

Finance and Resources Committee

10.00am, Thursday 9 June 2016

Revenue and capital budget framework 2016/20: potential equalities and rights impacts of approved proposals

Item number	7.4
Report number	
Executive/routine	
Wards	

Executive summary

In setting the Council's 2016/20 revenue and capital budget framework on 21 January 2016, elected members required to have due regard to the potential equalities and rights impacts of the proposals concerned. In the small number of cases where the potential for significant adverse impacts was identified, the approved motion instructed the bringing forward to Committee, early in the new financial year, of a report setting out how the actual impacts of the approved proposals compared with those anticipated and, where relevant, the effectiveness of mitigating actions put in place. While implementation and thus assessment of impacts remains at an early stage, this report sets out the initial findings in this area.

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Single Outcome Agreement	

Report

Revenue and capital budget framework 2016/20: potential equalities and rights impacts of approved proposals

Recommendations

- 1.1 Members of the Finance and Resources Committee are asked to:
 - 1.1.1 note the contents of the report; and
 - 1.1.2 note that a further update will be reported to the Committee later in the year once additional evidence of actual impacts and the effectiveness of relevant mitigating actions is available.

Background

- 2.1 On 21 January 2016, Council approved a balanced revenue budget for 2016/17 and indicative balanced budgets for the following two years, subject to confirmation of grant funding levels for 2017/18 and 2018/19. In considering the proposals concerned, elected members required to have due regard to their potential equality and rights impacts and to this end, a detailed report was considered initially by the Finance and Resources Committee and referred on to the Council budget-setting meeting.
- 2.2 Under the 'Framework to Advance Equality and Rights 2012-2017', the Council is implementing a five-year corporate programme of equality and rights impact assessments (ERIA) development. The programme comprises ongoing ERAs of existing policies and services, which includes any proposed changes to these. Continual improvement of budget proposals and decisions is a key feature of this programme.
- 2.3 As well as meeting the requirements of the Equality Act 2010 public sector equality duty and human and children's rights conventions, undertaking ERAs enables the Council to assess the positive and negative impacts on people with protected characteristics in the city. It also enables the development of mitigating actions to counteract negative impacts.

Main report

- 3.1 Appendix 1 to this report sets out those approved proposals within the budget framework where potential impacts had been identified, along with relevant planned mitigating actions. A brief commentary on the actual impacts experienced and effectiveness of these planned mitigating actions is then provided, alongside any proposed further measures.

- 3.2 At this early stage in the year, any negative impacts identified have been small, with mitigating actions effective in addressing these. It is clear, however, that any comprehensive assessment of service impacts can only meaningfully be undertaken once the relevant changes have had time to bed in and a greater evidence base is available. With this in mind, a further update will be provided to the Committee as part of the mid-year review on 29 September.
- 3.3 Many of the proposals outlined are being undertaken as part of, or alongside, the Council's Transformation Programme. While it is a requirement of all organisational reviews for an equalities and rights assessment to be undertaken, further work is underway to consolidate this approach and share the findings with key stakeholders.

Measures of success

- 4.1 Due regard to the equality and rights impacts has been given to each of the savings and additional income budget options comprising the framework.
- 4.2 The potential equality and rights impacts are taken into account when budget decisions are being made and recommendations for mitigating negative impacts are implemented and reported on.
- 4.3 The potential cumulative (both annual and incremental) equality and rights impacts are taken into account and mitigating actions are identified when each year's budget decisions are being made.

Financial impact

- 5.1 The report to the Finance and Resources Committee on 14 January 2016 concerning the budget framework proposals identified some potential risks in relation to equality and rights. The Council could be the subject of a legal challenge if these risks are not considered and addressed. Other financial risks relate to savings derived from preventative services which may result in increased demand on other crisis intervention services.

Risk, policy, compliance and governance impact

- 6.1 The incorporation of equalities and rights and carbon, climate change adaptation and sustainable development impact assessments as an integral part of the budget development process reflects both good practice and relevant legal duties. This activity enables the Council to highlight any unintended consequences of specific proposals on vulnerable service users, climate change and partnership and prevention activity, increasing the effectiveness of the mitigating actions.
- 6.2 The process is also aligned to wider council and Edinburgh Partnership strategies and plans, enabling more effective prioritising of available resources in a way that best supports the needs of vulnerable service users and groups.

Equalities impact

- 7.1 Undertaking equality and rights impact assessment is intended to ensure that any negative impacts, including cumulative impacts, for protected characteristic groups set by the Equality Act 2010 are reduced.
- 7.2 It also ensures that the Equality Act 2010 public sector equality duty is met with regard to (i) eliminating unlawful discrimination, victimisation and harassment; (ii) advancing equality of opportunity and (iii) fostering good relations and that any infringements on human and children's rights are minimised.

Sustainability impact

- 8.1 Carbon, climate change adaptation and sustainable development impacts assessments have enabled consideration of the public body duties under the Climate Change (Scotland) Act 2009. The findings of these assessments will also help to achieve a sustainable Edinburgh with regard to progressing climate change, social justice and community wellbeing objectives.

Consultation and engagement

- 9.1 Relevant feedback from the budget engagement that took place in the months leading up to budget-setting informed the equality and rights and carbon, climate change adaptation and sustainable development impact assessment analysis.

Background reading/external references

[Council Revenue Budget Framework 2016/20 – Impact Assessments](#), Finance and Resources Committee, 14 January 2016

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Links

Coalition pledges	P30 - Continue to maintain a sound financial position including long-term financial planning
Council outcomes	CO25 - The Council has efficient and effective services that deliver on objectives.
Single Outcome Agreement	
Appendices	One – Potential equalities and rights impacts of approved budget framework proposals and mitigating actions – progress update

2016/17 BUDGET PROPOSALS WHERE POTENTIALLY-SIGNIFICANT EQUALITIES AND RIGHTS IMPACTS HIGHLIGHTED

Budget proposal number and description, with responsible Service Lead	Potential impacts highlighted and proposed mitigating actions	Brief description of actual impacts experienced and mitigating actions implemented, including assessment of their effectiveness and any additional measures proposed or implemented
<p><i>CF/SP1 Youth Work Redesign</i> David Bruce</p>	<p>Concerns have been raised about limiting the youth work contract to service for young people aged 11-25 and not younger children and how the needs of vulnerable groups such as disabled young people will be met.</p> <p>Mitigation - A strategic oversight group will ensure that issues of distribution across the strategic outcomes are addressed as part of the grant programme and with contracts. Staff will continue to meet with organisations to discuss implications and inform them that they will have the opportunity to apply to the Communities and Families grants programme. The views of children and young people will continue to be central to the redesign.</p>	<p>Actions that have been take forward include:</p> <ul style="list-style-type: none"> • A strategic oversight group was set up in March 2016 with the aim of ensuring issues of distribution across the strategic outcomes are addressed within the grant programme and contracts; • The grants programme has now concluded. Organisations have been informed and awards have been made; • Existing feedback from children and young people on relevant services will inform the redesign but there will also be additional engagement to ensure the views of children and young people continue to be taken account of in the planning stages; and • An ERIA commenced in May to identify impact of the service redesign across Youth Work, Arts and Creative Learning, Sports and Outdoor Education, Libraries and Community Learning and Development and Community Planning and Engagement. This should be completed in August 2016.

Budget proposal number and description, with responsible Service Lead	Potential impacts highlighted and proposed mitigating actions	Brief description of actual impacts experienced and mitigating actions implemented, including assessment of their effectiveness and any additional measures proposed or implemented
<p><i>CF/SP7 Adoption allowance for young people aged 18 and over</i> Scott Dunbar</p>	<p>Young adults will have equality and consistency with peers and have access to universal benefits.</p>	<p>All parents of adopted children have received a letter of notification about the cessation of adoption allowances for young people after their 18th birthday. There has been one appeal for a disabled young person. The allowance has been reinstated and an income maximisation assessment will be applied to determine future requirements.</p>
<p><i>HSC/EF8 Reduce spending on block-contracted services by 10%</i> Chris Whelan</p>	<p>There may be impacts arising from this proposal as a result of reduction in levels of contact with vulnerable people.</p> <p>Mitigation – Support provider organisations will be asked to make necessary reductions in a way that minimises impact on front line services.</p>	<p>Provider organisations only began receiving their reduced financial allocations on April 1 2016. While at this stage no immediate adverse impacts have been reported to us, some may become apparent as we move through the financial year, so a further update will be provided in due course.</p>
<p><i>HSC/INC1 Increased charges for residential accommodation, telecare and other local authority charges</i> Rob McCulloch-Graham</p>	<p>Paying more in charges for care will not be perceived as positive by service users or their families. However, the financial assessment rules are designed to ensure that people are not charged more than they can afford. The rules for charging for residential care are prescribed by statute and residents do not pay the full cost of residential care.</p> <p>Mitigation - The impact of increases in social care charges is mitigated by means-testing. However, the impacts on individuals may be perceived or experienced as significant. Council officers have</p>	<p>No adverse impacts arising from the increase in charges have been reported to date. We will continue to monitor impacts in this area and advise if this situation changes.</p>

Budget proposal number and description, with responsible Service Lead	Potential impacts highlighted and proposed mitigating actions	Brief description of actual impacts experienced and mitigating actions implemented, including assessment of their effectiveness and any additional measures proposed or implemented
	discretion under the Council’s current charging policy for adult social care to reduce charges in response to evidence of individual hardship.	
<p><i>PLA/INC7 Increase parking permit charges</i> <i>John Bury</i></p>	<p>There could be negative impacts for older people, and people on fixed incomes. However, it is hoped that this will encourage, where possible, more motorists to consider alternative forms of transport.</p> <p>Mitigation – Officers would develop a framework to profile individuals by protected characteristics who do not renew or cancel their parking permit due to increased cost. Consideration should be given to broadening the pricing criteria for permits.</p>	<p>We are monitoring permit uptake and complaints received regarding pricing. Complaints have been general in nature and there is little evidence of any negative impacts on the identified groups. As permits are renewable at different times throughout the year it is difficult to identify trends until the end of a full year. A pricing strategy will be developed through the Parking Action Plan which will address permit pricing and provide policy support for charges.</p>
<p><i>PLA/INC8 Increase pay and display charges</i> <i>John Bury</i></p>	<p>This income generating proposal will support the ongoing delivery of statutory services to the most vulnerable members of our communities. The increase in charges has potential to impact negatively on older drivers, families with young children and pregnant women.</p> <p>Mitigation – Officers can develop a promotional campaign to highlight alternative forms of public transport and with partners, develop key indicators to assess the impact of the changes aligned to the Hate Crime Strategy and Transport Charter.</p>	<p>There has been no negative impact as per period two of financial year 2016/17. The Parking Action Plan, Local Transport Strategy, new car charging contract, etc. will all be used to promote alternatives to private car travel in the city.</p>

Budget proposal number and description, with responsible Service Lead	Potential impacts highlighted and proposed mitigating actions	Brief description of actual impacts experienced and mitigating actions implemented, including assessment of their effectiveness and any additional measures proposed or implemented
<p><i>PLA/SP5 Street Lighting repairs</i> <i>John Bury</i></p>	<p>The new approach may impact negatively across all rights as the fear of going out in the dark could restrict attendance to events/organisations where there is a lack of light in and around buildings. If there is no escalation in policy to repair street lights around buildings of significance in terms of protected characteristics there could be an increase in victimisation and harassment. A Gold Command Group has been established in response to the increase in Islamophobia incidents in the City post Paris bombing.</p> <p>Mitigation – develop a framework to identify buildings of significance and localities to enable the Confirm system automatically to categorise the repair classification. A staff development programme to support hate crime identification to be implemented.</p>	<p>There has been no negative impact identified as a result of this new approach. Cat 1 Lighting Defect (life and limb situations) response time has been amended as the target proved to be unachievable and was consistently missed by the smallest of margins. Following a review of the issues it was agreed that the response time be changed from 2 to 4 hours. The new target for Cat1s is 95% made safe in 4 hours with a supplementary target of 100% made safe in 24 hours. It is considered unlikely that this amendment will have a negative impact in terms of the protected characteristics. There has been no change to the target response time for the other categories.</p> <p>Defect numbers continue to be monitored and reported to CLT on a monthly basis.</p> <p>Defect locations are categorised in terms of key buildings in the immediate area.</p> <p>The future roll-out of LED lights across the city will reduce the maintenance requirements for street lights. A Project Board has been set up and future plans are being developed.</p>
<p><i>PLA/SP6 Clarence response service</i> <i>John Bury</i></p>	<p>A new approach should enhance rights by increasing road safety and reducing the risk of injury (including the potential for life limiting injury). Potential negative impacts could arise if</p>	<p>There has been no negative impact identified as a result of this new approach. Initially there was an increase in the number of Cat 1 defects. This work was generated by the Neighbourhood Roads Teams.</p>

Budget proposal number and description, with responsible Service Lead	Potential impacts highlighted and proposed mitigating actions	Brief description of actual impacts experienced and mitigating actions implemented, including assessment of their effectiveness and any additional measures proposed or implemented
	<p>there was an increase in Category one defects that exceed the reduced number of Defect Repair Squads and access, and/or safeties were comprised.</p> <p>Mitigation - A framework to ensure consistent categorisation of defects needs to be developed and implemented across localities. Diversity Officers and Roads Managers to identify key buildings (e.g. place of worship) that may require a higher priority in the Confirm Works Order Management System. The impact of the repairs of Category 2 defects will be monitored for disproportionate impacts.</p>	<p>The quantity of defects classified as Cat 1s was stretching the repair resource and repair targets were not being met.</p> <p>Defect locations are categorised in terms of key buildings in the immediate area.</p> <p>To address this, an Operational Guide (Road Safety Inspections and Defect Categorisation Procedures) was developed and adopted on 1 April 2016. This will ensure the correct classification of defects and consistency across all Localities. This should ensure a substantial reduction in the number of Cat1/Emergency Defects.</p> <p>Defect numbers continue to be monitored and reported to CLT on a monthly basis.</p>
<p>PLA/SP7 Reduce bus stops and shelters maintenance John Bury</p>	<p>There could be negative impacts on health and wellbeing if offensive graffiti removal is not put in place. The fear of hate crime incidents may increase due to concerns associated with offensive graffiti. The lack of removal may lead to the normalisation of offensive graffiti.</p> <p>Mitigation – Ensure the Councils Offensive Graffiti Policy is communicated to the new contractor. Use hate crime analysis to identify hot spots to priorities repairs.</p>	<p>No negative impacts thus far. Sufficient budget remains to undertake regular cleaning and take additional specific action as required.</p> <p>Shelter glazing replacement and other routine maintenance will be prioritised and monitored against available budget.</p> <p>At this time, there is unlikely to be any impact on works that are required to remove offensive graffiti, or make a shelter or bus stop pole safe.</p>