



## Section 4

# Equality Analysis

**Library Opening Hours  
Review**  
**For Decision Making  
Items**

November 2014

## **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 - [EHRC - New public sector equality duty guidance](#)

Document 2 "Equality Analysis and the Equality Duty: Guidance for Public Authorities" may also be used for reference as necessary.

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 Directorate 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**

Review of Library Opening Hours

## **What in summary is the proposal being considered?**

There are three parts to the proposal. At 21 libraries, simple increases in opening hours are being proposed, while at a second group of 8 libraries a redistribution of opening hours is suggested.

Because at the first group of libraries no-one can be disadvantaged by an increase in opening hours, this assessment applies only to branches in the second group. In these cases the proposed redistribution of hours means that some existing opening times will be lost, there will be no overall reduction in opening hours whatsoever.

It is important to remember that these proposals are relatively minor and are intended solely to benefit the residents served by the libraries in question, enhancing the longer-term sustainability of the branches by opening them at times when evidence suggests they are most likely to see the highest levels of use. The proposals are not being made for budgetary reasons and are entirely cost-neutral, allowing better use of existing resources.

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.

No closures are included as part of this proposal. The libraries where changes are proposed have been selected on the basis of examining evidence of hourly usage and suggest closing at times which are currently little-used and opening at times when evidence suggests they are likely to be better used. There is a reasonably even spread of

branches across the county.

**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 only protected characteristic that could experience an adverse impact from the proposals is age. Many of the proposals include reducing evening opening hours, which evidence shows are the least well-used periods at almost all libraries. This could have a minor impact on residents in full-time education or employment, though it is important to stress that it will not impact negatively on older people as evenings are the times when evidence shows that they are least likely to use libraries. There is also a balance across districts as there are still some libraries open later in the area if required.

With the exception of age, there is no greater impact on any other

group sharing a protected characteristic than on those not sharing it.

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

## 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.

User evidence related to age comes from a combination of:

- Our membership records – date of birth is required to join the library.
- Public Library User Survey statistics.
- Branch loan rates by broad age category, broken down on an hourly basis.

This last comprehensive set of statistical evidence indicates that people over the age of 65 are particularly unlikely to use libraries

during evening sessions. Older people (over 65), who provide 23.6% of the customer base, are much more likely to use libraries during the period from 09:00 to 17:00.

The only age group likely to be adversely impacted on is in fact younger people who are in full-time education during the day. Young people (5-15 year olds) make up 26.2% of our user group. This would also apply to family groups that included younger people.

## **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)

At each of the 29 branch libraries where redistribution of opening hours is proposed, customers were consulted on the specific proposal for their branch during eight weeks beginning in June through to July 2014. The consultation simply asked the customers to indicate a preference either for the existing pattern of opening hours or for the proposed new ones. Demographic information, including age, was requested as part of this process.

As well as being available in hard copy in libraries, the questionnaire or voting slip was also available online to allow non-users to participate. Although this was publicised by a press release and through social media, the online response rate was low.

## **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.

The most probable disadvantageous effect resulting from these proposals would be a minor potential reduction in the ability of younger people and/or family groups to use library services at those branches where the proposed reduction in opening hours involves losing the

evening session. This is on the basis that young people in full-time education cannot access services during school or college hours in term times.

At the libraries where weekday opening at 09.00 rather than 09.30 is proposed, it should be noted that older people cannot use their bus passes before 09.30. However, at all these branches a comprehensive range of opening hours is provided after 09.30.

It must be stressed that any such reductions would be relatively minor in nature and that in all cases alternatives will continue to be provided in the form of other evening and/or Saturday opening times. The net effect of the proposals is intended to improve access to libraries and consequently increase levels of usage.

#### **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.

There are a number of other proposals that may combine to exacerbate issues for young families eg Family Intervention Project ceasing, changes in how people apply for Job seekers allowance etc . The service will still provide for these groups either within the proposed hours or by making our buildings available for community groups to

use outside of the normal opening hours.

### **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

Following the consultation exercise, the proposals have been withdrawn at those branches where expressed public opinion was against them.

Consultation took place at sixty-three libraries. At 29 the public clearly supported the revised opening hours, in many cases by a substantial margin. At 34 libraries opinion was clearly against the revised hours and they are shown in section 3 and 4 of Appendix 1

At one other branch, Oswaldtwistle, the vote was also against the proposals. Local managers have carefully reviewed their budgets and staffing availability and have concluded that they can implement all of the positive element of the proposals without needing the negative elements to compensate. This library has accordingly been transferred to the list of branches where simple increases in opening hours are being proposed.

### **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.

As noted above, the management of the library service has listened to the consultation and withdrawn proposals which did not have clear public support.

