

## **Equality and Fairer Scotland Impact Assessment - Screening**

<b>Title of Policy:</b>	Re-consideration of the funding for Advice Services in Clackmannanshire
<b>Service:</b>	
<b>Team:</b>	

Will the policy have to go to Council or committee for approval	Yes
Is it a major policy, significantly affecting how functions are delivered?	Yes
Does it relate to functions that previous involvement activities have identified as being important to particular protected groups?	Yes
Does it relate to an area where the Council has set equality outcomes?	Yes
Does it relate to an area where there are known inequalities?	Yes
Does it relate to a policy where there is significant potential for reducing inequalities or improving outcomes?	Yes

**IF YES TO ANY - Move on to an Equality & Fairer Scotland Assessment**

**IF NO - Explain why an Equality & Fairer Scotland Assessment is not required**

<b>APPROVAL</b>		
<b>NAME</b>	<b>DESIGNATION</b>	<b>DATE</b>
Wilson Lees	Team Leader Housing and Community Safety	February 2019

NB This screening exercise is not to be treated as an assessment of impact and therefore does not need to be published. However, if you decide not to assess the impact of any policy, you will have to be able to explain your decision. To do this, you should keep a full record of how you reached your decision.

## **Equality and Fairer Scotland Impact Assessment - Scoping**

### **Purpose of the proposed policy or changes to established policy**

The purpose of the change is presumably to ensure that Clackmannanshire Council is able to set a balanced budget, as required by statute, for the year 2019/20 and as such it is proposed that £134333 is cut from advice service provision to Clackmannanshire Citizens Advice Bureau.

To date the established policy has been that Clackmannanshire CAB receives essential core funding and support from the Council.

### **Which aspects of the policy are particularly relevant to each element of the Council's responsibilities in relation to the General Equality Duty and the Fairer Scotland Duty?**

#### **General Equality Duty -**

##### **➤ Eliminating unlawful discrimination, harassment and victimisation and other prohibited conduct**

It is noted that the Council does not just require to adhere to the 'general equality duty' as per the Equality Act (2010) but that there is a specific duty for the Council to also adhere to the Public Sector Equality Duty (s.149).

This budget proposal would result in the Council being unable to meet the duty in any capacity as there is no other service within the area that will provide members of the public with advice information and representation when their rights under the Equality Act (2010) are breached meaning that this cut will have a devastating effect on those Clients with a protected characteristic which in turn will result in incidents of unlawful discrimination not being reduced or eliminated.

Clackmannanshire (Clacks) CAB provides free impartial confidential advice information and representation to members of the public who experience unlawful discrimination which can include direct/indirect; harassment/victimisation; failure to make reasonable adjustments; discrimination arising from disability and so on. It should be noted that the work of the CAB is unique and that there is no other service locally or nationally that would fill the gap should this cut go ahead. For example – as unlawful discrimination can occur in many settings including work; transport; housing; education and so on the holistic nature of CAB is vital to eliminating incidents overall.

Not to fund advice services that will reduce and help to eliminate unlawful discrimination can also be short sighted and prove more costly to the Council in the long term as Clacks CAB as well as having success in attaining Client financial gains often prevent a more negative outcome occurring for example should a Client present who is about to be dismissed at work for having a disability or about to be evicted for declaring they are pregnant – the CAB can help the Client very directly to know and then to assert their rights under the Equality Act.

Often Clients who present at CAB cannot understand or assert their rights without CAB assistance due to socio-economic and other disadvantage or the impact of having a protected characteristic (including a disability or language barrier and so on) and it is this hands on practical support that really is needed to help eliminate incidents of unlawful discrimination.

The impact of the Council's proposal in no way will help to eliminate unlawful discrimination nor reduce inequalities meaning many Clients will have rights in theory only and will be left without support and will have nowhere to turn.

Clacks CAB is also a member of Citizens Advice Scotland (CAS) and actively works with CAS to identify and report on both local and national social policy issues affecting the people of Clackmannanshire including in relation to hate crime and all types of unlawful discrimination in order to directly impact on national and local policy in this area.

