

Equality Analysis (EA)

Financial Year
2016/74

Section 1 – General Information (Aims and Objectives)

**See Appendix
A**

Current decision
rating



Community Buildings Review – Recommendation Report

The Council recognises that the Voluntary and Community Sector (VCS) is a valuable and important asset that delivers vital services and benefits to local residents. The council is committed to ensuring this community value is appropriately recognised and reflected. The Council also recognises that local organisations are often best placed to manage facilities within their local communities. Their local knowledge, extensive use of volunteers and hands on management of the asset can result in better services which meet the needs of the wider community, lower overheads and offer better value-for-money. Further, recognising that actively investing in the VCS often represents good value for the public purse and helps the Council achieve its social, economic and environmental outcomes as set out in the Community and Strategic Plans.

The Council is proposing to offer, through a consistent, transparent, and accountable process, some voluntary and community groups, a community benefit rent reduction where they meet specified criteria.

Nurseries and places of worship would not be included in the criteria for community benefit rent reduction because nurseries are engaged in economic activity and because places of worship do not provide wider community benefit. This could therefore impact on groups of people who fall within the age and religion and belief protected characteristic groups. This EA identifies the scope of that potential impact and identifies the mitigating actions required to address any adverse effects.

This equalities analysis is specifically in relation to the introduction of the community benefit rent reduction aspect of the Community Buildings Review – Recommendation Report.

Conclusion - To be completed at the end of the Equality Analysis process

As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions in addition to those set out in the action plan are recommended at this stage.

Name: Zena Cooke
(signed off by)

Date signed off: 21 October
(approved)

Service area:

Resources / Development and Renewal

Team name:

Third Sector Team

Service manager:

Everett Haughton / Steve Hill

Name and role of the officer completing the EA:

Mohammed Ahad – Community Programmes Officer

Section 2 – Evidence (Consideration of Data and Information)

What initial evidence do we have which may help us think about the impacts or likely impacts on service users or staff?

- Audit of the Council community buildings portfolio – detailing usage of community buildings and what services are being delivered
- Findings from the Community Buildings consultation
- Findings from the two meeting of the Community Benefit Working group
- LBTH Community & Strategic Plan
- LBTH VCS Strategy
- LBTH Asset and Capital Strategies
- December 2015 Cabinet Paper - Community Buildings: Allocation & Charging Policy

Section 3 – Assessing the Impacts on the 9 Groups

Please refer to the guidance notes below and evidence how you're proposal impact upon the nine Protected Characteristics in the table on page 3?

For the nine protected characteristics detailed in the table below please consider:-

- **What is the equality profile of service users or beneficiaries that will or are likely to be affected?**

Of the 74 community buildings within the Council's portfolio, 15 (10 nurseries and 5 places of worship) have currently been identified as being impacted in that they will not be eligible for the community benefit rent reduction.

- **What qualitative or quantitative data do we have?**

List all examples of quantitative and qualitative data available

- Census 2011 data on Tower Hamlets population
- Office of National Statistics (ONS) population estimate
- The London Voluntary Service Council (LVSC) on VCS profile in Tower Hamlets
- Community Plan 2015
- Joint Strategic Needs Assessment
- Borough Equalities Assessment

- **Equalities profile of staff?**

N / A

- **Barriers?**

Key challenges facing VCS organisations that are based in Council buildings include those arising from national public spending cuts and a consequent rise in demand for VCS services. Other and related challenges for the sector include:

- Access to affordable premises
- Availability of funding from grants and other sources
- Continually finding ways of doing more with less
- Remaining financially resilient
- Continual changes to the local population's demography
- Demonstrating outputs and outcomes
- The volume and range of other VCS organisations
- Public and private scrutiny of VCS spending and the impact of this on fundraising

- **Recent consultation exercises carried out?**

- Online survey
- Drop in sessions across the borough
- Tower Hamlets Council for Voluntary Services (THCVS) Premises Forum meeting
- A working group was established to agree the criteria for the community benefit rent reduction and consisted of council officers, Tower Hamlets CVS, Tower Hamlets Homes and representatives from the Premises Forum. The group was co-chaired by the Corporate Director of Resources and Chief Executive of Tower Hamlets VCS and was facilitated by a jointly appointed independent consultant

