

**Equality impact assessment form**

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| Directorate  | Resources |
| Service area | Estates & Facilities Management |
| Proposal  | To bring NHS licensees into the Council House |
| Reason for proposal  | To help achieve the MTFP target of raising an additional £140,000 in income against the Council House |
| Sign off (Director/Head of Service) | Emily Feenan |
| Date of assessment | 24 May 2023 |

**Please read the support notes to help you in Appendix 1 before completing your assessment**

**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**

**Team leader’s name and job title** Mohammed Basharet, Interim Head of Corporate Buildings and Facilities Management Services

Other team members if appropriate

| **Name** | **Job title** | **Organisation**  | **Area of expertise** |
| --- | --- | --- | --- |
| Phil Derbyshire | Head of Property | DCC | As title |
| Emily Feenan | Director of Legal, Property and Procurement | DCC | As title |
| Karin Staples | Project Manager | DCC | As title |
| Andrew Jones | Change Manager | DCC | As title |
| Jane Witherow (JW) | Manager Customer Contact | DCC | As title |
| John Sadler (JS) | Head of Strategic Asset Management and Estates | DCC | As title |
| Kara McFadden (KM) | Head of Communications and Marketing | DCC | As title |
| Kathie Anderson (KA) | Change Manager – Digital and Customer Services | DCC | As title |
| Ann Webster (AW) | Lead on Equality and Diversity  | DCC | As title  |

**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.

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| 1. What are the main aims, objectives and purpose of the decision you want to make?
 | By the end of 2023/24, to have entered into license agreements to rent up to 200 desks in the Council House to NHS partners. This will help achieve and exceed the MTFP target of raising an additional £140k income against the Council House. As well as raising income, the additional licensees will also improve usage of the Council House, which has declined since the increase in working from home that has come about following the Covid pandemic. This will improve value for money in respect of Council House running costs.Collaborative working with public sector partners co located with us will enable the delivery of better outcomes for customers.Surveys indicate desk occupancy is currently under 30% in the Council House, compared with circa 70% pre pandemic. Although we intend to increase usage significantly compared with the current usage profile, the plans outlined here are anticipated to still keep us below the tried and tested pre-pandemic usage and so significantly within the original design parameters for the building.  |
| 1. Why do you need to make this decision?
 | To meet an MTFP target, to ensure the Council is optimising the use of the Council House and to support the agenda to integrate health and social care. |
| 1. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements?
 | The changes will be delivered through the Assets Rationalisation Programme which is made up of a range of services including Facilities Management, Estates, Property Design & Maintenance, IT, Customer Services and Change Derby. Our Lead on Equality and Diversity will also be involved in these changes. |
| 1. Who are the main customers, users, partners, colleagues or groups affected by this decision?
 | This proposal will or may affect:* Existing DCC colleagues working in the Council House (CH)
* NHS colleagues who move to the CH as licensees
* Existing tenants, licensees and partners already co-located within the CH
* Potential customers of the new licensees (very limited numbers expected to visit CH in person)
* DCC colleagues currently working outside the CH who may move to the CH during the course of the programme
* DCC customers using the CH.
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**Step 2 – collecting information and assessing impact**

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| 1. 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.
 | We have consulted with:* Corporate Leadership Team
* Senior Leadership Network
* Managers Conference
* Delivery Board
* All key services involved in delivery
* NHS management wanting to move to the CH
* Equality & Diversity Lead
* Disabled Employee Network
* Councillors
* Council Cabinet
* Unions

All are supportive of the plan – agree and want to see CH better used. See benefits of co-locating with NHS from a partnership/operational perspective as well as income raising potential. Consultation carried out via face to face group meetingsWe also plan to consult with:* Heads of Service with staff based within the CH
* Existing tenants and partners based within CH
* Equalities groups and Employee Networks

Consultation will be carried out by a mixture of face to face meeting and online surveys and will be accessible to our disabled colleagues.For procurement of any new furniture or equipment, we intend to follow the original building specifications / objectives by procuring high quality products with good functionality to provide long life and support user well-being.Marginal gains might be made through the process as we look at the building and how we use it, for example LED lighting might be possible and restocking parts of the building with new equipment could result in improvements. We will consult with our Lead on Equality and Diversity about any changes. |

1. 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.

