



Derby City Council

Equality impact assessment form

Chief Executive's Office

Strategic Services and Transformation

Achieving Change proposals - restructure

March 2015 v4

Derby... *Achieving*

Equality impact assessment – please read this section first before you do the assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people and **before** that decision is made.

So why do we need to do equality impact assessments? Although the law does not require us to do them now, the courts still place significant weight on the existence of some form of documentary evidence of compliance with the **Public Sector Equality Duty** when determining judicial review cases. This method helps us to make our decisions fairly, taking into account any equality implications, so yes we still need to do them.

The Public Sector Equality Duty is part of the Equality Act 2010 and this Duty requires us as a public body to have '**due regard**' to eliminating discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act. It requires us to advance equality of opportunity and foster good relations between people who share a '**relevant protected characteristic**' and people who don't.

Having 'due regard' means:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

The protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

This completed form should be attached to any Chief Officer Group, Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring
- make sure you pay due regard to the requirements of the Public Sector Equality Duty.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. You also need to decide how and who you will consult with to help inform the equality impact assessment. Our Lead on Equality and Diversity can help with useful contacts – we have a team of people who are used to doing these assessments and can help with information on barriers facing particular groups and remedies to overcome these barriers.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and send it to our Lead on Equality and Diversity for checking and to publish on our website. It is a public document so must not contain any jargon and be easy to understand.

Remember, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

Equality groups and protected characteristics

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees and job applicants...

- Age equality – the effects on younger and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender reassignment – the effects on trans people
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non-belief equality – the effects on religious and cultural communities, customers and employees
- Sex equality – the effects on both men and women and boys and girls
- Sexual Orientation equality – the effects on lesbians, gay men and bisexual people

In addition, we have decided to look at the effects on families and people on low incomes too as we feel this is very important.

Contact for help

Ann Webster – Lead on Equality and Diversity

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The form

We use the term 'policy' as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions, procurement methods, disabled facilities grants, on street parking bays

If in doubt - do one! You never know when we may get a legal challenge and someone applies for Judicial Review.

What's the name of the policy you are assessing?

Strategic Services Achieving Change proposals - restructure 2015/16

The assessment team

Team leader's name and job title – **Gordon Stirling, Director of Strategic Services and Transformation**

Other team members:

Name	Job title	Organisation	Area of expertise
Janet Warner		Derby Fibromyalgia Group	Disability
Judi Bateman		Derbyshire Autism Services Group / DPDF	Disability
Andy Findlay		DPDF / OPDF	Disability and Older people
Olegs Solwickenko		Baltic Community Group / MCDF	Race issues

Name	Job title	Organisation	Area of expertise
Moira Findlay		DPDF / OPDF & Derbyshire Carers	
Som Bhalla		Indian Community / MCDF	Carers and older people's issues
Chris Wheeldon	Chair – 50+ Forum	NCP and Age UK	Older people's issues
Robert Foulkes		Derby Deaf Forum and DPDF	Deaf people's issues
Robin Ash		DPDF	Deaf people's issues
Tony Walsh		Irish Association / MCDF	Equality issues
Pam Thompson	Diverse Communities Engagement Officer	Derby City Council	Equality issues
Ann Webster	Lead on Equality and Diversity	Derby City Council	EIA Convenor and equality issues
Heather Greenan	Head of Performance and Improvement	Derby City Council	Head of Service
Yvonne Wilkinson	Head of Communications	Derby City Council	Head of Service
Kirsty Everson	Head of Integrated Commissioning	Derby City Council	Challenge role
Ian Fullagar	Head of Strategic Housing	Derby City Council	Challenge role

Step 1 – setting the scene

Make sure you have clear aims and objectives on what you are impact assessing – this way you keep to the purpose of the assessment and are less likely to get side tracked.

1 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council and wider Derby Plan? Include here any links to the Council Plan, Derby Plan or your Directorate Service Plan.

The Council has a statutory responsibility to prepare a balanced budget. The continued reductions in government funding will inevitably lead to the Council having reduced spending on the services it delivers.

Chief Officers and Cabinet have prepared a draft budget which is subject to consultation; this includes a £640,000 reduction in the Strategic Services and Transformation department budget by April 2015.

