

**Equality impact assessment form**

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| Directorate | Communities & Place |
| Service area | Libraries |
| Proposal | Budget EIA 2023/2024 - Closure of Community Managed Libraries (CMLs) – **DRAFT pending consultation outcome** |
| Reason for proposal | Council does not have the resources to maintain the CMLs |
| Sign off (Director/Head of Service) | Director Claire Davenport and Service Lead Mark Elliott |
| Date of assessment | 09/12/22 |

**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** –

Other team members if appropriate

| **Name** | **Job title** | **Organisation** | **Area of expertise** |
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| Mark Elliott | Library Service Manager | Derby Libraries | Libraries |
| Jennie Preedy | Manager: Service Delivery, Communities and Engagement | Derby Libraries | Libraries |
| EIA Panel – Equality Hubs and Employee Network members | Various and voluntary | Derby City Council and Volunteers | Equality, diversity and inclusion |
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**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? | Possible closure of the CML sites, for the purpose of helping the Council balance its budget. |
| 1. Why do you need to make this decision? | There is a legal requirement for the Council to balance its budget. |
| 1. Who delivers/will deliver the changed service/policy including any consultation on it and any outside organisations who deliver under procurement arrangements? | In December 2022 the statutory library service – Derby Libraries – took back responsibility for oversight of the CML arrangement. |
| 1. Who are the main customers, users, partners, colleagues or groups affected by this decision? | Main customers / users are the residents of Derby who may use the library as individuals or in groups. Other stakeholders are covered in a separate EIA. |

**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. | The Council shared its Medium Term Financial Plan with the public on 13 December 2022 and this proposal will be part of that process.  The Localities Team in the Council worked with Community Action on reviewing CMLs and produced a report in September 2022.  The Council’s Comms Team have issued press releases to raise awareness of the situation / opportunities re the CML sites.  Councillors and senior managers have engaged informally with individuals to communicate why this is happening and explain the opportunities around CML sites.  The Council has invited community groups to come forward who may be interested in running a community space . This will ultimately lead to a formal Expression of Interest which will allow a successful operator to be identified.  The Council’s Comms team will provide documentation in formats that are needed in order to make the process accessible to all. |

