and assess resources required. | Implement actions as agreed and resourced | John Crowther | Following savings decision |
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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 Equality 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**: (Divisional Director or nominated senior officer) **Date:**