Strategic Services and Transformation currently consists of 4 divisions:

- Communications and Marketing
- Policy Research and Transformation
- Performance and Improvement
- Transformation

The departmental service offer and business plan for 2015/16 will have to reflect this significant (40%) reduction in total budget. This includes an element of income generation but around 30% comes from reductions to the department's staffing budget.

Our Achieving Change proposals set out how these reductions will be made by restructuring the Strategic Services and Transformation Team. This includes the deletion of 6 vacant posts and restructuring to remove a further 7 posts. There has been a focus on statutory and governance needs of the Council with discretionary services subject to review and reductions.

The department plays a pivotal role in developing, communicating and monitoring the Derby Plan and Council Plan as part of the Council's strategic planning process. It is proposed to retain minimal resource for this work to support the delivery of priority outcomes for the city.

2 Who delivers/will deliver the policy, including any consultation on it and any outside organisations who deliver under procurement arrangements?

The overall budget consultation is led by the Acting Chief Executive (Paul Robinson); any specific details in respect of the Strategic Services and Transformation (SST) department will be led by Gordon Stirling.

<http://www.derby.gov.uk/council-and-democracy/consultations/your-city-your-say-latest-consultations/revenue-budget-proposals-2015-16/>

The budget proposals for the (SST) Department have been submitted to Chief Officer Group and Cabinet as part of the overall budget setting process. and went to Full Council on 4th March 2015.

The restructure proposals were issued to all SST department staff on 3 December 2014 and to the trade unions in accordance with the procedure for managing changes to staffing structures; and have been summarised in the section 188 (redundancy) notice issued by Human Resources.

3 Who are the main customers, users, partners, employees or groups affected by this proposal?

Internal

Members – Cabinet and Overview & Scrutiny Boards
Chief Officers and Directors - commissioners
All directorates - customers
Employees

External

Schools
Derby Homes
Diversity Forum members and champions
Local community and interest groups
Media
Residents and businesses
Other local authorities
Partners such as Health, Police, Voluntary and Community Sector
Inspectorates – Ofsted and CQC
Government departments
East Midland Councils

Step 2 – collecting information and assessing impact

- 4 Who have you consulted and engaged with so far about this policy, and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups, such as accessible locations, interpreters and translations, accessible documents.**

The overall Budget has been consulted on with Chief Officers and elected members of Cabinet and has been subject to discussion at a joint meeting of the Scrutiny Boards.

The SST proposals have been circulated to service directors of key services within the Council. The staffing structure proposals were subject to the formal Achieving Change consultation process with the departmental staff and associated trade unions.

The overall budget was subject to public consultation with residents, business rate payers and representatives of the equality groups and included the on line budget calculator where SST department specific impacts were included. A public consultation event was held on 9th January 2015 in the Council Chamber and this included BSL interpreters.

This consultation took place with the corporate framework for such; using the budget consultation process and the managing change staff structure process as part of the section 188 notice.

As part of this process the Equality Impact Assessment was issued to all SST Department staff for comment and was discussed with the Diversity Forum members on 16th February 2015 to finalise the EIA.

Other local authorities have been made aware of the scale of the cuts at Derby through benchmarking forums such as the East Midlands Performance Network.

5 Using the skills and knowledge in your assessment team, and from any consultation you have done, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group whether this is a negative impact, a positive one or if you are not sure

Equality groups	What do you already know?	No impact	Some impact	Positive impact	Negative impact	Not sure
Age	Reduced support for 50+ /Older Peoples Forums				x	

Disability	Continued support for Disability Forum		x			
Gender reassignment - trans	Continued support for Gender & Sexual Orientation Forum		x			
Marriage and civil partnership	Continued support for Gender & Sexual Orientation Forum		x			
Pregnancy and maternity	Continued support for Gender & Sexual Orientation Forum		x			
Race	Continued support for Ethnic Minorities Forum		x			
Religion or belief or none	No known issues, but these are often discussed as part of the Minority Communities Diveristy Forum	x				
Sex	Continued support of the Gende and Sexuality Diversity Forum	x				

Sexual Orientation	Continued support for Gender & Sexual Orientation Forum		x			
Families and people on low income	Continued support for Child & Family Poverty Commission		x			

By issuing this EIA to the Diversity Forums and on the Council website we hope to confirm or correct the impact statements and fill in any gaps.

Important - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later. You can get lots of information on reports done from organisations' websites such as the Equality and Human Rights Commission, Stonewall, Press for Change, Joseph Rowntree Trust and so on. Please don't put down that the impact affects 'everyone the same' – it never does!

6 From the information you have collected, how are you going to lesson any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?

Reduced support for Diversity Forums

The current post focused on engaging with diverse communities will be reduced from 1 to 0.5 Full Time Equivalent. The role will be expected to pick up other service user engagement with Adults for the remaining 0.5 FTE. It is felt there is synergy between these two areas which will inform planning of services. These aspects are not statutory but retaining support does acknowledge the importance placed by the Council on engaging with its local communities. The management role for Policy & Engagement is being amalgamated with the Improvement function from the Performance team.

Feedback is welcome from the Diversity Forums on how resources can be maximised and the service offer reconfigured. Subject to consultation, it is proposed to lessen the impact of reduced support for Diversity Forums

through:

- Removing support for the 50+ Forum (although support for maintaining the email database will be considered).
- Potentially fewer standard business meetings for Diversity Forums
- Use of virtual networks
- Task and finish groups in specific areas
- Funding from partner agencies
- Clearer focus on outcomes from work undertaken.

Reduced support for engagement activity with service users

The proposals include reductions in support for engagement activity with children and young people and vulnerable adults. The impact is minimised through:

- Consultation with key service directors about needs in these areas to prioritise the service offer
- Focusing on statutory needs and inspectorate requirements
- Funding from partner agencies
- Use of virtual networks where applicable
- Clear focus on outcomes from work undertaken.

Reduced policy/research and intelligence

This will impact on the Council's ability to be a strategic organisation and carry out horizon scanning work to predict trends affecting equality groups. The impact is minimised through:

- Consultation with key service directors about needs in these areas to prioritise the service offer.
- Focusing on statutory needs and inspectorate requirements.
- Sharing data/information with other providers in the city and local authorities (subject to data sharing agreements).

Reduced Improvement support

There will be reduced support for services looking to minimise the longer term impact of policy changes / decisions on performance for vulnerable groups such as Children in Care and Older People. There will be less support to manage inspections and oversee outcomes. The impact is minimised through:

- Consultation with key service directors about needs in these areas to prioritise the service offer.
- Focusing on statutory needs and inspectorate requirements.

Reduced Policy support

There will be reduced support for Child and Family Poverty Needs Assessment. This is mitigated by:

- Review of needs assessment and strategy to re-focus priorities
- Discussion with Cabinet Policy support to maximise resources
- Partnership working across the city.

Strategic Services and Transformation Department

Analysis of the impact of these changes on the department is shown in Appendix 1. The protected characteristics of the affected employees appear comparable with the wider team in all areas except ethnic origin and age (under 30s) although the numbers involved are quite small and can lead to % differences appearing large. This will be monitored throughout the process.

A number of support arrangements have been put in place including on-going access to Care First counselling, 1-1 meetings to discuss individual impacts and support / coaching in readiness for competitive interviews where required. Any reasonable adjustments needed by disabled employees have been addressed. Human Resources have also arranged for JobCentre Plus to hold sessions on job search facilities, careers advice, funds for retraining and signposting to websites for help on self-employment. In addition there are interviewing skills courses and money advice sessions arranged. Employees who do lose their jobs will be eligible for the Redeployment Scheme.

Step 3 – deciding on the outcome

7 What outcome does this assessment suggest you take? – You might find more than one applies. Please also tell us why you have come to this decision?

Outcome 1		No major change needed – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
Outcome 2	X	Adjust the policy to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?

Outcome 3	<p>Continue the policy despite potential for negative impact or missed opportunities to advance equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are:</p> <ul style="list-style-type: none"> • sufficient plans to stop or minimise the negative impact • mitigating actions for any remaining negative impacts • plans to monitor the actual impact.
Outcome 4	<p>Stop and rethink the policy when the EIA shows actual or potential unlawful discrimination</p>

Our Assessment team has agreed Outcome number(s) 3

Consultation with Diversity Forum members is required to identify any opportunities for reducing the burden on Council resource.