➤ **Advancing equality of opportunity between people who share a relevant protected characteristic and those who do not**

Clacks CAB is integral in advancing equality and opportunities for people within Clackmannanshire who have one of the 9 protected characteristics. The proposal to reduce/cease funding to Clacks CAB would cease the advancement of equality of opportunity and would limit the ability of the Council to both identify these groups and to meet their specific needs which would be extremely detrimental to the most vulnerable as well as potentially meaning that the Council breach their own legal duties.

For example – the Equalities and Human Rights Commission (EHRC) who are tasked with being closely involved with and monitoring the Fairer Scotland Duty as well as providing guidance on the implementation of the Equality Act (2010) note that equality of opportunity pertains to:

*Ensuring that every individual has an equal opportunity to make the most of their lives and talents... [and] that no one should have poorer life chances because of the way they were born, where they come from, what they believe, or whether they have a disability.*

In providing an accessible service Clacks CAB advances equality of opportunity for those with a protected characteristic including for example (and not exhaustively) lone parent or ethnic minority families or older households or those families with a disabled adult or child or young parent households in a number of ways not least as it is noted that this target beneficiary group can often suffer marked and greater socio-economic disadvantage than those who do not have such a protected characteristic.

The work of the CAB is vital to advancing opportunity and reducing disadvantage for those with a protected characteristic and Clients will suffer reduced equality of opportunity should this cut go ahead as there is nowhere else for such Clients to turn. It is considered that given the level of funding provided that the work of Clacks CAB is actually rather than being a cost a vital service for the Council that will save money overall and that for each £1 spent the CAB generates £23.36.

➤ **Fostering good relations between people who share a protected characteristic and those who do not.**

Over the past 3 years Clacks CAB has worked incredibly hard to ensure that their services are available to those not only with protected characteristics but to the general population of Clackmannanshire and also that the composition of the CAB itself is reflective of our communities.

We are now in a position to offer our services to the wider rural communities via outreach services. This is due to excellent working relationships with other organisations these include the carers centre, prison, NHS, Clackmannan council etc but such progress would be jeopardised should the cut go ahead.

**Fairer Scotland Duty -**

➤ **Reducing inequalities of outcome caused by socioeconomic disadvantage**

Clacks CAB delivers free confidential independent and impartial advice and assistance to all members of the general public within Clackmannanshire but often due to suffering socio-economic disadvantage those with a protected characteristic often access and utilise our services much more. As such we provide a lifeline for those unable to manage their own affairs without assistance. We empower the users of our service to manage their personal affairs to know their rights and how to assert the same which increases confidence and good mental wellbeing and helps to reduce barriers.

Many of those using our services are socioeconomically disadvantaged therefore reducing/ceasing the assistance provided to this group of key users will potentially be devastating for the most vulnerable resulting in:

- Increased levels homelessness
- Increased levels of tenants living below tolerable standards
- Increased levels of rent arrears
- Increased levels of poverty due to lack of income generated by an increasingly complex benefit system and the CAB being able to assist Clients to optimise the same
- Increased unlawful discrimination in all the key areas including at work; via goods and services; housing; education and transport as Clients will not have any practical help to both know and thus assert their rights in any practical way
- Increased numbers of vulnerable women, not being assisted with gender based issues
- Increased numbers of sick and disabled people living on lower incomes
- Increased number of families struggling financially and child poverty
- Increase in poor mental health outcomes
- Increase in relationship and family breakdown
- Increase in incidents of anti-social and criminal behaviours
- Increase in numbers of those who face language and cultural barriers being able to access services or to know and enforce their rights
- Increase in debt

This list is not exhaust but covers many of the main issues that our clients experience. There are no other organisations that are equipped to deliver these services in Clackmannanshire. We are the only organisation in the region to have accreditation to deliver type III advice in the areas of Housing, Welfare Benefits and Money Debt.

In addition many referrals to the service come from the Council itself with 1001 council tenants receiving advice in the last 12 months as a bureau we advised on almost 20000 individual advice issues.

It should be noted also that as per the Fairer Scotland Duty that the CAB also assists the Council with those who suffer socio-economic disadvantage due to deprivation caused by being part of communities of place or communities of interest these include the South and East of Alloa and the more rural areas of Tullibody, Alva, and Clackmannan.

It is noted that this proposed cut would in the longer term cost the Council more and therefore that it should forthwith be wholly abandoned and not pursued.

