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Corporate Savings Principles

Prior to the General Election in 2010, the Labour Government instituted a programme of austerity planned over a five year period. In 2010 the Coalition Government increased the level of and pace of “fiscal consolidation” (i.e. tax increases and spending cuts) that applied to the nation’s public finances. In 2013 these were increased again such that the original plans of the (then) Labour Government to reduce public spending have been increased dramatically. To ensure that this scale of service cuts did not impact adversely on front-line services the Mayor and Cabinet agreed a set of principles to underpin the Council’s decision making. These principles ensure that we:

- 1) Take account of the impact on service outcomes and social results for customers and citizens
- 2) Be prudent and sustainable for the longer term, we will not just opt for short term fixes
- 3) Reflect a coherent “one organisation” approach that avoids silo-based solutions
- 4) Encourage self-reliance, mutualism and cooperative endeavour
- 5) Mitigate potential harm in accordance with an appropriate assessment of needs
- 6) Be mindful of the impact on the geography of fairness across Lewisham (and our boundaries)
- 7) Involve service users, staff and other stakeholders in the redesign of services for the future
- 8) Consider the current or potential actions of other public agencies and the voluntary sector locally, including sharing and reshaping services (Total Place)
- 9) Consider the impact on the Lewisham approach where we listen to all voices, take account of all views and then we move forward to implement.

Appendix 6



Making fair financial decisions Guidance for decision-makers

3rd edition, January 2015

Introduction

With major reductions in public spending, public authorities in Britain are being required to make difficult financial decisions. This guide sets out what is expected of you as a decision-maker or leader of a public authority responsible for delivering key services at a national, regional and/or local level, in order to make such decisions as fair as possible.

The public sector equality duty (the equality duty) does not prevent you from making difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor does it stop you from making decisions which may affect one group more than another group. The equality duty enables you to demonstrate that you are making financial decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of your community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on people with different protected characteristics.

Assessing the impact on equality of proposed changes to policies, procedures and practices is not just something that the law requires, it is a positive opportunity for you as a public authority leader to ensure you make better decisions based on robust evidence.

What the law requires

Under the equality duty (set out in the Equality Act 2010), public authorities must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics covered by the equality duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination.

The law requires that public authorities demonstrate that they have had 'due regard' to the aims of the equality duty in their decision-making. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had 'due regard'.

It is also important to note that public authorities subject to the equality duty are also likely to be subject to the Human Rights Act 1998. We would therefore recommend that public authorities consider the potential impact their decisions could have on human rights.

Aim of this guide

This guide aims to assist decision-makers in ensuring that:

- The process they follow to assess the impact on equality of financial proposals is robust, and
- The impact that financial proposals could have on people with protected characteristics is thoroughly considered before any decisions are arrived at.

We have also produced detailed guidance for those responsible for assessing the impact on equality of their policies, which is available on our website at www.equalityhumanrights.com

The benefits of assessing the impact on equality

By law, your assessments of impact on equality must:

- Contain enough information to enable a public authority to demonstrate it has had 'due regard' to the aims of the equality duty in its decision-making
- Consider ways of mitigating or avoiding any adverse impacts.

Such assessments do not have to take the form of a document called an equality impact assessment. If you choose not to develop a document of this type, then some alternative approach which systematically assesses any adverse impacts of a change in policy, procedure or practice will be required.

Assessing impact on equality is not an end in itself and it should be tailored to, and be proportionate to, the decision that is being made.

Whether it is proportionate for an authority to conduct an assessment of the impact on equality of a financial decision or not depends on its relevance to the authority's particular function and its likely impact on people with protected characteristics.

We recommend that you document your assessment of the impact on equality when developing financial proposals. This will help you to:

- **Ensure you have a written record of the equality considerations** you have taken into account.
- **Ensure that your decision includes a consideration of the actions that would help to avoid or mitigate any impacts on particular protected characteristics.** Individual decisions should also be informed by the wider context of decisions in your own and other relevant public authorities, so that people with particular protected characteristics are not unduly affected by the cumulative effects of different decisions.

- **Make your decisions based on evidence:** a decision which is informed by relevant local and national information about equality is a better quality decision. Assessments of impact on equality provide a clear and systematic way to collect, assess and put forward relevant evidence.

- **Make the decision-making process more transparent:** a process which involves those likely to be affected by the policy, and which is based on evidence, is much more open and transparent. This should also help you secure better public understanding of the difficult decisions you will be making in the coming months.