- **Additional factors which may influence disproportionate or adverse impact?**

N / A

- **The Process of Service Delivery?**

Equalities monitoring and analysis will be built into following to comply with general equality duties and equality more broadly:

- The criteria for community benefit rent reduction
- Any contracts for awards for community benefit rent reduction
- Annual monitoring and compliance audits

Target Groups	Impact – Positive or Adverse	Reason(s)
Race	Neutral	<p>No inadvertent bias or discrimination on the basis of race is indicated in the proposals.</p> <p>The council recognises that some existing and emerging communities in the borough may organise themselves in informal ways, based upon more personal networks of support that may be invisible to statutory services. Access to services and resources may be more difficult for these groups. The criteria for the community benefit rent reduction includes willingness for organisations offer space and support to other smaller local groups</p> <p>Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process. Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion</p>
Disability	Neutral	<p>No inadvertent bias or discrimination on the basis of disability is indicated in the proposals.</p> <p>Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process. Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion.</p>
Gender	Neutral	<p>No inadvertent bias or discrimination on the basis of gender is indicated in the proposals.</p> <p>Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process.</p>

		Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion
Gender Reassignment	Neutral	<p>No inadvertent bias or discrimination on the basis of gender reassignment is indicated in the proposals.</p> <p>Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process. Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion</p>
Sexual Orientation	Neutral	<p>No inadvertent bias or discrimination on the basis of sexual orientation is indicated in the proposals.</p> <p>Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process. Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion</p>
Religion or Belief	Neutral	<p>Places of worship will not be eligible for the community benefit rent reduction. There are 5 known buildings within the portfolio which are currently being used as places of worship, all are mosques. These buildings are currently paying the full community rent and will continue to pay the same rate upon implementation of the proposal therefore there will be no change in their circumstances.</p> <p>The council will monitor any the impact of the community benefit rent reduction criteria on this type of group as the implementation plan progresses with the possibility of engaging the Council of Mosques and the Tower Hamlets Inter-Faith Forum should any issues arise.</p>
Age	Adverse	<p>As nurseries will not be eligible for the community benefit rent reduction there is a potential adverse impact on children who attend these nurseries as well as working parents. There are 10 nurseries that are based in Council Community Buildings. Some of these are currently paying a reduced rent which is expected to now be a community rent with the introduction of these proposals.</p> <p>To mitigate any adverse impact a plan of engagement will be devised by the Council's Early Years' Service to demonstrate what practical support and funding arrangements will be available to these nurseries to ensure their sustainability as part of the Council's commitment to ensuring sufficient high</p>

		<p>quality child care places are available in the borough</p> <p>The council will continue to monitor any further adverse impact on this group.</p>
Marriage and Civil Partnerships.	Neutral	<p>No inadvertent bias or discrimination on the basis of Marriage and Civil Partnerships is indicated in the proposals.</p> <p>Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process. Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion</p>
Pregnancy and Maternity	Adverse	<p>As nurseries will not be eligible for the community benefit rent reduction there is a potential adverse impact on nursery places which in turn may impact the pregnancy and maternity protected characteristic. Some of these nurseries are currently paying a reduced rent which is expected to now be a community rent with the introduction of these proposals.</p> <p>To mitigate any adverse impact a plan of engagement will be devised by the Council's Early Years' Service to demonstrate what practical support will be available to these nurseries. The transition from paying a limited contribution for their building to paying a community rent will not be straightforward for many of these organisations and it may be necessary for a phased introduction of the charges which will be considered in consultation with the relevant service who will also be able to offer business planning advice and mentoring to minimise the impact of the introduction of charges. This will be supplemented by support from THVCS that will be funded by the Council as part of the THCVS infrastructure support contract.</p> <p>In addition to this, ensuring there are more nursery places in the borough is a Council priority. Council community buildings that are vacant as a result of organisations moving into the Community Hubs have the potential to be turned into nurseries to meet this growing demand.</p> <p>The council will need to continue to monitor any further adverse impact on this group.</p>
Other Socio-economic	Neutral	No inadvertent bias or discrimination is indicated in the proposals.