To which of the equality groups is the policy relevant?																		
Protected Characteristic	Yes/No*	Explanation																
Age	Yes	<p>Clacks CAB sees a very diverse age range. In 2018 (see the table below) for more information. These cuts would have implications across all age ranges. Therefore</p> <table border="1"> <tbody> <tr> <td>18-24</td> <td>8.51%</td> </tr> <tr> <td>25-34</td> <td>17.19%</td> </tr> <tr> <td>35-44</td> <td>16.65%</td> </tr> <tr> <td>45-59</td> <td>29.77%</td> </tr> <tr> <td>60-64</td> <td>8.36%</td> </tr> <tr> <td>65-79</td> <td>11.72%</td> </tr> <tr> <td>80+</td> <td>2.07%</td> </tr> <tr> <td><b>Sub Total =</b></td> <td><b>100%</b></td> </tr> </tbody> </table>	18-24	8.51%	25-34	17.19%	35-44	16.65%	45-59	29.77%	60-64	8.36%	65-79	11.72%	80+	2.07%	<b>Sub Total =</b>	<b>100%</b>
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Disability	Yes	<ul style="list-style-type: none"> <li>• Almost 50% of Clients seen by Clacks CAB are recorded as having a disability which could be either a physical or mental impairment which impacts on their ability to undertake daily tasks and or to mobilise.</li> <li>• Clients with a disability can suffer hate crime; unlawful discrimination in accessing transport; education; goods and services; housing as well as in regards to experiencing discrimination at work including via a failure to make reasonable adjustments.</li> <li>• Clients with a disability also suffer greater socio-economic disadvantage and rely heavily on Clacks CAB to assist with any changes to their circumstances that has a negative impact on their wellbeing.</li> </ul>
Gender Reassignment	Yes	Likely to be minimal

Marriage and civil partnership	Yes	<p>Clacks CAB provides information and assistance on all aspects of relationships including providing assistance for those who may experience abuse or forced marriage. We offer information on mediation as well as advice on martial and civil partnership rights in respect of housing and benefits as well as offering information on mediation and additional sources of support.</p> <p>People in Clackmannanshire would have to seek assistance from a solicitor in the alternative that may incur costs which those who suffer socio-economic disadvantage would demonstrably be unable to afford.</p> <p>The impact therefore in the community would be high.</p>
Pregnancy and Maternity	Yes	<p>Clacks CAB offers advice and assistance on employment rights, welfare benefits and grants including maternity/paternity/adoption pay and leave as well as housing and debt which can impact on families hugely.</p> <p>Our services are particularly relevant in Scottish Governments goal to reduce child poverty but also in regards to the Council meeting their duty to ensure a Fairer Scotland.</p> <p>In addition we raise awareness, assist with applications, educate and empower women to be socially aware of their rights as a worker and mother and to enforce the same.</p>

Race	Yes	We actively assist people from any race to enforce their rights without prejudice. Ethnic Minorities will be greatly impacted by any cut as they often face additional barriers to accessing services and enforcing their rights as well as being one of the groups who suffer overall greater socio-economic disadvantage. Clacks CAB helps to reduce such barriers including language barriers and assists Ethnic Minority communities to take an active part in public life and to not be disadvantaged due to any racial or cultural reason.
Religion and Belief	Yes	We do not discriminate on any grounds, and actively assist those requiring assistance regardless of their religion or beliefs. Our impartiality ensures that everyone is treated equally. In addition Clacks CAB is able to give all members of any religious community information as to their rights under the Equality Act (2010) and information as to how to assert the same. In addition Clacks CAB can give those who do not have a religious belief the same information as to their rights (given that the act also affords a right not to believe in a religion) as well as those who may suffer discrimination due to a belief that is worthy of regard in a democratic society (also covered).
Sex	Yes	<p>Approx. 50% of all clients using the service of Clacks CAB are female. A large proportion of them are of working age and have young families. Whilst it is difficult to make generalisations it is noted that this Client group in particular depends on us to provide benefit, housing and debt assistance meaning cuts to our services will increase the gender divide. This group in also shows that Clients may suffer disadvantage due to having not just one protected characteristic but often due to having interconnected characteristics such as age; sex; race and so on. In addition this group also is linked in turn to child poverty and the causes and impact of the same meaning being unable to meet the needs of this group will mean increased child poverty with the resultant known negative outcomes of the same.</p> <p>Males also experience disadvantage be it as a child suffering poverty or due to socio-economic reasons including being a member of a community or having another characteristic such as disability or being older so whilst it is noted that sex can impact on females and families – the issues of equality; poverty and vulnerability are not easily quantified by a one size fits all approach and this is where the CAB excels – we are there for all.</p>
Sexual Orientation	Yes	Clacks CAB shows no discrimination to anyone requiring our assistance.

