
CAPITAL FINANCIAL PLAN 2015/16 – 2024/25 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 proposed new projects and block allocations within the Council's Capital Financial Plan 2015/16 – 2024/25 have been identified and will be managed.

1.2 As part of the 2015/16 Financial Planning process full consideration of any potential equality impact must be made when evaluating potential options for inclusion in the Council's capital financial plan. 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 11 new proposed projects and 32 block allocation budgets of which 14 have been identified to have some relevance to the Council's duties under the Equality Act 2010.

1.3 Each of these proposals are considered to have a possible impact on 1 or more of the recognised 8 equality groups and will therefore now require further assessment as the projects 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.

2 STATUS OF REPORT

2.1 Due to the timeline involved in gathering the data for this report, it has not been possible to incorporate all of the consultation comments and as a result these will be made available at the meeting.

3 RECOMMENDATIONS

3.1 It is recommended that Council

- a) **notes the summary outcomes of the 43 initial Equality Impact Assessments undertaken in respect of the 2015/16 – 2024/25 Capital Financial Plan proposals;**
- b) **agrees to undertake further and ongoing Equality Impact Assessments 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;**

- c) **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 planning and delivery of projects**

4 BACKGROUND

- 4.1 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.
- 4.2 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 proposed projects and block allocations within the Capital Financial Plan 2015/16 – 2024/25 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 Scottish Borders Council.
- 4.3 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
 - carers
 - employees

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

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.

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.

5 INITIAL IMPACT ASSESSMENT FOR BUDGET PROPOSALS

- 5.1 As an integral part of the 2015/16 Capital Financial Plan process initial impact analyses on all new proposed projects and block allocations have been undertaken in order to inform the planning and decision-making process 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.
- 5.2 The capital financial plan includes 11 new project proposals and 32 block allocations. These have been categorised across 2 key areas:
- Looking After the Borders (26)
 - Business Process Transformation (17)

In departmental terms, these are split as follows:

	Looking After the Borders	Business Process Transformation	Total
PLACE			
New Projects	3	1	4
Block Allocations	12	9	21
Total PLACE	15	10	25
PEOPLE			
New Projects	-	1	1
Block Allocations	6	2	8
Total PEOPLE	6	3	9
CHIEF EXECUTIVE			
New Projects	3	3	6
Block Allocations	2	1	3
Total CHIEF EXECUTIVE	5	4	9
GRAND TOTAL	26	17	43

- 5.3 For each of the 43 identified projects and block allocations, an officer within each department, normally the lead officer responsible for the project delivery, 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

5.4 In terms of relevance to the duties of the Council under the Equality Act 2010, 44% (22/43) of the Initial Impact Assessments have recognised that the proposal they cover does have some relevance and in 16 of the 22 identified, across all 3 duties (eliminating discrimination, victimisation and harassment, promoting equal opportunities and fostering good relations).

A list of the proposed projects and block allocations which were not identified as having relevance to the Act is shown in **Appendix 1**. Copies of the individual EIA assessment are available in the members library and will be published online via the Council's website.

5.5 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, can vary across equality characteristic groups.

Traditionally, with the exception of 'Gender', 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 'Employees'. 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.

5.6 The table below shows a summary of the impact for the 22 projects/blocks where relevance to the Act has been identified:

	No Impact	Possible Positive Impact	Possible Negative Impact
Age	1	21	-
Disability	2	20	-
Gender	14	8	-
Race	15	7	-
Religion or belief	17	5	-
Sexual Orientation	17	5	-
Carers	11	11	-
Employees	8	14	-

A full list of the individual new proposed projects and block allocations and the assessed initial impact is shown in **Appendix 2**.

6 NEXT STEPS

6.1 As projects are developed further, any further Equalities Impact Assessment work will be carried out by the relevant project manager.

7 IMPLICATIONS

7.1 Financial

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

7.2 Risk and Mitigations

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.

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 Capital Financial Plan.

7.3 Equalities

There are no direct adverse equality implications arising from this report. Any potential equality impacts of any proposal will be identified by the rigorous application of the Council's EIA process, which has already commenced through the completion of initial Equality Impact Assessments.

7.4 Acting Sustainably

There are no direct economic, social or environmental issues with this report although there may be within individual projects and these will be identified and addressed as appropriate as part of their specific governance arrangements.

7.5 Carbon Management

There are no direct carbon emissions impacts as a result of this report however there may be within individual projects and these will be identified and addressed as appropriate as part of their specific governance arrangements.

