

Service and Community Impact Assessment (SCIA)

Front Sheet:

Directorate and Service Area:

Corporate Policy

What is being assessed (e.g. name of policy, procedure, project, service or proposed service change):

Equalities Policy and Objectives

Responsible owner / senior officer:

Ben Threadgold

Date of assessment:

December 2017

Summary of judgement:

The Equality Policy 2018-2022 will set out how the Council is approaching its responsibilities for ensuring that all residents in Oxfordshire have fair access to services and equal life chances. It will also demonstrate how the Council is meeting the requirements placed on public bodies under the Equality Act 2010, including setting equality objectives for the next four years.

The draft policy establishes the intention to build on current practice and address areas that are identified as requiring improvement, with appropriate actions identified and plans to monitor their implementation. Progress in implementing the final policy will be monitored and reported as part of the council's overall performance management arrangements.

Consultation on the draft policy will take place in early 2018, and stakeholder feedback will be used to finalise the policy. The consultation will include targeting specific groups and people share protected characteristics to ensure we have fully understood potential impacts and can take appropriate mitigating actions.

Although the policy is intended to have a positive impact on outcomes for all individuals and groups who share protected characteristics, potential negative

impacts are identified on customers, staff and providers. However, these are mitigated by a range of actions, including the completion of service and community impact assessments for individual actions and policies, training and briefings for staff, and standard contract procurement and monitoring practices.

Detail of Assessment:

Purpose of assessment:

This is an initial assessment of the potential impact of the draft Equality Policy 2018-2022, with particular reference to groups of people who share protected characteristics. This assessment will be kept under review as the policy and actions it contains are agreed and implemented, and updated as necessary to ensure emerging risks are identified and appropriate mitigating action taken. Separate assessments will be undertaken on specific actions as appropriate, for example where they in themselves constitute a significant change in policy in their own right.

Section 149 of the Equalities Act 2010 (“the 2010 Act”) imposes a duty on the Council to give due regard to three needs in exercising its functions. This proposal is such a function. The three needs are:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic, and those who do not.

Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.

The need to advance equality of opportunity involves having due regard to the need to:

- remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
- take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and
- encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.
- take steps to meet the needs of disabled people which are different from the needs of people who are not disabled and include steps to take account of a person’s disabilities.

The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding.

These protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity

- race – this includes ethnic or national origins, colour or nationality
- religion or belief – this includes lack of belief
- sex
- sexual orientation
- marriage and civil partnership

Social Value

Under the Public Services (Social Value Act) 2012 the Council also has an obligation to consider how the procurement of services contracts with a life value of more than £173,934¹ might improve the economic, social, and environmental well-being of the area affected by the proposed contract, and how it might act to secure this improvement. However, it is best practice to consider social value for all types of contracts, service delivery decisions and new/updated policies. In this context, 'policy' is a general term that could include a strategy, project or contract.

Context / Background:

The Equality Policy 2018-2022 will set out how the Council is approaching its responsibilities for ensuring that all residents in Oxfordshire have fair access to services and equal life chances. It will also demonstrate how the Council is meeting the requirements placed on public bodies under the Equality Act 2010, including setting equality objectives for the next four years.

The draft policy establishes the intention to build on current practice and address areas that are identified as requiring improvement, with appropriate actions identified and plans to monitor their implementation. Progress in implementing the final policy will be monitored and reported as part of the council's overall performance management arrangements.

Proposals:

In order to comply with the Public Sector Equality Duty we must publish an Equality Policy and Objectives every four years. The draft policy will fulfil this requirement, following public consultation and subject to Cabinet agreeing the final policy and objectives.

Public consultation on the draft policy will take place from January to March 2018.

