



City of Edinburgh Council

Record of Equality and Rights Impact Assessment

Part 1: Background and Information

(a) Background Details

Please list ERIA background details:

ERIA Title and Summary Description: Residential Review Team relocation of current office premises to The Fort, 25 North Fort Street, Edinburgh, EH6 4HF.

Service Area	Division	Head of Service	Service Area Reference No.
Older People and Disability Services	Department of Health and Social Care	Monica Boyle	

(b) What is being impact assessed?

Describe the different policies or services (i.e. decisions, projects, programmes, policies, services, reviews, plans, functions or practices that relate to the Corporate ERIA Title):

Policies and Services	Date ERIA commenced
Residential Review Team relocation of current office premises to North Fort Street. The principle objective is to establish and sustain a physical environment that provides a safe working environment and accessibility for all, in a manner that sets standards to form a basis for underpinning the City of Edinburgh Council's commitment to ensure that equality, diversity and respect for an individuals human rights are regarded as a natural first priority.	10 th October 2014

(c) ERIA Team

Please list all ERIA Team Members:

Name	Organisation / Service Area
Laura Carse	Social Worker, Residential Review Team, Department of Health and Social Care
Catherine Mathieson	Practice Team Manager, Residential Review Team, Department of Health and Social Care
Dawn Munro	Business Manager, Department of Health and Social Care
Fiona Liddle	Business Officer, Department of Health and Social Care

Name	Organisation / Service Area
	Social Care

Part 2: Evidence and Impact Assessment

(a) Evidence Base

Please record the evidence used to support the ERIA. Any identified evidence gaps can be recorded at [part 3a](#). Please allocate an abbreviation for each piece of evidence.

Evidence	Abbreviation
<p>City of Edinburgh Council's 'Framework to Advance Equality and Rights 2012/17'.</p> <p>The Council utilises a wide range of evidence sources to inform the development of an equality and rights evidence base. Many of these sources are based on consultation or engagement exercises with individuals or groups who share protected characteristics. This evidence base is used to inform outcome development (see Section 3), mainstreaming activity (see Section 4), impact assessment activity (see Section 5), employment (see Section 6) and approaches to procurement (see Section 7).</p>	CECFER
<p>At the heart of City of Edinburgh Council's 'Framework to Advance Equality and Rights is a set of equality and rights outcomes (and indicators) which are linked to the Council's priority outcomes, as defined in the following policies:</p> <p>City of Edinburgh Council's Strategic Plan 2012/17</p> <p>City of Edinburgh Council's Single Outcome Agreement</p> <p>City of Edinburgh Council's 'Framework to Tackle Inequality and Poverty'.</p>	<p>CECSP</p> <p>CECSOA</p> <p>CECFIP</p>
<p>Health and Safety at Work etc Act 1974</p> <p>Employers have a general duty under section 2 of the Health and Safety at Work etc Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees at work.</p> <p>The Workplace (Health, Safety and Welfare) Regulations 1992.</p> <p>The Regulations expand on the duties outlined in the Health and Safety at Work etc Act 1974 and aim to ensure that workplaces meet the health, safety and welfare needs of all members of a workforce, including people with disabilities. For example Regulation 2(3) clearly outlines that parts of the workplace should be accessible, in particular doors, passageways, stairs, showers, washbasins, lavatories and workstations.</p>	<p>HSWA</p> <p>WHSWR</p>
<p>Disability Discrimination Act 1995 amended in 2002.</p> <p>Under the Disability Discrimination Act 1995, legal rights and obligations affecting disabled people's access to services,</p>	DDA

