
FINANCIAL PLAN 2015/16 – 2019/20 REVENUE SAVINGS EQUALITY IMPACT ASSESSMENT

Report By Chief Financial Officer

SCOTTISH BORDERS COUNCIL

12 February 2015

1 PURPOSE AND SUMMARY

- 1.1 This report seeks to provide assurance to members that any potential equality impacts of the savings proposals brought forward within the Council’s Financial Plan 2015/16 – 2019/20 have been identified and will be managed.**
- 1.2 An equality impact assessment (EIA) is a tool that helps public authorities make sure their policies and the ways they carry out their functions, do what they are intended to do for everybody fairly. EIAs therefore help the Council to fulfil legal obligations, ensure it meets its core business needs and identifies any ethical considerations which require to be managed in doing so ensuring no equality group is inadvertently discriminated against and that equality and inclusion are promoted consistently.
- 1.3 From the 27th May 2012, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 requires that all changes to Council policy are Impact Assessed for relevance to each part of the Public Sector General Duty under the Act. Carrying out and considering the findings of an EIA therefore provides evidence there has been “due regard” to equality impact as part of the decision-making process. The Council is obliged to ensure that equality impact assessments start at the same time as the rest of the analysis and evaluation on proposals; they must not be used as justification for decisions already taken. On this basis therefore, Initial Equality Impact Assessments on all Financial Plan 2015/16 – 2019/20 proposals have been undertaken as an integral part of the budget planning process in order to fully inform evaluation decision making by officers and members of the Administration Budget Working Group and Scottish Borders Council.
- 1.4 As part of the 2015/16 Financial Planning process therefore, full consideration of any potential equality impact must be made when evaluating potential options for balancing the Council’s budget. In order to ensure that the Council fully complies with its policy on equalities, an initial Equality Impact Assessment has been undertaken in respect of the 25 key component Financial Plan savings proposals, of which 3 have been held to have some relevance to the Council’s duties under the Equality Act 2010, potentially may impact on 1 or more equality groups and require ongoing management through their implementation stage, in terms of mitigating and alleviating these impacts.

- 1.5 Each of these proposals are considered to have a possible negative impact on 1 or more of the recognised 8 equality groups and will, in accordance with the Council's policy on equality assessment, therefore now require further assessment as the summary savings proposals are developed and their implementation planned. Where any potential negative impact is identified going forward, proposals for mitigation and alleviation will be put in place and if any residual impact is still considered to be possible, this will be reported back to members to inform ongoing budget planning and decision-making.
- 1.6 Initial assessments have been made with varying degrees of certainty. Assessment of 24 of the 25 proposals have been expressed as only being 'Fairly Certain' (13) or 'Certain' (11). The detail of some proposals therefore will require further work as projects are developed.

2 RECOMMENDATIONS

2.1 It is recommended that Council

- **notes the summary outcomes of the 25 Initial Equality Impact assessments undertaken in respect of the 2015/16 – 2019/20 Financial Plan savings proposals**
- **agrees to undertake further and ongoing Equality Impact work in respect of the 5 proposals where it has been identified that they have a relevance to the Council's duty under the Equality Act 2010, with specific reference to the equality groups on whom there may be possible negative impact**
- **agrees to undertake further assessment of those proposals where the equality impact evaluation is 'Not Certain' at this point, regardless of whether there is believed to be a relevance to the Council's duties under the Equalities Act 2010**
- **agrees that where there is an identified relevance to the Council's statutory duties and where there is a possible impact on one or more equality characteristic group, actions to mitigate and alleviate this impact are identified and implemented as part of the project planning and delivery of each proposal**

3 OVERVIEW OF EQUALITY IMPACT ASSESSMENT PROCESS

3.1 An Equality Impact Assessment (EIA) is a tool to help the Council make sure its policies, services and functions are fit for purpose by meeting the needs of its community, service users and staff. Carrying out an EIA involves systematically assessing the likely (or actual) effects of policies on people in respect of what are known in the Equality Act 2010 as protected characteristics. These are:

- age,
- disability
- gender
- race,
- religion or belief,
- sexual orientation,
- marriage and civil partnership, and
- gender reassignment.

In addition the Council also takes into account the themes of, rurality and deprivation when making such an assessment.

3.2 If the EIA shows there is discrimination against a protected group, then the proposal should go no further until the discrimination has been alleviated, mitigated or justified; alternatively if there is a negative but non-discriminatory impact on such a group, efforts should be made to minimise any detrimental impact and to maximise any beneficial impact.

