

## Equality Impact Assessment

Details of the assessment	
<b>Name of Function/Policy/ Service being assessed:</b>	<b>Leisure Facilities Options Review</b>
<b>Date of assessment:</b>	Commenced: 24 October 2012 Completed: Approved by Management Team:
<b>Service:</b>	Leisure Services
<b>Name of officers carrying out assessment:</b>	Chief Leisure Officer, TMBC Elections & Special Projects Manager, TMBC West Kent Equalities Officer, West Kent Equalities Partnership

Step 1 Initial Screening for:		
	Key Questions	Answers/Notes
1	What are you looking to achieve in this activity?	<p>Undertake, and implement the findings of, a review of the potential management options for the TMBC leisure facilities currently provided in full or in part by the Leisure Services Business Unit (Angel Centre, Tonbridge Swimming Pool, Larkfield Leisure Centre and Poult Wood Golf Centre).</p> <p>The review reflects that the Council has, and wishes to retain, a strong commitment to the delivery of its leisure facilities.</p> <p>The objective of the review is to provide a detailed overview of five management options :</p> <ul style="list-style-type: none"> <li>A. Retain in-house management</li> <li>B. Establish a new not for profit distributing organisation (more commonly known as a Leisure Trust)</li> <li>C. Use an existing not for profit distributing organisation established to operate another Council's facilities.</li> <li>D. Use a hybrid trust not for profit organisation established by a leisure management contractor to operate facilities</li> <li>E. Use a private sector commercial leisure management contractor</li> </ul>

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Step 1 Initial Screening for:					
Key Questions	Answers/Notes				
2	<p>Who in the main will be affected?</p> <ul style="list-style-type: none"> <li>– Customers of the leisure facilities, including both individuals and clubs/ groups/societies.</li> <li>– Staff working within the leisure facilities.</li> <li>– Specialist contractors operating from or within our leisure facilities, eg catering, cleaning, vending, etc.</li> </ul>				
3	<p>Does the activity have the potential to cause adverse impact or discriminate against different groups in the community?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; vertical-align: top;">Yes</td> <td style="padding: 5px;"> <p>Please explain: The intention is that, whichever of the five options are taken forward, the same facilities and services will be available and delivered to public. However, one of the fundamental reasons for the review is due to the reduced financial resources available to the Council; a change in management model could help reduce the annual revenue costs of running the leisure facilities. Within the five management options, there is a possibility that the necessary savings will not be made and, therefore, alternative ways of delivering financial savings will be required – these could result from changed or reduced service delivery, which could have a potential adverse impact on different groups in the community.</p> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 5px;"> <p>Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.</p> </td> </tr> </table>	Yes	<p>Please explain: The intention is that, whichever of the five options are taken forward, the same facilities and services will be available and delivered to public. However, one of the fundamental reasons for the review is due to the reduced financial resources available to the Council; a change in management model could help reduce the annual revenue costs of running the leisure facilities. Within the five management options, there is a possibility that the necessary savings will not be made and, therefore, alternative ways of delivering financial savings will be required – these could result from changed or reduced service delivery, which could have a potential adverse impact on different groups in the community.</p>	<p>Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.</p>	
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4	<p>Does the activity make a positive contribution to equalities?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; text-align: center; vertical-align: top;">Yes</td> <td style="padding: 5px;"> <p>Please explain: Whilst the intention is that the facilities and services provided will remain the same as at present, these provide a positive contribution to equalities, as set out in the Equality Impact Assessments for the LSBU and for Poult Wood Golf Centre.</p> </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 5px;"> <p>Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.</p> </td> </tr> </table>	Yes	<p>Please explain: Whilst the intention is that the facilities and services provided will remain the same as at present, these provide a positive contribution to equalities, as set out in the Equality Impact Assessments for the LSBU and for Poult Wood Golf Centre.</p>	<p>Note: if the answer is 'yes' then a full equality impact assessment is required – see step 2.</p>	
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Where the screening has identified the need for a full impact assessment, this must:

- be commenced during the drafting stages of a new policy/strategy and fully completed following any consultation period before submitting the committee approval
- carried out before any policy decision is taken
- completed in the planning stages of any procurement exercise

## Equality Impact Assessment

	Key Questions	Answers/Notes
<b>Step 2</b>	<b>Scoping the assessment</b>	
1.	What is the overall aim, or purpose of the function/ policy/service?	Undertake, and implement the findings of, a review of the potential management options for the TMBC leisure facilities currently provided in full or in part by the Leisure Services Business Unit (Angel Centre, Tonbridge Swimming Pool, Larkfield Leisure Centre and Poulton Wood Golf Centre) whilst retaining a strong commitment to the delivery of the leisure facilities.
2.	What outcomes do you want to achieve with this function/ policy/service and for whom?	<p>To review the potential management options for the leisure facilities, identifying the potential operational and capital enhancements and the risks and benefits associated with each potential approach:</p> <ul style="list-style-type: none"> <li>A. Retain in-house management</li> <li>B. Establish a new not for profit distributing organisation (more commonly known as a Leisure Trust)</li> <li>C. Use an existing not for profit distributing organisation established to operate another Council's facilities.</li> <li>D. Use a hybrid trust not for profit organisation established by a leisure management contractor to operate facilities</li> <li>E. Use a private sector commercial leisure management contractor</li> </ul> <p>The outcomes of the review are:</p> <ul style="list-style-type: none"> <li>1. Delivery against the ten themes in the TMBC Leisure and Arts Strategy</li> <li>2. Support the delivery of the corporate priorities of the Council</li> <li>3. Maintain and improve the quality of service and the provision</li> <li>4. Continue to invest and maintain the assets</li> <li>5. Deliver financial savings</li> <li>6. Ensure long term sustainability</li> </ul> <p>These outcomes are those required by the Council, but will benefit existing users and potential new users. Ensuring these outcomes are achieved will result in the continued delivery of existing facilities and services.</p>

## Equality Impact Assessment

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3.	Who will be affected?	<ul style="list-style-type: none"> <li>– Customers of the leisure facilities, including both individuals and groups/societies.</li> <li>– Staff working within the leisure facilities.</li> <li>– Specialist contractors operating from or within our leisure facilities.</li> </ul>														
4.	Who defines or defined the function/service/policy?	Management Team and Council Members.														
5.	Who implements the function/service/policy?	Management Team and Council Members. Staff, Council Members and Contractors.														
6.	How do the outcomes of the function/service/policy meet or conflict other policies, values or objectives of the public authority (if applicable)?	<p>Please indicate which of the Council's Key Priorities these outcomes relate to:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 90%;">A clean, smart, well maintained and sustainable Borough</td> <td style="width: 10%;"></td> </tr> <tr> <td>Healthy living opportunities and community well-being</td> <td></td> </tr> <tr> <td>Children and young people who are safe, involved and able to access positive activities</td> <td></td> </tr> <tr> <td>Low levels of crime, anti-social behaviour and fear of crime.</td> <td></td> </tr> <tr> <td>A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness.</td> <td></td> </tr> <tr> <td>Continued delivery of priority services and a financially viable Council.</td> <td></td> </tr> <tr> <td>Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough.</td> <td></td> </tr> </table> <p>Any other comments:</p> <p>Delivery against the ten themes in the TMBC Leisure and Arts Strategy.</p>	A clean, smart, well maintained and sustainable Borough		Healthy living opportunities and community well-being		Children and young people who are safe, involved and able to access positive activities		Low levels of crime, anti-social behaviour and fear of crime.		A continuing supply of homes, including affordable housing to buy and rent, and prevention of homelessness.		Continued delivery of priority services and a financially viable Council.		Sustainable regeneration of Tonbridge town centre and economic development in communities across the Borough.	
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7.	Are there any factors that could contribute or detract from the outcomes identified earlier?	<p><b>Contribute:</b></p> <ul style="list-style-type: none"> <li>– Of the five potential management options, some are more likely to deliver the outcomes than others.</li> <li>– Comprehensive review of options to identify the most appropriate and sustainable.</li> <li>– Financial savings made through selected management option will reduce the need for savings to be made by reducing services or changing delivery models.</li> <li>– No changes to services or facilities intended.</li> </ul>														

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		<ul style="list-style-type: none"> <li>– Future management option controlled through detailed contract and monitored by TMBC to ensure outcomes are delivered.</li> </ul> <p><b>Detract:</b></p> <ul style="list-style-type: none"> <li>– Of the five potential management options, some are more likely to deliver the outcomes than others.</li> <li>– Selection of some options would be less financially beneficial, so future reductions in service may be required.</li> </ul>
<b>Step 3 Consideration of data and information</b>		
8.	What do you already know about who uses this function/service/ policy?	The Equality Impact Assessments for the LSBU <sup>1</sup> and for Poult Wood <sup>2</sup> set out what is known about current users and non-users of the leisure facilities.
9.	Has any consultation with service users already taken place on the function/service/ policy and if so what were the key findings?	<p>Consultation has taken place amongst potentially-affected staff and liaison has taken place with UNISON. Staff have expressed a preference for the establishment of a new Leisure Trust. Consultation with staff will be maintained throughout the decision-making process. <b>#FINDINGS.</b></p> <p>Through the review, and implementation thereof, of the potential management options for leisure facilities, there should be <b>no change</b> in the delivery or accessibility of facilities and services provided and delivered by TMBC. Therefore, no public consultation has taken place as no members of the public or community will be affected by any change. Any future changes proposed by a new management structure would require a further Equality Impact Assessment to be carried out by that structure, in conjunction with TMBC, as part of the evaluation of any proposed change to programmes, charges, buildings, services or facilities.</p>
10.	What, if any, additional information is needed to assess the impact of the function/service/policy?	No further information is required, because there should be no change in the delivery or accessibility of facilities and services provided and delivered by TMBC.
11.	How do you propose to gather the additional information?	Not applicable.

<sup>1</sup> [http://www.tmbc.gov.uk/\\_\\_data/assets/pdf\\_file/0013/12901/LSBU\\_EqIA\\_FINAL\\_01\\_03\\_11.pdf](http://www.tmbc.gov.uk/__data/assets/pdf_file/0013/12901/LSBU_EqIA_FINAL_01_03_11.pdf)

<sup>2</sup> [http://www.tmbc.gov.uk/\\_\\_data/assets/pdf\\_file/0009/12897/PWGC\\_EqIA.pdf](http://www.tmbc.gov.uk/__data/assets/pdf_file/0009/12897/PWGC_EqIA.pdf)

## Equality Impact Assessment

	Key Questions	Answers/Notes
<b>Step 4 Assessing the Impact</b>		
12.	Based on what information you already know, in relation to each of the following groups consider whether a) there is anything in the function/service/policy that could discriminate or put anyone at a disadvantage b) for an existing function/service/policy, how it is actually working in practice for each group	
a.	<b>Equality groups</b> Age	<p>The EqlA of the LSBU sets out the current practice.</p> <p>Through the review, and implementation thereof, of the potential management options for leisure facilities, there should be no change in the delivery or accessibility of facilities and services provided and delivered by TMBC. This is evidenced by the changes made to management options in other neighbouring local authorities, where no equality impacts arose as a result of the management change.</p> <p>There will also be no equality impact on staff; TMBC Personnel Services are working to ensure that is the case.</p>
b.	Disability	
c.	Carers	
d.	Gender	
e.	Race	
f.	Religion/Belief	
g.	Sexual Orientation	
g.	Marital or Civil Partnership Status	
h.	Pregnancy & Maternity	
i.	Gender reassignment	

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Key Questions		Answers/Notes
j.	General/other	<p>Of the five potential management options, not all offer the same level of financial savings. Where savings are more limited, future changes to service provision and delivery may be required by the Council in light of its corporate savings target.</p> <p>A. <i>Retain in-house management.</i> This will not provide for the financial savings and so future changes to service provision may be required. This could have an adverse impact across different groups of users.</p> <p>B. <i>Establish a new not for profit distributing organisation (more commonly known as a Leisure Trust).</i> This would provide financial savings to the Council in the region of £500,000 per annum, thereby reducing the need for future changes to service delivery. There would be a good level of control by TMBC to enable influence over future decisions and so ensure equality of access and service delivery.</p> <p>C. <i>Use an existing not for profit distributing organisation established to operate another Council's facilities.</i> This would provide financial savings to the Council in the region of £520,000 per annum, thereby reducing the need for future changes to service delivery. However, there would be less opportunity for TMBC to influence the NPDO on service delivery, and there could be potential risk of potential adverse impacts.</p> <p>D. <i>Use a hybrid trust not for profit organisation established by a leisure management contractor to operate facilities.</i> This would provide financial savings to the Council in the region of £520,000 per annum, thereby reducing the need for future changes to service delivery. However, there would be less opportunity for TMBC to influence the NPDO on service delivery, and there could be potential risk of potential adverse impacts.</p> <p>E. <i>Use a private sector commercial leisure management contractor.</i> This will not provide for the financial savings and so future changes to service provision may be required. This could have an adverse impact across different groups of users. There would also be less opportunity for TMBC to influence the operator on service delivery, and there could be potential risk of potential adverse impacts.</p>
<b>Step 5 Reviewing and Scrutinising the Impact</b>		

## Equality Impact Assessment

	Key Questions	Answers/Notes
13.	What conclusions can you draw about any differential impact and how people are adversely or positively affected?	<p>Through the review, and implementation thereof, of the potential management options for leisure facilities, there should be no change in the delivery or accessibility of facilities and services provided and delivered by TMBC through any of the five management options under review.</p> <p>However, of the five options, one presents itself as providing both financial savings (therefore reducing the risk of future changes to services, as outlined above) and a good level of influence over the delivery of services. This is the creation of a new not for profit distributing organisation (Leisure Trust).</p>
14.	What actions can you take to address any impacts identified?	<p>A. Retain in-house management If Members determine that this is the preferred model, there is a risk that future changes to service delivery will be required to provide financial savings. These changes would need to be considered at the time through a detailed equality impact assessment.</p> <p>B. Establish a new not for profit distributing organisation (more commonly known as a Leisure Trust) If Members determine that this is the preferred model, then there are no potential impacts that need to be addressed.</p> <p>C. Use an existing not for profit distributing organisation established to operate another Council's facilities. If Members determine that this is the preferred model, then there is a risk that through TMBC's reduced level of influence, potential impacts could arise through changes made to service delivery. These would need to be monitored through the contract monitoring and mitigation developed at the time.</p> <p>D. Use a hybrid trust not for profit organisation established by a leisure management contractor to operate facilities If Members determine that this is the preferred model, then there is a risk that through TMBC's reduced level of influence, potential impacts could arise through changes made to service delivery. These would need to be</p>



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	Key Questions	Answers/Notes
		<p>monitored through the contract monitoring and mitigation developed at the time.</p> <p>E. Use a private sector commercial leisure management contractor            If Members determine that this is the preferred model, there is a risk that future changes to service delivery will be required. There is also a risk that through TMBC's reduced level of influence, potential impacts could arise through changes made to service delivery. These would need to be monitored through the contract monitoring and mitigation developed at the time.</p>
15.	If no changes can be made, what reasons are there to justify this?	Any future changes required will be subject to a detailed assessment at the appropriate time.
16.	How might any of the changes, in relation to the adverse impact, have a further adverse affect on any other group?	Any future changes required will be subject to a detailed assessment at the appropriate time. The change to a new management model will not, of itself, have any direct impact.

## Equality Impact Assessment

Step 5 continued...	Actions to be inserted into Equality Action Plans			
Based on your answers in Step 5, please finalise your actions here. These actions will then be incorporated into our equality action plans.				
Action	Outcome/monitoring information and targets	WK Equality Aims and Commitments	Date for Completion	Responsible Officer
If an adverse impact was found or unmet needs identified, which actions will you put in place to address this:				
If the impact is still unclear, list the actions you will put in place to gather the information you need:				
If you did not find any evidence of unmet needs or adverse impact, list the actions you will put in place to maintain good practice:				

## Equality Impact Assessment

<b>Step 6 Decision making and future monitoring</b>		
17.	Which decision making process do these changes need to go through i.e. do they need to be approved by a committee/Council?	TMBC Leisure & Arts Advisory Board will discuss on 10 December 2012, followed by discussion at Cabinet in January 2013 and a decision by Council in February 2013. Work will then be undertaken to adopt any new management model by April 2014 at the latest.
18.	How will you continue to monitor the impact of the function/service/ policy on diverse groups?	Contract monitoring will be put in place for any new management model, with any future changes to service delivery being subject to a future EqIA.
19.	When will you review this equality impact assessment?	Once the decision of Council is known, and the development of any new contract is developed.
<b>Final steps</b>		
<b>For an existing function/service/policy:</b> Send your assessment to the West Kent Equalities Officer		
<b>For a new function/service/ policy:</b> Summarise your findings in the committee report. Ensure planned consultations address the findings of this impact assessment.		