Evidence	Abbreviation
<p>employment and education are in force. The DDA was amended in 2002 to include education, some duties came into force in September 2002.</p> <p>Disability Rights Commission – Making Access And Goods And Services Easier For Disabled Customers.</p> <p>http://www.drc-gb.org/open4all/publications/publicationdetails.asp?id=318&section</p> <p>The guide provides theoretical and practical advice to:</p> <ul style="list-style-type: none"> • Understand the implications of Part 3 of the Disability Discrimination Act 1995. • Think through how employees and service users with different disabilities would access the premises and resources and how this might be improved • Focus particularly on making reasonable adjustments to the physical features of your premises in accordance with the duties that came into force in 2004. 	DRCA
<p>The UK Equalities Review 2005, led by the Equality and Human Rights Commission (EHRC),</p> <p>The City of Edinburgh Council has utilised the EMF since 2006 as the basis of developing equality outcomes and it was one of the first Councils in Scotland and the UK to adopt this approach. Continuing to use the EMF will afford the Council more opportunities to compare equality and rights evidence and analysis, and benchmark progress on delivering outcomes against other similar public bodies.</p>	QHRCR

(b) Rights Impact Assessment – Summary

Please describe all the identified enhancements and infringements of rights against the following ten areas of rights. Please also consider issues of poverty and health inequality within each area of rights:

- Life
- Health
- Physical security
- Legal security
- Education and learning
- Standard of living
- Productive and valued activities
- Individual, family and social life
- Identity, expression and respect
- Participation, influence and voice

Please indicate alongside each identified enhancement or infringement the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Summary of Enhancements of Rights
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Community engagement and inclusion – The development of the

proposal involved consulting each member of the Residential Review Team through one to one meetings, team meetings, email and weekly bulletins.

Mental health and wellbeing - The proposal could have a positive impact on individuals health and wellbeing. For example being provided with the opportunity to actively participate in a workplace community activity, in this case the planning and organisation of and the move. The proposal could have a positive affect on the amount of contact people have with a new workforce network and provide them with the opportunity to to develop new social contacts within their immediate work community.

Working environment - The proposal will have an effect on an individual's working environment and the access to kitchen and leisure amenities. There is a dedicated food preparation and seating area, which is larger in size than at Boonington that workers can use during business hours.

Transportation - The proposal promotes the use of more accessible and sustainable forms of transport such as the use of the local bus service. The new office premises are served by five separate routes through Lothian buses that head into the city centre via Leith and north bound to areas such as Stockbridge, Granton, Muir House, Pilton, Barnton and Costorphine. The services include no 7, 10, 11, 14, 16, 21, 22, 34, 35 and 36.

Physical activity - The actual site of the new office is in the same area of the city as the current premises in Bonnington. This location is close to green spaces and encourages people to continue to be active, for example through walking going to the gym or swimming.

Environmental factors - The policy could potentially promote more responsible and efficient car use. There is a dedicated car park for employees, which limits the need to park in and around the residential area.

Summary of Infringement of Rights

Can these infringements be justified? Are they proportional?

Relations between members of the workforce – This proposal may have an impact on the way in which individuals from protected groups are viewed by their colleagues. Not everyone will benefit equally from the proposal, for example access to desks and resources, and this could lead to discriminatory attitudes.

Mental health and wellbeing - The proposal could impact on individual stress levels, given the change and logistical planning that will be involved in a move. The proposal could have a negative effect on the amount of contact people have within their current work place network. There is also improved access to community and leisure facilities such as local shops and amenities. .

Working environment - The proposal will have an effect on an individual's working environment. The team will have access to two rooms within the building. Four members of business services will be located with managers from other departmental teams in one room and the senior staff and health and social care workers will be located in the other room. The room that is to be used by business staff and health and social care workers is smaller in size to the current office premises at Bonnington. There will be access to fourteen desks compared to the eighteen available at present. The Council will continue to operate the "touch down policy" that recognises that not all employees will be office based during business hours. There are 24 workers altogether in the Residential Review team, four of whom may require fixed desks, given their employment requirements.