In terms of mitigation for customers at branches where the consultation results indicated a change in hours, the footfall has been examined closely when considering the change. Changes vary from branch to branch but we have recommended that the Districts follow a similar pattern to provide consistency. The individual branch changes for proposals are as follows:

- Accrington – Loses Tuesday between 18:00 - 19:30 but will open Wednesday afternoons 13:00-17:00. Remains open on Saturday between 9:00 -16:00. Overall increase in opening hours.
- Bamber Bridge – Loses Tuesday between 17:00 - 19:00 but will open a Monday, Tuesday, Thursday and Friday lunchtimes, 12:30-13:30, making the opening hours Monday, Tuesday, Thursday and Friday 9:30 – 17:00. Remains open on Saturday between 9:30 - 12:30. Overall increase in opening hours.
- Barnoldswick – Loses Wednesday between 18:00 -19:00 and Saturday between 13:00 – 16:00 but will open 9:00 – 9:30 Monday to Saturday. Saturday hours will reduce to 9:00 and 13:00. Overall increase in opening hours.
- Briercliffe – Loses Monday 18:00 – 19:00 and opens Monday 17:00-17:30 which will allow the Library to be open 14:00 – 18:00 and will open Wednesday 9:30-10:00. Remains open on Saturday between 10:00 - 12:30. Changing pattern of opening only – no increase or decrease in hours.
- Brierfield – Loses Monday between 18:00 – 19:00 but will open Saturday 12:00 – 13:00. Saturday hours will increase to 9:30 –

13:00. Changing pattern of opening only – no increase or decrease in hours.

- Burscough – Loses Monday and Friday 18:00 -19:00 but open Thursday 13:30 - 17:00. Remains open on Saturday between 9:30 - 12:30. Overall increase in opening hours.
- Carnforth – Loses Monday and Friday between 18:00 -19:00, but will open Wednesday between 16:30 - 18:00 and Saturday 12:30-13:00. Overall increase in opening hours.
- Clayton-le-Moors - Loses on a Monday, Tuesday and Thursday between 17:00 - 17:30 but will open Monday, Tuesday, Thursday and Friday 9:00 - 9:30 and 12:00 – 13:00 and 9:00 to 9:30 Saturday, making the opening hours on open Monday, Tuesday, Thursday and Friday 9:00 -17:00 and Saturday 9:00-12:00. Overall increase in opening hours.
- Clitheroe – Loses on Tuesday and Thursday 18:00 - 19:00 but opening Wednesday 13:00 – 17:00. Remains open on Saturday between 9:00 -16:00. Overall increase in opening hours.
- Coalclough – Loses on Monday 17:00 - 19:00 but opening Monday 9:30 - 13:30. Providing a consistent opening pattern of Monday, Tuesday, Thursday and Friday 9:30 – 17:00. Remains open on Saturday between 9:30 -13:00. Overall increase in opening hours.
- Colne – Loses on a Monday and Wednesday between 18:00 - 19:00 but opening Tuesday between 13:00 – 17:00. Remains open on Saturday between 9:00 - 16:00. Overall increase in opening hours.
- Coppull – Loses on a Monday and Friday between 17:00 - 19:00 but opening Monday and Thursday between 12:30 – 13:30, Tuesday between 9:30 – 14:00, Friday between 12:00 and 13:30. Remains open on Saturday between 10:00 - 13:00. Overall increase in opening hours.
- Ecclestone – Loses on a Monday and Friday between 18:00 –

19:00 but opening Monday, Wednesday and Friday between 12:30 – 13:30. Remains open on Saturday between 9:30 - 12:30. Overall increase in opening hours

- Great Harwood - Loses Wednesday between 17:00 and 19:00, but remains open on Monday, Wednesday, Thursday and Friday between 12:00 -13:00. Remains open on Saturday between 9:00 and 12:30. Overall increase in opening hours.
- Ingol - Loses Friday between 17:00 - 19:00 but opening Monday, Tuesday, Wednesday, Friday and Saturday between 9:00 and 9:30, increasing the opening hours on a Saturday to 9:00-12:30. Overall increase in opening hours.
- Kirkham – Loses Monday and Friday 18:00 -19:00 but opening Wednesday and Thursday between 17:00 – 18:00. Remains open on Saturday between 9:00 - 13:00. Changing pattern of opening only – no increase or decrease in hours.
- Knott End – Loses Tuesday and Thursday 18:00 – 19:00 but opening Monday and Friday 17:00 – 18:00. Remains open on Saturday between 9:30 - 12:30. Changing pattern of opening only – no increase or decrease in hours.
- Mellor – Loses Monday between 18:00 - 19:00 and Wednesday 10:00 – 13:00 but opening Monday 13:00 -14:00 and 17:00 - 17:30, Wednesday 17:00-18:00 and Saturday 12:00 - 13:00, increasing the opening hours on a Saturday to 10:00 – 13:00. Overall increase in opening hours.
- Nelson – Loses Monday and Wednesday between 18:00 – 19:00 but opening Tuesday and Thursday 17:00 – 18:00. Making a consistent opening pattern of Monday to Thursday 9:00 – 18:00 and Friday 9:00 – 17:00. Remains open on Saturday between 9:00 – 16:00. Changing pattern of opening only – no increase or decrease in hours.
- Oswaldtwistle – No loses in opening times but opening Monday,

Tuesday, Thursday and Friday between 12:00 –13:00. To provide a consistent approach across the Hyndburn District for opening during the lunchtime period. Remains open on Saturday between 9:00 -12:30. Overall increase in opening hours.