- **Comply with the law:** a written record can be used to demonstrate that due regard has been had. Failure to meet the equality duty may result in authorities being exposed to costly, time-consuming and reputation-damaging legal challenges.

When should your assessments be carried out?

Assessments of the impact on equality must be carried out at a **formative stage** so that the assessment is an integral part of the development of a proposed policy, not a later justification of a policy that has already been adopted. Financial proposals which are relevant to equality, such as those likely to impact on equality in your workforce and/or for your community, should always be subject to a thorough assessment. This includes proposals to outsource or procure any of the functions of your organisation. The assessment should form part of the proposal, and you should consider it carefully **before** making your decision.

If you are presented with a proposal that has not been assessed for its impact on equality, you should question whether this enables you to consider fully the proposed changes and its likely impact. Decisions not to assess the impact on equality should be fully documented, along with the reasons and the evidence used to come to this conclusion. This is important as authorities may need to rely on this documentation if the decision is challenged.

It is also important to remember that the potential impact is not just about numbers. Evidence of a serious impact on a small number of individuals is just as important as something that will impact on many people.

What should I be looking for in my assessments?

Assessments of impact on equality need to be based on relevant information and enable the decision-maker to understand the equality implications of a decision and any alternative options or proposals.

As with everything, proportionality is a key principle. Assessing the impact on equality of a major financial proposal is likely to need significantly more effort and resources dedicated to ensuring effective engagement, than a simple assessment of a proposal to save money by changing staff travel arrangements.

There is no prescribed format for assessing the impact on equality, but the following questions and answers provide guidance to assist you in determining whether you consider that an assessment is robust enough to rely on:

• Is the purpose of the financial proposal clearly set out?

A robust assessment will set out the reasons for the change; how this change can impact on protected groups, as well as whom it is intended to benefit; and the intended outcome. You should also think about how individual financial proposals might relate to one another. This is because a series of changes to different policies or services could have a severe impact on particular protected characteristics.

Joint working with your public authority partners will also help you to consider thoroughly the impact of your joint decisions on the people you collectively serve.

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel. Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable. This combined impact would not be apparent if the decisions were considered in isolation.

- **Has the assessment considered available evidence?**

Public authorities should consider the information and research already available locally and nationally. The assessment of impact on equality should be underpinned by up-to-date and reliable information about the different protected groups that the proposal is likely to have an impact on. A lack of information is not a sufficient reason to conclude that there is no impact.

- **Have those likely to be affected by the proposal been engaged?**

Engagement is crucial to assessing the impact on equality. There is no explicit requirement to engage people under the equality duty, but it will help you to improve the equality information that you use to understand the possible impact on your policy on different protected characteristics. No-one can give you a better insight into how proposed changes will have an impact on, for example, disabled people, than disabled people themselves.

- **Have potential positive and negative impacts been identified?**

It is not enough to state simply that a policy will impact on everyone equally; there should be a more in-depth consideration of available evidence to see if particular protected characteristics are more likely to be affected than others. Equal treatment does not always produce equal outcomes; sometimes authorities will have to take particular steps for certain groups to address an existing disadvantage or to meet differing needs.

- **What course of action does the assessment suggest that I take? Is it justifiable?**

The assessment should clearly identify the option(s) chosen, and their potential impacts, and document the reasons for this decision. There are four possible outcomes of an assessment of the impact on equality, and more than one may apply to a single proposal:

Outcome 1: No major change required when the assessment has not identified any potential for discrimination or adverse impact and all opportunities to advance equality have been taken.

Outcome 2: Adjustments to remove barriers identified by the assessment or to better advance equality. Are you satisfied that the proposed adjustments will remove the barriers identified?

Outcome 3: Continue despite having identified some potential for adverse impacts or missed opportunities to advance equality. In this case, the justification should be included in the assessment and should be in line with the duty to have 'due regard'. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact, as discussed below.

Outcome 4: Stop and rethink when an assessment shows actual or potential unlawful discrimination.

• Are there plans to alleviate any negative impacts?

Where the assessment indicates a potential negative impact, consideration should be given to means of reducing or mitigating this impact. This will in practice be supported by the development of an action plan to reduce impacts. This should identify the responsibility for delivering each action and the associated timescales for implementation. Considering what action you could take to avoid any negative impact is crucial, to reduce the likelihood that the difficult decisions you will have to take in the near future do not create or perpetuate inequality.