Evidence / Intelligence:

A range of data and information has been utilised in developing the draft policy, including:

¹¹ [EC Procurement Threshold for Services](#)

1. Joint Strategic Needs Assessment (JSNA) 2017 – in particular Chapter 3 on Population and the Focus on Equalities Briefing 2015

This gave us the following Key Facts About Oxfordshire:

- As of mid-2015, the estimated total population of Oxfordshire was 677,900.
- Oxfordshire's population aged between the 2001 and 2011 censuses, due to older age groups experiencing greater growth than younger groups.
- The 65-and-over population grew by 18%, while the number of people aged 85 and over rose by 30%.
- Between 2015 and 2030, the number of people aged 85 and over is expected to increase by 92% in Oxfordshire overall and more than double in South Oxfordshire and Vale of White Horse.
- Women remain slightly in the majority across the county (50.7%).
- All of the county's Black, Asian and Minority Ethnic (BAME) communities have grown, and now account for 9.2% of the population, just under double the 2001 figure of 4.9%. There is considerable variation in ethnic composition across the county
- According to the 2011 Census, just over 9% of households in Oxford do not have any one member who speaks English as a main language.
- At the time of the 2011 Census, nearly one in seven people in the county said they were limited in their daily activities because of a disability or a long-standing health problem
- Census data shows younger age groups of people with a disability in Oxfordshire similar to or below the regional and national averages
- Local data on sexual orientation and gender reassignment remains unavailable.
- In mid-2015 one third of the population of Oxfordshire lived in areas defined as rural. 42% of the population aged over 65 years old lived in rural Oxfordshire.
- Overall, less than 4% of Oxfordshire's population live in areas that are among the most deprived in England, however there are 2 areas within the most deprived 10% in England (in Oxford City) and a further 13 areas within the most deprived 10-20% (8 in Oxford City, 4 in Banbury and 1 in Abingdon)

2. Council HR Equality in Employment Report 2016 and 2017

This gave us the following Key facts about the Council workforce

- Overall, based on those who have declared their ethnicity, the reported levels for BAME groups are at 7.18% for March 2017 which is an increase from 6.27% in March 2016, but still below the 9.2% of our residents who are BAME.
- The People directorate has 8% of BAME staff, however there is a much lower percentage of staff working in Communities directorate (4.08%), with the Fire and Rescue service having the lowest representation at 2.87%. This group are also underrepresented in the Resources directorate in areas of Law and Governance and Policy.

- The 2017 data shows that 3.20% of council staff have declared a disability which is an increase from 2.79% in 2016
- There continues to be a much higher proportion of female workers in the County Council which has stayed relatively static with 69.14% of staff being female as at 31st March 2017.
- There is a much lower percentage of females working in the Communities directorate at 35.33%, with the lowest percentage in Oxfordshire Fire and Rescue service with 3.38% of whole time uniformed staff being female.
- The highest percentage of the workforce continues to be the age group 45-54 at 30.25%, followed by those aged 35-44 (23.43%) and then 55-64 (21.87%), all categories of which are higher than their representation in the population of Oxfordshire
- Overall, numbers of staff declaring their religion have increased from 30.76% to 40.34% which is encouraging. Of those who have declared their religion the majority are Christian (54.12% in 2017), with a small increase in staff of Muslim and Buddhist faith. There is an increase of 2.78% of staff declaring no religion.

Looking at these two sets of data alongside each other identified areas that we could improve in terms of having a workforce that is representative of our communities, and some of our proposed objectives flow from this evidence.

3. Local Government Association – Equality Framework for Local Government

The Local Government Association Equality Framework self-assessment tool, has been used to help review our current approach. This allows Councils to provide evidence against different performance areas and assess against a scale of ‘Developing’, ‘Achieving’ or ‘Excellent’. We have completed the framework by engaging with staff and service areas across the Council.

The 5 performance areas and our assessment against them are:

Leadership, partnership and organisational commitment	Achieving
Knowing your communities	Achieving
Involving your communities	Achieving
Responsive services and customer care	Developing
A skilled and committed workforce	Achieving

Gathering evidence in the self-assessment tool has identified areas where we are performing well and this has shown pockets of excellent practice. This demonstrates that we are successful in meeting the letter and spirit of our duties, even in situations where the context is service change driven in part by funding pressures.

