Equality Impact Assessment (EIA) Template – Part 1

V1.2

Working Draft (As Of) 12/09/2014

Policy title and purpose (brief outline):	**Regionalising Regulatory Services**
Report prepared by:	**Dave Holland, Project Manager**
Date:	**12/09/14**

This document will be updated throughout the lifecycle of the project, including outcomes of staff, Service User and Trade Union consultations.

1. Please provide a brief description of the policy/decision.

The vision of the project is to create a fully integrated Regulatory Services function working across Bridgend, Cardiff and the Vale of Glamorgan, operating within one management structure.

The term Regulatory Service embraces the Trading Standards, Environmental Health and Licensing functions.

In September 2013, external support was appointed to work in partnership with the three councils to produce a Target Operating Model, supporting Business Case and Implementation Plan for Regionalised Regulatory Services with the aim of achieving the following key outcomes & priorities:

- A more secure, sustainable and efficient service with improved customer experience and enhanced satisfaction;
- Greater service resilience to respond to emergency situations and access to a wider range of specialist professional expertise;
- Provision of economies of scale in order to deliver the essential statutory functions of Regulatory Services;
- Reduced service support costs through the exploration of ICT technologies, mobile and home working and innovative new ways of working;
- Opportunities to realise efficiency savings through the implementation of the new model and investigation into new income streams.

A report produced by external support has produced a Target Operating Model, Business Case and Implementation Plan. These are being reported to each Cabinet in the September cycle.

There will be financial savings through collaborative arrangements and significant benefits in terms of a sharing of expertise and staffing resources leading to improved services for citizens and the business community and greater resilience across the region to deal with Regulatory risks.

Since the drafting of the Atkins report, the Councils have made budget reductions which have impacted upon the levels of service provision across the different regulatory disciplines. At Cardiff, the Food enforcement plan identifies resources shortages, the delivery of key Trading Standards initiatives is overdue, and reductions in services are being contemplated. At Bridgend, a significant number of posts have been deleted to meet budget pressures and further cuts, perhaps compulsory redundancies, are envisaged. At the Vale of Glamorgan, recruitment difficulties and skills shortages mean that certain aspects of the environmental health service are being provided through ad hoc arrangements with Cardiff. These issues can be addressed through the "Collaborate and Change" proposal advocated by Atkins. Failing to take a collaborative approach carries considerable risk for the continued individual provision of these statutory services.

2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?

Internal
A number of workshops with staff affected by the proposal were held by external support for staff to input into design of the Target Operating Model. These ideas and discussions helped influence the structure of the Target Operating Model as the external support developed it.

The three Heads of Service have provided staff briefing sessions and updates to their staff as and when relevant news becomes available and this process will continue through 2014.

Workshop	Date
Managers Workshop 1 (Cardiff)	25th September 2013
Staff Workshop 1 (Vale of Glamorgan)	1st October 2013
Staff Workshop 1 (Cardiff)	2nd October 2013
Staff Workshop 1 (Bridgend)	3rd October 2013
Additional session for Cardiff Staff	9th October 2012
Managers Workshop 2 (Cardiff)	9th October 2013
Staff Workshop 2 (Vale of Glamorgan)	22nd October 2013
Staff Workshop 2 (Cardiff)	23rd October 2013
Staff Workshop 2 (Bridgend)	25th October 2013
Additional session for Cardiff Staff	29th October 2013
Additional session for Cardiff Staff	5th November 2013
Managers Workshop 3	30th October 2013

The total number of staff that attended the workshops from each council is shown below:

	Bridgend	Cardiff	Vale	Total
Phase 1 Workshops	40	51	31	122
Phase 2 Workshops	39	62	31	132

Further Workshops took place during 2014 and these are shown below

Workshop	Date
Staff Workshop (Cardiff)	29th July 2014
Staff Workshop (Cardiff))	30th July 2014
Staff Workshop (Cardiff)	31st July 2014
Staff Workshop (Cardiff)	2nd September 2014
Staff Workshop (Cardiff)	3rd September 2014
Staff Workshop (Vale of Glamorgan)	14th July 2014
Staff Workshop (Vale of Glamorgan)	25th July 2014
Staff Workshop (Vale of Glamorgan)	5th August 2014
Staff Workshop (Vale of Glamorgan)	21st August 2014
Change Champions meeting (Bridgend)	13th March 2014
Change Champions meeting (Bridgend)	14th July 2014
Change Champions meeting (Bridgend)	12th August 2014
Staff Workshop (Bridgend)	24th July 2014
Staff Workshop (Bridgend)	18th August 2014

