

Section 4

# Equality

# Analysis Toolkit

Property Strategy (Neighbourhood  
Centres )

For Decision Making Items

## **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.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Service contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## Name/Nature of the Decision

Property Strategy (Neighbourhood Centres)

## What in summary is the proposal being considered?

Consideration of a methodology to achieve a sustainable long term rationalisation of the County Council's corporate property portfolio to align with the aspirations of the Corporate Strategy and to enable the future successful delivery of public facing services. The report recommends a 'long' list of 220 premises from which 112 multi-functional Neighbourhood Centres could be selected and form the basis for service delivery.

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.

Yes will impact on all communities.

Our approach for this strategy is driven by need in localities.

We will use evidence based premises information, including the Indices of Multiple Deprivation (IMD), population distribution and natural geographical communities alongside the Corporate Strategy and Neighbourhoods Plan which reflects the different levels and types of needs within our communities across the 34 planning areas.

**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.

A reduction in the number of service delivery premises will impact on all residents who use county council services.

We will use the property evidence base, 34 service planning areas and service delivery information to inform our decisions relating to premises.

Although we cannot be certain at this stage of the strategy development, it is acknowledged there will likely be an impact on some specific individual groups. As part of the EA process we will identify this data and update the full EA as and when information becomes available. Where the data does not exist we will introduce monitoring systems to allow the analysis to be undertaken.

It is acknowledged that the Property Strategy sits alongside the Corporate Strategy and as such mitigation of impact of the Property Strategy will be linked to service delivery, and we are confident that services will have due regard to the requirements of the Public Sector Equality Duty when decisions are being made and deliver the most effective services they can within the resources (including premises) allocated.

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.)

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|----|
| NA |
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## 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.

It is proposed that the reduction in premises from 220 be based upon need assessed across 34 Service Planning Areas (SPAs) across the County using the 2015 English Indices of Multiple Deprivation

Approval of the proposed strategy would enable detailed analysis and consultation to identify the candidates for inclusion in the new 'Neighbourhood Centres' portfolio and by exception, which premises would be recommended for disposal.

At the time of presenting this report information on which protected characteristic groups will be using Neighbourhood Centres is not available – as part of the EA process we will identify this data and update the full EA as and when information becomes available. Where the data does not exist we will introduce monitoring

systems to allow the analysis to be undertaken.

## **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 proposed strategy for the rationalisation of public facing service delivery premises has developed alongside the Corporate Strategy and has been discussed with relevant service heads with a view to ensuring that any final recommended list of premises to remain as Neighbourhood Centres would align operationally with various delivery plans, e.g., the Libraries Strategy and the Wellbeing, Prevention and Early Help Strategy.

Consultation will take place alongside that for relevant service areas and the results of the consultation will be analysed and taken into account when finalising recommendations. The findings of any consultation will be incorporated into this EA.

## **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.

Neighbourhood Centres will play a key role in service delivery. At this stage it is not possible to analyse the impact against groups with protected characteristics however, in the decision making process regarding service delivery we will have due regard to the Public Sector Equality Duty requirements and the Prevent Duty to minimise any negative impact on our communities.

The delivery of a more flexible portfolio intends to create additional opportunities to rationalise the portfolio in terms of service delivery premises whilst endeavouring to maintain a County Council presence across the county, particularly in areas of need. The Corporate Strategy and the potential accompanying changes to service delivery will provide a clearer view of the requirements of the portfolio in terms of 'Neighbourhood Centres'. It is recognised that this proposal may impact on groups with protected characteristics in terms of location of the new Neighbourhood Centres in particular disabled, age (young and old), pregnancy & maternity e.g. who may have transport, travel and accessibility issues.

Neighbourhood Centres will generally be selected from existing local service delivery buildings. They will:

- Be located in areas of priority need
- Have extended opening hours – where required
- Have flexible use of space; co-location and sharing of facilities.

#### **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.

Yes, due to this continued period of austerity nationally, we recognise that there may be decisions on policy, funding, delivery of services that will have a combined cumulative effect on groups in Lancashire. The Property Strategy (Neighbourhood Centres) sits alongside the Corporate Strategy and as such links to service delivery decisions. The proposal asks for approval for contact to be made with relevant other

public sector partners to explore opportunities for co-location and sharing of service delivery thus allowing for consideration wider public sector rationalisation and challenges.

### **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 proposal will be reviewed following further analysis and upon results of the consultation regarding the location of the SPAs.

### **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.

Mitigating actions are in the process of being developed and will be informed by the findings of the consultation.

Other issues that the report proposes should be considered in identifying the Neighbourhood Centres are:

- Service plans regarding future service delivery.
- Premises in neighbouring SPAs.
- Partners may have more suitable premises for service delivery and there are

distinct benefits of sharing accommodation across the public sector. It is suggested that it is expedient to limit initial consideration to County Council premises to ensure deliverability however where possible within the required timescales this could be considered.

- Cultural identifiers – whilst the IMD measure in the proposed calculation would take travel horizons into account to some extent, the calculation would not allow for the fact that communities recognise and take ownership of places through cultural identifiers. This can provide a barrier to needy communities in the ownership and access of services, and where possible this will be taken into account in making recommendations.
- Potential for capital receipt/development/alternative use.
- The county council's Access Budget may be able to address any accessibility issues.

### **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.

This proposal has emerged following the need for the County Council to make unprecedented budget savings. We acknowledge that some protected characteristic groups may be negatively affected however we will strive to minimise any negative impacts by developing as many mitigating actions as possible and using the agreed methods of scoring and weighting.

### **Question 8 – Final Proposal**

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

The Property Strategy (Neighbourhood Centres) proposes a rationalisation of the County Council's public facing service delivery portfolio 220 premises to 112 premises and outlines an initial methodology to ensure that recommendations regarding the future portfolio align with the Corporate Strategy and enable the future successful delivery of public facing services. It is possible that all residents of Lancashire may in some way be affected, as the location of premises from which they access the Council's services could change.

A review of the evaluation of identified datasets and subsequent consultation of the recommendations for the final selection of premises to become Neighbourhood Centres is proposed.

### **Question 9 – Review and Monitoring Arrangements**

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

Appropriate monitoring procedures will be developed following the implementation of this proposal based on the relevant protected characteristics affected.

Equality Analysis Prepared By Emma Pearse

Position/Role: Property Asset Manager (Review)

Equality Analysis Endorsed by Line Manager and/or Service Head:

Matthew Tidmarsh Head of Asset Management

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.**

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

Service contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult Services ; Policy Information and Commissioning (Age Well); Health Equity, Welfare and Partnerships (PH); Patient Safety and Quality Improvement (PH).

Jeanette Binns – Equality & Cohesion Manager

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

Contact for Community Services; Development and Corporate Services; Customer Access; Policy Commissioning and Information (Live Well); Trading Standards and Scientific Services (PH), Lancashire Pension Fund

Saulo Cwerner – Equality & Cohesion Manager

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Contact for Children's Services; Policy, Information and Commissioning (Start Well); Wellbeing, Prevention and Early Help (PH); BTLS

Pam Smith – Equality & Cohesion Manager

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Contact for Governance, Finance and Public Services; Communications; Corporate Commissioning (Level 1); Emergency Planning and Resilience (PH).

Thank you