

ST HELENS BOROUGH COUNCIL

EQUALITY IMPACT ASSESSMENT TOOL

TO INFORM THE DEVELOPMENT OF DECISIONS OF
POLICY OR FUNCTION

This document replaces: New

Department of Origin: Corporate

Section: Policy, Change, & Reform

Author: Equalities Officer

Post Holder (responsible for keeping Policy updated): Equalities Officer

Related policies: St Helens Borough Council's Comprehensive Equality Policy

Date adopted by Council Cabinet: 14 March 2023

Date first published: 15 March 2023

Version: 2

Policy Review cycle: three years from first publication

Date of last update: NA

COMMUNITY IMPACT ASSESSMENT OF RELEVANT POLICIES, DECISIONS OR FUNCTIONS

EQUALITY IMPACT ASSESSMENT

- a. **EIA Lead Officer:** Joanne Griffiths
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Head of Service: Matt Jones
Assistant Director:
Director: Jan Bakewell
Executive Director: Cath Fogarty
Directorate: Corporate Services
Start Date:21 April 2023

What draft proposal is being assessed?

Council is asked to approve the draft recommendations from the Community Governance Review Cross-Party Working Group as follows:

In view of the outcome of the consultation response, not to proceed with the petition proposal to create a new town council for Newton-le-Willows East and West

- b. **Will the draft proposal be submitted through a decision-making processes?**

Yes / No If 'yes' please state which decision-making route the proposal will take and, if being approved by a decision-making body, then please state which decision-making body and, when known, the meeting date

Yes. Cross Party Working Group and then Council (19 April and 15 November 2023)

- c. **Does your draft proposal cover Healthcare, Housing, or Education Function?**

No If yes then, in addition to completing this Equality Impact Assessment, you must also complete an Armed Forces Covenant Impact Assessment, which is a statutory requirement under the Armed Forces Act 2021. The Armed Forces Covenant Impact Assessment template and guidance can be accessed through this link [Armed Force Covenant Impact Assessment - Connect \(sthelens.gov.uk\)](https://www.sthelens.gov.uk/armed-forces-covenant-impact-assessment-connect)

- d. **The draft proposal has the potential to affect**

Services: No **Workforce No** **Communities Yes** **Other No** If other, please state

- e. **What stage has the EIA reached?**

This table provides a 'cover note' of progress and must be maintained as the EIA is developed over time.

Summary of current position Column: Please ensure you note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Any reports to senior managers during the development of the draft proposal, for example feasibility or options appraisal reports, should include content on the latest analysis and findings from the EIA, even though further development of the EIA may be required before it can fully inform the draft proposal, and receive the 'sign off' necessary to proceed through the decision-making processes.

NB Once the EIA Sign Off is completed, the EIA Lead Officer must send the final version of the EIA to the Council's EDI Officer for publication on the Council's Website.

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Stage	Date	Summary of current position
Stage 1: Setting out the Proposal: What are the elements of the proposal being assessed; including the main purpose and aims?	15 July 2023	Complete
Stage 2: Evidence gathering: identifying the target population and/or individuals likely to be affected by the proposal	15 July 2023	Complete
Stage 3: Engagement/Consultation: With groups and individuals likely to be affected	15 July 2023	No Equality issues were identified from the consultation
Stage 4: Impact Assessment. Identify potential or actual discriminatory impact and mitigation	15 July 2023	No equality implications were identified in relation to this of this proposal.
Stage 5: Reporting the findings. reporting the findings of the Impact Assessment and the Mitigation Action Plan	15 July 2023	In view of the outcome of the consultation response, the recommendation will be not to proceed with the petition proposal to create a new town council for Newton-le-Willows East and West. The proposal was not supported by the majority of residents following a ballot which returned as follows: Number voting No to a Town Council: 3,882 (73.2% of the valid vote) Number voting YES: 1,419 (26.8% of the valid vote)
Stage 6: Sign-Off. Sign off by Senior Management, acknowledging that the EIA has been completed.	19 October 2023	In progress

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Equality Impact Assessment Process