3.3 On reporting equalities impacts to Council it is not enough to state that an EIA has been carried out. The Council must be made aware of what the equalities impacts are and how these can be addressed, and must use these findings within their decision making.

4 INITIAL IMPACT ASSESSMENT FOR BUDGET PROPOSALS

4.1 As an integral part of the 2015/16 Revenue Financial Planning process therefore, initial impact analyses on all proposals brought forward to members have been undertaken in order to inform the Corporate Management Team and Members' planning and decision-making and in particular, to ensure that any potential equalities impact formed part of the evaluation criteria when considering savings proposals alongside financial benefit, potential impact on performance and outcomes, deliverability and the views of stakeholders through the budget consultation process.

4.2 Each summary Revenue savings proposal for consideration was categorised across 5 key areas when presented to members:

- Making Best Use of Our People (7)
- Working with Our Partners (3)
- Looking After the Borders (4)
- Business Process Transformation (10)
- Maximising Income (1)

Within these categories, members reviewed and subsequently approved 25 individual summary themed proposals spread across the categories above,

each constituted by one or more detailed proposals or actions.

4.3 In order to inform members' decision making, for each of the 25 summary themed proposals, an "Initial Impact Assessment for Budget Proposals" was undertaken. Heads of Service across the Council are responsible for ensuring EIAs are carried out when a policy or service which is under consideration may affect them. For each Financial Planning proposal therefore, a relevant officer within each department, normally the lead officer responsible for delivery of each proposal, undertook an initial evaluation of equality impact, considering the following factors:

- Whether the proposal has any relevance to the duties of the Council under the Equality Act 2010 (*in terms of eliminating discrimination, victimisation and harassment, promoting equal opportunities and fostering good relations*)
- Which groups of people may be positively or negatively impacted should the proposal be adopted
- Where a possible negative impact is identified, what this impact, in summary terms, may be

4.4 Whilst 25 summary themed proposals for savings have been made to members and 25 summary Impact Analyses are appended to this report, one in respect of each proposal, the initial Equality Impact Assessment work undertaken has in some cases been taken at a more detailed level specifically on the component elements of each summary proposal either by individual department or, as for some proposals, for the Council as a whole.

4.5 In terms of relevance to the duties of the Council under the Equality Act 2010, 17 of the 25 Initial Impact Assessments have recognised that the proposal they cover does have some relevance and in nearly all of these cases, across all 3 public sector duties (*eliminating discrimination, victimisation and harassment, promoting equal opportunities and fostering good relations*). These are summarised in **Appendix 1**. Where the initial assessment has indicated that a particular proposal has relevance to one or more of the Council's duties under the Equality Act 2010, the groups of people who may be positively or negatively impacted should the proposal be adopted have been identified. For each of these proposals where there is relevance to the equality duties of the Council, the possible impact on at least one of the 8 key groups has been recognised. The likelihood of possible impact and in particular, negative impact, varies considerably across equality characteristic groups with the most commonly identified possible impact affecting the following equality characteristic groups:

- Age (3)
- Disability (2)
- Employees (1)

These are summarised in **Appendix 2**. Copies of the individual EIA assessments have been placed in the members library and will be published on the Council website.

4.6 The following equality characteristics were identified as not likely to experience a (negative) impact:

- Religion
- Sexual Orientation

- Race
- Gender
- Carers

4.7 Traditionally, these are the lesser known and understood equality characteristics and relevance of Council policy decisions do tend to be more visibly identified as affecting groups with characteristics such as 'Age', 'Disability' and 'Gender'. We should therefore be mindful of assuring, where we can, that there are no hidden negative impacts on these characteristics as we progress should further information come to light. A summary of the identified *possible* impact against each characteristic group, where there may be any, is detailed in figure 1 below:

4.8 In summary, those proposals where it has been identified that there is a possible impact on an equality characteristic group are:

<u>Ref</u>	<u>Description</u>	<u>Group</u>
1-02	Pupil Support Review	Age / Employees
1-05	Supporting Independence - Care at Home	Age / Disability
MR-01	Maximising Resources	Age / Disability

