

# **Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)**

## **Part One Screening Record**

### **A. Summary Sheet on Accountability and Actions**

#### **Name of proposed service change**

*Please use this box for the full formal name of the proposed service change, whether it is a policy, a procedure, a function, a project, an update of a strategy, etc. The term "service change" is used in this form as shorthand for whatever form the changes may take.*

#### **Winter Maintenance:**

**Operational Plan and Preparedness for the Winter Service Season of 2019/2020 for Shropshire Highways**

#### **Name of lead officer carrying out the screening**

Andy Wilde

#### **Decision, review and monitoring**

| <b>Decision</b>                  | <b>Yes</b> | <b>No</b> |
|----------------------------------|------------|-----------|
| Part One ESIIA Only?             | Yes        |           |
| Proceed to Part Two Full Report? |            | No        |

*If completion of a Part One assessment is an appropriate and proportionate action at this stage, please use the boxes below and sign off as indicated. If a Part Two report is required, please move on to separate full report stage.*

#### **Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations**

Screening indicates that the impact in equality terms of this Operational Plan for the Winter Service Policy is neutral or positive for protected characteristic groupings in the population. It is assessed as having a positive impact for the groupings of Age, Disability and Social Inclusion. An effective winter service policy is likely to be of assistance to the young and old, to their carers, to families, to people with disabilities, and to people living in rural communities who are at risk of exclusion from essential facilities and services if their physical access to these is affected or disrupted by adverse weather conditions, at whatever time of the year.

Scrutiny Committee are asked to consider the following actions put in place to enhance the positive impacts of the Winter Service Operational Plan for 2019/2020

- the Winter Service web pages have been refreshed and revised to provide up to date information.
- the interactive gritting map on Shropshire Councils website is updated.
- advice from Department for Transport in relation to clearing snow or ice for households or businesses is updated on the Council's web site.
- operational meetings with appropriate staff have been undertaken to ensure implementation of local plans is understood and consistent.
- Kier have provided assurances that sufficient trained staff are in place and that out of hours arrangements are in place. (Refer to attached letter - Appendix 4).
- all plant and equipment related to the winter maintenance service has been appropriately serviced.

- Twitter Gritter is in place.
- a media campaign to remind and refresh the Winter Service will be undertaken during September.
- a Task and Finish Group of Officers, Members and Insurance will be requested to consider the possible pilot of a snow warden scheme over 2019/20 winter period.

The expanded use of social media, videos and info graphics will further support local communities

**Actions to review and monitor the impact of the service change in terms of equality and social inclusion considerations**

From an ongoing engagement angle, the Highways service consults via the annual National Highways and Transport Survey in which residents of Shropshire participate, as well as further internal customer liaison via Shropshire Council on line surveys, customer complaints, liaison with Local Joint Committees (LJCs) and Town and Parish Councils, and other forums where opportunities for engagement may arise.

From an outcomes angle for communities, engagement with all Members as community leaders, and through Cabinet and Portfolio Holder, will help the service and therefore the Council to ensure that information, feedback and concerns are raised with Highways and that actions may then be identified as necessary to mitigate any negative impacts.

The community leadership role for Members is considered likely to be of particular significance in aiding households at risk of exclusion from access to facilities and services due to adverse weather conditions. This is an area where review of actions is likely to be useful in further aiding the potential positive impact of this proposed Winter Service Policy Operational Plan upon communities

**Associated ESIIAs**

**Shropshire Highways and Environment: Updated Winter Service Policy: Cabinet 26<sup>th</sup> September 2018**

**Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of any other considerations**

Although a very specialised area, Winter Service is a significant aspect of network management, both financially and in terms of its perceived importance to users, it can also have significant environmental effects. Notwithstanding the legal and regulatory issues that impact upon the service, the county impact of ensuring the highways network is available for use in winter conditions, to support the economy and social aspects of the county, as well as the overall impact on the council’s wider reputation needs to be considered. Hence, it is key that policies and operational plans are in place with executive approval, to educate, inform and refer to, if any challenge is made regarding the service delivery.

## Scrutiny at Part One screening stage

| People involved   | Signatures  | Date                           |
|---|---|--------------------------------|
| Lead officer carrying out the screening<br><b>Andy Wilde</b><br>Highways, Transport and<br>Environmental Operations Manager |  | 2 <sup>nd</sup> September 2019 |
| <i>Any internal support*</i><br><b>Nikki Cheek</b><br>Senior Support Officer  |  | 2 <sup>nd</sup> September 2019 |
| <i>Any external support**</i><br><b>Mrs Lois Dale</b><br>Rurality and Equalities Specialist                                 |  | 2 <sup>nd</sup> September 2019 |

*\*This refers to other officers within the service area*

*\*\*This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority*

## Sign off at Part One screening stage

| Name  | Signatures  | Date                           |
|---|---|--------------------------------|
| Lead officer's name<br><b>Andy Wilde</b>          |  | 2 <sup>nd</sup> September 2019 |
| Accountable officer's name*<br><b>Steve Brown</b> |  | 2 <sup>nd</sup> September 2019 |

*\*This may either be the Head of Service or the lead officer*

## **B. Detailed Screening Assessment**

### **Aims of the service change and description**

Shropshire Council is required to review its winter service policy and plan, in accordance with the national code of practice – that came into effect on the 1<sup>st</sup> October 2018. This code has thirty-six recommendations that all highways authorities should implement. Winter service is one of these thirty-six recommendations. Hence, as the highways authority, Shropshire Council must ensure that the requirements of the National Code of Practice are achieved. This report reviews the existing Policy and Plan for the authority's winter service

The winter service is part of a package of works that allows Shropshire Council to fulfil its statutory responsibilities as detailed in Section 41(1a) of the Highways Act 1980. Further, the winter service is key to supporting communities, supporting the economy of Shropshire and the ultimate reputation of the Council. Shropshire Council as a Highway Authority has a statutory duty to undertake and plan for a winter service, via an operational plan and overarching policy.

A review of Shropshire Highways: Winter Service Operational Plan has been produced for

Environment and Services Scrutiny Committee to consider in preparedness for the winter service season of 2019/20. The Winter Maintenance Policy was reviewed and approved by Scrutiny and Cabinet in September 2018 and the policy remains unchanged outside the scope of this report.

Shropshire Council's term maintenance contractor, Kier, provide the operational response by provision of staff to deliver and maintain Shropshire Council's owned gritting fleet to deliver the expectation and policies of the Council

The winter service defines the council's approach, plan, policy and use of its resources. Reference is made to the council's web site with necessary information, bespoke videos, social media and interactive maps and info graphics to further expand and provide detailed information

#### **Intended audiences and target groups for the service change**

All who live in, work in and visit Shropshire, and therefore make use of the road network in order to access facilities, services, education and employment, etc.

#### **Evidence used for screening of the service change**

The current Highways Act, Code of Practice and operational review of issues raised during the previous winter has contributed to developing the review.

Scrutiny are being asked to:

- Consider the refreshed Winter Service Operational Plan
- Satisfy themselves that arrangements and preparations are in place to deliver the winter service in accordance with the approved policy and available resources.
- Satisfy themselves that salt stock supplies are sufficient.
- Agree on continued support using informal contractual arrangements with numerous local 'farmer contractors' who provide essential snow clearance in more rural and remote areas as an adjunct to the core service provision.
- Recognise that Shropshire Council only treat 28% of its network (5,100 kilometres) which is a lower percentage than comparative authorities at circa 35%.

#### **Specific consultation and engagement with intended audiences and target groups for the service change**

A review of the legal and national code of practice requirements was undertaken for the September 2018 report to Cabinet with the revised Winter Policy itself.

A service review of information received, and operational issues raised was also undertaken. The previous procurement process also considered service users and was subject to previous Cabinet Reports and ESIIAs. The service review involved highways staff, Kier contractor staff, Insurance officers and wider discussion at the July 2018 Environment and Scrutiny Committee.

## Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

| <b>Protected Characteristic groups and other groups in Shropshire</b>   | <b>High negative impact</b><br><i>Part Two ESIIA required</i> | <b>High positive impact</b><br><i>Part One ESIIA required</i> | <b>Medium positive or negative impact</b><br><i>Part One ESIIA required</i> | <b>Low positive or negative impact</b><br><i>Part One ESIIA required</i> |
|---|---|---|---|--|
| <b>Age</b> (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)  |   |   | ✓   |  |
| <b>Disability</b> (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)   |   |   | ✓   |  |
| <b>Gender re-assignment</b><br>(please include associated aspects: safety, caring responsibility, potential for bullying and harassment)  |   |   | ✓   |  |
| <b>Marriage and Civil Partnership</b> (please include associated aspects: caring responsibility, potential for bullying and harassment)   |   |   | ✓   |  |
| <b>Pregnancy &amp; Maternity</b><br>(please include associated aspects: safety, caring responsibility, potential for bullying and harassment)   |   |   | ✓   |  |
| <b>Race</b> (please include: ethnicity, nationality, culture, language, gypsy, traveller)   |   |   | ✓   |  |
| <b>Religion and belief</b> (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)   |   |   | ✓   |  |
| <b>Sex</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)  |   |   | ✓   |  |
| <b>Sexual Orientation</b> (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)   |   |   | ✓   |  |
| <b>Other: Social Inclusion</b><br>(please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable) |   |   | ✓   |  |

## Identification of likely impact of the service change in terms of other considerations

Winter service deals with regular, frequent and reasonably predictable occurrences like low temperatures, ice and snow, as well as exceptional events. Whilst the effects of climate change are likely to result in an increased frequency and intensity of severe winter events, these can be taken into account in winter service planning. Therefore, Winter Service can and should be subject to the same regime of plan, deliver, review and improve, as other aspects of the highway maintenance regime.

Policies and plans developed for Winter Service are likely to have relevance in emergency planning for dealing with extreme weather conditions, including flooding, high winds and high temperature. The incidences of such events may be affected by climate change. They are also likely to have some relevance to the wide range of non-weather-related emergencies that could affect the highway network.

### Guidance Notes

#### **1. Corporate and Service Area Policy and Practice on Equality and Social inclusion**

This involves taking an equality and social inclusion approach in planning changes to services, policies or procedures, including those that may be required by Government.

The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision making processes.

This is where Equality and Social Inclusion Impact Assessments (ESIAs) come in. Where you carry out an ESIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet;
- What target groups and audiences you have worked with to date;
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand alone for a member of the public to read.

The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including

people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

When you are not carrying out an ESIIA, you still need to demonstrate that you have considered equality in your decision-making processes. It is up to you what format you choose.-You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESIIA, but you should still be ready for it to be made available.

**Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council. Help and guidance is also available via the Commissioning Support Team, either for data, or for policy advice from the Rurality and Equalities Specialist. Here are some examples to get you thinking.**

*Carry out an ESIIA:*

- If you are building or reconfiguring a building;
- If you are planning to reduce or remove a service;
- If you are consulting on a policy or a strategy;
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

For example, there may be a planned change to a leisure facility. This gives you the chance to look at things like flexible changing room provision, which will maximise positive impacts for everyone. A specific grouping that would benefit would be people undergoing gender reassignment

*Carry out an equality and social inclusion approach:*

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them;
- If you are setting out the standards of behaviour we expect from people who work with vulnerable groupings, such as taxi drivers that we license;
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself;
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

For example, you may be involved in commissioning a production to tour schools or appear at a local venue, whether a community hall or somewhere like Theatre Severn. The production

company should be made aware of our equality policies and our expectation that they will seek to avoid promotion of potentially negative stereotypes. Specific groupings that could be affected include: Disability, Race, Religion and Belief, and Sexual Orientation. There is positive impact to be gained from positive portrayals and use of appropriate and respectful language in regard to these groupings in particular.

## **2. Legal Context**

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. Carrying out ESIIAs helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

Service areas would ordinarily carry out a screening assessment, or Part One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Part Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion. Please contact the equality policy lead within the Council for more advice and guidance in this regard, as per details below.

***For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 258528, or email [lois.dale@shropshire.gov.uk](mailto:lois.dale@shropshire.gov.uk).***