1 Setting out the Proposal

What proposal is being assessed; including the title of the proposal, and the main purpose and aims?
<p>Council are asked to approve the recommendations from the Community Governance Review Cross-Party Working Group as follows:</p> <p>In view of the outcome of the consultation response, not to proceed with the petition proposal to create a new town council for Newton-le-Willows East and West.</p>
In relation to the proposal being assessed, please set out the following
What must the LA provide under statute?
<p>Sections 79 to 102 of the Public Involvement in Health Act 2007 set out a range of duties and powers and the process for a CGR.</p> <p>This covers the terms of reference for a review, consultation on recommendations, open decision making and publishing the outcome.</p> <p>Section 79 states the review must comply with the Act, have regard to the Guidance and comply with the terms of reference that the Council has adopted for the review.</p> <p>Section 93 of the 2007 Act sets out the following statutory criteria. 'The principal council must have regard to the need to secure that community governance within the area under review:</p> <ul style="list-style-type: none">(1) Reflects the identities and interest of the community in that area, and(2) is effective and convenient.' <p>In addition, the following legislation applies, namely the Local Government Act 1972 (as amended), the Local Government (Parishes and Parish Councils) (England) Regulations 2008, the Local Government Finance (New Parishes) Regulations 2008 and the Legislative Reform (Community Governance Reviews) Order 2015.</p> <p>Guidance has been issued jointly by the Secretary of State for MHCLG and Local Government Boundary Commission for England ("LGBCE") (2010 version), which the Council must have regard to.</p> <p>The LGBCE's Electoral Reviews: Technical Guidance recommends as best practice a staged consultation process for a CGR application or petition including first stage consultation to invite initial submissions, consideration of submissions received when draft recommendations are prepared. This is followed by a second stage of consultation on the published draft recommendations. Consideration of submissions received then takes place when final recommendations are prepared and published concluding the review. The reason for the second stage consultation on draft recommendations is to provide an opportunity to invite representations, which may require modification to the initial proposals in the final recommendations stage due to any new or unforeseen issues.</p>
Any discretionary element of provision?
N/A

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In relation to the proposal being assessed, please set out the following
<p>What is currently provided under that discretion?</p> <p>N/A</p>
<p>What could change as a result of the proposal and how could it change?</p> <p>The recommendation is not to proceed with the petition proposal to create a new town council for Newton-le-Willows East and West. If the recommendation is accepted there would be no change to the current community governance within Newton-le-Willows.</p>
<p>What is being consulted on?</p> <p>Between 3 October and 30 December 2022 residents in the St Helens Borough and other stakeholders were invited to provide comments and views on how effective they felt the current governance arrangements were for parish councils and if they felt any changes were required and why.</p> <p>Residents and stakeholders in Newton-le-Willows East and West were consulted on the petition proposal for a new town council via a postal ballot delivered to electors. On-line and paper consultation surveys were also made available for all other stakeholders.</p> <p>The next stage of the review was to consider all representations received in order to make an evidence based draft recommendations to Council. When making recommendations the review took into account the expressions of local opinion, representations from stakeholders and local knowledge of the area.</p> <p>Between 21 April and 14 July 2023 a second stage consultation exercise was undertaken with a total of 10 emails received all in support of not creating a Town Council.</p>

2 Evidence Gathering

Who will be affected by the activity? Put as much detail about the equality profile of the groups and individuals who share different protected characteristics affected by this proposal; updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.

Include evidence from service user equality profiles, staff equality profiles, consultation, complaints, comparison, and other relevant data. Also include socio-economic profiles of the community and any relevant deprivation information.

The [Local Insight](#) 'Reports' section holds Ward, Locality, and Borough population profiles.

Evidence - Gather as much evidence and as much detail as possible to identify which groups of people or individuals who share different protected characteristics will potentially, or actually, be affected by the draft proposal / proposed changes.
Service Users
Newton-le-Willows East and West Wards
Workforce
Newton-le-Willows East and West Wards
Community

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Evidence - Gather as much evidence and as much detail as possible to identify which groups of people or individuals who share different protected characteristics will potentially, or actually, be affected by the draft proposal / proposed changes.	
Newton-le-Willows East and West Wards	
Protected Characteristic	What further data, research, or information is available about groups of people or individuals who share different protected characteristics, which is relevant to the EIA?
Intersectional issues (i.e., for two or more characteristics)	
Age	
Disability	
Gender Reassignment	
Marriage and Civil Partnership	
Pregnancy and Maternity	
Race	
Religion and Belief	
Sex	
Sexual Orientation	
Socio Economic Disadvantage	

3. **Engagement/Consultation:** With groups and individuals likely to be affected. Engagement must be conducted in line with (i) any statutory consultation requirements, and (ii) the Council's [Consultation Code](#)

The decision about who to engage with, and how and when to engage, is the key to effective Equality Impact Assessment.

Is engagement or consultation required, now or during the further development of the draft proposal?

Yes/No If yes, then please continue to complete this and subsequent sections. If no, then provide a summary of the reason why you have reached this conclusion, and then move onto Stage 4. Impact Assessment.

