
FINANCIAL PLAN FROM 2016/17 EQUALITY IMPACT ASSESSMENTS

Report By Chief Financial Officer

SCOTTISH BORDERS COUNCIL

11 February 2016

1 PURPOSE AND SUMMARY

- 1.1 This report seeks to provide assurance to members that any potential equality impacts of the proposals brought forward within the Council's Financial Plan from 2016/17 have been identified and will be managed accordingly.**
- 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 in a fair manner. 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. Initial Equality Impact Assessments on 72 2016/17 Financial Plan proposals have been undertaken as an integral part of the revenue and capital budget planning processes in order to fully inform evaluation decision making by officers and members of the Administration Budget Working Group and Scottish Borders Council.
- 1.4 Initial Equality Impact Assessments have been undertaken in respect of the 36 key component revenue Financial Plan savings proposals and 36 Capital Plan proposals. Of these total proposals 64 have been held to have some relevance to the Council's duties under the Equality Act 2010. They potentially may impact in a positive or negative way on 1 or more equality groups and any potential negative impact would require ongoing management through their implementation stage, in terms of mitigating and alleviating these impacts. Any positive impacts identified at this stage should be maximised during the planning and implementation stage of the proposals.

2 RECOMMENDATIONS

2.1 It is recommended that Council

- **notes the summary outcomes of the 72 Initial Equality Impact assessments undertaken in respect of the 2016/17 Financial Plan proposals ;**
- **agrees to undertake further and ongoing Equality Impact work in respect of the 64 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 that where there is an identified relevance to the Council's statutory duty and there is a possible positive impact on one or more equality characteristic group, actions to maximise this impact are identified and implemented as part of the project planning and delivery of each proposal or project;**
- **agrees that where there is an identified relevance to the Council's statutory duty and where there is a possible negative 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 or project.**

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 potential (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
 - Marital status
 - Pregnancy and Maternity
 - Race groups,
 - People with religious or other beliefs,
 - Sexual orientation,
 - Carers,
 - Poverty, and
 - Employees
- 3.2 In addition the Council also undertakes a rural proofing assessment as part of any Policy change decision.
- 3.3 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.
- 3.4 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 processes. Copies of each of the Initial EIA Assessments have been made available in the Members' Library.

4 INITIAL IMPACT ASSESSMENT FOR BUDGET PROPOSALS

- 4.1 As an integral part of the 2016/17 Financial Planning process 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. This ensures 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 process.
- 4.2 For each Financial Planning proposal a relevant officer within each department 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 and how it may be mitigated against.

4.3 In terms of relevance to the duties of the Council under the Equality Act 2010, 72 Initial Impact Assessments have recognised that the proposal they cover does have some relevance and in some cases, across all 3 public sector duties detailed in 4.2 above. The initial assessment has indicated that 64 of the 72 assessments have relevance to one or more of the groups of people who may be positively or negatively impacted should the proposal be adopted. The outcomes of these assessments are summarised in Appendix 1.

5 NEXT STEPS

- 5.1 Based on the outcomes from the Initial Impact Assessment for Budget Proposals (summarised in Appendix 1 to this report and made available in detail per proposal for Councillors as hard copy in the Members' Library), 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.
- 5.2 If at any point when undertaking further Equality Impact Assessments 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.

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 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 proposal will be identified by the application of the Council's EIA process, which has already commenced through the completion of Initial Impact Assessments. Any issues regarding 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.

7 CONSULTATION

- 7.1 The Monitoring and Reporting Officer, the Chief Legal Officer, 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
Suzy Douglas	Financial Services Manager 01835 824000 x5881

Background Papers: Copies of each of the 72 Initial EIA 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: Suzy Douglas, Financial Services Manager, Scottish Borders Council, Council Headquarters, Newtown St Boswells, and Melrose, TD6 0SA.
Telephone – 01835 825000 X5881. Fax – 01835 824000. e-mail –
sdouglas@scotborders.gov.uk