

Equality Analysis Evidence Document					
Title: Dairy House Bridge and Oak Tree Field Gypsy and Traveller Sites					
The cabinet have asked for an assessment of the option to dispose of these two sites but on the basis that they are retained as G&T sites and continue to provide accommodation to the existing residents					
Why are you completing the Equality Analysis? (please tick any that apply)					
Proposed New Policy or Service	Change to Policy or Service ✓	MTFS (Medium Term Financial Strategy) ✓	Service Review		
Version Control					
Version control number	1.1	Date	14th May 2018	Reason for review (if appropriate)	To appraise the option for transfer of ownership of two Gypsy and Traveller Sites
Risk Rating Score (use Equalities Risk Matrix and guidance) **If any of these are 3 or above, an Impact Assessment must be completed. Please check with equalities@wiltshire.gov.uk for advice					
Criteria	Inherent risk score on proposal		Residual risk score after mitigating actions have been identified		
Legal challenge	12 (Significant Risk)		6		
Financial costs/implications	2		2		
People impacts	16 (Significant Risk)		8		
Reputational damage	12 (Significant Risk)		6		
Section 1 – Description of what is being analysed					
<p>The Cabinet has asked officers to bring forward the implications of an option to consider the transfer the ownership of the Gypsy and Traveller Sites at Dairy House Bridge and Oak Tree Field in and near Salisbury.</p> <p>Recent discussions with Homes England have highlighted that some new external grant funding might be available for these sites but that the Council would need to find the remaining funding. At a time when the Council needs to find substantial savings and cut back on some service provision, finding the funding required for these sites was always going to be difficult to achieve. However, this new funding would only be available for the redevelopment of the existing sites, therefore, it is likely that the Council would need to find something in the realm of £3m to progress this work, subject to successful bids to obtain the balance in grant funding.</p> <p>In a paper taken forward with the options for investment into these sites, officers were asked to examine the option for transferring the ownership to be layered in as an additional and potentially favoured solution, given the financial constraints placed on the Council.</p> <p>This Equality Impact Assessment is therefore geared to consider the implications of this one solution of transferring the ownership</p>					

Section 2A – People or communities that are currently targeted or could be affected

by any change (please take note of the Protected Characteristics listed in the action table).

The community / people who are impacted by this proposal are:

- The existing residents on both sites, who for many years have been informed that redevelopment of these sites was the proposal of the Council. The remaining 3no Gypsy and Traveller sites owned by the Council have had this work completed and, due to the investment made, are not being considered for transfer due to the need to generate income to help pay off the investment made by the Council.
- The wider Gypsy and Traveller Community as conditions on Dairy House Bridge and Oak Tree Field mean that vacant units on these sites are not suitable to be offered as accommodation until at least some investment is made. It is questionable that conditions comply with the government's Model Standards 2008 for Caravan Sites in England.

As a result, it could be construed that that Council is not acting in a fair manner to these groups who, up to this point, have been led to believe that the Council would invest in the redevelopment and creation of sustainable housing solutions on these sites. As a result of this previous decision, the council has held off some repairs and only carried out repairs of a temporary nature to keep facilities going rather than spend money on things that would originally been down for complete replacement.

At present there are now 10 plots on these sites that are no longer fit for letting due to fly-tipping, vandalism and poor site conditions, and this means both a loss of rental income and an under provision of accommodation to the wider Gypsy & Traveller community.

What is becoming obvious is that the option to transfer the ownership will not come without some expense on the part of the Council and so it comes down to a comparison of all the options into to reach a sustainable decision.

Any decision not to proceed with the redevelopment option could be considered to be discriminatory towards the Gypsy and Traveller community without a full and proper explanation that clearly demonstrates a transparent decision making process.

Section 2B – People who are delivering the policy or service that are targeted or could be affected (i.e. staff, commissioned organisations, contractors)

Council staff, particularly the Gypsy & Traveller Manager in Housing, have been subject to constant questioning about these two sites and when the proposed works were to proceed. The staff in the current Gypsy & Traveller project team give an indication of the level of impact a decision to dispose would have on the Council. The following services are part of team:

- Housing – lead officers
- Strategic Assets
- Legal Services
- Finance
- Strategic Procurement
- Public Health
- Public Protection
- Corporate Services
- Planning
- Communications

Therefore, the implications of any decision are likely to have a call on officers within these teams and at a cost to the Council.

