

London Borough of Hammersmith & Fulham

Cabinet

14 January 2013

EQUALITIES IMPACT ASSESSMENTS

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Working together to create a borough of opportunity
Agenda Item 9
Predictive Equality Impact Assessment (PEIA) (V.4)
FOR ALL COUNCIL DECISIONS ONLY



Title of report or proposal:

CORPORATE PLANNED MAINTENANCE PROGRAMME 2013 / 2014

Describe in full the aims, objectives and purpose of the proposal, including desired outcomes:

The principle aim of the Corporate Planned Maintenance Programme (CPMP) is to ensure that all council properties (excluding HFHMS dwellings and schools) including community leisure and learning facilities, parks / open spaces, voluntary sector premises and all civic buildings are serviced and maintained within a structured methodology and to comply with the requirements of the councils Asset Management Plan and in support of the councils capital strategy. The range of works carried out under this programme involves: building fabric repairs and improvements, electrical plant (including fire/intruder alarms, portable appliance testing, electrical installation checking and lightning protection testing), mechanical plant (including plant maintenance, gas safety checks, legionella prevention and energy labelling) and lift maintenance

Department:

All departments of the council

Officer Responsible: **(to be completed by the report author)**

Mike Cosgrave x4849 - mike.cosgrave@lbhf.gov.uk

(Signature, Print Name, Contact Number and Email Address)

Form and report MUST be checked and countersigned by the Principal Policy Officer (Organisational Development)

Principal Policy Officer: **(to be completed by the Corporate Principal Officer)**

Signed off by Jane Hill on **xx/xx/xx** . Email PEIA@lbhf.gov.uk Tel 020 8753 3533

PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. Who are the main people that this decision will affect?

The decision will affect residents, visitors, staff and all users of council buildings (excluding HFHMS dwellings) including Schools and all Civic buildings.

2. Identify the risks that could prevent the planned outcomes

A policy decision not to approve the funding of the 2013 / 2014 CPMP programme in part or total.

3. Could the proposal have a positive impact on **a) race b) disability c) gender d) sexual orientation e) age f) belief system groups**? (Please provide evidence e.g. user feedback, complaints, monitoring?)

a) b) c) d) e) f)

The works that flow from the council's Corporate Planned Maintenance Programme have a positive impact as they ensure that council facilities are economically maintained in compliance with statutory regulations and good practice. By the councils adoption of a planned maintenance programme, building and plant maintenance failures are minimised and a high standard of service continuity is achieved.

4. Could the proposal have a differential negative impact on **a) race b) disability c) gender d) sexual orientation e) age f) belief system groups**? (Please provide evidence e.g. user feedback, complaints, monitoring,?)

a) b) c) d) e) f) No

5. Could the proposal have any differential impact (either positive, negative or neutral) on the health outcomes of the local population? Please provide details.

Not applicable

6. Can any differential negative impact of the decision be justified?

Not applicable

7. If you have undertaken any internal/ external research or consultation(s) please list these below:

The Corporate Planned Maintenance Programme has been formulated based on multidisciplinary site surveys and consultation with the various client departments of the council

The consultation / approval programme is as follows;

Request for bids to Client Departments:-	7 th August 2012
Report / Programme to CADT:-	15 th October 2012
Report to go to Business Board meeting:-	28 th November 2012
Report to go to LAMP:-	3 rd December 2012
Report / Programme to Cabinet Briefing:-	10 th December 2012
Report / Programme Cabinet Approval:-	14 th January 2013

8. Do you need to undertake any further consultation? If so, what and with whom?

Children's Services department will be carrying out consultation with Schools and Governors where effected by this programme of works.

9. If any differential negative impact is predicted, what actions are you planning to implement which would help lessen any adverse impact? Please give details.

Not applicable

PLEASE EMAIL COMPLETED FORM TO PEIA@lbhf.gov.uk

**Contact: Equalities & Diversity Officer, 020 8753 3533
London Borough of Hammersmith & Fulham**

LBHF Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative or unlikely to have a significant impact on each of the protected characteristic groups.

Page 3 The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (link), as well as from the Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430

LBHF Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2013-14/full year
Name and details of policy, strategy, function, project, activity, or programme	Title of EIA: London Boroughs Grants Scheme (existing budget) Short summary: The London Councils Grants Committee (on which LBHF is represented) met in November 2012 and agreed the London Boroughs Grants Scheme for 2013-14 and the borough's contribution to this. The LBGS is fully administered by London Councils. As a member of the London Councils organisation, LBHF is required to make a contribution to the London Boroughs Grants Scheme.
Lead Officer	Name: Sue Spiller Position: Head of Community Investment Email: sue.spiller@lbhf.gov.uk Telephone No: 020 8753 2483
Date of completion of final EIA	21/11/2012

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Section 02	Scoping of Full EIA
Plan for completion	Timing: not applicable. Resources: not applicable.
Analyse the impact of the policy, strategy, function, project, activity, or programme	<p>Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.</p> <p>The public sector equality duty states that in the exercise of our functions, we must have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act. • Advance equality of opportunity between people who share a protected characteristic and those who do not; and • Foster good relations between people who share a protected characteristic and those who do not. <p>Having due regard for advancing equality involves:</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics;

- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

In proposing the budget for 2013-14, London Councils has paid due regard to equalities duties. In making its decision to support that budget, LBHF is relying on the process applied by London Councils.