- Parbold – Loses Friday between 18:00 - 19:00, but opening Monday 17:00 -18:00 and Monday, Tuesday, Thursday and Friday opening 9:00 - 9:30 and 12:30 - 13:30 and Saturday 9:00 - 9:30, increasing Saturday opening to 9:00 – 12:30. Overall increase in opening hours.
- Penwortham – Loses Monday and Thursday 17:00 -19:00 but opening Monday 9:30 -14:00, Tuesday, Thursday, Friday 9:30 - 10:00 and 12:30 - 13:30 and Saturday 9:30 – 10:00, increasing Saturday opening hours to 9:30 - 13:00. Overall increase in opening hours.
- Pike Hill – Loses Monday between 18:00 - 19:00 and Saturday 9:30 – 10:00 but opening Monday 16:30 - 17:00, Wednesday, Thursday and Friday 16:30 -17:00. Saturday hours to decrease to 10:00 – 12:30. Overall increase in opening hours.
- Ribbleson – Loses Monday between 17:00 and 19:00 but opens Monday, Wednesday, Friday and Saturday 9:00 – 9:30. Saturday increases the opening hours to 9:00 – 12:30. Changing pattern of opening only – no increase or decrease in hours.
- Rishton – Loses Monday between 17:00 – 19:00 but opens Monday, Tuesday, Thursday, Friday and Saturday 9:00 – 9:30 and opens Monday, Tuesday, Thursday and Friday 12:00 – 13:00. Providing consistent opening hours Monday, Tuesday, Thursday and Friday 9:00 – 17:00. Saturday hours to increase to 9:00 – 12:30. Overall increase in opening hours.
- Rosegrove – Loses Monday between 18:00 - 19:00 but opens between Thursday 17:00 – 18:00. Remains open on Saturday between 9:30 – 12:30. Changing pattern of opening only – no increase or decrease in hours.

- Savick - Loses Monday between 17:00 – 19:00 but opens Monday, Tuesday, Friday and Saturday 9:00 – 9:30. Saturday hours to increase to 9:00 – 12:30. Changing pattern of opening only – no increase or decrease in hours.
- Trawden – Loses Tuesday between 17:00 and 19:00 but opens Tuesday between 10:00 and 12:30 and 16:30 - 17:00. The opening pattern will be consistent Tuesday and Friday 10:00 – 12:30 and 13:30 – 17:00. Overall increase in opening hours.
- Whalley – Loses Tuesday between 18:00 and 19:00 but opens Monday, Tuesday, Wednesday, Friday and Saturday 9:00 – 9:30 and Monday, Tuesday, Wednesday and Friday 12:00 – 13:00. Saturday hours to increase to 9:00 and 12:00. Overall increase in hours

This is regarded as providing acceptable alternative provision to the loss of an evening(s), usually by retaining one or more evenings at the same site as well as providing Saturday opening for residents unable to access library services during office hours. Alternative provision is also available in most cases at other branches in the same District or nearby. It is important to remember that all of these branches gain other compensating sessions, at times when evidence suggests that they should be busier than at the times lost, in most cases incorporating an overall increase in the number of hours open. All of the proposed changes in this list were also approved by public consultation. The consultation asked for demographic information from participants and the results suggest that a good cross-section of all ages across the local community was obtained in each case.

## **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.

These proposals are budget neutral. There is no current requirement to make financial savings and these proposals are all intended to provide an overall advantage to each of the local communities involved.

Not taking the proposals forward and not providing opening at times when evidence suggests that libraries are likely to better used will do nothing to help stem the current decline in library use. These proposals are intended to address this decline and make the branches involved more viable and sustainable in the longer term.

## **Question 8 – Final Proposal**

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

The final proposal is to amend opening hours, in most cases involving an overall increase, at those branches where the proposals have been clearly endorsed by public consultation. The proposal is not budget-driven and is intended solely to benefit library customers by providing opening times when they are likely to be most popular.

The changes are such that any adverse effect is likely to be minimal, as demonstrated by the support received from public consultation. All times when closure is proposed are those when the libraries concerned are least used, in many cases significantly so, and care has been taken to ensure that alternative times remain available to ensure that young people can retain full access to their local library service.

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

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

Experience shows that it takes some time for the effects of changes in opening hours to settle down.

If agreed, these changes will be reviewed initially in January 2015, after the first full year. The management of the library service intends to review opening hours on an annual basis in the future and will seek Cabinet Member approval for making any changes necessary to maximise library use. This would include making further amendments to any changes introduced as a result of this process should they fail to produce the desired effect. The service regards it as important to listen to its customers and to take whatever measures are needed to make libraries as accessible as possible. As the service moves forward monitoring across the 9 x protected characteristic groups where it is appropriate will take place and also an analysis of age ranges as required for each library.

Equality Analysis Prepared By: Julie Bell

Position/Role: County Library Manager

Equality Analysis Endorsed by Line Manager and/or Chief Officer Ian Watson

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

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

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

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Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

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

Thank you