

<b>Summary of decision to be made:</b>	To agree a new contract for the provision of refuse, recycling and street cleansing for Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council.		
<b>Lead Officer (job title):</b>	Corporate Governance Officer (Tunbridge Wells Borough Council)		
<b>Date the final decision is due to be made:</b>	17/09/2018	<b>Date this assessment commenced:</b>	19/10/2017
<b>Sign off by Tunbridge Wells B.C.</b>	Name / electronic signature	<b>Date:</b>	<a href="#">Click here to enter a date.</a>
<b>Sign off by Tonbridge &amp; Malling B.C.</b>	Name / electronic signature	<b>Date:</b>	<a href="#">Click here to enter a date.</a>
<b>Is the decision relevant to the aims of the Public Sector Equality Duty to:</b>			
Eliminate discrimination, harassment and victimisation			No
Advance equality of opportunity			Yes
Foster good relations			No
<b>Background:</b>			
The current waste services contract for refuse, recycling & street cleansing is due to end in 2019 and is being retendered on a partnership basis. This will provide waste collection services to:			
52,736 households in the Borough of Tonbridge and Malling 49,038 households in the Borough of Tunbridge Wells Source: Partner Authorities Waste Data as at 31 October 2017			
<b>Scope of this equality impact assessment:</b>			
This Equality Impact Assessment will consider the Nominal Optimal Method as the selected collection system, and is summarised as:			
Refuse and Recycling Collection Services:			
<ul style="list-style-type: none"> <li>• A weekly food waste collection</li> <li>• An alternating fortnightly collection of mixed dry recyclables <ul style="list-style-type: none"> <li>○ Plastic, metals, cartons and glass (in wheeled bin)</li> <li>○ Paper and card (separate container)</li> </ul> </li> <li>• An alternating fortnightly collection of residual waste (majority wheeled bin; plus exemptions via sacks and communal/bulk bins)</li> <li>• A separate fortnightly "opt in" Collection of garden waste (wheeled bin)</li> </ul>			
Street Cleansing Services:			
<ul style="list-style-type: none"> <li>• Cleansing of public highways</li> <li>• Car park cleansing</li> <li>• Cleansing of miscellaneous Council owned land and other related land</li> <li>• Emptying of litter and dog bins</li> <li>• Removal of fly tipping</li> </ul>			

The table below indicates whether the Nominal Optimal Method will change the frequency of collection or type of material collected at each authority:

Tonbridge and Malling Borough Council	Tunbridge Wells Borough Council
<ul style="list-style-type: none"> <li>– Plastic, glass and cartons to be included in fortnightly recycling collection (paper and card currently collected)</li> <li>– Fortnightly garden waste collection to become opt in</li> <li>– Food waste to be collected weekly (was fortnightly)</li> </ul>	<ul style="list-style-type: none"> <li>– Glass and cartons to be included in fortnightly recycling collection (plastic and cans currently collected)</li> <li>– Fortnightly garden waste collection to become opt in</li> <li>– Food waste to be collected weekly (was fortnightly)</li> </ul>

This Equality Impact Assessment will focus on those aspects of the service where there is a potential for change, including:

- The principle of charging for the collection of garden waste
- The possibility of an increase in the quantity or weight of containers that residents will need to use
- Provision of a Weekend Civic Amenity Refuse Collection Service in Tunbridge Wells to collect bulky domestic waste items (excluding garden waste) from those who live in parishes located away from the North Farm Tip.
- Provision of a Saturday Freighter Service in Tonbridge & Malling to collect bulky domestic waste items (excluding garden waste)

This Equality Impact assessment focuses on the contract specifications for refuse, recycling and street cleansing services. It does not consider operational issues in relation to how the service will be delivered in each local authority.

#### **Data and information:**

##### **Census (2011)**

Average Household Size is in line with the Kent (2.4) and national average (2.4):

Tonbridge & Malling: 2.5

Tunbridge Wells 2.4

##### **Performance and residents feedback**

###### **Tonbridge & Malling:**

- Recycling performance is 42%
- Feedback includes reports of bins not being returned correctly, outstanding replacements or repairs and repeated missed bins. Figures show an increase from 1048 in 2015/16 to 1404 in 2016/17.