Exploration of greater involvement of Voluntary and Community sector consider longer term options for delivering engagement activity.

Consider how the Child and Family Poverty Work can be reconfigured within the Council.

Why did you come to this decision?

Risk of negative impacts on Council policy making if due regard is not given to the views of diverse groups and communities.

Risk of Judicial Review if policy/decision is not undertaken correctly.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality Action Plan to lessen the effect of the negative impact. This is really important and may face a legal challenge in the future.

If you have decided on **Outcome 4** then if the proposal continues, without any mitigating actions, it may be likely that we will face a legal challenge and possibly a Judicial Review on the process - it is really important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

Step 4 – equality action plan – setting targets and monitoring

- 8 Fill in the table (on the next page) with the equality actions you have come up with during the assessment. Indicate how you plan to monitor the equality impact of the proposals, once they have been implemented.**

Equality action plan – setting targets and monitoring

What are we going to do to advance equality?	How are we going to do it?	When will we do it?	What difference will this make?	Lead officer	Monitoring arrangements
1. Ensure any reduction in resource is communicated and mitigated.	<p>Discuss the reduction of support for the 50+ Forum to ensure the exit does not impact negatively.</p> <p>Consider administration needs / support for the 50+ Forum.</p>	By May 2015	<p>Ensure adequate transfer of skills / resources to promote effective self-management.</p> <p>Feedback from the EIA session indicated this was vital to support the group going forward.</p>	<p>Heather Greenan</p> <p>Heather Greenan</p>	
2. Retain focus of service offer on vulnerable groups.	Prioritise service offer to focus on vulnerable groups and statutory requirement in consultation with service managers.	March 2015	Maximising the resource we have to target support for specific groups.	Heather Greenan	
3. Maximise communication channels.	Make greater use of virtual networks (such as emails, social media) to	September 2015	Facilitate engagement with lower resource implications	Heather Greenan	

What are we going to do to advance equality?	How are we going to do it?	When will we do it?	What difference will this make?	Lead officer	Monitoring arrangements
	<p>engage with communities, but we accept this can only be one of several options as some people do not have access to social media.</p> <p>To be considered as part of action 4.</p>				
<p>4. Establish Task and Finish Group to explore how to maximise outcomes from Diversity Forums</p>	<p>Consider options for format and delivery of Forum activity / outcomes.</p> <p>Effective horizon scanning with diversity forums to ensure forward plans address key issues.</p>	<p>September 2015</p>	<p>Maximising resources on things that matter.</p>	<p>Heather Greenan</p>	

What are we going to do to advance equality?	How are we going to do it?	When will we do it?	What difference will this make?	Lead officer	Monitoring arrangements
	Regular reporting of outcomes.				
5. Consider opportunities for external funding of Forum activity	Put together service offer for external partners to use the Forum on a chargeable basis.	May 2015	Create a more sustainable basis for funding Forum activity in the future	Heather Greenan	
6. Monitor impact of proposals before and after recruitment	Undertake analysis of equality characteristics and decisions made during recruitment process.	Ongoing / end of April 2015	Mitigate impact on equality groups within the Council.	Heather Greenan & Yvonne Wilkinson	
7. Offer affected employees the range of help and support sessions that Human Resources can provide	Inform employees about Care First, sessions, Money Advice sessions, and JobCentre Plus information sessions	March 2015/April	Provide help and support to affected employees who do not secure posts in the new structure	Heather Greenan and Yvonne Wilkinson	

Make sure you include these actions in your Directorate service business plans.

Staff Analysis – Appendix 1

Current statistics as provided by HR on 5/2/15 (including temporary staff).

	Department wide	At Risk Staff	Displaced individuals post recruitment
GENDER			
Male	34%	37%	To be updated in April / May 2015
Female	66%	63%	
DISABILITY			
Yes	11%	11%	
No	89%	89%	
ETHNICITY			
Indian / Asian	15%	16%	
Black	5%	10%	
White	80%	74%	
AGE			
30 and under	15%	30%	
31 – 50	66%	55%	
Over 50	19%	15%	

Please note the data supplied on sexual orientation and religion is not deemed reliable enough to draw any robust conclusions.