| **People with protected characteristics**  | **What do you already know?** | **Positive impact** | **Negative impact** | **Mitigation - what actions will you take to lessen impact?** |
| --- | --- | --- | --- | --- |
| **Age –** older and younger people | We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work. Our workforce has more older than younger workers. We will not tolerate any form of bullying or harassment on grounds of age for older colleagues or our younger colleagues.  |  | Possible  | Licensees will have their own Equality & Diversity Policies in place for staff and customers and will continue to operate within these. We need to be confident that any Licensees have compatible policies and procedures so that if any of our colleagues do face issue with the Licensee’s colleagues then this will be tackled immediately. |
| **Disability –** 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 | When we moved into temporary accommodation whilst the Council House was being refurbished and then moved back into the Council House, extensive consultation took place with all our disabled colleagues affected by the move. Our Lead on Equality and Diversity and also our Disabled Employees Network were heavily involved too. This also needs to happen for the changes outlined in this EIA. Several teams with disabled colleagues and disabled individuals selected particular areas of the Council House that worked best for them, such as by windows for natural light, less noisy places and desk positions to meet their needs. We need to make sure that we do not place our disabled colleagues at a disadvantage due to this proposal.Last time we had changes like this disabled colleagues gave us information themselves to help make the moves successful and this needs to be repeated again in addition to the Head of Service SurveyWe will be asking the licensees what reasonable adjustments their own disabled colleagues need and this includes Blue Badge Parking at the Council House, which is managed by our Lead on Equality and Diversity.Any proposals to alter the Council House will involve our Lead on Equality and Diversity and our Disabled Employee Network and our wider Access, Equality and Inclusion Hub where any public area changes.We have a very active Disabled Employees Network and we can explore possibilities of some joint working with disabled employees of the licensees We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work. |  | Yes | We know that some disabled people get very anxious when they are faced with changes to their working environment. Finding a great access solution is often difficult and when this may change then lots of work is needed to gain disabled people’s confidence that the new arrangement will work. This is why we intend to work closely with our Disabled Employees Network, disabled colleagues affected by the changes and also our Lead on Equality and Diversity.Hopefully this will minimise the negative impact and in some cases, may lead to a more accessible environment. A key well known equality message is ‘Nothing about us without us’ and we intend to stick with this throughout the programme.We currently have sixty five colleagues who are blue badge holders as well as some temporary car park users. The Council House car park is very small, but as many of our blue badge holders work from home on a regular basis now there is usually spaces and Security manage to find everyone a space that needs one. We will need to monitor this very carefully if licensees’ disabled employees need to use the Council House to park as well to make sure that our own colleagues are not without a space. Our Lead on Equality and Diversity manages the blue badge parking at the Council House.There are two spaces for visitors who are blue badge holders and again this needs to be monitored to make sure there is room for Council visitors and licensee visitors.Personal Emergency Evacuation Plans will need to be developed for any disabled colleague of the licensees.We need to be confident that any licensees have compatible policies and procedures so that if any of our colleagues do face issue with the licensee’s colleagues then this will be tackled immediately. |
| **Gender identity-** trans and those people who don’t identify with a particular gender, for example, non-binary, genderfluid, genderqueer, polygender and those who are questioning their gender or non-gendered identity. |  We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work. There may be opportunities for joint events with the respective Employee Networks |  | Possible | We need to be confident that any licensees have compatible policies and procedures so that if any of our colleagues do face issue with the licensee’s colleagues then this will be tackled immediately. |
| **Marriage and Civil Partnership** | We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work.  |  | Possible  | We need to be confident that any licensees have compatible policies and procedures so that if any of our colleagues do face issue with the licensee’s colleagues then this will be tackled immediately |
| **Pregnancy and maternity -** women who are pregnant or who have recently had a baby, including breast feeding mothers | The feeding room will be available for all workers needing this who are based in the Council House as well as for our customers and those of the licensees. People can feed their babies anywhere at the Council House and not just in the Feeding Room  |  | Possible  | We need to make sure that colleagues of the licensee are aware that the Council House is a baby feeding friendly venue and no one should be challenged for feeding their baby in public |
| **Race -** the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community | We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work. There may be opportunities for joint events with the respective Employee Networks |  | Possible | We need to be confident that any licensees have compatible policies and procedures so that if any of our colleagues or customers do face issues with the licensee’s colleagues then this will be tackled immediately |
| **Religion or belief or none -** the effects on religious and cultural communities, customers and colleagues | Licensees will be given access to the Quiet Place for prayer and quite reflection. The Wudu (ablution) facilities will also be available to licensee staffWe have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work. There may be opportunities for joint events with the respective Employee Networks. |  | Possible | We need to be confident that any licensees have compatible policies and procedures so that if any of our colleagues or customers do face issues with the licensee’s colleagues then this will be tackled immediately |
| **Sex -** the effects on both men and women and boys and girls  | We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work.  |  | Possible | We need to be confident that any Licensees have compatible policies and procedures so that if any of our colleagues or customers do face issues with the Licensee’s colleagues then this will be tackled immediately |
| **Sexual orientation -** the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality | We have strong policies on Equality, Dignity and Respect and Tackling Bullying, Harassment and Victimisation to make sure our colleagues work in a safe environment where they can be themselves at work. There may be opportunities for joint working between our own LGBTQ+ and Allies Employee Network and the Licensee’s Network. |  | Possible  | We need to be confident that any Licensees have compatible policies and procedures so that if any of our colleagues or customers do face issues with the Licensee’s colleagues then this will be tackled immediately |

