

Equality and Rights Impact Assessment (ERIA)

2015-2018 Budget Summary Report

What budget option does this ERIA information relate to?

SfC 16 – new approach to delivery of mediation service

What are the main impacts of this option on rights?

Delivery of an alternative mediation service would continue to enhance the rights which are currently enhanced by the exiting mediation service as follows:

Health – by assisting those involved in antisocial behaviour (ASB) disputes to manage and work through their issues thus reducing the negative impact of health related problems associated with stress and worry that neighbour disputes can cause.

Individual, family and social life – by encouraging respect and tolerance for different household sizes and make ups combined with the social responsibility living in a community brings.

Identity, expression and self respect – by encouraging parties in dispute to communicate and actively engage with each other, express their concerns, and find solutions to their issues based on mutual respect for others and self.

Participation, influence and voice – by supporting individuals with all protected characteristics to participate in the mediation process and to influence the outcome of discussions with their adversaries.

What are the main impacts of this option on equality?

All protected characteristics are impacted under this option as the proposed new approach to mediation would be accessible to those with protected characteristics as well as those without.

Equality of opportunity enhanced – a new approach to delivery of the mediation service will enhance equality of opportunity, as the service will be carried out by trained Council mediators who have additional hands on experience working within community safety, conducting witness interviews, investigating antisocial behaviour and resolving neighbour disputes. Additionally, those delivering the new mediation service will have additional knowledge regarding support services available and be able to suggest and offer these services to clients using the mediation service where appropriate. In this way, there is a greater likelihood that those who require assistance from a wider range of services as well as mediation, will in turn be able to access them.

Enhanced ability to eliminate discrimination – the mediation service supports eliminating victimisation and harassment as the process encourages and facilitates open dialogue between feuding parties and addresses unacceptable behaviour within disputes. A new mediation service would continue with this practice. The Council's ability to eliminate discrimination will be enhanced as Council staff will be directly involved in the mediation

process and will be in a position to challenge discriminatory views, including advising those participating in mediation of the requirement to remain respectful and law abiding at all times whilst using the new mediation service.

Fostering good relations enhanced – mediation encourages tolerance, understanding and communication between persons with protected characteristics and those without.

Equality of opportunity compromised – it is possible that potential users of the new mediation service could feel that a service operated by the Council is less attractive than a service operated by an external agency, since the Council is also responsible for enforcement actions against members of the public for antisocial behaviour. This could potentially discourage some users from participating in mediation. Consultation did not support this view, however Council staff have raised this issue as a possible, albeit minor risk and this specific concern is addressed in the recommendations.

Consultation was carried out with equalities groups and no concerns were expressed regarding the service delivery and impact of the Council adopting a new approach to delivering the mediation service.

What are the main recommendations to address either the positive or negative impacts?

It is recommended that the Council ensure that high quality training is put in place for those staff engaged with the new mediation approach. This would ensure that the public received a professional and non judgemental service.

To allay any staff concerns that equality of opportunity could be compromised by Council staff delivering mediation as opposed to an external agent, and to support the impartial mediation approach, it is recommended that the new mediation service be structured to ensure that mediation cases are carried out by mediators based in a different neighbourhood from the referring neighbourhood area, and by those who have not had previous involvement with any investigation conducted as part of the case.

It is difficult to accurately estimate impacts of a new approach to mediation on those with protected characteristics as the Council does not currently profile those who are referred to the mediation service, so does not have a clear picture of mediation users from an equalities perspective. Therefore, the Council would benefit from gathering information on mediation user profiles for equalities purposes.. Putting a recording mechanism in place would enable future analysis of mediation users and profile building which in turn would inform the Council whether any protected characteristic group was disproportionately represented within mediation services. This data recording would also enable trend spotting and actions to be taken to address concerns where specific groups sharing protected characteristics were discouraged from using mediation, or their use of the service declined over time.

Sign Off (print name and position and contact details)



Carbon Impact Assessment Template

BUDGET OPTION (number/title/details)				
LEAD OFFICER (name and contact details)				
To record your assessment put an X in the appropriate columns below.				
COUNCIL CARBON EMISSIONS	IMPACTS			NOTES
	↓	↑	↔	
WASTE to landfill				
BUILDINGS energy usage				
INFRASTRUCTURE energy usage				
TRANSPORT fuel consumption				

↓ = *anticipated decrease in emissions*

↑ = *anticipated increase in emissions*

↔ = *no change anticipated*