7.6 Rural Proofing

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

7.7 Changes to Scheme of Administration or Scheme of Delegation

No changes to the Scheme of Administration or Delegation are required as a result of this report.

8 CONSULTATION

- 8.1 The Monitoring 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 are being consulted in the preparation of this report and any comments received on the report will be advised at the meeting and incorporated into the report.

Approved by
David Robertson
Chief Financial Officer

Signature

Author

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Background Papers:
Previous Minute Reference:

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

Contact us at

Capital & Investment Team, Council HQ, treasuryteam@scotborders.gov.uk, 01835 825249

Equality Impact Assessment Summary

Capital Plan 2015/16 - 2024/25

List of New Projects and Blocks which do not fall under the Act

		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
LOOKING AFTER THE BORDERS				
PLACE				
Road & Bridge Infrastructure				
General Roads and Bridges Block	Block Allocation	No	No	No
Selkirk Traffic Management	New Project	No	No	No
Peebles Bridge	New Project	No	No	No
Union Chain Bridge	New Project	No	No	No
Lighting Infrastructure				
General Lighting Block	Block Allocation	No	No	No
Cycling, Walking & Safety Infrastructure				
Accident Investigation Prevention Scheme Block	Block Allocation	No	No	No
Flood Protection Infrastructure				
General Flood Protection Block	Block Allocation	No	No	No
Other				
Play Facilities	Block Allocation	No	No	No
Contaminated Land Block	Block Allocation	No	No	No

		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
BUSINESS PROCESS TRANSFORMATION				
PLACE				
Property Asset Programme				
Structure/H&S Works	Block Allocation	No	No	No
Asbestos Management Block	Block Allocation	No	No	No
Building Systems Efficiency Upgrades Block	Block Allocation	No	No	No
Electrical Infrastructure Upgrades Block	Block Allocation	No	No	No
Fixed Assets Block	Block Allocation	No	No	No
Building Thermal Efficiency Upgrades Block	Block Allocation	No	No	No
Other Property				
Demolition & Site Preparation Block	Block Allocation	No	No	No
Cleaning Equipment Replacement Block	Block Allocation	No	No	No
Social Care Infrastructure				
BAES Relocation: Autoclave	New Project	No	No	No
CHIEF EXECUTIVE				
IT Infrastructure				
General IT Block	Block Allocation	No	No	No
Passenger Transport MIS	New Project	No	No	No
Confirm Mobile Implementation	New Project	No	No	No

Equality Impact Assessment

Summary

Capital Plan 2015/16 - 2024/25

List of New Projects and Blocks identified as coming under the Act

		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
LOOKING AFTER THE BORDERS												
PLACE												
Cycling, Walking & Safety Infrastructure												
Cycling, Walking & Safer Streets	Block Allocation	No	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	No Impact
Railway Black Path	Block Allocation	No	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Waste Management Infrastructure												
Community Recycling Centre - Improved Skip Infrastructure	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact
Community Recycling Centre - Enhancements	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Waste Transfer Stations Health & Safety Works	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact

		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
Other												
Cemetery Land Acquisition & Development Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact
PEOPLE												
School Infrastructure												
School Refurbishment & Capacity Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact
Early Years Centres Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact
Early Learning & Childcare Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact
SEBN Facilities	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact

		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
Social Care Infrastructure												
Residential Care Home Upgrade Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact
Fire Compartments in Care Homes Block	Block Allocation	No	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact
CHIEF EXECUTIVE												
Heritage & Cultural Infrastructure												
Great Tapestry of Scotland - Building	New Project	No	Yes	No	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact
Sport Facility Infrastructure												
Sports Trust- Plant & Services Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	No Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact

		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
Economic & Regenerative Infrastructure												
Central Borders Business Park	New Project	No	Yes	No	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact
Borders Town Centre Regeneration Fund Block	Block Allocation	Yes	Yes	No	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact
Housing Infrastructure												
Supported Care Housing-Berwickshire	New Project	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	No Impact
BUSINESS PROCESS TRANSFORMATION PLACE												
Other Property												
Combined Depot Enhancements	New Project	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact
Office Accommodation Transformation Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact

		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
PEOPLE												
School Infrastructure												
School Health & Safety Block	Block Allocation	Yes	Yes	Yes	Possible Positive Impact	Possible Positive Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact
School Kitchen Improvement Block	Block Allocation	No	Yes	Yes	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact	Possible Positive Impact
CHIEF EXECUTIVE												
IT Infrastructure												
Data Backup Replacement	New Project	Yes	Yes	Yes	No Impact	No Impact	No Impact	No Impact	No Impact	No Impact	Possible Positive Impact	Possible Positive Impact