

Equality Impact Assessment 'Knowing the needs of your customers and employees'

▪ **Background**

An Equality Impact Assessment is an improvement tool. It will assist you in ensuring that you have thought about the needs and impacts of your service/policy/function in relation to the protected characteristics. It enables a systematic approach to identifying and recording gaps and actions.

▪ **Legislation- Equality Duty**

As a local authority that provides services to the public, Charnwood Borough Council has a legal responsibility to ensure that we can demonstrate having paid due regard to the need to:

- ✓ Eliminate discrimination, harassment and victimisation
- ✓ Advance Equality of Opportunity
- ✓ Foster good relations

For the following protected characteristics:

1. Age
2. Disability
3. Gender reassignment
4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion and belief
8. Sex (Gender)
9. Sexual orientation

What is prohibited?

1. Direct Discrimination
2. Indirect Discrimination
3. Harassment
4. Victimisation
5. Discrimination by association
6. Discrimination by perception
7. Pregnancy and maternity discrimination
8. Discrimination arising from disability
9. Failing to make reasonable adjustments

Note: Complete the action plan as you go through the questions

▪ **Step 1 – Introductory information**

Title of the policy	Building Control Shared Service: Charnwood Borough Council & North West Leicestershire District Council.
Name of lead officer and others undertaking this assessment	Richard Bennett (CBC), Chris Elston (NWL), Andy Beard (CBC), David Darlington (NWL), Suzanne Kinder (CBC), Miriam Bentley-Rose (NWL)
Date EIA started	March 2018
Date EIA completed	October 2020

▪ **Step 2 – Overview of policy/function being assessed:**

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>Following approval from both Cabinets, to authorise the transfer of delivery of the Council's Building Control Service from North West Leicestershire District Council to Charnwood Borough Council.</p> <p>Under Section 101 of the Local Government Act 1972, Sections 19 and 9EA of the Local Government Act 2000 and Regulation 5(2)(a) of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 that the appropriate delegated authority be granted to Charnwood Borough Council to deliver building control services on behalf of North West Leicestershire District Council and in accordance with the terms of a Delegation Agreement which is to be agreed by both Authorities.</p> <p>Finalisation of the terms of the Delegation Agreement will follow consultation with staff and negotiation of terms with Charnwood Borough Council.</p> <p>It is anticipated that the joining of Building Control Teams, from both authorities, will provide greater resilience, competitiveness and economies of scale. The specific objectives are set out in the Head of Terms are:</p> <ul style="list-style-type: none"> ▪ Improving business resilience in light of external competition ▪ Competitive career and pay structure to attract and retain suitably skilled staff ▪ More effective use of skills to the benefit of partners & customers ▪ Reduction of costs to the general fund ▪ Shared investment in operational costs <p>Building Control Services equates to an 'economic undertaking' and therefore TUPE will apply in these circumstances. If the remaining staff at NWLDC (admin support) only do this job within the council then the rules of TUPE will apply to them. Unless they object to the transfer, in which case their employment will end, they must move to CBC on as close to identical terms as their current contracts of employment. As part of the TUPE process there is a duty on NWLDC to inform and potentially consult with the transferring employees as well as any employees of CBC whose jobs may be affected as a result of the NWLDC employees joining.</p>
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
The policy results in a change in the way the local authority building control function is delivered by both authorities in the future. Currently this is by two councils independent of one another. It is proposed to provide building control services for the both authority areas (listed above) by one body under a delegated shared service arrangement.
Which groups have been consulted as part of the creation or review of the policy?

Internal employees have been, and will continue to be, consulted on any necessary changes. Any equalities impacts raised throughout this consultation have been considered accordingly.

External consultation is not considered necessary because the service operates in a commercial environment and its customers are therefore able to self-select who they obtain services from. However, should the delivery model change significantly in the future, then a further EIA may be required as appropriate.

▪ **Step 3 – What we already know and where there are gaps**

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Demographic information has been collated to identify population trends between the two areas of Charnwood & North West Leicestershire.

Information has been collated (and consultation undertaken) for consideration of the internal employees within this revised approach to service delivery.

What does this information / data tell you about diverse groups? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

There is a wide ranging population within both Charnwood & North West Leicestershire (based on the protected characteristics) and both areas have significantly different demographics with regards to population trends.

Due to the small number of employees that are likely to be affected by the revised approach to service delivery, any statistical information gathered regarding these staff members will not be published. This will allow anonymity and ensure staff members cannot be identified based on their protected characteristics. However, any equalities impacts raised have been considered accordingly.