(c) Equality Impact Assessment – Summary

Please consider all the protected characteristics when answering questions 1, 2 and 3 below. Please also consider the issues of poverty and health inequality within each protected characteristic:

- Age
- Disability
- Gender identity
- Marriage / civil partnership
- Pregnancy / maternity
- Race
- Religion / belief
- Sex
- Sexual orientation

1. Please describe all the positive and negative impacts on the duty to eliminate unlawful discrimination, harassment or victimisation. Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

Equality Act 2010 – Protected Characteristics

Of particular relevance to the City Of Edinburgh Council, and the organisations they conduct partnership and contractual work with, is the Equality Act 2010 which came into force across the UK on 1st October 2010. Specifically, the Act introduced a revised public sector equality duty (PSED), and an expanded range of protected characteristics.

When gathering evidence to inform ERIA activities, where possible and practicable, this should be broken down into the protected characteristics. The working group has specifically assessed the impact of the decision outlined in section 1b taking due regard to reduce the discrimination and harassment faced by our client group and employees. In this specific case the decision outlined in section 1(b) has been assessed as having the most impact on two of the protected characteristics listed:

Age (excludes education service and children’s homes): The Equality Act protects people of all ages. Age is still the only protected characteristic by which direct or indirect discrimination can be justified (if it can be argued that treating someone differently because of their age is meeting a legitimate aim).

Disability: The Act applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out ‘normal’ day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.

The Residential Review Team has assessment, care management and reviewing responsibility for all residents placed by the City of Edinburgh Council in care homes/24 hour registered care. Therefore, in this assessment we have given due consideration to the needs of our client group looking specifically at their age group, in this case older adults and individuals who are in a caring role or that have child care responsibilities. Although the majority of the work carried out by the team takes place within a residential setting we recognise that it may be necessary to facilitate meetings within the office premises. We have also taken account the needs of disabled adults and identified prior to the assessment that

there are four employees who are affected by a disability. Within this assessment we gave due consideration of their specific needs and the reasonable adjustments that had to be implemented prior to the move in accordance with the public sector equality duty.

Negative Impacts

The qualitative evidence informing this assessment in relation to disability has been collated directly from the perspectives of individual employees. The working equalities group has ensured to promote a supportive culture, whereby individuals have felt comfortable and free from victimisation to discuss with their line manager the potential impact that a move to another office may have on their professional competencies. However, the working group acknowledges that the information collected will be dependent on each individual's decision to disclose the impact that their disability has on undertaking their employment role and on the identification of the supports they require.

As part of this process it has been necessary to focus on the structural and cultural barriers that exist to inclusion. A negative outcome is that individuals have been required to consider the limitations that are apparent at a personal level specifically as a result of disability. Therefore due consideration has been given to the impact that this process of critical analyses will have on an individual's emotional development.

2. Please describe all the positive and negative impacts on the duty to advance equality of opportunity (i.e. by removing or minimising disadvantage, meeting the needs of particular groups that are different from the needs of others and encouraging participation in public life)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

Within this Equality and Rights Impact Assessment we have given due regard to the needs of individual service users and employees by championing a collective working approach to minimising disadvantage and maximise inclusion in this process. There are four disabled employees within the team. One individual is registered visually impaired, two individuals experience hearing loss, one individual has dyslexia and one individual has a learning disability. Collectively, we have assessed potential barriers and affordances to inclusion at a personal, cultural and structural level which are as follows:

Personal

The working group has arranged four separate visits (31st October, 14th, 19th and 28th November 2014) to the new office premises at the Fort for all Residential Review Team employees and business services. The aim of these visits has been to support each individual's orientation to their new office environment.

During each visit the Team Manager has worked with the employee and business services to identify specific needs that have to be given due consideration. This has included seating arrangements in the office, fixed desk requirements, layout of room and access to building facilities such as the kitchen and meeting rooms.

One employee who experiences hearing loss has applied to Access To Work for a re-assessment of their needs within the new working environment. Access To Work is a national government run agency that provides practical advice and financial support to ensure that the necessary reasonable adjustments are implemented so that individuals can undertake their employment role effectively.

