

Section 4

Equality

Analysis Toolkit

Library Opening Hours Review 2018

January 2018

What is the Purpose of the Equality Decision-Making Analysis?

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance at

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty>

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Specific advice on completing the Equality Analysis and advice, support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

Jeanette Binns (Equality and Cohesion Manager) at

Jeanette.binns@lancashire.gov.uk

Name/Nature of the Decision

Review of Library opening hours across Lancashire

What in summary is the proposal being considered?

The Library service has categorised each of its libraries into bands A,B,C and D, each band having a set number of opening hours and a suggested opening pattern for each library currently open (as at the 1 October 2017). The Library service has consulted customers and partners on the pattern of opening hours at each of these branches and now wishes to implement these new hours, with agreed changes following the consultation, from the 1 June 2018.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The decision will affect people across the County in similar ways but this will depend on the band allocated to the library in their locality and this decision has been reached based on the following rationale. The population served by each library site was examined, including census figures (2011) to look at the population of the designated catchment areas to assess potential user levels. Also the actual number of "registered" users (i.e. valid user accounts) and the number of "active" users (i.e. those with at least one library transaction within the previous 12 months). Library usage was also examined, including overall footfall, library item loans levels and PNET computer usage. Although this data gave a quantifiable indication of the level of usage at each site, other criteria were also taken into account, including; accessibility of the site, even distribution of all bands of library within each District and availability of services at different times in any given area – i.e. to avoid

unnecessary duplication of services and ensure the full range of services would be available at alternative sites at the maximum range of days/times.

Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

There has been a disproportionately negative reaction from respondents aged under 35 who were less likely to accept the proposed changes (7%) and were more likely to say that the proposed hours are not suitable for full-time workers and pupils (30%), that libraries should open on more evenings (17%), and open more hours on Saturday (11%).

There may be some disruption to groups meeting at a particular day or time which will mean that alternative arrangements will have to be made and in some cases this may affect groups of older people and/or people who attend baby bounce and rhyme sessions which could have a disproportionate impact on female members. At some libraries the reduction in hours has meant that this will mean there is less time available for example for members of the public to use PNETS which may place extra demand on such services when the library is open and which may then have an impact on people who have low income streams or who are unemployed.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Table 1 details the age profile of those responding to the consultation compared to the age profile of the Lancashire County Council area. There is an overrepresentation of older people aged 65 and over in the consultation (47%) compared to Lancashire's age profile (20%). This is more marked when looking at respondents aged 35 and over, who are 91% of the overall respondents compared to 58% of Lancashire's population.

Table 1 - respondent age compared to Lancashire's estimated age profile

	Age on your last birthday	Mid-year pop estimate 2015
Under 16	1%	18%
16-19	1%	5%
20-34	6%	19%
35-64	44%	38%
65-74	30%	11%
75+	17%	9%

Source: Mid-year Population Estimates, mid-2015, Office for National Statistics

Table 6 Are you...?

	%
Male	32%
Female	68%

The mid-year population estimates 2016 suggested 49.4% male and 50.6% female population in Lancashire, it is clear that women were over-represented amongst consultation respondents. This is, however, reflective of other consultations.

Table 7 - Have you ever identified as transgender?

	%
Yes	1%
No	93%
Prefer not to say	6%

Base: all respondents (1,941)

There is no Census or authoritative data available for the number of people or percentage of people who are Transgender within the Lancashire population, but other consultations have seen a similar response rate of 1% of respondents identifying as Transgender.

Table 8 - What was your age on your last birthday?

	%
Under 16	1%
16-19	1%
20-34	6%
35-64	44%
65-74	30%
75+	17%

Base: all respondents (2,188)

Table 9 - Are you a deaf person or do you have a disability?

	%
Yes	14%

No	86%
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Base: all respondents (2,124)

The Census 2011 asked whether people had a long term health problem or disability which limited their activities a little (10% of Lancashire respondents) or a lot (10% of Lancashire respondents). This is slightly higher than the representation of disabled people amongst consultation respondents. Participation of disabled people in County Council consultations is also quite variable and the 14% figure appears comparatively high.

Table 10 - Which best describes your ethnic background?