**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?

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| **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** |  | **Adjust the proposal** 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** | **X** | **Continue the proposal** 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:* sufficient plans to stop or minimise the negative impact
* mitigating actions for any remaining negative impacts
* plans to monitor the actual impact.
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| **Outcome 4** |  | **Stop and rethink** the proposal when the EIA shows actual or potential unlawful discrimination |

Why did you come to this decision?

* Current equalities and diversity policies and practices will continue to apply to all DCC colleagues who are moved to different locations in the CH or are moved into the CH from other sites. But we need to check that the Licensees have compatible policies to make sure our colleagues are not harassed or discriminated against in any way by external colleagues moving in to work with us.
* Customers will continue to have access to all facilities as they do at present.
* The staff of all new licensees moving into the CH will have access to existing equality and diversity mitigations and will continue to be subject to their own employer’s policies.
* If any building alterations are considered to either the staff or public areas, the equalities impacts of these will be considered and mitigated through our Lead on Equality and Diversity.

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– 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 about our services and functions that affects people and **before** that decision is made. This also includes quick Covid 19 related decisions.

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.

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 complete 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. The nine protected characteristics are age, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race religion and 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
* encouraging people with certain protected characteristics to participate in public life or in other activities where the participation is disproportionately low.

This completed form should be attached to any Corporate Leadership, Senior Leadership, Cabinet or Personnel Committee report to help decision makers take the equality implications into account when they make the decision. Equality impact assessments **must be done before** decisions are made.

You’ll find that completing 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.

Unless this is a quick Covid 19 decision, 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 Equality Hubs and 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. Against every negative impact you will need to complete the mitigation section to explain how you will lessen the impact.

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.

Remember, we need to complete these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010. If in doubt – it’s better and safer to do an Equality Impact Assessment than not to bother! You never know when we may get a legal challenge and someone applies for Judicial Review.

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 must be easy to understand.

**Contact for help**

Ann Webster – Lead on Equality and Diversity

ann.webster@derby.gov.uk

Tel 01332 643722 mobile 07812301144

[Sign Language Service](https://www.derby.gov.uk/signing-service/)

We can give you this information in any other way, style or language that will help you access it. Please contact us on **01332 643722, 07812301144** or **derby.gov.uk/signing-service/**

**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 ਇੱਥੇ ਸੰਪਰਕ ਕਰੋ: **01332 64XXXX** ਜਾਂ [**derby.gov.uk/signing-service/**](https://m365.eu.vadesecure.com/safeproxy/v4?f=cz0ZWu24j28Vl3BzVuSdCoMCDHCpL9JaioWisQGi8S3bCtXk5W_yq3A1dfyVYoVx&i=PzsE2Gw3YTbfFz6VRd0Fp7PxwveHyJEAnSRCrEBoAvjp2JnIw93iHpjapoZiIAzMglI-pzPfWmh3zAXeaCy-cA&k=eT2K&r=WEhxufS7rROOSKWC-Ni-ndX3MbR3jmgif-yU_rjLBEeXieKDl9GVjsBYwsEYj00cS2TOCi-p9sppx0CalkJbVw&s=276a2020258c8586ddb25bb54ee75c8fa638b7e241f542e2eb47998ae5359519&u=http%3A%2F%2Fwww.derby.gov.uk%2Fsigning-service%2F)

**Polish**

Aby ułatwić Państwu dostęp do tych informacji, możemy je Państwu przekazać w innym formacie, stylu lub języku. Prosimy o kontakt: **01332 64XXXX** lub [**derby.gov.uk/signing-service/**](http://www.derby.gov.uk/signing-service/)

**Slovak**
Túto informáciu vám môžeme poskytnúť iným spôsobom, štýlom alebo v inom jazyku, ktorý vám pomôže k jej sprístupneniu. Prosím, kontaktujte nás na tel. č.: **01332 64XXXX** alebo na stránke [**derby.gov.uk/signing-service/**](http://www.derby.gov.uk/signing-service/)

**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 **640000 01332**  یا **derby.gov.uk/signing-service/** پر ہم سے رابطہ کریں