

Appendix E

Equality Analysis

Revised Criteria for Assessing Subsidised
Bus Services

December 2014

Name/Nature of the Decision

Revised Criteria for Assessing Subsidised Bus Services

What in summary is the proposal being considered?

The County Council is proposing to change the way it assesses the provision of subsidised local bus services. Proposals were drawn up in the Spring 2014 and an extensive consultation was undertaken during the summer months. The proposal is to revise the criteria to measure services in a more sustainable way and to move away from a pure financial assessment. During the forthcoming review of the subsidised local bus network, this new criteria will be used to assess each service in relation to the purpose of the journey and how accessible it is to the local communities served.

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 proposed revision of the criteria for assessing subsidised bus services will affect people across the County in a similar way.

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.

The decision could impact on individuals with shared protected characteristics. However the proposed revised criteria specifically takes into consideration the impact on vulnerable groups by assessing service in ways other than purely financial.

Lancashire County Council will utilise the revised criteria to rank and measure subsidised bus services in a more sustainable way and prioritise local communities within the limited resources available.

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.)

N/A

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.

The last full Surveys available was undertaken on subsidised services for the proposed withdrawal of evening and Sunday services in 2013 revealed the following information:

Gender

Female	40.05%
Male	59.71%
Unanswered	0.24%

Age

Under 18	13.43%
18-24	15.83%
25-39	15.59%
40-49	10.30%
50-59	14.15%
60+	28.54%
Unanswered	2.16%

Deaf/Disabled

Yes	11.75%
No	73.62%
Unanswered	14.63%

Ethnicity

White	78.66%
Mixed/Multiple Ethnic Groups	0.48%
Asian/Asian British	1.68%
BlackCaribbean/Black British	2.40%
Unanswered	16.78%

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)

Lancashire County Council consulted with stakeholders to seek feedback on the draft criteria. This included all Members, District & Parish Councils, passenger transport groups, bus operators and members of the public.

The consultation ran from 12 June to 5 August 2014 and was available as an online questionnaire, a downloadable pdf or could be requested by post. Stakeholders were informed directly by email about the

consultation and the consultation was publicised through press releases and on LCC Twitter and Facebook.

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.

Until a decision is made on the level of funding available for subsidised bus services as part of the budget process, it is not possible to be precise as to the potential impact to disadvantage particular groups sharing any of the protected characteristics. However, bus services are extensively used by elderly people so there is likely to be an impact on that group should the budget position lead to reductions in services.

A further Equality Impact Assessment will be undertaken on any decision to withdraw any subsidised bus service.

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.

There is currently no combined or cumulative effect until a decision is made on the level of funding available for subsidised bus services.

A further Equality Impact Assessment will be undertaken on any decision to withdraw any subsidised bus service.

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

In total, 138 responses to the questionnaire were received and the findings were analysed. A significant number of comments were also received.

All the comments received during the consultation have been considered and amendments made to the proposed criteria to address many of the initial concerns received. Around two-thirds of respondents (68%) agree that Lancashire County Council's current method of assessing its subsidised local bus services purely on financial grounds, where 40% of the cost of the provision should be met through fares income, should be replaced by the proposed new criteria.

A number of changes have been made to the proposed criteria with the main changes summarised as follows:

Journey Purpose and Business Growth

Whilst there was a general consensus of acceptance of this element, many of the comments received suggested the scoring criteria was too focused on employment and biased against Shopping, Personal Business and Leisure, all of which should be deemed more worthy than the initial scores given.

It is now proposed to adjust this element to better reflect journey purpose.

Sustainable Economic Growth

Whilst there was a general consensus of acceptance of this element, a

number of comments received asked how this was going to be measured and what actually determined an employment area.

It is now proposed to remove this element altogether and better reflect employment by an enhanced score within the Business Growth, Journey Purpose element.

Impact on Priority Neighbourhoods

Following comments received, it is proposed that a score of 4 points will be allocated to a service directly serving a Priority Neighbourhood area. No points will be allocated to those services outside a Priority Neighbourhood area.

Operational Service Days

Whilst there was a general consensus of acceptance of this element, a number of comments received asked for detail of what the actual times are referred to as daytime or evening.

It is proposed to now split the Monday to Saturday and Sunday evenings into different priorities, as weekday evenings are deemed more desirable than Sunday evenings, as the customer demand is greater. Operational times have now been included on the element to define each period.

Service Usage

There was a no consensus of acceptance of this element, with less than half agreeing with the element. Whilst service usage is a key component, there were a number of comments received suggesting that scoring passenger usage in terms of actual numbers is not a satisfactory method.

Furthermore, that it is biased against possibly vital low cost services with low usage, in favour of possibly more high cost services with high usage.

It is now proposed to revise this element to measure usage by calculating passengers per service mile and cost per passenger. A score between 1 and 5 will be allocated, with the higher passengers per mile and lower cost per passenger receiving the greater scores.

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.

Lancashire County Council have considered the mitigation of potential adverse effects of the proposed revision to the criteria when considering subsidised bus services and these are set out in section 5 above.

The proposed new criteria has been designed to better reflect the needs of the local communities served by subsidised bus services rather than a purely financial consideration.

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 current criteria ranks subsidised bus services by their financial performance, using a criteria which states that 40% of the cost of a service must be met through passenger revenue. This way of ranking can result in those services that underperform financially being more likely to be withdrawn irrespective of the community needs that they fulfil.

Lancashire County Council will utilise the revised criteria to rank and measure subsidised bus services in a more sustainable way and prioritise the local communities served.

Question 8 – Final Proposal

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

The final proposal is to proceed with revising the criteria to rank and measure subsidised bus services in a more sustainable way and prioritise local communities within the limited resources available.

Question 9 – Review and Monitoring Arrangements

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

Should a decision be made to withdraw or limit the level of funding available for subsidised bus services then the revised criteria will be used to determine the level of subsidised bus service provision. The County Council will consult on any proposals with the following stakeholders:

District, Borough and City Councils in Lancashire

Lancashire MP's

Parish Councils in Lancashire

Lancashire Community Transport Providers

Local Bus Operators (including existing contractors)

LCC County Councillors

Neighbouring Authorities

Interest Groups Representing Equality Strands in Lancashire

Passenger Focus

Confederation of Passenger Transport

Equality Analysis Prepared By [Ashley Weir](#)

Position/Role [Principal Transportation Officer – Local Bus](#)

Equality Analysis Endorsed by Line Manager and/or Chief Officer

[Andrew Varley](#)

Decision Signed Off By

Cabinet Member/Chief Officer or SMT Member

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.

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team.

Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

Karen.beaumont@lancashire.gov.uk

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

Jeanette.binns@lancashire.gov.uk

Contact for Environment Directorate, Lancashire County Commercial Group and One Connect Limited

Saulo Cwerner – Equality & Cohesion Manager

Saulo.cwerner@lancashire.gov.uk

Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

Pam.smith@lancashire.gov.uk

Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you