	%
White	94%
Asian or Asian British	3%
Black or Black British	<1%
Mixed	1%
Other	2%

Base: all respondents (2,140)

The White population may be slightly over-represented amongst consultation respondents as the 2011 Census recorded 92.3% of the population as White and 7.7% from other ethnic groups.

Table 11 - What is your religion?

	%
No religion	25%
Christian (including CofE, Catholic, Protestant and all other denominations)	68%
Buddhist	1%
Hindu	<1%
Jewish	<1%
Muslim	3%
Sikh	<1%
Any other religion	2%

Base: all respondents (2,102)

The representation of Christian respondents to the consultation is broadly in line with Census information (69%) whilst those with "no religion" were more heavily represented amongst consultation respondents as they form only 19% of those recorded in the 2011 Census. Muslims appear to be under-represented amongst consultation respondents as they formed about 6% of Lancashire's population in the Census, whilst other religions appear to be represented in broadly similar terms to Census information.

Table 12 - What is your sexual orientation?

	%
Straight (heterosexual)	87%
Bisexual	1%
Gay man	1%
Lesbian/gay woman	<1%

Other	1%
Prefer not to say	11%

Base: all respondents (2,102)

The 2011 Census did not include questions about sexual orientation. However, the above information is in line with responses in other County Council consultations.

Table 13 - Are there any children or young people in your household aged under 20?

	%
No children aged under 20	74%
Yes, aged under 5	8%
Yes, aged 12-16	8%
Yes, aged 9-11	8%
Yes, aged 5-8	8%
Yes, aged 17-19	4%
No, but expecting	3%

Base: all respondents (2,120)

The response rate for this question is broadly in line with other County Council consultations although the percentage of those who were expecting a child has often been about 2% in other County Council consultations.

Table 14 -Are there any disabled young people aged 20-25 in your household?

	%
Yes	2%
No	98%

Base: all respondents (2,147)

The 2% figure for households with a disabled young person in the household is in line with other County Council consultations.

Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

The fieldwork ran for eight weeks from the 2 October to the 23 November 2017 and in total 2338 completed questionnaires were returned, 1,351 paper questionnaire responses and 987 online. Broadly, respondents were likely to be Lancashire residents (98%), aged between over 65 (47%), female (68%), not have a disability (86%), not have children aged under 20 in their household (74%), have access to the internet from home (80%), and describe their ethnic background as white (94%). Respondents aged 65 and over were more likely than respondents aged under 35 to say that they would still be able to use their chosen library buildings during the proposed opening hours with no problems (69% and 30% respectively).

About a quarter of respondents aged under 35 (26%) said that they would be able to use their chosen library buildings during the proposed hours but it would be a lot more difficult than it is now. A fifth of respondents aged under 35 (20%) said that they would not be able to access their chosen library buildings during the proposed opening hours.

Respondents aged under 35 were less likely to accept the proposed changes (7%) and were more likely to say that the proposed hours are not suitable for full-time workers and pupils (30%), that libraries should open on more evenings (17%), and open more hours on Saturday (11%).

The consultation on the proposals were advertised in each library branch, on the County Councils website as well as on the County Councils social media channels. We have made hard copy forms available in branch as well as provided encouragement and opportunity for customers to complete the form online or in branch. In addition to this we have contacted local partners such as friends groups and groups with lettings and encouraged them to complete the questionnaire as well as encouraging our own frontline staff to have their say on the proposals.

There were a number of comments about closing times and that more hours in the evening would be better for workers and pupils. For some libraries alternative opening times have been proposed with various reasons stated including avoiding disruption to existing groups who

meet in the libraries at a particular time of day. Any decisions made to address these issues will need to be balanced against the availability of resources and a broader look across the district to ensure decisions taken for one library do not detriment others in the district or near district boundaries.

Question 3 – Analysing Impact

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?

- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

There has been a disproportionately negative reaction from respondents aged under 35 who were less likely to accept the proposed changes (7%) and were more likely to say that the proposed hours are not suitable for full-time workers and pupils (30%), that libraries should open on more evenings (17%), and open more hours on Saturday (11%).

These responses however should be seen in context of the very low response rate in this age group which was 6% respondents compared with the Lancashire population profile of 19%.

The service is, however, proposing to increase the number of late night openings across the board. By increasing the extra number of evening openings the hope is that this will encourage younger people in full time education to access library services who may find it difficult to do so during term time.