**Tunbridge Wells:**

- Recycling performance is 48%
- The average number of missed bins per collection day increased from 7.83 in 2016/17 to 18.37 in 2017/18.
- The average number of days to remove fly tips reported to the Council increased from 1.67 in 2016/17 to 2.33 in 2017/18.
- Standard of performance of street cleansing improved from 98.03% in 2016/17 to 100% in 2017/18.
- Complaints received through the complaints procedure only (does not include service requests such as missed collections or requests for replacement bins) show there has been an increase of complaints in relation to the refuse and recycling collection service from 53 in 2015/16 to 66 in 2016/17. The number of fly tipping complaints has increased from 1 to 3 in the same period. The number of complaints relating to litter has increased from 7 in 2015/16 to 14 in 2017/18. There has been a decrease of complaints relating to street cleansing from 4 in 2015/16 to 3 in 2016/17.

**Conclusions:** the way customer feedback is recorded differs across authorities so direct comparisons between authorities cannot be made. Whilst levels of complaint are relatively low the figures indicate a slight increase in complaints in the last two financial years.

**Consultations**

**Tonbridge & Malling:** no consultation data available.

**Tunbridge Wells:** for refuse and recycling services, the Residents' Survey 2015 found that:

- 94% of respondents used kerbside collection of household rubbish
- 84% used kerbside collection of green waste and food waste for composting
- 81% used kerbside collection of paper & cardboard recycling
- 76% used kerbside collection of plastic pots, tubs, bottle and cans
- 47% used local recycling sites
- Satisfaction with kerbside collections and recycling services was high with 8 in 10 indicating they were satisfied.
- Satisfaction was highest for the weekend civic amenity vehicle waste collection service (90%) kerbside collection of paper and cardboard recycling (89%) local recycling sites (89%) and kerbside collection of plastic pots, tubs, bottle and cans (89%).
- 53% of respondents indicated that they would support a £5 increase across the year to the Council Tax they pay to preserve some services such as bin collection. 39% indicated that they would not support it and 8% were unsure. There were significant differences by working status as follows:
  - Working residents: 56% would support it
  - Residents looking after the home: 57% would support it
  - Unemployed residents: 36% would support it
- The Overview and Scrutiny Committee appointed a Task and Finish Group to review the process leading up to the renewal of the Council's Recycling and Household Waste Collection Contract. The Group spoke with a number of stakeholders and gained information from a number of sources on how waste and recyclables are currently managed and formed a view of how a recycling/household waste service may operate over the next 8-10 years with increased recycling and better cost effectiveness. The Group noted that:
  - Following implementation of changes to the frequency of the Civic Amenity Refuse Collection Service, the tonnage collected by vehicles

has reduced significantly, from 750 tonnes between August 2015 and December 2015 to less than 240 tonnes, with 62 tonnes of compostable material being recycled.

- All Councils in Kent, with one exception, offer a chargeable opt in garden waste collection service.
- An ongoing programme of messages and education around recycling and waste minimisation is necessary.

**Relevance to the three aims of the Public Sector Equality Duty:**

1. The provision of refuse and recycling collection services and street cleansing services is not relevant to the first aim of the Duty to eliminate discrimination, harassment and victimisation.
2. The need to consider how we can take steps to meet the needs of people with “protected characteristics”, who receive refuse and recycling collection services and street cleansing services, is relevant to the second aim of the Duty to advance equality of opportunity.
3. The provision of refuse and recycling collection services and street cleansing services is not relevant to fostering good relations.

For each of the following characteristics:

- Summarise available data, statistics or consultation findings.
- State how the proposal will impact on people.
- What action will be taken to reduce or mitigate any potential negative impacts.

**Disability**

**Data and information**

**Census (2011):** the percentage of the population in receipt of disability benefits (individuals not households) is lower than the Kent (8%) and national average (8.2%):

Tonbridge & Malling: 6.4%

Tunbridge Wells: 5.7%

The percentage of households with one or more people with a long-term health problem or disability:

Tonbridge & Malling: one person - 23%; two or more people - 6%.

Tunbridge Wells: one person - 22%; two or more people - 5%.

**Number of assisted collections:**

Tonbridge & Malling: 977 (2%)

Tunbridge Wells: 1731 (approximate) (3.7%)

Complaints and service requests relating to assisted collections are not consistently monitored across both authorities. Tonbridge & Malling recorded 12 missed assisted collections in 2016/17 (0.85% of all complaints). Tunbridge Wells recorded one complaint relating to assisted collections in 2016/17.