4.9 What must also be considered is the degree of certainty of officers who have undertaken the 25 initial assessments as to whether they believe a particular proposal has any relevance to the duties of the Council under the Equality Act 2010 (*these duties again being eliminating discrimination, victimisation and harassment, promoting equal opportunities and fostering good relations*). In terms of their initial assessment of whether there is a relevance to the Council's duties and if so, which equality characteristic groups may possibly be affected, officers are asked to quantify their certainty over their assessment in terms of whether they are:

- Certain (sufficient evidence exists)
- Fairly Certain (no sufficient evidence until delivery is planned)
- Not Certain (further assessment is required)

4.10 Of the 25 initial assessments (of which 17 are believed to have a relevance to the Council's duties under the act):

- 11 are held to be Certain
- 13 are held to be Fairly Certain
- 1 is held to be Not Certain

Whilst a number of the proposals which are believed to have sufficient evidence supporting the views expressed have been ascertained to have no relevance to the Council's legislative equality duties and therefore do not require further work, 24 have been held to be either 'Fairly Certain' or 'Certain', the former requiring further evidence and evaluation as the proposals for delivery of each saving are formulated.

5 NEXT STEPS

5.1 Based on the outcomes from the Initial Impact Assessment for Budget Proposals (summarised above and included in detail, per proposal, as appendices to this report), the proposals that have been identified as having relevance to the Council's equality duties, with particular focus on

the proposals in which a potential negative impact was identified will, in line with the EIA process, continue to be assessed and managed through evidence gathering and mitigation and alleviation. This will take place concurrently with the planning and delivery of the savings proposals in order to ensure that as their various components and detailed elements are identified and put in place, any potential equality impacts arising can be quickly identified, evaluated and dealt with.

5.2 If at any point when undertaking further EIA evidence suggests there may be discrimination against a protected characteristic group, then the proposal will go no further until the discrimination has been alleviated, mitigated or justified. Alternatively if there is a negative but non-discriminatory impact on such a group, efforts will be made to minimise any detrimental impact and to maximise any beneficial impact.

5.3 It is acknowledged that undertaking further EIA for those proposals that have been identified as requiring it is not sufficient for the Council to provide assurance over the equality impacts of its Financial Plan proposals. Following identification, attempts should be made to mitigate or alleviate, any discriminatory or detrimental equality impacts. These identified impacts will be reported to Council with full explanation of the impact, alongside proposals for how they may be addressed in order to inform further planning and decision-making by members. In summary therefore, once budget proposals are accepted by members, further assessment of the equality impact is required as a key component of the planning and delivery of each proposal, in order to ensure that the Council sufficiently and appropriately has paid due regard to and discharges its duties under the Equality Act 2010. This further assessment will be proportionate in relation to the specific equality characteristics identified as being potentially impacted by each proposal.

6 IMPLICATIONS

6.1 Financial

There are no additional financial implications associated with this report, its content referring specifically to the Equality Impacts of the Council's Financial Plan savings proposals.

6.2 Risk and Mitigations

- (a) Rigorously following the Council's agreed process for Equality Impact Assessment should ensure that any potential impact, positive or negative, of any proposal, on any equality group, is identified in a timely manner.
- (b) Where a potential negative equality impact is identified, a clear plan for mitigation, alleviation and/or justification will be put in place in order to address this impact. Where any impact prevails, this will be reported back to members to inform ongoing decision-making over the delivery of the Financial Plan required savings.

6.3 Equalities

There are no direct adverse equality implications arising from this report. Any potential equality impacts of any Financial Plan savings proposal will be identified by the rigorous application of the Council's EIA process, which has already commenced through the completion of Initial Impact Assessments. Any issues re: Council staff will be addressed through

Trades Unions and Staff Consultation processes.

6.4 **Acting Sustainably**

There are no economic, social or environmental effects arising directly from this report.

6.5 **Carbon Management**

There are no effects on carbon emissions.

6.6 **Rural Proofing**

There are no implications that would compromise the Council's rural proofing policy.

6.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes required to either the Scheme of Administration or the Scheme of Delegation

CONSULTATION

7

- 7.1 The Monitoring and Reporting Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and their comments have been incorporated into the report.

Approved by

David Robertson
Chief Financial Officer

Author

Name	Designation and Contact Number
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Background Papers: Copies of each of the 25 Initial Assessments have been made available in the Members' Library

Previous Minute Reference:

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Finance can also give information on other language translations as well as providing additional copies.