There will be some disruption to groups meeting at a particular day or time which will mean that alternative arrangements will have to be made and in some cases this may affect groups of older people and/or people who attend baby bounce and rhyme sessions. Any groups which meet on a day where the opening patterns are going to change will be contacted and alternative arrangements will be made ahead of these changes coming in practice.

At some libraries the reduction in hours has meant that this will mean there is less time available for example for members of the public to use PNETS which may place extra demand on such services when the library is open. A number of consultation respondents referred to using library computers to look or and/or apply for jobs. Others

mentioned that they did not have the internet at home to do homework or for other reasons and were reliant on the library's computer facilities.

There has been a lot of feedback through the consultation process which underlines the value of the library as a community hub as vitally important in combating loneliness and social isolation.

There has been some feedback from a carers of young disabled people that the earlier opening times have been quieter and therefore have suited these particular young people.

There have been other comments noted in the consultation feedback that a number of people would also welcome the opportunity to visit their library at an earlier time when, in general, the library is quieter.

Question 4 –Combined/Cumulative Effect

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

It is not felt that there will be any detrimental cumulative effects as a result of our proposals.

Question 5 – Identifying Initial Results of Your Analysis

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The Library service has made a number of changes following the consultation exercise, taking into careful account views expressed by various groups including those with protected characteristics. In all the proposed opening hours for 16 have been adjusted in response to the consultation. These changes are detailed in the appendix to the cabinet report. An example of the adjustments we have made to provide better access for our citizens is to change the proposal for half day closing at Brierfield to Friday instead of Thursday. This has taken into consideration the attendance at the local Mosque on Friday afternoon of many of our customers who may therefore benefit from having the library open on Thursday afternoon instead. This amendment will also allow school children to use the library for homework, Thursday being a more popular day to do this than Friday. We have also, in response to feedback made a number of changes to avoid various groups and clubs having to rearrange their group meetings, as well as providing additional hours on Saturday afternoon in communities where we have been told that having a half day would have had a significant disruptive effect.

Question 6 - Mitigation

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated.

Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

The decision to reopen libraries will increase the number of service points open to all customers which will reduce travelling times and improve accessibility for all. This will have a particularly positive impact on older and younger people as well as those with disabilities who may rely on public transport to access library services. For these groups of people this will mean safer, more cost effective and quicker journeys as well as the opportunity to develop support networks through community activities held in the library and connections made with other people and other local services.

The Library service continues to provide six mobile libraries, home library services and a wide variety of e-books and e-audio to provide alternative ways of accessing library services and materials for those people who may have difficulty in visiting their local branch library in person.

In addition to this the service invests a significant amount of money in online subscriptions which are free to library members but which would otherwise be chargeable. These include, among many others, access to National Biography, Maps, Newspapers, British Standards information, Credo reference materials (which includes the Britannica Encyclopaedia) and Theory Test pro.

There has also been a recent increase in daytime bus services across the County following reviews held during December and January which may assist those people who may be affected if their local library has changed the day it is open for a full or half day under the new proposals.

Any groups which meet on a day where the opening patterns are going to change will be contacted and alternative arrangements will be made ahead of these changes coming in practice.

Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The service feels that these proposals, given that they will result in a net increase in opening hours will result in a positive impact across all Lancashire residents and visitors. There will be some branches which have reduced opening hours and others whose opening hours will be extended based on a careful consideration of local need as detailed on page 4. We have listened to our local communities and have made a number of changes where it is clear we have got it wrong with the original proposals.

Question 8 – Final Proposal

In summary, what is your final proposal and which groups may be affected and how?

The final proposals have been amended following the extensive consultation as detailed above and can be seen on appendix A. The service does not consider there will be any substantial detriment to groups of people with protected characteristics if these revised proposals are accepted.

Question 9 – Review and Monitoring Arrangements

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

We will monitor the continued use of library sites through a number of performance indicators including visitor numbers, membership take up and retention and issue figures. We will also monitor customer feedback through our complaints procedure and social media channels.

Equality Analysis Prepared By Gareth Jones

Position/Role Library Resources Manager

Equality Analysis Endorsed by Line Manager and/or Service Head

Decision Signed Off By

Cabinet Member or Director

Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.

For further information please contact

Jeanette Binns – Equality & Cohesion Manager

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Thank you