

Equality Impact Assessment: CS-2b Public Conveniences – partial closure

Purpose of the Equality Impact Assessment:

The Equality Act 2010 introduced a Public Sector Equality Duty (PSED) requiring public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

Consideration must be given to the protected characteristics covered by the Equality Act. Assessments should 'consider relevant evidence relating to persons with relevant protected characteristics in relation to such assessments of impact'.

The purpose of an Equality Impact Assessment (EQIA) is to ensure that policies, functions, plans or decisions (hereafter referred to as 'policy' do not create unnecessary barriers for people protected under the Act, and that negative impacts are eliminated or minimised and opportunities for positive impact are maximised.

Screening is a short exercise to determine if a policy is relevant to equality and whether a full equality impact assessment (EQIA) should be carried out.

Title/description of the policy	CS-2b Public Conveniences – partial closure
Name of the person(s) carrying out the assessment?	Richard Evans, Head of Roads and Transport Rosemary Mackinnon, Principal Policy Officer - Equality
Service and Department	Community Services
Date of assessment	22 January 2015
What are the aims and objectives of the policy/function/strategy?	To consider the Council's Budget proposals for 2016 -19 for Community Services with respect to partial closure of public conveniences. There are currently 95 public conveniences across Highland and a further 22 Highland comfort schemes which are arrangements with local businesses to provide public convenience facilities. It is proposed to: <ul style="list-style-type: none"> • Close 6 public conveniences in the centres of each of: Inverness; Dingwall; Nairn; Fort William; Wick; Thurso; and amend operation of Aviemore. • Retain 44 of the remaining 88 sites. These will be higher use or strategic tourism sites with no local alternative; some could be closed and replaced with HCS or transferred to Communities. • Close the remaining 44 sites with an offer

	<p>of negotiated transfer to community groups or businesses with no HCS contribution. No residual cost to Council upon disposal of sites.</p> <ul style="list-style-type: none"> • Introduce honesty boxes throughout with 20p recommended contribution.
Who may be affected by the policy	Any member of the public, including residents and visitors and tourists.
How have stakeholders been involved in the development of the policy?	
<i>Which parts of the public sector duty is the policy relevant to?</i>	
1. Eliminate unlawful discrimination	
2. Advance equality	✓ Opportunities to remove or minimise barriers or disadvantage, including steps to promote equality and meet different people's needs.
3. Promote good relations	
<i>What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy or service?</i>	
Eg Consultations, national or local data and/or research, complaints or customer feedback. Are there gaps in available data?	<p>As part of the 2014 budget consultation exercise, the Council stated its intention to encourage community groups or businesses to take over the running of some of the public toilets in Highland. The consultation asked about potential impact of closures of some of these facilities if communities were unable to take on their running.</p> <p>The consultation included a survey of the Council's Citizen's Panel, the Communities Panel, an online survey, engagement with Members and a number of focus groups with equality groups.</p> <p>Responses to the consultation noted concerns that the impact of closures could have on the elderly and disabled as well as the potential impact on tourism.</p> <p>There is a lack of data to identify the use of the facilities by equalities groups. However, certain of these are considered more likely to use public conveniences.</p> <p>A link to information on the availability of public toilets is on the Council website</p>

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Screening: Which of the protected characteristics is the policy relevant to?
 Tick and briefly describe any likely equalities impact (positive/negative/neutral).

Characteristic	Positive	Negative	Neutral	comments
Gender				There is no evidence of different impact (aside from pregnancy related)
Age		✓		Older people – a higher proportion of older people may be affected Young people – families with young children
Disability		✓		People with particular health needs/disabilities may be disadvantaged
Religion or Belief			✓	There is no evidence of different impact
Race			✓	There is no evidence of different impact
Sexual Orientation			✓	There is no evidence of different impact
Gender reassignment			✓	There is no evidence of different impact
Pregnancy/maternity		✓		Pregnant women and families need baby changing facilities
Marriage and Civil Partnership*			✓	There is no evidence of different impact

<p><i>Is there any evidence of, or potential for, negative impact? Does the policy contribute positively to the promotion of equality on any particular group?</i></p>	<p>The closure of the public toilets could impact more on particular groups, including older people, families with small children, disabled people and pregnant women:</p> <p>Age – the incidence of disability and health related issues increase with age. Older people may be disproportionately affected by conditions that require them to use toilet facilities more frequently.</p> <p>Younger people – families with young children may be affected by a reduction in facilities generally, and in particular if there is a loss of facilities with baby changing areas.</p>
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	<p>Disability - Availability of public toilets can impact on disabled people taking part in everyday activities, in particular people with specific conditions which require frequent use of facilities (eg Colitis, Crohn's Disease, IBD, Prostate Cancer). People who require accessible toilets could also be disproportionately impacted by the closure of such facilities – both in the sense of availability of disabled toilet facilities and also location for people with mobility problems.</p> <p>Pregnancy – pregnant women are also more likely have frequent use of toilet facilities.</p> <p>The extent of impact would also depend on whether specific facilities are affected (eg accessible toilets, those with baby changing facilities) and the proximity of alternative facilities.</p>
<p>Justification – if negative impact is identified, can this be justified?</p>	<p>The Council does not have a statutory responsibility to provide public conveniences, but in order to continue to be able to provide a service it is proposed to close a number of facilities rather than closure of all facilities.</p> <p>There could be negative impact for service users and this may disproportionately impact on some groups including older people and disabled people. The decision needs to be considered in the context of a requirement for significant savings to be found by the Council and whether this is a proportionate means of achieving a legitimate aim, i.e. the requirement for the Council to balance its budget.</p>
<p>Mitigation - can the potential for negative impact on particular groups be removed or minimised?</p>	<p>Further promotion of the Highland Comfort Scheme to encourage local businesses to make facilities available to the public, or for communities to take responsibility for public conveniences.</p> <p>Promotion and publicity of HCS facilities.</p>

Please provide details of arrangements to monitor and review the policy and any mitigating actions

Mitigation noted above.

The Council's arrangements for the provision of public conveniences and the delivery of the Highland Council Scheme will continue to be reviewed and reported to Committee.

Please state where the EQIA will be published: The assessment will be published on the Council website.

Equality Impact Assessment Sign off: For completion by Director or Head of Service

1. Please check if you are satisfied that the following elements of the EQIA have been considered:

- Gathering information
- Consultation and involvement
- Assessing impact for all protected characteristics
- Mitigating actions identified (if required)
- Opportunity to promote equality
- Arrangements to monitor and review
- Publication arrangements

2. a) Are you prepared to sign off the EQIA?

YES NO

b) If "NO" provide details of why and next steps

Name

Richard [Signature]

Position

Head of Roads & Transport

Date:

18/2/16