Example: A University decides to close down its childcare facility to save money, particularly given that it is currently being under-used. It identifies that doing so will have a negative impact on women and individuals from different racial groups, both staff and students.

In order to mitigate such impacts, the University designs an action plan to ensure relevant information on childcare facilities in the area is disseminated to staff and students in a timely manner. This will help to improve partnership working with the local authority and to ensure that sufficient and affordable childcare remains accessible to its students and staff.

• Are there plans to monitor the actual impact of the proposal?

Although assessments of impact on equality will help to anticipate a proposal's likely effect on different communities and groups, in reality the full impact of a decision will only be known once it is introduced. It is therefore important to set out arrangements for reviewing the actual impact of the proposals once they have been implemented.

What happens if you don't properly assess the impact on equality of relevant decisions?

If you have not carried out an assessment of impact on equality of the proposal, or have not done so thoroughly, you risk leaving yourself open to legal challenges, which are both costly and time-consuming. Legal cases have shown what can happen when authorities do not consider their equality duties when making decisions.

Example: A court overturned a decision by Haringey Council to consent to a large-scale building redevelopment in Wards Corner in Tottenham, on the basis that the council had not considered the impact of the proposal on different racial groups before granting planning permission.

However, the result can often be far more fundamental than a legal challenge. If people feel that an authority is acting high-handedly or without properly involving its service users or employees, or listening to their concerns, they are likely to become disillusioned with you.

Above all, authorities which fail to carry out robust assessments of the impact on equality risk making poor and unfair decisions that could discriminate against people with particular protected characteristics and perpetuate or worsen inequality.

As part of its regulatory role to ensure compliance with the equality duty, the Commission monitors financial decisions with a view to ensuring that these are taken in compliance with the equality duty and have taken into account the need to mitigate negative impacts, where possible.

Appendix 7

Summary of Equalities Implications

Please see section 12.22 of the main report.

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Req'd?		Full Report Req'd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
Joint Commissioning and Targeted Services										
	CYP6	SAFER	Cease funding for former CYP funded post in Voluntary Action Lewisham	25	25	49		N	N	N
	CYP7	CYP	Early Help Redesign		800	800		Y	Y	Y
			Subtotal	25	825	849				
CYP Total			Total	1,575	2,175	3,749				
Community Services										
Adult Social Care										
	COM1	HCSC	Managing demand at the point of access to adult social care services	122		122		N	N	Y
	COM2	HCSC	Ensuring support plans optimise value for money	250	250	500		N	N	N
	COM3	HCSC	Increase revenue from charging Adult Social Care clients	159		159	Y	N	N	Y
	COM4	HCSC	Reduce costs for Learning Disability and Transitions	900	1,000	1,900		N	N	Y
	COM5	HCSC	Increased focus of personalisation	260	482	742		N	N	Y
	COM6	HCSC	Reduction in Mental Health Residential care costs	300	200	500		N	N	Y

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Req'd?		Full Report Req'd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
	COM7	HCSC	Reduction in Adult Social Care contribution to Mental Health Integrated Community Services	100	50	150		N	N	Y
			Subtotal	2,091	1,982	4,073				
Crime Reduction, Supporting People, & Enforcement										
	COM8	SDSC	Change in the public engagement responsibilities for air quality and dedicated funding		60	60		Y	N	N
	COM9	OSC	Cut to intensive housing advice and support service	300		300		N	N	Y
	COM10	SAFER	Crime, Enforcement & Regulation reorganisation	255	161	416		Y	Y	Y
			Subtotal	555	221	776		N	N	N
Culture & Community Services								N	N	N
	COM11	SAFER	Hub Libraries cuts to staffed opening hours		450	450		Y	Y	Y
	COM12	OSC	Cut to Main Grants budget	600	400	1,000		N	Y	Y
	COM13	SAFER	Reduction in Arts, Development and Events Funding	145		145		N	N	N
	COM14	OSC	Reduce Local Assemblies funds	270		270		N	Y	Y
	COM15	SUSTAINABLE	Extend use of Broadway theatre		50	50		N	N	N
	COM16	SAFER	Cultural and Community Development Service Staffing	75	75	150		Y	N	N