**Consultations:**

The Residents' Survey (2015) for Tunbridge Wells found that 35% of respondents who are permanently sick or disabled would support a £5 increase across the year to the Council Tax they pay to preserve services some services such as bin collection, compared with 54% of respondents overall.

### **Assessment of impacts**

#### **Charging for services**

Residents with a disability who are in receipt of benefits or unable to work may not be able to afford to opt-in to the new garden waste collection service.

**Domestic garden waste can be disposed of free-of-charge at KCC's Household Waste Recycling Centres. Home composting is an alternative means of disposal. Although not necessary, composting bins can be purchased for significantly less than the annual collection charge. The Council is already part of a scheme which provides home compost bins at discounted prices for its residents.**

#### **Possible increase in the quantity or weight of containers**

Where additional recycling items will be collected, this may be an improvement in the service for people with disabilities. Residents may have previously taken these to recycling sites which could present accessibility problems for people with disabilities. However, there is also a need to be mindful of the possibility that the weight of containers could increase which may present problems in lifting these to the collection point for some people with disabilities.

**The contract includes provision for assisted collections – including for bulky items - and also allows for possible increases in numbers over the duration of the contract.**

#### **Weekend Civic Amenity Vehicle (TWBC) & Saturday Freighter Service (TMBC)**

We have no data to indicate what proportion of people with disabilities use these services. It is possible that residents with a disability, who are unable to travel to an HWRC, may use the services.

**The provision of the Weekend Civic Amenity Refuse Collection and Saturday Freighter Services are included in the contract specification as discretionary items. It is recommended that the services be maintained with garden waste excluded due to the subscription service being introduced.**

#### **Provision of information**

	<p>It will be necessary to consider how information about changes to the service are communicated to residents with disabilities in an accessible format, including those who receive assisted collections.</p> <p><b>The Communications Strategy for the new contract and the NOM service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request.</b></p>
<b>Race</b>	<p><b>Data and information</b></p> <p><b>Census (2011)</b> Ethnic group of household reference person:</p> <ul style="list-style-type: none"> <li>▪ Tonbridge &amp; Malling: 97% White; 0.7% Mixed/Multiple ethnic group; 1.4% Asian/Asian British; 0.4% Black/African/Caribbean/Black British; 0.2% Other ethnic group.</li> <li>▪ Tunbridge Wells: 96% White; 0.8% Mixed/Multiple ethnic group; 1.9% Asian/Asian British; 0.6% Black/African/Caribbean/Black British; 0.3% Other ethnic group.</li> </ul> <p><b>Assessment of impacts</b></p> <p>Although there is a slight difference in demographics between authorities, we have no evidence to indicate that people have different needs based on their ethnic group, in relation to refuse, recycling and street cleansing services. We have not identified any needs that would need to be addressed in the contract.</p>
<b>Sex</b>	<p><b>Data and information</b></p> <p>We have no evidence to indicate that males would have different needs to females in relation to refuse, recycling and street cleansing services.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the contract.</p>
<b>Age</b>	<p><b>Data and information</b></p> <p><b>Census (2011)</b> One person households over the age of 65 are in line with Kent and national averages:</p>

- Tonbridge & Malling: one person - 1%; one family - 10%; other household types all aged over 65 - 0.3%.
- Tunbridge Wells: one person - 12%; one family - 9%; other household types all aged over 65 - 0.2%.

#### **Consultations:**

The Residents' Survey (2015) in Tunbridge Wells found that 54% of retired respondents would support a £5 increase across the year to the Council Tax they pay to preserve services some services such as bin collection, compared with 54% of respondents overall.

#### **Assessment of impacts**

##### **Charging for services**

Residents of all age groups who are in receipt of benefits or unable to work may not be able to afford to opt-in to the new garden waste collection service. We have little evidence to indicate whether some age groups would be more or less able to pay for the collection of garden waste.

**Domestic garden waste can be disposed of free-of-charge at KCC's Household Waste Recycling Centres. Home composting is an alternative means of disposal. Although not necessary, composting bins can be purchased for significantly less than the annual collection charge. The Council is already part of a scheme which provides home compost bins at discounted prices for its residents.**

##### **Possible increase in the quantity or weight of containers**

We have no evidence to indicate that particular age groups will be disadvantaged, in relation to refuse, recycling and street cleansing services.