In addition, it is likely that we will have to make use of external consultants to undertake a variety of services, such as stock condition surveys, valuations and marketing of the sites as we do not have the resources available in the timeframes required to make a clear decision

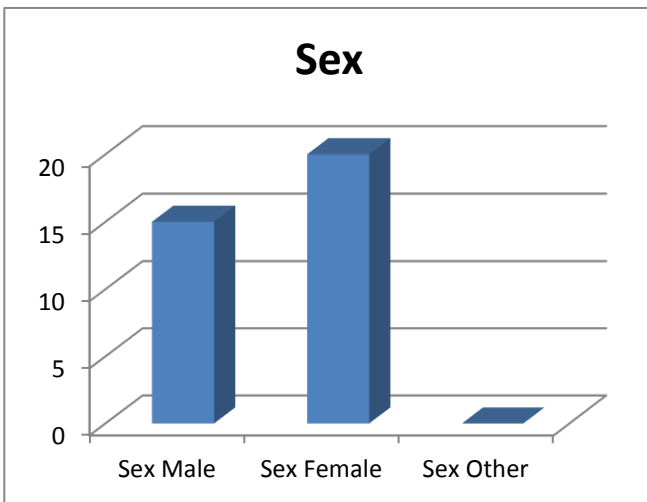
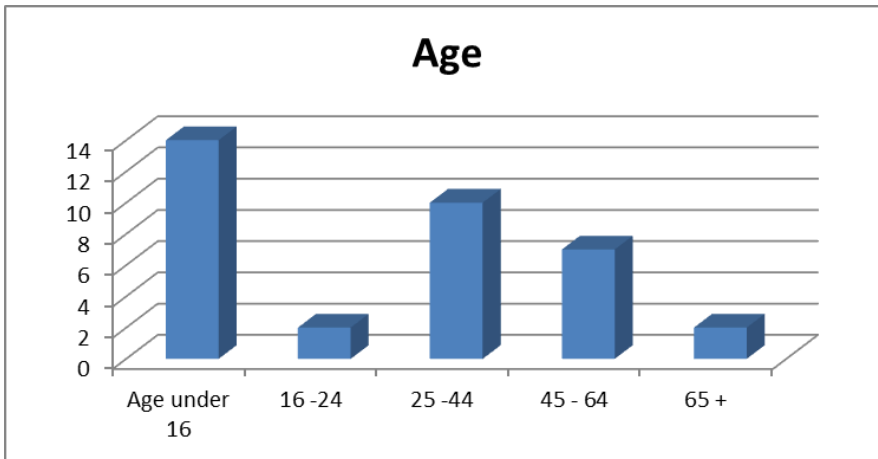
Note: Throughout this Project it is vitally important the Council takes care over our communications and that we ensure there is no discrimination towards the Gypsy & Traveller Community

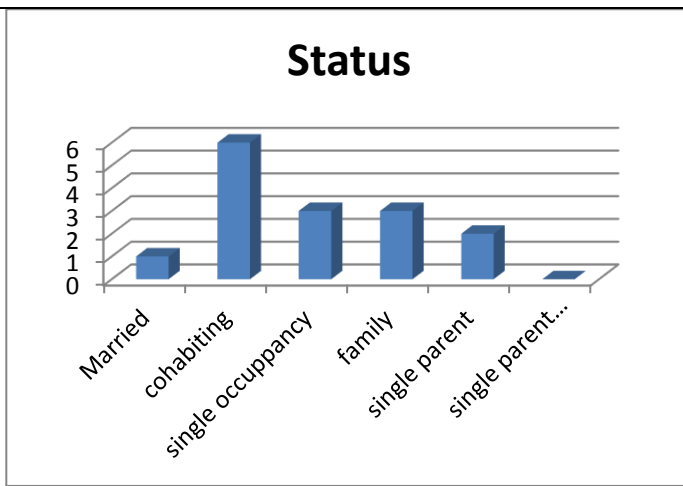
Section 3 –The underpinning **evidence and data** used for the analysis (Attach documents where appropriate)

Prompts:

- What data do you collect about your customers/staff?
- What local, regional and national research is there that you could use?
- How do your Governance documents (Terms of Reference, operating procedures) reflect the need to consider the Public Sector Equality Duty?
- What are the issues that you or your partners or stakeholders already know about?
- What engagement, involvement and consultation work have you done? How was this carried out, with whom? Whose voices are missing? What does this tell you about potential take-up and satisfaction with existing services?
- Are there any gaps in your knowledge? If so, do you need to identify how you will collect data to fill the gap (feed this into the action table if necessary)

At this present time we are still assembling this information but the following is a summary of the facts that have been put together:





Meetings have been held with Hampshire County Council and Buckinghamshire County Council and we are seeking to meet with Somerset County Council, which have transferred all of their sites to a third party outside of the Council to manage this housing provision.