Carers		Organisations that are eligible for the community benefit rent reduction will need to demonstrate how their services promote equality and strengthen community cohesion as part of the assessment process. Where a community benefit rent reduction has been awarded the organisations must evidence as part of their annual monitoring arrangements and compliance audits how they continue to promote equality and strengthen community cohesion
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Section 4 – Mitigating Impacts and Alternative Options

From the analysis and interpretation of evidence in section 2 and 3 - Is there any evidence or view that suggests that different equality or other protected groups (inc' staff) could be adversely and/or disproportionately impacted by the proposal?

Yes? No? ✓

If yes, please detail below how evidence influenced and formed the proposal? For example, why parts of the proposal were added / removed?

(Please note – a key part of the EA process is to show that we have made reasonable and informed attempts to mitigate any negative impacts. An EA is a service improvement tool and as such you may wish to consider a number of alternative options or mitigation in terms of the proposal.)

Where you believe the proposal discriminates but not unlawfully, you must set out below your objective justification for continuing with the proposal, without mitigating action.

Section 5 – Quality Assurance and Monitoring

Have monitoring systems been put in place to check the implementation of the proposal and recommendations?

Yes? ✓ No?

How will the monitoring systems further assess the impact on the equality target groups?

Organisations that are awarded a community benefit reduction in rent will need to detail, on an annual bases that they are promoting equalities and strengthening cohesion. This will be part of the annual monitoring arrangements and will also include a compliance audit.

Does the policy/function comply with equalities legislation?
(Please consider the [OTH objectives](#) and [Public Sector Equality Duty](#) criteria)

Yes? ✓ No?

If there are gaps in information or areas for further improvement, please list them below:

N / A

How will the results of this Equality Analysis feed into the performance planning process?

Equalities monitoring will be embedded in the implementation method of each of the activities. This will include adaptations or extensions to current monitoring systems, relevant timeframes and a commitment to carry out an EA review once the strategy has been in place for one year.

Section 6 - Action Plan




*As a result of these conclusions and recommendations what actions (if any) **will** be included in your business planning and wider review processes (team plan)? Please consider any gaps or areas needing further attention in the table below the example.*

Recommendation	Key activity	Progress milestones including target dates for either completion or progress	Officer responsible	Progress
<p>Plan of engagement to be developed on how to mitigate any adverse impact as a result of nurseries not being eligible for the community benefit rent reduction and having to move to the community rent lease</p> <p>Support places of worship to access other sources of funding should any issues arise</p>	<ul style="list-style-type: none"> - Plan of engagement to be devised by the Early Years' Service on supporting effected nurseries. - Contract between LBTH and The Tower Hamlets CVS to capacity support organisations who may be at risk as a result of not being eligible for the community benefit rent reduction - Engagement with the 5 places of worship and any others identified either directly or through the Council of Mosques and Tower Hamlets and Interfaith Forum on any support needs to reduce impact on service users - Further modelling of equalities impact on identified groups 	<p>March 2017</p> <p>March 2017</p> <p>March 2017</p>	<p>Pauline Hoare</p> <p>Steve Hill</p> <p>Steve Hill / Ann Sutcliffe</p>	
<p>Ensure equalities is embedded within the community benefit rent reduction policy</p>	<ul style="list-style-type: none"> - Criteria for community benefit rent reduction to include evidence of organisation promoting equalities - Equalities monitoring to be included within the monitoring 	<p>March 2017</p> <p>Annual</p>	<p>Steve Hill</p> <p>Steve Hill</p>	

	arrangements			
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Appendix A

(Sample) Equality Assessment Criteria

Decision	Action	Risk
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	Suspend – Further Work Required	Red 
As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy.	Further (specialist) advice should be taken	Red Amber 
As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	Proceed pending agreement of mitigating action	Amber 
As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	Proceed with implementation	Green: 