However, we also recognise that there are areas where we need to do more to improve how effectively we meet the varying needs of local people, and the responsibilities under the Public Sector Equality Duty. These areas have formed the basis of our new Objectives.

4. Public consultation

We will be consulting with the public, stakeholder groups, partner organisations and voluntary sector organisations on the first draft of the Policy and Objectives in January 2018. This SCIA will be updated to reflect any further information gathered during the consultation.

Alternatives considered / rejected:

Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.

The Public Sector Equality Duty states that the Equality Policy and Objectives must be refreshed every 4 years. It is 4 years since the last policy was completed so the policy needs to be updated.

Doing nothing is not an option if we are to comply with that specific responsibility of the equality duty.

Impact Assessment:

Identify any potential impacts of the policy or proposed service change on the population as a whole, or on particular groups. It might be helpful to think about the largest impacts or the key parts of the policy or proposed service change first, identifying any risks and actions, before thinking in more detail about particular groups, staff, other Council services, providers etc.

It is worth remembering that 'impact' can mean many things, and can be positive as well as negative. It could for example relate to access to services, the health and wellbeing of individuals or communities, the sustainability of supplier business models, or the training needs of staff.

We assess the impact of decisions on any relevant community, but with particular emphasis on:

- Groups that share the nine protected characteristics
 - age
 - disability
 - gender reassignment
 - pregnancy and maternity
 - race – this includes ethnic or national origins, colour or nationality
 - religion or belief – this includes lack of belief
 - sex
 - sexual orientation
 - marriage and civil partnership
- Rural communities
- Areas of deprivation

We also assess the impact on:

- Staff
- Other council services
- Other providers of council services
- Any other element which is relevant to the policy or proposed service change
- How it might improve the economic, social, and environmental of the area affected by the contract **if** the Public Services (Social Value) Act 2012 applies

For every community or group that you identify a potential impact you should discuss this in detail, using evidence (from data, consultation etc.) where possible to support your judgements. You should then highlight specific risks and any mitigating actions you will take to either lessen the impact, or to address any gaps in understanding you have identified.

If you have not identified an impact on particular groups, staff, other Council services, providers etc. you should indicate this to demonstrate you have considered it.

Impact on Individuals and Communities:

By definition, the Equality Policy 2018-2022 is intended to have a positive impact on outcomes for people who share protected characteristics, and in many cases for the wider communities of Oxfordshire as well. The policy specifically identifies the need to fulfil the three key aims of the Equality Act 2010 and the public sector equality duties, and identifies issues related to age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

As such, there is unlikely to be any negative impact on particular groups as a direct result of the policy itself. However, the implementation of specific actions will need to be closely monitored to ensure that, in positively impacting circumstances for one or more groups, there are not unintended negative impacts on others.

Risks	Mitigations
People are not aware of the consultation or able to contribute to it.	<p>There will be a communication and engagement plan as part of the consultation. This will include a variety of options for people to contribute including engagement with representative organisations as well as the online consultation.</p> <p>Summary and easy read versions of the policy will be provided as part of the consultation</p>

	The public consultation will seek to identify any impacts on individuals not considered in this assessment, so appropriate action can be taken.
The key equality objectives and priorities for action are not implemented, or do not have the desired positive impact	<p>Progress in implementing the objectives and actions will be monitored and reviewed as part of the council's overall performance and risk management arrangements, and amended as appropriate / required</p> <p>Service users, individuals and communities who share protected characteristics, and representative organisations will be engaged in the development and implementation of actions as appropriate</p>
Implementing actions to have a positive impact on one or more groups who share protected characteristics has an unintended negative consequence on others	<p>Progress in implementing the objectives and actions will be monitored and reviewed as part of the council's overall performance and risk management arrangements, and amended as appropriate / required</p> <p>All actions that represent a significant change in policy or are likely to impact on one or more groups of customers will undergo a Service and Community Impact Assessment, with appropriate mitigating actions identified and implemented</p>