In support of this project, the following documents have been prepared:

- Risk Register
- Equality Impact Assessment
- Health Impact Assessment
- Consultation Plan
- Communications Plan
- Transfer proposal - outline the approach towards marketing and seeking to maximize value for money
- Legal Proposal – to outline all the legal constraints that might apply to the transfer option

It is acknowledged that until the consultation with residents commences, we cannot fully appraise all the issues that could arise from this proposal. As a result, this document along the others listed above will be kept under review by the Project Team on a regular basis.

***Section 4 – Conclusions** drawn about the impact of the proposed change or new service/policy

Prompts:

- What actions do you plan to take as a result of this equality analysis? Please state them and also feed these into the action table
- Be clear and specific about the impacts for each Protected Characteristic group (where relevant)
- Can you also identify positive actions which promote equality of opportunity and foster good relations between groups of people as well as adverse impacts?
- What are the implications for Procurement/Commissioning arrangements that may be happening as a result of your work?
- Do you plan to include equalities aspects into any service agreements and if so, how do you plan to manage these through the life of the service?
- If you have found that the policy or service change might have an adverse impact on a particular group of people and are **not** taking action to mitigate against this, you will need to fully justify your decision and evidence it in this section

As stated previously, this document will be kept under review by the Gypsy & Traveller Project Team and as matter become clearer, a set of conclusions can be drafted and included in this section

***Section 5 – How will the outcomes from this equality analysis be monitored, reviewed and communicated?**

Prompts:

- Do you need to design performance measures that identify the impact (outcomes) of your policy/strategy/change of service on different protected characteristic groups?
- What stakeholder groups and arrangements for monitoring do you have in place? Is equality a standing agenda item at meetings?
- Who will be the lead officer responsible for ensuring actions that have been identified are monitored and reviewed?
- How will you publish and communicate the outcomes from this equality analysis?
- How will you integrate the outcomes from this equality analysis in any relevant Strategies/Policies?

The details within the document will be kept under review by the Gypsy & Traveller Project Team assembled to undertake the review of the transfer option. The Project Team meets monthly but this document will be placed on the agenda on a quarterly basis and kept under constant review to ensure that decisions are reached in a transparent manner.

***Copy and paste sections 4 & 5 into any Committee, CLT or Briefing papers as a way of summarising the equality impacts where indicated**

Please send a copy of this document to Equalities@wiltshire.gov.uk

Completed by:	<ul style="list-style-type: none"> • Tim Bruce – Strategic Asset Manager – Housing • Emily Higson – Corporate Services 	
Date	14th May 2018	
Signed off by:	<ul style="list-style-type: none"> • Janet OBrien – Head of Strategy and Assets – Housing • Alistair Cunningham - Corporate Director Growth, Investment & Place 	
Date	14th May 2018	
To be reviewed by:	<ul style="list-style-type: none"> • Janet OBrien, together with the G&T Project Team 	
Review date:	Quarterly basis as Project Team Meetings	
For Corporate Equality Use only	Compliance sign off date:	tbc

Equality Impact Issues and Action Table (for more information on protected characteristics, see page 7)					
Identified issue drawn from your conclusions (only use those characteristics that are relevant)	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions?	When will the action be completed?	How will it be monitored?	What is the expected outcome from the action?
Age					
Based on the demographics of the existing residents, there are a number of young children living on these sites and therefore, keeping them and their families safe must be a priority	The key action is to seek to maintain the sites in sufficient condition that warrants the maintenance of existing homes	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Disability					
Based on the demographics of the existing residents, there are no particular concerns in this area	None at this present time	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Gender Reassignment					
Based on the demographics of the existing residents, there are no particular concerns in this area	None at this present time	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Marriage and Civil Partnership					
Tbc	Tbc	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Pregnancy and Maternity					
Tbc	Tbc	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group

Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)					
This is the area of most concern as we are dealing with a specific cultural and racial group within the Gypsy and Traveller Community	All Officers and Members need to understand how decisions reached may impact on this community, which is why consultation and involvement is so vital	The Whole Project Team and Members	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Religion and Belief					
Based on the demographics of the existing residents, there are no particular concerns in this area	None at this present time	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Sex					
Based on the demographics of the existing residents, there are no particular concerns in this area	None at this present time	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Sexual Orientation					
Based on the demographics of the existing residents, there are no particular concerns in this area	None at this present time	Mike Davies/ Nicole Smith	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group
Other (including caring responsibilities, rurality, low income, Military Status etc)					
Cultural Awareness Low income on most residents	The Corporate Business Plan refers to 'Protecting those who are most vulnerable' and many of the residents living and seeking this housing provision fall within this category. Care and support must be given to our residents to ensure that the impact of decisions is minimized	The Whole Project Team and Members	Ongoing	Through the Project Team Meetings	That the impact on residents is minimized and that all existing residents are able to remain in occupation. No acts or statements that could be construed as discrimination towards this group

