

## -Equality impact assessment form for quick COVID 19 decisions only

Directorate	Communities and Place (Leisure and Culture)
Service area	Parks and Active Living
Proposal	Phased Re opening of Park Toilets
Reason for proposal	To reopen park toilets following revised Covid-19 Government Guidance
Sign off (Director/Head of Service)	Claire Davenport/Duncan Cowie
Date of assessment	14/7/2020

***Please read the support notes before completing your assessment that are set out in Appendix 1.***

### The form

You need to attach the completed form to any report to help councillors and colleagues make their decisions by taking equality implications into account.

### The assessment team or name of individual completing this form

Sarah Webster/Stuart Kitchen – Community Parks Officer/Parks Development Officer

Other team members if appropriate

Name	Job title	Organisation	Area of expertise
Sarah Webster	Community Parks Officer	Derby City Council	Parks Management
David Winslow	Community Parks Officer	Derby City Council	Parks Management
Mick McNaught	Community Parks Officer	Derby City Council	Parks Management (operational)
Stuart Kitchen	Parks Development Officer	Derby City Council	Parks Management

### 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.

<p>1. What are the main aims, objectives and purpose of the decision you want to make?</p>	<p>To provide toilet facilities as safely as possible on parks where there are toilets whilst trying to prevent the spread of COVID 19 to park users and staff members using onsite public toilet facilities. Several years ago the Council decided to close most public toilets, and many including those in the City Centre were gradually closed, however the parks team recognised that there was a need for facilities on the major parks and some toilet facilities remain in the following locations:</p> <ul style="list-style-type: none"> <li>- Alvaston Park</li> <li>- Allestree Park</li> <li>- Chaddesden Park</li> <li>- Darley Park</li> <li>- Darley Playing Fields</li> <li>- Derby Arboretum</li> <li>- Markeaton Park - Craft Village &amp; Mundy Play Centre</li> </ul>
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	<p>It should be noted that prior to the pandemic the Chaddesden Park toilets were only open on a seasonal basis, when the Café is open.</p> <p>The toilets at Derby Arboretum have often remained closed for short periods of time due to anti-social behaviour issues, which we work with the police to address.</p>
<p>2. Why do you need to make this decision?</p>	<p>The above toilet facilities have remained closed following Government guidelines to close facilities in parks on 23/3/20. A staged, prioritised, approach is being undertaken to open up toilet facilities in as safe a way as possible across Parks following a Risk Assessment and Operational Plan submitted to the Covid-19 Policy Group starting with the Markeaton Park Craft Village toilets. Based on the agreed Overall Risk Assessment and Operational Plan for the craft village, each toilet block across other city Parks will be assessed and suitable procedures will be put in place based on the layout of the toilets and the expected visitor numbers. These will be continually reviewed as part of an ongoing process to ensure appropriate measures are in place in line with current Government Guidelines.</p> <p>One of the difficulties in reopening toilets is the enhanced cleaning regime required to help mitigate the effects of Covid-19, requiring additional staffing on sites, and the need to staff sites which previously haven't been staffed and where there are no welfare facilities for staff. This has therefore taken some time to resolve and has meant that the programme for opening toilets has needed to be prioritised with the busiest sites where there is greatest need been opened first.</p> <p>The toilets at Markeaton Park, Alvaston Park and Allestree Park are now open. The toilets at Chaddesden Park and Darley Park are due to open on 20 July. Proposals are also been put in place to open the toilets at Derby Arboretum subject to current anti-social behaviour issues being resolved. The toilets at Darley Playing Fields are predominantly provided for grass roots football which we are working to re start and it is intended the toilets will be opened as part of this process.</p>

<p>3. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements?</p>	<p>The Parks Team has delivered the policy by closing the toilets following the guidance from Government. Consultation has been carried out with other Park Managers from the Midlands Park Forum and other Council representatives at the forum organised by Derbyshire Police. This consultation has shown that there is now a gradual re-opening of toilet facilities across England's Parks. The method of re-opening and cleaning methods varies across the Country.</p> <p>Government guidance clearly states that the Equality Act must be followed in measures relating to Covid and so Senior Leaders and the Lead on Equality and Diversity have asked the Parks Team to explore the re-opening of the toilets, in particular disabled people's toilets and to undertake in accordance with government guidelines certain additional measures to help, protect staff and users including enhanced cleaning. The approach has been approved by the Covid-19 Policy Group.</p> <p>This is under continual review by the Parks Team based on Government Guidelines.</p>
<p>4. Who are the main customers, users, partners, colleagues or groups affected by this decision?</p>	<p>Those using the parks on which there are toilet facilities.</p>

## Step 2 – collecting information and assessing impact

<p>5. Who have you consulted and engaged with so far about this change, 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.</p>	<p>We have held both Skype and a socially distanced meetings with key members of the parks team to discuss all aspects of this reopening.</p> <p>The phased re-opening of the facilities will be communicated via signage, social media, press releases, web site and media interviews.</p> <p>Consultation has been carried out with other Park Managers from the Midlands Park Forum and other Council representatives at the weekly forum organised by Derbyshire Police and there is a gradual re-opening of toilet facilities across Parks in England. This is under continual review by the Parks Team based on Government Guidelines.</p>
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6. Using the skills and knowledge in your assessment team or what you know yourself, and from any consultation you have done, what do you already know about the equality impact of the proposed change 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 protected characteristic group whether this is a negative or a positive impact. Only fill in the mitigation box if you think the decision will have a negative impact and then you'll need to explain how you are going to lessen the impact.

	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
<b>Age</b> – older and younger people	<p>The reopening of these facilities will benefit people of all ages. The play areas offer significant health and wellbeing benefits for children, and help young parents by providing the opportunity of physical activity for their children, and many will visit the parks with other parents helping to provide social benefits and supporting one another.</p> <p>Older people, many of whom may be grandparents, can derive enormous pleasure from being able to take their grandchildren to a play area, pushing them on the swings and spending time with them playing and having fun.</p> <p>Older people many need to use toilets facilities more frequently and this group will therefore benefit by the toilets been opened, particularly on the larger parks, where people may be some distance from home or their car and may not be as mobile.</p>	✓		
<b>Disability</b> – 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, people living with autism and people with physical impairments	<p>Disabled people are likely to be more disproportionality affected by toilets being closed, particularly on the larger parks, as they may be less mobile. In addition, disabled people are more likely to have conditions that mean they need to use the toilet more frequently. When the toilets were closed this meant many disabled people could not visit the parks. The opening of toilets, particularly on the larger parks will therefore be a positive benefit for this group.</p>	✓		
<b>Gender identity</b> - trans and those people who don't identify with a particular gender, for example, non-binary, genderfluid, genderqueer, polygender and	<p>Parks are available to all and provide the opportunity for activity and exercise. Provision of toilet facilities on the larger parks enables people to enjoy all that the parks have to offer for a longer period of time. These proposals will therefore provide a positive benefit.</p>			

	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
those who are questioning their gender or non-gendered identity.		✓		
<b>Marriage and Civil Partnership</b>	This will have a positive impact for all couples visiting parks, following the strain that many relationships may have suffered during lockdown. The opening of toilet facilities on the major parks will enable visits to be of longer duration enabling people to benefit from all that parks have to offer.	✓		
<b>Pregnancy and maternity</b> - women who are pregnant or who have recently had a baby, including breast feeding mothers	Parks are an important facility for women who are pregnant or who have recently had a baby, offering the opportunity of gentle exercise before the birth and the opportunity to visit with their new baby and possibly older siblings, after birth. The opening of toilets and some baby changing facilities will be a positive benefit for this group.	✓		
<b>Race</b> - the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community	Many minority ethnic communities have been disproportionately affected by the lockdown, often living in areas of greatest deprivation, where there is less green space. Parks are therefore of significant importance, in providing an attractive, quality environment and opportunity for wellbeing and relaxation, in a dense urban area where there is little other green space. The provision of toilets at the larger parks, which are free to use, offers people the opportunity of an enjoyable day out.	✓		
<b>Religion or belief or none</b> - the effects on religious and cultural communities, customers and colleagues	Parks provide the opportunity for exercise, enhanced wellbeing, and quiet contemplation, where you can escape from the hectic pace of modern life. The opening of toilets will enable both this and other groups of people to enjoy spending a longer time on the larger parks.	✓		
<b>Sex</b> - the effects on both men and women and boys and girls	The opening of toilets will enable both this and other groups of people to enjoy spending a longer time on the larger parks. The facilities being reopened are available to all and provide the opportunity for activity and exercise. These proposals will provide a positive benefit. We know that some men with prostate concerns were unable to visit parks due to the toilets being closed .	✓		

	What do you already know?	Positive impact	Negative impact	Mitigation - what actions will you take to lessen impact?
<b>Sexual orientation</b> - the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality	Parks provide the opportunity for exercise, enhanced wellbeing, and quiet contemplation, where you can escape from the hectic pace of modern life. The opening of toilets will enable both this and other groups of people to enjoy spending a longer time on the larger parks.	✓		

**Important** - For any of the equality groups you don't have any information about, then please contact our Lead on Equality and Diversity for help. You can also get lots of information on reports completed 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!

### 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?

<b>Outcome 1</b>	✓	<b>No major change needed</b> – the EIA hasn't identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken
<b>Outcome 2</b>		<b>Adjust the proposal</b> to remove barriers identified by the EIA or better advance equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
<b>Outcome 3</b>		<b>Continue the proposal</b> 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: <ul style="list-style-type: none"> <li>• sufficient plans to stop or minimise the negative impact</li> <li>• mitigating actions for any remaining negative impacts</li> <li>• plans to monitor the actual impact.</li> </ul>
<b>Outcome 4</b>		<b>Stop and rethink</b> the proposal when the EIA shows actual or potential unlawful discrimination

Why did you come to this decision?

Opening the park toilets is a positive decision and means those who need to use the toilets frequently can now enjoy our parks again.

If you have decided on **Outcome 3**, then please tell us here the justification for continuing with the proposal. You also need to make sure that there are actions in the Mitigation Box to lessen the effect of the negative impact. This is so 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 so important that the equality impact assessment is done thoroughly, as this is what the Judge will consider.

## Appendix 1

### Equality impact assessment form for quick decisions concerning COVID 19 – please read this section first before you do the assessment

We've adapted our usual equality impact assessment form so you can use it for quick decisions needed concerning COVID 19. Remember it needs to be completed **before** that decision is made, but we hope it will just act as a reminder that we still need to 'pay due regard to equality' under our **Public Sector Equality Duty** as this is still very much in force. The Equality and Human Rights Commission are keeping an eye on examples of discrimination and collecting evidence so it's important we still check for equality impact.

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. Protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

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 – this also involves taking account of disabled people's barriers and may involve treating some people more favourably than others to achieve this
- encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

We can give you this information in any other way, style or language that will help you access it. Please contact us on: 01332 Minicom: 01332 640666

#### Polish

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: Tel. tekstowy: 01332 640666

#### Punjabi

ਇਹ ਜਾਣਕਾਰੀ ਅਸੀਂ ਤੁਹਾਨੂੰ ਕਿਸੇ ਵੀ ਹੋਰ ਤਰੀਕੇ ਨਾਲ, ਕਿਸੇ ਵੀ ਹੋਰ ਰੂਪ ਜਾਂ ਬੋਲੀ ਵਿੱਚ ਦੇ ਸਕਦੇ ਹਾਂ, ਜਿਹੜੀ ਇਸ ਤੱਕ ਪਹੁੰਚ ਕਰਨ ਵਿੱਚ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੀ ਹੋਵੇ। ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਟੈਲੀਫੋਨ ਮਿਨੀਕਮ 01332 640666 'ਤੇ ਸੰਪਰਕ ਕਰੋ।

#### Slovakian

Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Skontaktujte nás prosím na tel.č: Minicom 01332 640666

#### Urdu

یہ معلومات ہم آپ کو کسی دیگر ایسے طریقے، انداز اور زبان میں مہیا کر سکتے ہیں جو اس تک رسائی میں آپ کی مدد کرے۔ براہ کرم منی کام 01332 640666 پر ہم سے رابطہ کریں۔



Derby City Council

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www.derby.gov.uk

We usually ask for teams to complete Equality impact assessments, but we realise this is not helpful for quick decisions to do with COVID 19 so you can complete them yourself, if you can't get a team together. Please ask Ann Webster, our Lead on Equality and Diversity for help and advice if you're not sure about something. You'll need to pull together all the information you can about how your proposal affects different groups of people so you can check whether they 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. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact and what action you will take.

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's a public document so make it easy to understand and no jargon please.

**Contact for help**

Ann Webster – Lead on Equality and Diversity

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