Impact on Staff:

The Equality Act 2010 requires all decision-makers to be aware of their responsibilities in relation to the aims of the Act, and all staff (and elected members) will need to be aware of the key equality objectives and actions identified with the Equality Policy 2018-2022. Staff will also be required to consider the potential impact of their own actions and decisions on people who share protected characteristics during the course of their "everyday work", in keeping with the Council's approach to embedding the principles of equality, inclusion and diversity.

Risks	Mitigations
Staff are not aware of the new policy, or their responsibilities under the Equality Act 2010	A communications plan will be developed to help implement the new Policy, utilising a range of methods to raise awareness

	The consultation will also be promoted internally to ensure staff are able to contribute
Staff do not feel confident considering or dealing with equality and diversity issues	A range of training and briefing opportunities will be delivered, including targeted sessions for specific services or areas / topics

Impact on other Council services:

Our aim is to embed the principles of equality, diversity and inclusion into our day to day business so any impact on other Council services will be to promote these principles to have positive impacts on our customers. The risks and mitigations are therefore the same as those given for staff above.

Impact on providers:

Public bodies are responsible for ensuring that any third parties which exercise functions on their behalf are capable of complying with the Equality Duty, are required to comply with it, and that they do so in practice. It is a duty that cannot be delegated. It is therefore important that all individuals and organisations providing services on behalf of the council are aware of their responsibilities under the Equality Act, equality duty, and the new Equality Policy. We have included a specific Objective dealing with communications with our commissioned services to ensure we comply with this responsibility.

Risks	Mitigations
Any provider will be expected to uphold the same high standards of equality and diversity as the Council in furthering the aims of the Equality Act 2010 and specific public sector equality duty	There is a requirement that all organisations in receipt of council funding will adopt appropriate equalities policies, and ensure all staff are aware of their responsibilities in achieving the aims of the public sector equality duty. This requirement is made clear within procurement guidance and toolkits that are available to all staff, and is written into funding agreements and contracts awarded including monitoring arrangements. In the event of non-compliance appropriate action can be taken.

Providers are not aware of the new policy, or their responsibilities under the Equality Act 2010	A communications plan will be developed to help implement the new Policy, utilising a range of methods to raise awareness
Providers are not aware of the consultation or able to contribute to it.	There will be a communication and engagement plan as part of the consultation. This will include a variety of options for providers to contribute including engagement with representative organisations as well as the online consultation. Summary and easy read versions of the policy will be provided as part of the consultation

Social Value

If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area.

How might the proposal improve the economic well-being of the relevant area?

No direct impact identified

How might the proposal improve the environmental well-being of the relevant area?

No direct impact identified

Action plan:

Action	By When	Person responsible
Public consultation on draft policy and objectives	Jan – Feb 2018	Ben Threadgold
Analysis of feedback from consultation	March 2018	Ben Threadgold
Cabinet approval of the new Equality Policy and Objectives	April 2018	Ben Threadgold

Implementation of new policy and actions contained within	April 2018-March 2022	Directors
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Monitoring and review:

This SCIA will be reviewed following consultation with the public, which will take place in January 2018, to consider any points that are raised that may impact on the approach taken to the Equality Policy. This will ensure it is updated before the key Cabinet decision to adopt the Policy and Objectives takes place.

Once agreed, monitoring and reporting on the policy will be undertaken on a quarterly basis as part of the council's performance management framework, as well as being reviewed fully on an annual basis.

Person responsible for assessment: Ben Threadgold

Version	Date	Notes (e.g. Initial draft, amended following consultation)
1	21 Dec 2017	Pre-consultation draft