**An assisted collection service – including for bulky items - will be available to people with disabilities, regardless of age group. Large bins will continue to be offered for households that meet appropriate qualifying criteria. For example, households with six or more permanent residents or with children in nappies.**

##### **Weekend Civic Amenity Vehicle (TWBC) & Saturday Freighter Service (TMBC)**

We have no data to indicate what proportion of age groups use these services. It is possible that people of some age groups, who are unable to travel to an HWRC, may use the services.

**The provision of the Weekend Civic Amenity Refuse Collection and Saturday Freighter Services are included in the contract specification as discretionary items. It is**

	<p><b>recommended that the services be maintained with garden waste excluded due to the subscription service being introduced.</b></p> <p><b>Provision of information</b> It will be necessary to consider how information about changes to the service are communicated to residents of all age groups.</p> <p><b>The Communications Strategy for the new contract and the NOM service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request. Promotional activities will be aimed at all age groups.</b></p>
<b>Religion / Belief</b>	<p><b>Data and information</b> We have no evidence to indicate that people would have different needs based on their religion/belief in relation to refuse, recycling and street cleansing services.</p> <p><b>Assessment of impacts</b> We have not identified any needs that would need to be addressed in the contract.</p>
<b>Sexual Orientation</b>	<p><b>Data and information</b> We have no evidence to indicate that people would have different needs based on their sexual orientation in relation to refuse, recycling and street cleansing services.</p> <p><b>Assessment of impacts</b> We have not identified any needs that would need to be addressed in the contract.</p>
<b>Pregnancy / Maternity</b>	<p><b>Data and information</b> We have no evidence to indicate that people would have different needs based on pregnancy/maternity in relation to refuse, recycling and street cleansing services.</p> <p><b>Assessment of impacts</b> We have not identified any needs that would need to be addressed in the contract.</p> <p><b>Although no specific needs for pregnancy/maternity have been identified, the contract does include provision for temporary assisted collections – including for bulky items - to households</b></p>



	<b>on request.</b>			
<b>Marital or Civil Partnership Status</b>	We have identified that the provision of refuse and recycling collection services and street cleansing services is not relevant to the first aim of the duty to eliminate discrimination, harassment and victimisation.			
<b>Gender reassignment</b>	<p><b>Data and information</b></p> <p>We have no evidence to indicate that people would have different needs based on gender reassignment in relation to refuse, recycling and street cleansing services.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the contract.</p>			
<b>Armed Forces Community</b>	<p><b>Data and information</b></p> <p>The needs of the Armed Forces community are considered as part of the commitments within the Community Covenant to encourage support for the Armed Forces community working and residing in the borough.</p> <p><b>Assessment of impacts</b></p> <p>We have not identified any needs that would need to be addressed in the contract.</p>			
<b>General</b>	<p>Information about suppliers' track record in relation to equality legislation will be collected at the selection stage process in line with the Crown Commercial Service's Procurement Policy Note: Standard Selection Questionnaire (SQ).</p> <p><b>As part of the tender evaluation process, grounds for discretionary exclusion included breaches of social &amp; labour law obligations (section 3 of the ITT), and specifically obligations under the Equality Act 2010 (Section 7.9).</b></p>			
Please tick the outcome of this assessment:	No impact	Adjust the policy	<b>Continue the policy ✓</b>	Stop and remove the policy
How will you summarise the impacts in the committee report:	We have considered how we can take steps to meet the needs of people with protected characteristics, who receive refuse and recycling collection services and street cleaning services, and have identified that:			

### ANNEX 3

	<ul style="list-style-type: none"><li>▪ The needs of those who have a protected characteristic of disability and require assisted collections have been built into the specification for the new contract.</li><li>▪ It will be necessary to consider how information about changes to the service are communicated to residents with the protected characteristics of age and disability.</li><li>▪ The procurement of a new contract is intended to improve the level of service received by all residents, including those with protected characteristics. It will be necessary to monitor the delivery of the contract to ensure the service is delivered to an expected standard. This should include monitoring the provision of an assisted collection service to ensure it is meeting people's needs.</li></ul>
When will you review this assessment:	24/07/2018 During evaluation of tenders and prior to a final decision being made on the award of the contract on 17 September 2018.