Stage 1: 3 October to 30 December 2022

Stage 2: 21 April to 14 July 2023

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Planning your engagement / consultation

Does the evidence in Stage 2, show that the draft proposal:

- Will result in any groups of people who share a Protected Characteristic being treated differently from other people? Yes/No
- Will the differential treatment advance equality for people with Protected Characteristics? Yes/No
- Will the differential treatment cause or increase disadvantage for people with Protected Characteristics? Yes/No

If yes, please state which groups and how? Use this information to inform questions in your consultation or engagement about the draft proposal

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Consultation and Engagement Findings (Duplicate for each engagement activity)

Dates of Consultation:	
Summary of the engagement / consultation activity carried out – include what aspects of the proposed decision were consulted on, list any questions relevant to the Equality Impact Assessment (in space below)	
1 st Consultation: 3 October 2022 to 30 December 2022 2 nd Consultation : 21 April to 14 July 2023	
Protected characteristic	Summarise the equality impacts identified through the engagement and detail any suggestions on how to avoid, minimise, or mitigate discriminatory or potentially discriminatory impact
Intersectional issues (i.e., for two or more characteristics)	none
Age	none
Disability	none
Gender Reassignment	none
Marriage and Civil Partnership	none
Pregnancy and Maternity	none
Race	none
Religion and Belief	none
Sex	none
Sexual Orientation	none
Socio Economic Disadvantage	none

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Engagement Findings: Drawing on the engagement findings and your understanding of the effects of the draft proposal, indicate how the draft proposal will contribute, if at all, to the three strands of the Public Sector Equality Duty (PSED).	
PSED Strand	How will the proposed decision contribute to this strand?
Eliminate Discrimination, Harassment and Victimisation	No identified impact.
Advance Equality of Opportunity	No identified impact.
Foster Good Community Relations	No identified impact.

4. Impact Assessment

Use this table to record the potential or actual impact of the draft proposal using the evidence and outcomes of consultation, assess the impact for people who share different protected characteristics, identifying

- Potential or actual discriminatory impact
- Mitigation for each potential or actual discriminatory impact
- Potential or actual positive impact within the proposal to enhance equality of opportunity or community cohesion

Add more rows as required if there is more than one impact identified for a protected characteristic

For the Columns, **Potential or Actual Impact**, and **Level of Impact** – please delete the multiple choices for each row, to leave the appropriate term

Protected Characteristic	Potential or Actual Impact	Level of Impact	Summary of Impact	Action or Mitigation Required
Intersectional (on two or more characteristics)	Not Applicable	None	No identified impact.	N/A
Age	Not Applicable	None	No identified impact.	N/A
Disability	Not Applicable	None	No identified impact.	N/A
Gender Reassignment	Not Applicable	None	No identified impact.	N/A
Marriage and Civil Partnership	Not Applicable	None	No identified impact.	N/A
Pregnancy and Maternity	Not Applicable	None	No identified impact.	N/A
Race	Not Applicable	None	No identified impact.	N/A

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Protected Characteristic	Potential or Actual Impact	Level of Impact	Summary of Impact	Action or Mitigation Required
Religion and Belief	Not Applicable	None	No identified impact.	N/A
Sex	Not Applicable	None	No identified impact.	N/A
Sexual Orientation	Not Applicable	None	No identified impact.	N/A
Socio Economic Disadvantage	Not Applicable	None	No identified impact.	N/A

5. Reporting the findings and Mitigation Action Plan

The findings of the EIA may be reported to senior managers and the decision-making body / decision maker, at several stages during the development of a draft proposal. For example, the impact assessment may inform a feasibility report, or options appraisal, which may need to be considered by the Senior Leaders, Portfolio Holders, or Partnership Boards, before the proposal is ready for final approval.

Any reports linked to the Draft Proposal, which are going through formal decision-making processes, such as Delegated, Committee, Cabinet, or Full Council, must include the latest findings of the EIA, even if these are at a relatively early stage.

The report recommending final approval of the proposal, must await and be fully informed by the findings of the completed EIA. If there are any alterations or changes to the nature of the proposal, as a result of its progress through the Council's decision-making processes, then a further Equality Impact Assessment must be carried out on those changes or amendments, before the final decision on the proposal can be considered for approval by the decision-making body.

This is because the decision-making body has a legal requirement, when making a decision, to do so in the full knowledge of the equality implications of that decision, at the point when the decision is made. The final approval report must include:

- A summary within the Equality Impact Assessment section of the report, stating clearly (i) the equality implications, (ii) all potential or actual discriminatory outcomes, and (iii) actions that will be taken to avoid, minimise, or mitigate those potential or actual discriminatory outcomes.
- The Equality Impact Assessment must be attached as an appendices

NB. The report recommending final approval of the proposal, may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from Senior Managers considering equality impacts combined with other aspects of the proposal, such as finance, the wider benefits of the proposal, and so on.

Equality Impact Assessment Mitigation Action Plan

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Any actions to mitigate (avoid, minimise, lessen, or remove), actual or potential discriminatory impact, identified in this Equality Impact Assessment, must be listed below, to complete the full EIA.

Potential negative impact	Action required to mitigate the potential negative impact	Lead person	Timescale	Resource implications
None identified	N/A	N/A	N/A	N/A