The total number of staff that attended these workshops is shown below:

Workshop	Staff Total
Staff Workshops Cardiff	131
Staff Workshops Vale of Glamorgan	76
Staff Workshops Bridgend	68

Trade Unions have been involved through regular meetings with the HR Lead, external support and the Project Manager.

The work stream leads for HR, Legal, Finance, Property, Communications, Scrutiny, ICT, Chief Executives, Section 151 Officers, Elected Members and Customer Relations have been engaged with through various meetings to review the proposal and the impact upon each authority.

External
The Welsh Regulatory Forum was briefed in summer 2013 about the proposal.

The Licensing and Public Protection committees have been briefed on the proposal.

Further meetings have been arranged to meet with stakeholders such as the Food Standards Agency, Health and Safety Executive and both Governments at Westminster and Cardiff.

We will consult with service users, staff and Trade Unions through a range of mechanisms prior to a Cabinet decision.

Trade Union Forum   11th July, 2014, 18th July 2014, August 2014
Staff Meetings   14th – 16th July, 2014, 21-22nd July 2014, August 2014
Service Users   July - August 2014

Over 370 questions have been collated through staff meetings, and staff portals in each authority. These have been answered and published across the three authorities. No questions relating to equalities issues have been raised.

Meetings have been arranged with the Food Standards Agency and we will maintain our ongoing dialogue with Welsh Regulators Forum.

An initial scoping assessment has been undertaken to consider the range of service users. There is limited data available for us to undertake a detailed assessment. We do not believe that any groups are negatively impacted by these proposals. However, as this process continues and implementation plans activated, we will ensure that service users are fully apprised and their needs assessed.

Relevant outcomes of these consultations will be reflected in this Equality Impact Assessment document. There will be full pre-decision scrutiny process across the three councils before the report is considered by Cabinets.

3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?

The current economic climate whereby councils are facing unprecedented budget cuts and Welsh Government policy on collaboration has led to the instigation of this project. Without collaboration, the three councils will face further staff cuts, which in turn would provide a much reduced service to the public.

In September 2013, external support began their 10 week contract to deliver their agreed products. One of the benefits of external support was their ability to provide recommendations from an independent perspective without any influences or commitments to any parties. The external support collected and analysed information from each of the services within each authority, providing robust evidence on which to base their recommendations. An 'activity based costing' activity was performed for each of the authorities' in-scope services to collate and compare data (Activity based costing is a method in which to calculate the cost of delivering a service). Every member of staff completed the task to provide accurate data on their roles. This information was used to calculate the current costs of delivering services across each of the three authorities. It was also to understand what elements of work were being undertaken and could be improved through utilising technology. This has allowed us to develop proposals to undertake home and mobile working, which are a significant part of the potential savings associated with the project.

The external support have experience working with public sector organisations and drew upon similar collaboration projects implemented elsewhere to ensure that they presented the best possible delivery model for this project. Through combining the experience of the three authorities, best practices will be considered.

The Target Operating Model and Business Case offers realistic saving projections with the new management structure providing a leaner and more customer focused service. Use of the Regional Collaboration Fund will enable innovative mobile working and a larger pool of multi-skilled resource, allowing the service to maintain greater resilience compared to three separate entities operating independently.

It is important to note any opportunities you have identified that could advance or promote equality.

Impact

Please complete the next section to show how this policy / decision / practice could have an impact (positive or negative) on the protected groups under the Equality Act 2010 (refer to the EIA guidance document for more information).

Lack of evidence is not a reason for *not* progressing to carrying out an EIA. Please highlight any gaps in evidence that you have identified and explain how/if you intend to fill these gaps.

4.1 Do you think this policy / decision / practice will have a positive or negative impact on people because of their age?