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Reqd?		Full Report Reqd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
	COM17	SAFER	Ending the Small & Faith Fund	100		100		N	Y	N
			Subtotal	1,190	975	2,165				
Community Total				3,836	3,178	7,014				
Customer Services										
Technology & Change										
	CUS1	PAC	Printing reduction	100		100	Y	N	N	N
			Subtotal	100		100				
Environment										
	CUS2	SDSC	Income Generation – Increase of Garden Waste Subscription	278	485	763	Y	N	N	N
	CUS3	SDSC	Income Generation - Events in Parks	200	300	500	Y	N	N	Y
	CUS4	SDSC	Income Generation – Increase in Commercial Waste Charges	150	300	450	Y	N	N	N
	CUS5	SDSC	Increase charge for the collection of Domestic Lumber from households	30		30	Y	N	N	Y
	CUS6	PAC	Bereavement Services increase income targets	67	67	134	Y	N	N	N
	CUS7	SDSC	Reduce sweeping frequency to residential roads to fortnightly.		823	823		Y	Y	Y

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Reqd?		Full Report Reqd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
	CUS8	SDSC	Close the four remaining Automated Public Toilets	92		92				
			Subtotal	817	1,975	2,792				
Housing										
	CUS9	HOUSING	Cost reductions in homelessness provision – income generation and net budget reductions	405	696	1,101		N	N	Y
			Subtotal	405	696	1,101				
Public Services										
	CUS10	PAC	Invest to save – create revenues protection team	806	394	1,200		N	N	N
	CUS11	PAC	Process automation in Revenues and Benefits		250	250		N	N	N
	CUS12	PAC	Invest to save – Housing Benefit overpayment recovery improved	480		480		N	N	N
	CUS13	PAC	Invest to save – improve sundry debt collection		480	480	Y	N	N	N
	CUS14	SDSC	Parking Service revenue review	500		500	Y	N	N	N
			Subtotal	1,786	1,124	2,910				
Customer Services Total				Total	3,108	3,795	6,903			

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Reqd?		Full Report Reqd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
Resources and Regeneration										
Financial Services										
	RES1	PAC	Benefits Realisation of Oracle Cloud	90	350	440		Y	N	N
			Subtotal	90	350	440				
Legal Services (excl. elections)										
	RES2	PAC	Legal fees increase	50	32	82	Y	N	N	N
			Subtotal	50	32	82				
Policy & Governance										
	RES3	PAC	Executive Office – Administrative Support Staff Reduction		104	104		Y	N	N
	RES4	PAC	Policy, Service Design and Intelligence – Reduction on staffing		155	155		Y	N	N
	RES5	PAC	Withdrawal of Councillor Car Run Delivery Service	10				N	N	N
			Subtotal	10	259	259				
Strategy										
	RES6	PAC	Increase income supporting the Funding Officer post and review the Economy and Partnerships Function	30	80	110	Y	Y	N	N

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Reqd?		Full Report Reqd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
	RES7	SAFER	Reduce corporate apprenticeships salaries budget		55	55		N	N	N
			Subtotal	30	135	165				
Corporate Resources										
	RES8	PAC	Insurance costs – premium reduction	30		30		N	N	N
	RES9	PAC	Insurance costs – self insurance reserves	200		200		N	N	Y
			Subtotal	230		230				
Human Resources										
	RES10	SAFER	Cease graduate programme	78	78	156		N	N	N
			Subtotal	78	78	156				
Planning										
	RES11	SDSC	Increase in pre-application fees	50	50	100	Y	N	N	N
			Subtotal	50	50	100				
Regeneration and Place										
	RES12	OSC	Catford complex office rationalisation		250	250		N	N	N
	RES13	PAC	Reduction in Business Rates for the Corporate Estate		100	100		N	N	N
	RES14	PAC	Corporate Estate Facilities Management Contract Insourcing	100	100	200		N	N	N

Directorate / Division	Ref	Scrutiny Ctte	Proposal	19/20	20/21	Total	Income	Consultation Reqd?		Full Report Reqd?
				£'000	£'000	£'000		Staff	Public	Key Dec.
	RES15	PAC	Commercial Estate Growth		500	500	Y	N	N	N
	RES16	PAC	Commercial Property Investment Acquisitions	140	140	280	Y	N	N	N
	RES17	SDSC	Beckenham Place Park – income generation	28	105	133	Y	N	N	N
	RES18	SDSC	Electric Vehicle charging points	50	50	100	Y	N	N	N
	RES19	CYP	School crossing patrol		160	160		Y	Y	Y
			Subtotal	318	1,405	1,723				
Resources and Regeneration			Total	856	2,309	3,155				
Council Total				9,374	11,457	20,821				