\*

Delete as required

**What evidence is already available about the needs of relevant groups, and where are the gaps in evidence?**

Clackmannanshire has some of the highest poverty rates in Scotland. According to the latest SIMD findings. This would be consistent with much of the area been deemed an area of deprivation. Poverty has a spiralling effect and is linked to poor health, low academic achievement, high unemployment levels, domestic abuse, child poverty and poor life expectancy and so on. Our statistical recording is in line with the finding within the SIMD with the largest percentage of Clients we assist being from the poorest areas within Clackmannanshire. We are not aware of any other organisation that can provide the most vulnerable with the help they require and would deem this to be vital. The people of Clackmannanshire have no way of accessing the level of support provided by Clacks CAB anywhere else as the council do not provide advice or information or assistance in respect of rights/options for housing; debt; welfare rights; immigration; relationship; employment and many other matters. Clients from Clackmannanshire cannot access this service from neighbouring CABx as these services are local authority specific. It should be noted that failure to provide core funding to CAB would do a dis-service to the Council residents of Clackmannanshire given that the majority of the rest of Scotland have an area where Local Authorities have rightly prioritised the provision of CAB services as being vital and worthy of being funded not least as this type of cut will demonstrably cost the Council more in both the short and longer term.

**Which equality groups and communities might it be helpful to involve in the development of the policy?**

**Next steps**



## Equality and Fairer Scotland Impact Assessment - Decision

<b>Evidence findings</b>		
<p>All proposals relating to voluntary organisations are assessed as having high and disproportionate equalities impacts on disability, age groups and women, as well as impacting on local communities and families (mostly vulnerable) who use these services. There will also be significant socio-economic impact on those families and individuals who are living in or on the cusp of poverty. Particular impacts are assessed from the proposals on Citizens Advice Bureau, The Gate, Action for Children and Barnardos.</p> <p>The proposal was assessed as having high equalities/poverty impacts.</p>		
<b>Details of engagement undertaken and feedback received</b>		
<p>Detailed feedback from budget engagement exercise for 2019/20 comprising online comments/feedback and representations made at budget engagement events held as part of the overall exercise.</p> <p>Council officers met with CAB to fully understand the equality and poverty impacts arising from the proposal.</p>		
<b>Decision/recommendation</b>		
<p>Having considered the potential or actual impacts of this policy, the following decision/recommendation is made:</p>		
<b>Tick</b>	<p><b>Option 1: No major change</b> The assessment demonstrates that the policy is robust. The evidence shows no potential for unlawful discrimination and that all opportunities have been taken to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.</p>	
	<p><b>Option 2: Adjust the policy</b> – this involves taking steps to remove any barriers, to better advance equality or to foster good relations. It may be possible to remove or change the aspect of the policy that creates any negative or unwanted impact, or to introduce additional measures to reduce or mitigate any potential negative impact.</p>	
	<p><b>Option 3: Continue the policy</b> – this means adopting or continuing with the policy, despite the potential for adverse impact. The justification should clearly set out how this decision is compatible with the Council’s obligations under the duty.</p>	
	<p><b>Option 4: Stop and remove the policy</b> – if there are adverse effects that are not justified and cannot be mitigated, consideration should be given to stopping the policy altogether. If a policy leads to unlawful discrimination it should be removed or changed.</p>	
<b>Justification for decision</b>		
<p>The proposal was not included in the budget for 2019/20</p>		
<b>APPROVAL</b>		
<b>NAME</b>	<b>DESIGNATION</b>	<b>DATE</b>
<b>Garry Dallas</b>	<b>Strategic Director</b>	<b>24 April 2019</b>