Contact us at: Paul McMenamin, Business Partner, Scottish Borders Council, Council Headquarters, Newtown St Boswells, and Melrose, TD6 0SA.
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Equality Impact Assessment Summary
Revenue Plan 2015/16 - 2024/25

		Is the project relevant to the duties of the Council under the Equality Act 2010		
		Elimination of discrimination, victimisation and harassment	Promotion of equality of opportunity	Foster good relations
Management Review of Professional and Support Services	1-01	Y	Y	Y
Pupil Support Review in Children & Young Peoples Service	1-02	Y	Y	Y
Demographic & Class composition efficiency savings	1-03	Y	Y	Y
Learning Delivery Framework Review	1-04	Y	Y	Y
Supporting Independence when providing Care at Home	1-05	Y	Y	Y
Employee Benefits Strategy	1-06	N	N	N
Changes to Working Practices	1-07	Y	Y	Y
Alternative Models of Service Delivery	4-02	Y	Y	Y
Cultural Services Review	2-01	N	N	N
Commissioned Services	2-02	N	N	N
Asset Management	3-01	Y	Y	Y
Develop an Integrated Waste Strategy	3-02	Y	Y	Y
Review of Neighbourhood Services	3-03	Y	Y	Y
More Efficient Property and Asset Portfolio	3-04	Y	Y	Y
Review of Street Lighting Provision	4-01	N	N	N
Out of Area Placement saving from investment in Outreach Team	4-02	Y	Y	Y
Commercial Opportunities and Procurement	4-04	Y	Y	Y
Other Efficiencies	4-06	Y	Y	Y
ICT Investments in new technology	4-08	Y	Y	Y
Phase 2 Printer Refresh	4-09	N	N	N
Reduction in Road Fuel Inflation	4-10	N	N	N
Reduction in Heating Oil Inflation	4-11	N	N	N
Reduction in External Printing Costs	4-14	N	Y	Y
Review of Neighbourhood Services	4-15	Y	Y	Y
More Efficient Property and Asset Portfolio	MR-01	Y	Y	Y

Equality Impact Assessment
Summary
Revenue Plan 2015/16 - 2024/25

		Is the project relevant to the duties of the Council under the Equality Act 2010			Which groups of people may be impacted (both positively and negatively) if the proposal is adopted?								
		Elimination of discrimination victimisation and harassment	Promotion of equality of opportunity	Foster good relations	Age	Disability	Gender	Race Groups	People with Religious or other Beliefs	Sexual Orientation	Carers	Employees	
Management Review of Professional and Support Services	1-01	Y	Y	Y	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact	
Pupil Support Review in Children & Young Peoples Service	1-02	Y	Y	Y	Possible Negative Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Negative Impact	
Demographic & Class composition efficiency savings	1-03	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	
Learning Delivery Framework Review	1-04	Y	Y	Y	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	
Supporting Independence when providing Care at Home	1-05	Y	Y	Y	Possible Positive & Negative Impacts	Possible Positive & Negative Impacts	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact	
Employee Benefits Strategy	1-06	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	
Changes to Working Practices	1-07	Y	Y	Y	Possible Positive Impact	No Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	
Alternative Models of Service Delivery	4-02	Y	Y	Y	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	
Cultural Services Review	2-01	Y	Y	Y	No Impact	No Impact	No	No	No	No Impact	No	Possible	

							Impact	Impact	Impact		Impact	Positive Impact
Commissioned Services	2-02	Y	Y	Y	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Asset Management	3-01	Y	Y	Y	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Develop an Integrated Waste Strategy	3-02	Y	Y	Y	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact
Review of Neighbourhood Services	3-03	Y	Y	Y	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
More Efficient Property and Asset Portfolio	3-04	Y	Y	Y	Possible Positive Impact	No Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Review of Street Lighting Provision	4-01	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Out of Area Placement saving from investment in Outreach Team	4-02	Y	Y	Y	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact
Commercial Opportunities and Procurement	4-04	Y	Y	Y	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Other Efficiencies	4-06	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
ICT Investments in new technology	4-08	Y	Y	Y	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Phase 2 Printer Refresh	4-09	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Reduction in Road Fuel Inflation	4-10	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Reduction in Heating Oil Inflation	4-11	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
Reduction in External Printing Costs	4-14	N	N	N	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Review of PPP contract	4-15	N	N	N	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact

Maximising Income	MR-01	Y	Y	Y	Possible Negative Impact	Possible Negative Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact
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