▪ **Step 4 – Do we need to seek the views of others? If so, who?**

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

Due to way the service operates in a commercial environment, customers self-select who they obtain building control services from based on cost and business relationships, it is not envisaged further information is required regarding specific groups.

Trade unions will be consulted as part of the proposed TUPE arrangements and any equality concerns will be addressed as part of the consultation process.

▪ **Step 5 – Assessing the impact**

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

Comments

Age	The delegated shared service is likely to accelerate the movement to online service delivery which could potentially marginalise some older customers, but this is a general trend for service provision in local government and so is expected to be a neutral factor. A further EIA will be conducted separately, to assess the impacts, if this change in service delivery is likely to occur.
Disability (Physical, visual, hearing, learning disabilities, mental health)	The delegated shared service is likely to accelerate the movement to online service delivery which could potentially marginalise some of our customers with disabilities. This is a general trend for service provision in local government and so is expected to be a neutral factor. A further EIA will be conducted separately, to assess the impacts, if this change in service delivery is likely to occur. Issues raised from internal employees regarding caring responsibilities outside of the workplace will be mitigated through Smart/ Agile Working Policies to be proposed by Charnwood Borough Council.
Gender Reassignment (Transgender)	The delegated shared service is likely to have a neutral impact in terms of gender reassignment.
Race	The delegated shared service is likely to have a neutral impact in terms of race.
Religion or Belief (Includes no belief)	The delegated shared service is likely to have a neutral impact in terms of religion or belief.
Sex (Gender)	The delegated shared service is likely to have a neutral impact in terms of gender.
Sexual Orientation	The delegated shared service is likely to have a neutral impact in terms of sexual orientation.
Other protected groups (Pregnancy & maternity, marriage & civil partnership)	The delegated shared service is likely to have a neutral impact in terms of other protected groups.
Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)	The delegated shared service is likely to have a neutral impact in terms of other socially excluded groups. Issues raised from internal employees regarding caring responsibilities outside of the workplace will be mitigated through Smart/ Agile Working Policies to be proposed by Charnwood Borough Council.

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- b) Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

The main area of potential impact concerns age, disability; notably customers feeling marginalised from choosing local authority building control service by virtue of the ability to engage with online service delivery. This suggests an ability to provide service in a number of alternative ways might be important for a minority of customers. A further EIA will be conducted separately, to assess the impacts and provide mitigating actions, if this change in service delivery is likely to occur.

The main area of potential impact for internal employees concerns caring responsibilities. However, issues raised from internal employees regarding caring responsibilities outside of the workplace will be mitigated through Smart/ Agile Working Policies to be proposed by Charnwood Borough Council.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

The joining of Charnwood Borough Council and North West Leicestershire District Council building control teams, to provide a single building control service, is not in itself likely to present any differential impacts on protected groups. However, should any further changes to service delivery be proposed or occur, a further EIA will be conducted separately to understand if there is any potential for impacts to arise.

■ Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

The Building Control Shared Service Heads of Terms, and associated implementation plan, will continue to be monitored via a joint Project Board for the delegated shared service.

Any further changes to the business model will be appraised to understand if there are any potential impacts and to provide a scheme of mitigation. Again, this will be evaluated and monitored by the joint Project Board (as appropriate).

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.

As stated above.

■ Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan:

The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan

Reference Number	Action	Responsible Officer	Target Date
001	Review CBC's new agile working policies to ensure Building Control staff are not adversely affected by the preferred business model before it is finalised to assess any potential for differential impact.	Head of Planning & Regeneration	December 2020
002	If further changes to service delivery be proposed or occur, a further EIA be conducted to understand any potential for impacts to arise.	Head of Planning & Regeneration	Ongoing

■ Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	Y	Employee will be informed as part of the internal consultation process. A Communications Plan has been prepared and approved by the Project Board. Service users and stakeholders will be informed as specified in this Plan.
Service users	Y	
Partners and stakeholders	Y	
Others	Y	
To ensure ease of access, what other communication needs/concerns are	Y	

there?		
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■ **Step 9- Conclusion (to be completed and signed by the [Service Head](#))**

Please delete as appropriate

I agree with this assessment / action plan

Richard Bennett (CBC)

Chris Elston (NWL)

If *disagree*, state action/s required, reasons and details of who is to carry them out with timescales:

Signed (Service Head):



Date: 23 October 2020

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)