Cultural

We have allocated specific tasks and roles to individuals within Health and Social Care business services to ensure that each individual has the support they require for the move. For example business services are coordinating the practicalities of moving assistive technology and equipment that is used by employees. They will also be on site on the day of the move and thereafter to ensure that the equipment is in the agreed sited position and functioning appropriately.

The janitorial staff that have responsibility for the security of the building have been informed and are aware of the specific needs of employees. This is to ensure that they take account of their safety and wellbeing specifically at times when opening and closing the office.

The environment of the smaller meeting rooms gives due consideration to client's who may have child care responsibilities. There is access to a variety of toys and activities within the meeting rooms that will help to support a child's social and emotional development.

Structural

The office premises are accessible to wheelchair users.

A specific entrance and exit has been identified for employees with a visual impairment to use exclusively. They will have access to this using their own key.

The kitchen facilities have been assessed and are accessible to use for the employee who has a visual impairment.

The toilets are located beside where the office is located and are easily accessible to the employee who has a visual impairment.

Sound boards are in use within large rooms to take account of room acoustics and the impact this could have on individuals with a hearing loss.

Information regarding the proposal and the demographics of the area have been distributed through accessible formats using various communication tools such as emails including pictures of the layout and location, weekly bulletins, notices, team meetings, individual supervision and sessions.

The logistics and organisation involved in actual move has been recorded in a plan of action developed in conjunction with Health and Social Care management, Residential Review Team employees and business services.

The office has been installed with sound boards between the office desks with the intention of cutting out external noise that is likely to be experienced within an open plan office.

There is a Personal Emergency Evacuation Plan in place for the individual that is visually impaired. They have been allocated a fixed desk located adjacent to the fire exit with a clear escape route.

Both offices have been fitted with blinds that will shield out external environmental glare.

Negative Impacts

Personal

There are two sky lights that are located within the office that could potentially have a

negative impact on individuals that experience a hearing loss. The impact of this environmental factor will need to be reviewed and we may have to consider additional noise reduction aids such as installing further sound boards within the room.

The re-assessment of an individual employee's needs that has been requested through Access To Work could potentially take eight to twelve weeks to be completed. This is the allocated timescale involved in the re-assessment and there could be a further delay in accessing appropriate supports depending on the specific recommendations made.

Cultural

There will be access to fourteen desks compared to the eighteen available at present. The Council will continue to operate the "touch down policy" that recognises that not all employees will be office based during business hours. The availability of accessible working space will have to be reviewed on an ongoing basis.

The décor of the building is not conducive for people that have a visual impairment or a learning disability. The walls and doorways have been painted a similar shade of grey, which does not support an individual's orientation of their environment. The Residential Review business services are to investigate practical measures that could be implemented to adapt the office environment such as use of colour on doorways and appropriate signage.

Structural

The building would perhaps benefit from communication aids such as the installation of an induction loop within some areas of the office premises. This requirement for this measure will have to be reviewed.

The availability of meeting rooms for team meetings, training and supervision are in high demand. Booking of meeting rooms can only be arranged through a central point that Residential Review Team business administrators will have to access externally. The effectiveness of this system will have to be reviewed on an ongoing basis.

3. Please describe all the positive and negative impacts on the duty to foster good relations (i.e. by tackling prejudice and promoting understanding)? Please indicate alongside each identified impact the relevant policy or service (see [part 1b](#)) and relevant evidence (see [part 2a](#)).

Positive Impacts

The working group recognises that the needs of individual employees and clients are unique to them and that overall; they are the "experts" on their situation and circumstances. Therefore, they have actively been involved in the consultation and implementation of this decision.

Personal

The working group has arranged four separate visits (31st October, 14th, 19th and 28th November 2014) to the new office premises at the Fort for all Residential Review Team employees and business services. The aim of these visits has been to support each individual's orientation to their new office environment.