Calculating the Equalities Risk Score

You will need to calculate a risk score twice:

1. On the inherent risk of the proposal itself (without taking into account any mitigating actions you may identify at the end of the Equality Analysis (EA) process)
2. On the risk that remains (the residual risk) after mitigating actions have been identified

This is necessary at both points to:

- Firstly, identify whether an EA needs to be completed for the proposal and;
- Secondly, to understand what risk would be left if the actions identified to mitigate against any adverse impact are implemented

Stage 1 - to get the inherent risk rating:

1. Use the [Equalities Risk Criteria Table](#) below and score each criterion on a scale of 1 - 4 for the impact and 1 – 4 on their likelihood of occurrence. Multiply these 2 scores together (Likelihood x Impact) to get a score for that criterion (this will range from 1 – 16).
2. Record each of these scores in the [table](#) at the beginning of this document
3. Assess whether you need to carry out an EA using the guidance box below (stage 2).

Stage 2 - to identify whether an EA needs to be carried out:

If your inherent risk score (for any criteria) is:

12 – 16 or Red = High Risk. **An Equality Analysis must be completed.** Significant risks which have to be actively managed; reduce the likelihood and/or impact through control measures.

6 – 9 or Amber = Medium Risk. **An Equality Analysis must be completed.** Manageable risks, controls to be put in place; managers should consider the cost of implementing controls against the benefit in the reduction of risk exposure.

3 – 4 or Green = Low Risk. **An Equality Analysis must be completed**

1 – 2 or Green = Low Risk. **An Equality Analysis does not have to be completed**

Stage 3 - to get the residual risk rating:

1. Repeat the process above when mitigating actions have been identified and evidenced in the [table](#) on page 3 to calculate the **residual risk**
2. Make a note of the residual risk score in the [table](#) on the first page of the EA template

Equalities Risk Criteria Table

Impact Criteria	Low 1	Moderate 2	Substantial 3	Critical 4
Legal challenge to the Authority under the Public Sector Equality Duty	Complaint/initial challenge may easily be resolved	Internal investigation following a number of complaints or challenges	Ombudsman complaint following unresolved complaints or challenges	Risk of high level challenge resulting in Judicial Review
Financial costs/implications	Little or no additional financial implication as a result of this decision or proposal	Medium level implication with internal legal costs and internal resources	High financial impact - External legal advice and internal resources	Severe financial impact - legal costs and internal resources
People impacts	No or Low or level of impact on isolation, quality of life, achievement, access to services. Unlikely to result in harm or injury. Mitigating actions are sufficient	Significant quality of life issues i.e. Achievement, access to services. Minor to significant levels of harm, injury, mistreatment or abuse OR, low level of impact that is possible or likely to occur with over 500 people potentially affected	Serious Quality of Life issues i.e. Where isolation increases or vulnerability is greatly affected as a result. Injury and/or serious mistreatment or abuse of an individual for whom the Council has a responsibility OR, a medium level of impact that is likely to occur with over 500 people potentially affected	Death of an individual for whom the Council has a responsibility or serious mistreatment or abuse resulting in criminal charges OR High level of impact that is likely to occur, with potentially over 500 people potentially affected
Reputational damage	Little or no impact outside of the Council	Some negative local media reporting	Significant to high levels of negative front page reports/editorial comment in	National attention and media coverage

Equalities Risk Matrix

		Acceptable		Actively managed	
Impact	Critical (4)	4	8	12 Significant risk	16 Significant risk
	Substantial (3)	3	6	9	12 Significant risk
	Moderate (2)	2	4	6	8
	Low (1)	1	2	3	4
		Very unlikely (1)	Unlikely (2)	Likely (3)	Very likely (4)
		Likelihood of occurrence			

The protected characteristics:

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds). This includes all ages, including children and young people and older people.

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships' and from 29th March 2014, same-sex couples can also get married at certain religious venues. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

Sex (this was previously called 'gender') - A man or a woman.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

You are also protected if you are discriminated against because you are **perceived** to have, or are **associated** with someone who has, a protected characteristic. For example, the Equality Act will protect people who are caring for a disabled child or relative. They will be protected by virtue of their association to that person (e.g. if the Carer is refused a service because of the person they are caring for, this would amount to discrimination by association and they would be protected under the Equality Act)