From London Councils Leaders Committee, 13th November 2012:

http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=5073

Equalities Implications

14. In reaching decisions for the implementation of the future Grants Programme and in agreeing the budget required to deliver that programme in 2013/14 to be recommended to constituent councils, the (London Councils Leaders) Committee is required to have due regard to its obligations under the Equalities Act 2010, and in particular the Public Sector Equalities Duty (the PSED). The PSED is an on-going duty and the Committee, in taking its decisions, must demonstrate due regard throughout the process. Further information regarding this duty is set out in the Legal Implications paragraph below.
15. London Councils has completed extensive consultation concerning the content of its proposed Grants Programme for 2013/15, having regard to its equalities duties and the impact of its decisions upon protected groups.. The budget proposals enable London Councils to complete the delivery of the new programme and provide grants to voluntary organisations in 2013/14.
16. The commissions to be awarded to deliver the principles and priorities of the London Councils Grants Programme for 2013/15 will be considered by the Grants Committee at its meeting to be held on 20 February 2013. This will follow assessment by officers of applications received by London Councils in October 2012, and include an analysis of

equalities impacts of the proposed service. The Grants Committee will make its decisions in awarding commissions based on the available budget for 2013/14 and to provide a programme that provides services that meet the principles and priorities having 'due regard' to relevant equalities considerations.

17. London Councils has, at the beginning of this year, already undertaken extensive consultation and assessment of the equalities impacts upon protected groups in setting the principles and priorities to be delivered under the new and reduced Grants Programme for 2013/15. While that consultation did not invite comments on the future budget, the prospect of a reduced budget in the region of £8 million – in the context of the spending constraints upon local government – was made clear. The scope of the 2013/15 Programme, which was agreed in June 2012, reflects this. A report of the outcome of the consultation, and a detailed analysis of the equalities impacts was reported to London Councils Leader's Committee on 12 June 2012 and can be seen at:
http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4892
18. London Councils also subsequently invited views on the distribution of spending, with reference to that indicative budget, across the new priority areas as well as the proposed specifications for services to be delivered under each priority. The outcomes of this short consultation, including the relevant equalities implications, were considered by the Grants Committee at its meeting held on 12 September 2012 and the full report (and equalities analysis) can be seen at: http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=4978
19. In summary, the analysis of equalities considerations identified that a re-focussing of the future Grants Programme, to reflect the reduced resources available in the context of significant spending constraints facing local authorities, will have an impact upon protected groups. The decisions which have already been taken to agree the principles and priorities of the new Grants Programme, and to agree the service specifications and strands to deliver those outcomes, have been taken with the intention of applying scarce resources to seek, where possible, to mitigate any adverse equality impacts arising from a re-focused Grants Programme operating with a reduced budget.
20. Officers have reviewed the equalities analysis referred to at paragraphs 29 above. In recommending the proposed budget to the Committee. There are no issues or considerations to add to those which have already been identified and addressed in those detailed Reports and Appendices. Members are therefore asked to consider the budget proposals

having regard to the needs and equalities considerations outlined in detail in those Reports. The extensive consultation previously undertaken has enabled the needs of protected groups to be included in shaping the content of the commissions and specifications in tackling the needs of Londoners with reference to a reduced budget such as that now under consideration.

Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
Age	n/a see above	n/a see above
Disability		
Gender reassignment		
Marriage and Civil Partnership		
Pregnancy and maternity		
Race		
Religion/belief (including non-belief)		
Sex		
Sexual Orientation		

Human Rights or Children’s Rights

If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Equality Lead for advice

Will it affect Human Rights, as defined by the Human Rights Act 1998?

Yes / No LBHF is relying on London Councils processes.

	<p>Will it affect Children's Rights, as defined by the UNCRC (1992)? Yes/No LBHF is relying on London Councils processes</p>
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Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	LBHF is relying on London Councils processes.
New research	

Section 04	Consultation
Consultation	Details of consultation findings (if consultation is required. If not, please move to section 06)
Analysis of consultation outcomes	

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Section 05	Analysis of impact and outcomes
Analysis	LBHF is relying on London Councils processes.

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	LBHF is relying on London Councils processes.

Section 07	Action Plan
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Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis					
	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan

Section 08	Agreement, publication and monitoring
Chief Officers' sign-off	Name: Position: Email: Telephone No:
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: XX / XX / XX Key equalities issues have been included: Yes/No
Opportunities Manager (where involved)	Name: Position: Date advice / guidance given: Email: Telephone No: