

## APPENDIX 1



# Equality and health analysis guidance and template

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## Guidance notes

### Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help

provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and [www.southwarkadvice.org.uk](http://www.southwarkadvice.org.uk)).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health & wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

## Section 1: Equality analysis details

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<b>Proposed policy/decision/business plan to which this equality analysis relates</b>	The introduction of room hire charges for newly built Play Room at Peckham Rye Park
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<b>Equality analysis author</b>	Deborah McKenzie				
<b>Strategic Director:</b>	Deborah Collins				
<b>Department</b>	Environment & Leisure	<b>Division</b>	Parks & Leisure		
<b>Period analysis undertaken</b>	August 2018				
<b>Date of review (if applicable)</b>	April 2019				
<b>Sign-off</b>		<b>Position</b>	Group Manager for Business Development	<b>Date</b>	

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## Section 2: Brief description of policy/decision/business plan

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### 1.1 Brief description of policy/decision/business plan

Retrospective approvals for the introduction of room hire charges for the new Peckham Rye Play Room that have been in effect since 3 June 2018. The new charges that will apply for the hire of Peckham Rye Park Play Room until 31<sup>st</sup> March 2019 are as follows:

**Off – Peak**

(Mon – Fri, 9am – 5pm) £30.00 Per hour

**Peak**

(Mon – Fri, 5pm – 9pm; Saturday / Sunday all day) £60.00 Per hour

**Legacy Stakeholder Discounted Rate**

(Mon-Fri, 9am – 9pm; Saturday / Sunday all day) £16.00 Per hour

### Section 3: Overview of service users and key stakeholders consulted

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<b>2. Service users and stakeholders</b>	
<b>Key users of the department or service</b>	Ivydale Children's Centre We Are Family Scouts Association Brazilian Language School
<b>Key stakeholders were/are involved in this policy/decision/business plan</b>	LBS Corporate Facilities Management LBS Finance and Governance LBS Constitutional Team LBS Children's and Adult Services Cllr Victoria Mills, Cllr Renava Hamvas (Peckham Rye Ward Councillors) Cllr Rebecca Lury (Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities)

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**Section 4: Pre-implementation equality analysis**

This section considers the potential impacts (positive and negative) on groups with ‘protected characteristics’, the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council’s declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

<b>Age</b> - 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).	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>The new fees and charges will not benefit or disadvantage any particular age group. The same rate is applied to people of all ages.</p> <p>The play rooms are available to hire for a variety of activities catering to people from a wide age range. Play room spaces are used by all members of the local community and enhance access to and enjoyment of open spaces. They provide a base for childcare, arts events, exercise classes and church meetings.</p>	<p>The play room will be marketed as a venue for hire to personal fitness promotion activities.</p> <p>The fees and charges have been at a rate that will encourage use of the space for daytime group exercise sessions for all. There are no negative health impacts of this decision.</p>
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
Room booking records and user survey information from other similar local venues	Booking records and user groups for similar local venues
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	

<b>Disability</b> - 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.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>

The new fees and charges are set at a rate that will ensure that accessible local, meeting space is available to all sections of the community. The building is fully accessible and a potential base for VCS and health organisations delivering services to disabled people.	The venue will support provision of local health services for disabled people. This would benefit some disabled residents for whom accessible travel to areas outside their immediate neighbourhood may be an issue.
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
Consultation with the stakeholder groups, community and voluntary sector organisations and health care providers.	Consultation with the stakeholder groups, community and voluntary sector organisations and health care providers.
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	

<b>Gender reassignment</b> - The process of transitioning from one gender to another.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
The new fees and charges will not benefit or disadvantage non-binary residents. The same rate is applied to all people regardless of gender status.	The venue will support provision of local health services for non-binary people or groups.
<b>Equality information on which above analysis is based.</b>	<b>Health data on which above analysis is based</b>
None	Consultation with the stakeholder groups, community and voluntary sector organisations and health care providers.
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	

**Marriage and civil partnership** – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**



Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The new fees and charges do not treat same sex couples in civil partnerships less favourable than people who are married. The same rate is applied to all people regardless of marital status.	None
Equality information on which above analysis is based	Health data on which above analysis is based
None	N/A
Mitigating actions to be taken	
Quarterly bookings review to include equality analysis	

**Pregnancy and maternity** - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The new fees and charges do disadvantage pregnant women or on maternity. The same rate is applied to all people regardless of health status.  No restrictions will be placed on women breastfeeding at the premises and facilities are available that will support the new mothers.	None
Equality information on which above analysis is based	Health data on which above analysis is based
None	N/A
Mitigating actions to be taken	
Quarterly bookings review to include equality analysis	

<p><b>Race</b> - 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. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others</p>	
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>	<p><b>Potential health impacts (positive and negative)</b></p>
<p>The new fees and charges will not benefit or disadvantage any particular racial group. The same rate is applied to people of all ethnicities.</p> <p>The play rooms are available to hire for a variety of activities catering to people from diverse backgrounds</p> <p>Play room spaces are used by all members of the local community and enhance access to and enjoyment of open spaces.</p>	<p>None</p>
<p><b>Equality information on which above analysis is based</b></p>	<p><b>Health data on which above analysis is based</b></p>
<p>Room booking records and user survey information from other similar local venues. Consultation with the stakeholder groups, community and voluntary sector organisations and health care providers.</p>	<p>N/A</p>
<p><b>Mitigating actions to be taken</b></p>	
<p>Quarterly bookings review to include equality analysis</p>	

<p><b>Religion and belief</b> - 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.</p>	
<p><b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b></p>	<p><b>Potential health impacts (positive and negative)</b></p>
<p>The new fees and charges will not benefit or disadvantage any particular religion. The same rate is applied to people of all faiths.</p> <p>The play rooms are available to hire for a variety of activities and organisations including faith and religious groups.</p>	<p>None</p>
<p><b>Equality information on which above analysis is based</b></p>	<p><b>Health data on which above analysis is based</b></p>

Room booking records and user survey information from other similar local venues.	N/A
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	

<b>Sex</b> - A man or a woman.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>The new fees and charges will not benefit or disadvantage any particular sex. The same rate is applied to both men and women seeking to hire the space.</p> <p>The play rooms are available to hire for a variety of activities catering to a range of interests.</p> <p>Play room spaces are used by all members of the local community and enhance access to and enjoyment of open spaces.</p>	<p>The play room will be marketed as a venue for hire to personal fitness promotion activities.</p> <p>The fees and charges have been at a rate that will encourage use of the space for daytime group exercise sessions for all.</p> <p>There are no negative health impacts of this decision</p>
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
Booking records and user groups for similar local venues	Booking records and user groups for similar local venues
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	

<b>Sexual orientation</b> - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
<p>The new fees and charges will not benefit or disadvantage people because of their sexual orientation. The same rate is applied to all people regardless of sexuality.</p>	None

<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
None	None
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	
<b>Socio-economic disadvantage</b> – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.	
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>	<b>Potential health impacts (positive and negative)</b>
The new fees and charges are set at a rate that takes account of the socio –economic profile of Peckham. The fees and charges are set at a rate that are considered affordable in the local context	None
<b>Equality information on which above analysis is based</b>	<b>Health data on which above analysis is based</b>
Benchmarking the hire charges at Peckham Rye Park against other local venues.	N/A
<b>Mitigating actions to be taken</b>	
Quarterly bookings review to include equality analysis	

<b>Human Rights</b> There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol
<b>Potential impacts (positive and negative) of proposed policy/decision/business plan</b>
None identified.
<b>Information on which above analysis is based</b>

N/A
<b>Mitigating actions to be taken</b>
Adherence to council policy and UK law.

**Section 5: Further actions and objectives**

<b>5. Further actions</b>			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
<b>Number</b>	<b>Description of issue</b>	<b>Action</b>	<b>Timeframe</b>
1			
2			
3			
4			
5			
6			
7			

<b>5. Equality objectives (for business plans)</b>				
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
<b>Objective and measure</b>	<b>Lead officer</b>	<b>Current performance (baseline)</b>	<b>Targets</b>	
			<b>Year 1</b>	<b>Year 2</b>

<b>5. Health objectives (for business plans)</b>				
Based on the initial analysis above, please detail any health objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
<b>Objective and measure</b>	<b>Lead officer</b>	<b>Current performance (baseline)</b>	<b>Targets</b>	
			<b>Year 1</b>	<b>Year 2</b>


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