During each visit the Team Manager has worked with the employee and business services to identify specific needs that have to be given due consideration. This has included seating arrangements in the office, fixed desk requirements, layout of room and access to building facilities such as the kitchen and meeting rooms.

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We have allocated specific tasks and roles to individuals within Health and Social Care business services to ensure that each individual has the support they require for the move. For example business services are coordinating the practicalities of moving assistive technology and equipment that is used by employees. They will also be on site on the day of the move and thereafter to ensure that the equipment is in the agreed sited position and functioning appropriately.

Structural

Information regarding the proposal and the demographics of the area have been distributed through accessible formats using various communication tools such as emails including pictures of the layout and location, weekly bulletins, notices, team meetings, individual supervision and sessions.

Negative Impacts

None identified.

Part 3: Evidence Gaps, Recommendations, Justifications and Sign Off

(a) Evidence Gaps

Please list all relevant evidence gaps and action to address identified gaps.

Evidence Gaps	Action to address gaps
The Working Group needs to ensure that accessibility for all is an integral part of the equality agenda and is a fundamental forward principle within everything we do.	The Working Group to review the Equality and Rights Impact Assessment after a four week period and thereafter, as required, or on a six monthly basis.
The proposed management of Health and Safety with engagement across the Council recommends that accessibility is a standing item on the Equalities agenda. However, it must be understood that accessibility is not limited to the physical environment and the disability development agenda alone. Accessibility needs to be considered in the wider context, to embrace the diversity of all staff, stakeholders and partners.	Equality and Rights Impact Assessment to be submitted to Julia Sproul, Health and Social Care Equality and Rights lead officer. The Assessment is to be subsequently published on the Council's website / intranet.

(b) Recommendations

Please record SMART recommendations to

- (i) eliminate unlawful practice or infringements of absolute rights;
- (ii) justify identified infringements of rights; or
- (iii) mitigate identified negative equality impacts.

Recommendation	Responsibility of (name)	Timescale
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Impact of sky lights to be reviewed	Two employees affected by hearing loss and Catherine Mathieson.	On an ongoing basis from 8 th December 2014.
Requirement of Induction Loop.	Two employees affected by hearing loss, Catherine Mathieson and Deaf Action.	After four week period from 8 th December 2014.
Access To Work re-assessment to be completed and subsequent recommendations to be implemented.	One employee affected by hearing loss and Access To Work Advisor (still to be allocated)	On an ongoing basis from 8 th December 2014.
The availability of accessible working space to be reviewed.	Residential Review Team employees and business services.	On an ongoing basis from 8 th December 2014
Appropriate signage and display materials to be appointed to doorways and office environment.	Residential Review Team employees and business services.	On an ongoing basis from 8 th December 2014
The effectiveness of the room booking system is to be reviewed.	Residential Review Team employees and business services.	On an ongoing basis from 8 th December 2014
The group has agreed to review the impacts identified from the Equality Assessment to ensure the impacts identified are still relevant and the negative impacts identified have been addressed.	Catherine Mathieson, Dawn Munro, Laura Carse and Fi Liddle.	Initially after a four week period and thereafter, as required, or on a six monthly basis

(c) Sign Off

I, the undersigned, am content that:

- (i) the ERIA record represents a thorough and proportionate ERIA analysis based on a sound evidence base;
- (ii) the ERIA analysis gives no indication of unlawful practice or violation of absolute rights;
- (iii) the ERIA recommendations are proportionate and will be delivered;
- (iv) the results of the ERIA process have informed officer or member decision making;
- (v) that the record of ERIA has been published on the Council's website / intranet, or
- (vi) that the ERIA record has been reviewed and re-published.

Date	Sign Off (print name and position)	Reason for Sign Off
		(please indicate which reason/s from list (i) to (vi) above)