Source: Collected from each local authority

Data from HR from each authority for staff in each age group

AGE		Bridgend	Vale	Cardiff
16-24		2		3
25-34		20	20	37
35-44		17	17	39
45-54		8	10	58
55-64		7	7	25
65+				2
Total		**54**	**54**	**164**

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people (*Children and young people, up to 18*)			External Yes	External Service users will have a range of access points and as new technology is implemented, a wider range of channels will become available. Automated services may be available as a result of new technology being implemented.
People 18-50	Internal Yes External Yes	External Yes		Internal Staff employed in the new structure will have new job opportunities to apply for (in accordance with fair selection processes) and opportunities to expand their skill set. Staff may be negatively impacted if they are made redundant as the proposed structure hold less FTE (Full Time Equivalent Officers). This will be undertaken in accordance with appropriate HR policies and will follow ACAS recommendations External Service users will have a range of access points and as new technology is implemented, a wider range of channels will become available. Automated services may be available as a result of new technology being implemented.
Older people (50+)	Internal Yes External	External Yes		Internal Staff employed in the new management structure will have new job opportunities to apply for (in accordance with fair selection processes) and opportunities to expand their

	Yes			skill set.
			8	Staff who are nearing or have reached retirement age may have the opportunity to retire (subject to the appropriate HR policies)
				Staff may be negatively impacted if they are made redundant as the proposed structure hold less FTE (Full Time Equivalent Officers). This will be undertaken in accordance with appropriate HR policies and will follow ACAS recommendations
				External
				Service users will have a range of access points and as new technology is implemented, a wider range of channels will become available. Automated services may be available as a result of new technology being implemented.

4.2 Because they are disabled?

Statistics from each authority on disabled staff within the Regulatory Services.

DISABLED	Bridgend	Vale	Cardiff
Y	1	0	2
N	48	49	162
Not recorded	0	7	
Not Known	4		
Blank	1		
Grand Total	**54**	**56**	**164**

Disabled drivers who have adapted vehicles and Motability contracts can stipulate that their vehicles are only to be used for the purpose of traveling to one point of work, not potentially being multi located. Furthermore increased driving within a larger area / across local authorities may have additional fatigue issues on drivers. No authority collects specific data on the type of disability. Increased use of home/mobile working may have a negative effect on all staff isolating them from their team. Alternatively it may give them more flexibility and less travel. DSE assessments will be undertaken and staff needs with regards to specialist equipment, IT modifications and seating requirements will be accommodated. Staff across the three councils through the corporate mechanisms will have had the opportunity to provide details on their protected characteristics, although there is no compulsion for staff to provide this information. This project has sought to ensure the accuracy of these figures and those provided above represent the information provided by each council's HR services. The project recognises that some staff may not want to disclose certain information for a variety of reasons. To ensure that any disability issues are managed appropriately, individual cases that arise will be looked at as the proposal goes forward. The project recognises that each council already has mature policies in place to deal with disability issues and the resultant host employer will apply those policies to ensure best practice.

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment			Yes	
Hearing impairment			Yes	
Physically disabled			Yes	
Learning disability			Yes	
Mental health problem			Yes	
Other impairments issues			Yes	

4.3 Because of their gender (man or woman)?

Gender by Authority - Staff in Regulatory Services					
		Bridgend	Vale	Cardiff	Total
Male		22	20	72	114
Female		32	36	92	160
Total		**54**	**56**	**164**	**274**

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Male	Internal Yes	Internal Yes	External Yes	Flexible working policies will differ between authorities however the basic principles and statutory entitlement will be the same. Where the host authority has no crèche facilities, both male and female employees of the other 2 authorities who may have previously enjoyed this facility will be impacted. However this is likely to impact female employees more than males (based on the demographics and data provided in this EIA)
Female	Internal Yes	Internal Yes	External Yes	Flexible working policies will differ between authorities however the basic principles and statutory entitlement will be the same. Where the host authority has no crèche facilities, both male and female employees of the other 2 authorities who may have previously enjoyed this facility will be impacted. However this is likely to impact female employees more than males (based on the demographics and data provided in this EIA)

The maternity policy of the |

				host employer will be adopted, however the terms of this policy will be statutorily equivalent to the other 2 policies.
				Home working will not be a consideration as this does not apply where an employee also has child care responsibilities.
				The service's main office base may be in a different location, combined with a focus on mobile working may result in changes to the areas in which staff travel to. If the host employer has no crèche facilities, single female parents may be negatively impacted if they have been transferred from an authority that had these facilities.

4.4 Because they are transgender?

Bridgend, Cardiff and the Vale of Glamorgan all provide transgender awareness training.

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
			Yes	

4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage			Yes	
Civil Partnership			Yes	

4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy	**Internal** Yes	**Internal** Yes	**External** Yes	Host employer policies relating to pregnancy and maternity will be adhered to, however the content of these policies will be identical in terms of legal entitlements
Maternity (the period after birth)	**Internal** Yes	**Internal** Yes	**External** Yes	Host employer policies relating to pregnancy and maternity will be adhered to, however the content of these policies will be identical in terms of legal entitlements

4.7 Because of their race?

Ethnicity of staff by authority		Bridgend	Vale of Glamorgan	Cardiff
White		52	52	159
Not stated		2		
Total		**54**	**52**	**159**
Asian Bangladeshi			2	1
Asian Pakistani			0	1
Black British			0	1
Mixed White & Black			0	1
Not Disclosed			0	1
White British			23	140
White European			0	1
White Irish			1	2
White Scottish			2	1
White Welsh			25	15
White English			1	
Total			**54**	**164**

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Ethnicity of population by authority	Cardiff	Bridgend	Vale of Glamorgan
All categories: Ethnic group	346,090	139,178	126,336
White: English/Welsh/Scottish/Northern Irish/British	277,798	133,656	119,212
White: Irish	2,547	474	639
White: Gypsy or Irish Traveller	521	63	21
White: Other White	12,248	1,897	1,966
Mixed/multiple ethnic group: White and Black Caribbean	3,641	338	629
Mixed/multiple ethnic group: White and Black African	1,742	120	247
Mixed/multiple ethnic group: White and Asian	2,459	264	431
Mixed/multiple ethnic group: Other Mixed	2,189	276	388
Asian/Asian British: Indian	7,886	337	566
Asian/Asian British: Pakistani	6,354	122	216
Asian/Asian British: Bangladeshi	4,838	114	121
Asian/Asian British: Chinese	4,168	356	454
Asian/Asian British: Other Asian	4,639	620	610
Black/African/Caribbean/Black British: African	5,213	152	165
Black/African/Caribbean/Black British: Caribbean	1,322	121	252
Black/African/Caribbean/Black British: Other Black	1,666	42	72
Other ethnic group: Arab	4,707	75	174
Other ethnic group: Any other ethnic group	2,152	151	173

The above information will enable the new service to ensure that all information is available and accessible in the appropriate range of languages

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,			Yes	We have no evidence to suggest there will be an impact based on race.
National Origin (e.g. Welsh, English)			Yes	We have no evidence to suggest there will be an impact based on race.
Asylum Seeker and Refugees			Yes	We have no evidence to suggest there will be an impact based on race.
Gypsies and Travellers			Yes	We have no evidence to suggest there will be an impact based on race.
Migrants			Yes	We have no evidence to suggest there will be an impact based on race.
Others			Yes	We have no evidence to suggest there will be an impact based on race.

4.8 Because of their religion and belief or non-belief?

Faith/Religion by authority			
	Bridgend	**Vale**	**Cardiff**
Christian	Not collected	23	94
None	Not collected	15	50
Not Disclosed	Not collected	13	11
Other	Not collected	2	2
Prefer Not To Say	Not collected	1	7
Grand Total		54	**164**

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)			Yes	We have no evidence to suggest there will be an impact based on race.
Belief e.g. Humanists			Yes	We have no evidence to suggest there will be an impact based on race.
Non-belief			Yes	We have no evidence to suggest there will be an impact based on race.

4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay man			Yes	We have no evidence to suggest there will be an impact based on sexual orientation
Lesbian/Gay Women			Yes	We have no evidence to suggest there will be an impact based on sexual orientation
Bi-sexual			Yes	We have no evidence to suggest there will be an impact based on sexual orientation

4.10 Do you think that this policy will have a positive or negative impact on people's human rights? *Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.*

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights Act and UN Conventions			Yes	No impact as Human Rights are not affected by the new service.