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 | All age groups could potentially be affected by the CML closure. Birth date is recorded on the library computer system. The EIA undertaken as part of the 2017 Library Review identified older people as the group most affected. The CMLs have been operated by DHA for some years, but anecdotal evidence suggests that older users still tend to dominate, but there is also use by families and children. The CML closure will remove activities, study space, free Internet, information and books.  There will be a negative impact of older and younger people who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings. |  | **Yes** | Use social media to actively promote the range of electronic stock that is available to any library user across the city.  Actively promote the statutory library sites. The stock held at each statutory site is listed on an online catalogue which can be found on the library website.  Seek ways to promote Riverside Library which, being in the city centre, usually means one bus journey for most people across the city.  Explore, via the CML review, whether there are options for retaining some form of library presence without the Council incurring significant cost.  Some residents may be able / willing to travel to a statutory site where a range of services are on offer. Older people may particularly benefit from access to large print and audio stock. Coffee mornings and Knit and Natter sessions provide opportunities to socialise. Seed exchanges and Gardening Clubs and library Friends groups also bring people together. For those that need to get online, free Internet access is offered along with taster session support if required. At some sites, exercise/fitness opportunities are offered.  If disabled or older residents cannot get to the library and they have no-one to go for them, we have a Home Library Service where books are delivered to the customer at home. |
| **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 | Disabled people will be affected by the closure if they use a CML near to where they live .. Closure of the CML will remove access to books, information, activities and free Internet.  There will be a negative impact of some disabled people who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings.  We have advised some disabled people’s organisations of the need to put in an Expression of Interest if they are interested in running a community space |  | **Yes** | Promote the Home Library Service as mentioned above –    Promote the e library offer which includes eAudio books. The  eNewspaper system also offers features such as translation and speech.  An initiative, first in the East Midlands is starting with RNIB to run technology training / support sections for people with sight impairment at statutory sites – this will help more residents get online so they can access resources such as the eBooks, eMagazines, e Newspapers, eAudiobooks.  Explore within the CML review whether there are options for retaining some form of library presence across the city without the Council incurring significant cost.  If customers are able / willing to travel to a statutory site they can access further stock and support. What stock is held can be checked on the online catalogue which is on the library website.  The Council House car park has to public disabled people’s parking spaces that can be booked if they are visiting the library. Library staff have even come out to the car park to support disabled visitors.  Wellbeing is an important theme for the statutory service. For example, there are separate collections of books focused on mental health for both adults and children. |
| **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. | . Closure of the CML will remove access to books, activities, information and free Internet.  There will be a negative impact on Trans people who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings |  | **Yes** | Promote the statutory library sites and the e library offer.  Explore within the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost.  If a customer is willing and able to travel to a statutory site they can access library stock around gender identity and LGBTQ+. The online catalogue can be checked to see what stock is held at statutory sites.  Our statutory libraries regularly take part in LGBTQ+ events such as Trans History Month and International Day against Homophobia, Biphobia and Transphobia |
| **Marriage and Civil Partnership** | There will be a negative impact of married and civil partnership couples who usually go to a CML near where they live together, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings |  | **Yes** | Promote the statutory library sites and the eLibrary offer.  Explore within the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost.  If a resident is able / willing to visit a statutory site they can access book stock that deals with marriage and relationships. Before visiting, a customer can check the online library catalogue that is available on the library website. |
| **Pregnancy and maternity -** women who are pregnant or who have recently had a baby, including breast feeding mothers | There will be a negative impact on pregnancy and maternity on those people who use their local CML, but our statutory libraries do offer activities for babies and children  There are opportunities for community groups to take on the running of the community spaces |  | **Yes** | The eLibrary offer can be promoted.  Explore via the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost.  If a resident is willing / able to visit a statutory site, some sites offer sessions meant for women in the early stages of pregnancy. There are currently discussions with NHS practitioners around using the library for health sessions. We stock a range of books on pregnancy and maternity. Once the baby is born, we offer Rhyme times which encourage parents to come together and socialise whilst sharing rhymes with their children. Book Start is another scheme on offer where we deliver books, on behalf of and in partnership with, Book Trust, to new parents across the city. Nurseries are key partners and they are encouraged to bring children into the library to encourage a love of reading. |
| **Race -** the effects on minority ethnic communities, including newer communities, Gypsies and Travellers and the Roma community | This group may also be impacted by CML closure with the removal of books, activities, Internet and information.  There will be a negative impact of Black, Asian and Minority Ethnic people who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings. Our Race Equality Hub have been given details of how to put in an Expression of Interest |  | **Yes** | Promote the statutory library sites and the eLibrary offer. The eNewspapers offer a wide range of papers in foreign languages.  Statutory sites hold a range of stock on race and this can be checked online via the library catalogue.  Statutory sites regularly support events like Black History month with displays and talks. Events, particularly at Normanton, seek to reflect the diversity in the city. Derby Local Studies Library has many partner groups who work on race related issues in the city.  Explore via the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost. |
| **Religion or belief or none -** the effects on religious and cultural communities, customers and colleagues | Religious people and non-believers may potentially be users of CMLs and closure could potentially remove access to Internet, activities books and information.  There will be a negative impact of this group of people who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings |  | **Yes** | Promote the statutory library sites and the eLibrary offer.  If the resident is willing / able to visit a statutory site they can access a range of books on religion. What is in stock can be checked on the online catalogue which can be found on the library web site.  Explore via the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost. |
| **Sex -** the effects on both men and women and boys and girls | Men, women, girls and boys may all be affected by CML closure. Women tend to access library provision more than men.  There will be a negative impact on men, women and girls and boys who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings |  | **Yes** | Promote the statutory library sites and the eLibrary offer.  A range of services are available at statutory sites for those willing / able to travel. A statutory library will have a breadth of stock that should meet most general needs and which can be checked via the online library catalogue.  A popular activity for children is Code Clubs where children experiment with coding. Boys tend to engage with coding classes more. A range of engagement activities are offered at some sites. At Mickleover informal French classes are provided which are mostly accessed by women. For those that need help with literacy, we offer adult literacy sessions. For avid readers there are Book Clubs. For those needing help with job seeking we run Job Clubs. Talks on diverse subjects are provided.  Explore via the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost. |
| **Sexual orientation -** the effects on lesbians, gay men, bisexuals, pansexual, asexual and those questioning their sexuality | The CML closure will remove a source of information, Internet, activities and books.  There will be a negative impact on the LGBTQ+ community who use a CML near where they live, but there is an opportunity for community groups to take on the running of the community spaces in the CML buildings |  | **Yes** | Promote the statutory library sites and the eLibrary offer.  For residents willing / able to travel to a statutory site they will find specific collections on LGBTQ+ What stock is held can be checked via the online library catalogue which can be found on the library web site.  Explore via the CML review whether there are options for retaining some form of library presence without the Council incurring significant cost. |

**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. |
| **Outcome 4** |  | **Stop and rethink** the proposal when the EIA shows actual or potential unlawful discrimination |

Why did you come to this decision?

The Council has a legal obligation to balance its budget and along with all councils in England is facing a difficult financial challenge at present. Record inflation is impacting on the Council’s budget and a cost-of-living crisis is placing more demands on the Council’s limited resources. The Council is seeking savings across the board.

In 2017 there was a review of library provision and the Council defined, after an extensive public consultation exercise, its statutory library provision as being Derby Local Studies Library, Normanton Library, Mickleover Library, Alvaston Library, and Riverside Library which is in the Council House.

Library sites at Chellaston, The Phillip Whitehead Memorial Library - Chaddesden Park, Sinfin, Mackworth, Derwent, Springwood, Allenton, Blagreaves, Spondon and Allestree were designated Community Managed Libraries and their front-line operation passed to an organisation called Direct Help and Advice (DHA). The Council has been providing a grant to help DHA to operate the CMLs and this is funding that the MTFP is proposing to withdraw.

The Council has started a dialogue with community groups to see if any of them are interested in taking over the operation of what are currently CML sites. There is an awareness that there is no statutory library provision in the North and East of the city.

The Council does fund a number of electronic systems that provide city wide access to e books, e magazines, e audio and e newspapers. Some residents may like the electronic format and have the Internet access required to use the systems. Library staff offer taster sessions to residents who may need help getting online.

Volunteers who currently support DHA with CMLs may have the option of continuing to support the CML in its new form, if the site stays open, or perhaps volunteering with the statutory service.

Statutory library staff are covered in a separate EIA.

The EIA panel have agreed with outcome 3 for the proposal to undertake a possible closure of the CML sites, for the purpose of helping the Council balance its budget. From public responses it seems they are not aware that the CML buildings could continue with community based activities if a community group was successful in their bid to manage the building as a community place.

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](mailto: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**

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