**Equality Impact Assessment / Equality Analysis**

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| **Title of service or policy** | River Avon – Issues with Unauthorised Moorings between Widcombe Basin and Pulteney Weir |
| Name of directorate and service | Sport and Active Lifestyles |
| **Name and role of officers completing the EIA** | Lynda Deane |
| Date of assessment | August / September / October 2013 |

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 (EIAs) 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 (EIA) 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.

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| **1.** | | **Identify the aims of the policy or service and how it is implemented.** | | | |
|  | | **Key questions** | | **Answers / Notes** | |
| **1.1** | | Briefly describe purpose of the service/policy including   * How the service/policy is delivered and by whom * If responsibility for its implementation is shared with other departments or organisations * Intended outcomes | | There are currently unauthorised boats moored in the stretch of waterway between Pulteney Weir and Widcombe Basin.    Bath & North East Somerset Council has serious concerns about the presence of these unauthorised boats. This follows an investigation which discovered a range of possible issues which included the following:     * Possible discharging of human waste/ sewerage into the water course; * Examples of uninsured and unlicensed boats - some were found to be at risk of sinking or potentially discharging fuel into the water course; * Littering and debris left behind by unauthorised boats.     In light of these concerns, the Council is requesting that the owners of these unauthorised boats move them immediately. Appropriate legal action will be taken if they fail to do so. The Council will take steps to ensure that the needs of occupants are taken into account as part of this process.  The intention is to remove all boats from the area at least until a permanent solution is achieved which may involve bye-laws to control all moorings. | |
| **1.2** | | Provide brief details of the scope of the policy or service being reviewed. | | This is a new consideration of the introduction of policies, processes and procedures including bye laws to restrict mooring on Council owned water and Council owned land between Pulteney Weir and Widcombe Basin. | |
| **1.3** | | Do the aims of this policy link to or conflict with any other policies of the Council? | | Yes. This introduction of new process is linked with a number of work programmes. These include but are not limited to:  The boat dwellers needs assessment and the Housing & Major Projects policy development and scrutiny Task and Finish group.  The gipsy traveller group.  The Health and Wellbeing Board.  Health and safety.  Housing. | |
| **2. Consideration of available data, research and information** | | | | | |
|  | | **Key questions** | **Data, research and information that you can refer to** | | |
| **2.1** | | What equalities training have staff received? | All have attended some or all of the following: equality training; equality for managers; equality impact or equality act training. | | |
| **2.2** | | What is the equalities profile of service users? | Due to the transient nature of boat dweller, this EqIA takes into account those people who were resident during a survey carried out during September 2013. | | |
| **2.3** | | What other data do you have in terms of service users or staff? (e.g results of customer satisfaction surveys, consultation findings). Are there any gaps? | A survey of boat dwellers on this stretch of water on two dates during Sept 2013 showed  No children.  No pregnant women.  No declaration of disability.  No request of special consideration within the definition of ‘protected characteristics’ within the Equality Act 2010. | | |
| **2.4** | | What engagement or consultation has been undertaken as part of this EIA and with whom?  What were the results? | Survey with boat dwellers September 2013 (see paper ‘Health / education needs assessment report for River Avon moorings).  Notably, some boat dwellers raised further issues not covered in the needs assessment – ie:  Health & safety issues with inadequate places to exit the water in the event of accident;  Lack of facilities for disposal or rubbish, foul water and waste water;  Lack of potable water facility.  Information is circulated to the KANDA website which aims to reach boat owners and dwellers on the Kennet & Avon Canal (adjoining the river). | | |
| **2.5** | | If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this? | Further conversations being held with:  Association of Inland Navigation Authorities  Environment Agency  Kennet & Avon Trust  Royal Society for the Prevention of Accidents  Canal and River Trust  Inland Waterways. | | |
| **3. Assessment of impact: ‘Equality analysis’** | | | | | | |
|  | 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:   * Meets any particular needs of equalities groups or helps promote equality in some way. * Could have a negative or adverse impact for any of the equalities groups | | | | | |
|  |  | | | **Examples of what the service has done to promote equality** | **Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this** | |
| **3.1** | **Gender** – identify the impact/potential impact of the policy on women and men. | | | September survey aimed to identify if there were any pregnant women boat dwellers. There were none. | Not applicable. | |
| **3.2** | **Disability** - identify the impact/potential impact of the policy on disabled people (ensure consideration both physical and mental impairments) | | | September survey asked if there were any disabled boat dwellers present. | Access to long term health care is a particular issue with transient communities; the survey aimed to identify people who need access to regular and on going health care. | |
| **3.3** | **Age** – identify the impact/potential impact of the policy on different age groups | | | Consideration of educational needs was planned into the survey. As there were no children dwelling on the boats moored this part of the survey is not applicable. | Some survey respondents were over the age of 60 years.  There were no school age children at the time of the survey. | |
| **3.4** | **Pregnancy and maternity; Transgender;**  **Race**; **Sexual orientation; Religion/belief; Marriage and civil partnership.** | | | Not applicable. | No identified adverse effects. | |

**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.

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| **Issues identified** | **Actions required** | **Progress milestones** | **Officer responsible** | **By when** |
| Health and safety issues override equality issues. | Advice to be taken from ROSPA re access and emergency egress from boats and from the river itself. | RoSPA Brief confirmed, to include consultation with key stakeholders | Lynda Deane | 8 Nov 2013 |
| Desire to regulate the use of council facilities and to develop appropriate bye laws that are fair, clear and transparent in their use and application. | Consideration of bye laws and associated polices and processes to regulate moorings on this stretch of water.  Consideration of issuing ‘notice to leave’ papers to all vessels without authorised mooring on this stretch of water. | Clarke Willmott, Solicitors, acting on behalf of the Council are in the process of producing a Report, outlining the Council’s options in relation to becoming a Navigation Authority and legislation in relation to Bye-Laws | Lynda Deane | 31 Oct 2013 |
| Survey not complete as unable to locate boat owners | Attempt to contact apparently abandoned / derelict boat owners to determine their specific needs / requirements and feed this into the survey results | Contact to be made with Canal and River Trust to ascertain whether they can identify the owners of these boats | Keith McCombie | 14 Oct 2013 |

**5. Sign off and publishing**

**Signed off by**: Louise Fradd (Strategic Director)

**Date:**  October 2013