If you have identified any impacts (other than negligible ones), positive or negative, on any group with protected characteristics, please complete Part 2.

Only if there are no or negligible positive or negative impacts should you go straight to part 2 and sign off the EIA.

Equality Impact Assessment – Part 2

1. Building on the evidence you gathered and considered in Part 1, please consider the following:

1.1 How could, or does, the policy help advance / promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The project is aimed at increasing service resilience across the region and improving customer service via a more integrated and coordinated approach. Service users will be involved in the development of the service through consultation events. Best practices will be implemented in the new service to ensure that the service users receive the most efficient and effective services.

The service will ensure Equality is one of the cornerstones of designing the service, believing that it is an integral part of our business and will allow us to reduce issues around "failure demand". (Failure Demand is demand that could have been avoided through system/process errors).

In direct response to the question the project may advance equality through:-

1. Improved flexible working processes that would be of benefit to those with caring responsibilities e.g. children, elderly, individuals with disabilities.

2. Improved opportunity for individuals with a range of disabilities and health related issues who may benefit from working in their own home environments, and implementation of reasonable adjustments.

3. any reasonable adjustments required to facilitate the working practices of staff will be considered and provided on a case by case basis

4. Increasing the flexibility of the service and ease of use for the end user.

1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?

The service delivery will be maintained at a similar level or improved. Policies of the host employer will be adhered to, such as flexible working and a commitment to ensure all Recruitment processes are fair and clarity of process is to be made. Under the general duty of the Equality Act, the proposed new service model would ensure that at the very least the same level of service is delivered and, at best an increased and more consistent service is delivered which takes on board issues of race, religion and belief.

1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?

Collaborative working between the three authorities will enhance relations and widen community cohesion , whilst the customer experience will be enhanced as Service users will have a range of access points and as new technology is implemented, a wider range of channels will become available., for example drop-in hubs, online forms, telephone etc.

New service arrangements will be communicated with all communities, with service information to be accessible in various formats.

Where working practices and policies can be aligned there is a benefit to promoting good relations through conformity.

2. Strengthening the policy

2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?

What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?

Terms and conditions of the host employer will be adhered to, that may benefit or disadvantage staff coming from another authority (e.g. flexi time.) Any other reasonable action that can be performed to reduce this impact will be considered. The provisions within the Transfer of Undertakings and Protection of Employment laws will steer this and advice and guidance will be sought from the host authority Human Resources Team for clarity on where TUPE regulations apply such as:

- A contractor takes over activities form a client (known as outsourcing).
- A new contractor takes over activities from another contractor (Known as re-tendering)
- A client takes over activities from a contractor (known as in sourcing)

Staff may be working in new locations across the three authorities, impacting child care or home arrangements.

There are potential positive and negative implications associated to increased/reduced travel/ availability / accessibility as a result of the new service.

2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.

(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)

Terms and conditions of the host employer will be adhered to. Any other reasonable action that can be performed to reduce this impact will be considered. The provisions within the Transfer of Undertakings and Protection of Employment laws will steer this.

Terms and conditions of the host employer will be adhered to, that may benefit or disadvantage staff coming from another authority (e.g.flexi time). Any other reasonable action that can be performed to reduce this impact will be considered. The provisions within the TUPE laws will steer this and advice and guidance will be sought from the host authority Human Resources Team for clarity on where TUPE regulations apply such as:

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- A client takes over activities from a contractor (known as in sourcing)

Staff may be working in new locations across the three authorities, impacting child care or home arrangements. There are potential positive and negative implications associated to increased/reduced travel availability/accessibility as a result of the new service and reasonable adjustments if required will be assessed on a case by case basis.

3. Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy?

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc.)

This will be built into our implementation plan for the change process and be monitored as part of the governance mechanisms which will include a committee of elected members.

We will have a commitment to introduce robust monitoring of service uptake by relevant protected characteristics that are highlighted in the engagement process. For example, focus groups, feedback forms and one-to-ones for staff.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.

4. Declaration

The policy does not have a significant impact upon equality issues

Official completing the draft EIA
Name: Dave Holland
Department: Regionalising Regulatory Services Project
Date: 12th September, 2014