



**Belfast City Council**

**Leisure Transformation Programme**

**Equality Impact Assessment : Final Report**

**October 2014**

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## Executive Summary

### 1. Background information

Belfast City Council is currently developing and implementing the Leisure Transformation Programme (“the Programme”). This is a strategic programme of investment in leisure facilities and services over the next ten years. The overall aim of the Programme is:

“To create modern, affordable health and wellbeing facilities coupled with excellent value for money, customer service so that more people will feel inspired to lead a more active lifestyle and therefore enjoy a better quality of life.”

This will be achieved through:

1. **Transforming Assets** – a three phase programme of investment in the development of the leisure asset base to the value of £105 million.
2. **Transforming Services** – an improvement programme that will put in place new governance arrangements including the establishment of a Trust (a non-profit distributing organisation) to manage leisure facilities and services, with the additional specialist support, as required, of a strategic partner (an organisation with extensive experience of the leisure industry).

The Equality Impact Assessment (EQIA) will provide information to assist the Council to maximise the benefits of the Programme, to ensure that the facilities and activities provided in the future are appropriate for all groups in terms of content, location, time of day and price, and that they are appropriately marketed.

### 2. Summary of data collection

The EQIA includes information on:

- research on the benefits of participation in sport and leisure activities;
- data on inequalities in terms of participation in sport and leisure;
- data on the population of the Council area by Section 75 grounds;
- data on Council staff.

This showed that participation in sport in Belfast is below the NI average in many categories with women, disabled people and those aged over 30 being significantly under-represented.

### **3. Summary of consultation undertaken**

Consultation on the EQIA was undertaken over a 12 week period ending on 19<sup>th</sup> September 2014. All consultees listed in the Council's Equality Scheme were notified of the availability of the draft EQIA report and invited to comment. Information about the EQIA (including all relevant background documents) was placed on the Council's website and attention was drawn to the consultation process through social media and intranet for staff. Consultation with the Trade Unions and affected staff had already been in progress for some time when the EQIA was published and continued into the EQIA consultation period.

The Council also facilitated a focus group of representatives of organisations which address the needs of disabled people and a further two discussions with members of seniors' forums. In addition, a written response was received from a Belfast sports club whose membership includes a high proportion of girls, people from a Black and Minority Ethnic background and disabled people.

The consultation process identified a number of barriers to participation by certain groups and generated a wide range of suggestions for improvements.

### **4. Key findings**

The analysis of data and research presented in the draft EQIA report and the comments and suggestions made during the consultation process were used to determine the particular Section 75 groups that might be differentially impacted by the Programme, in terms of:

- the current inequalities in terms of participation in sport and leisure activities for certain Section 75 groups which the Programme might help to address, through both development of the leisure asset base and operational policies;
- the transfer of staff under the new governance arrangements;
- the potential of the Programme to contribute to the better promotion of good relations.

### **5. Conclusions**

The EQIA has identified that the Leisure Transformation Programme provides a major opportunity to address current inequalities and improve facilities and services for particular equality categories. The Council will therefore put in place measures to maximise the benefits of the Programme, to ensure that the facilities and activities provided are appropriate for all groups in terms of content, location, time of day and price, and that they are appropriately marketed.

**Development of the asset leisure base** – the Council will continue to assess the potential equality of opportunity and good relations implications of future capital schemes in accordance with its existing procedures. The suggestions made by consultees regarding the design of leisure centres will be taken into account as the Programme progresses.

**Governance arrangements** – the Council will ensure that the Trust is charged with providing facilities and services for the public benefit in the interests of tackling health inequalities and promoting social regeneration. The Council will also ensure that due regard is given to any equality of opportunity and good relations implications arising from proposed changes to operational policies as part of the annual review of the Trust’s activities, which will include detailed consideration of the business plan for the coming year.

**Transfer of staff** – The Council is well aware of the concerns of some staff and Trade Unions and has been in consultation with them since September 2013 with a view to agreeing those potential assurances as part of the transfer agreement that may sit alongside the statutory protections. These assurances may include access to learning and development; the provision of job opportunities (including apprenticeship schemes); career progression; and protection of pension provisions and representation on the Board of the Trust.

**Stakeholder engagement** – The Council will ensure that the Trust and operating partner maintain a strong ethos of engagement with key stakeholders to maximise the benefits of the Programme. It should be noted that further engagement with young people on the issues raised in the EQIA is planned to take place in October 2014.

**Monitoring for adverse impact** – The Council will continue to have responsibility for monitoring the equality impacts of changes to sport and leisure provision as a result of the Programme and will require regular monitoring reports from the Trust and its strategic partner against a range of Key Performance Indicators (KPIs). The KPIs are currently under development, but, as well as detailed financial, participation and health indicators, the suite of indicators will include a full range relating to people and communities, with agreed targets.

**Decision and publication of the results of the EQIA** – This final EQIA report will be submitted to Council to assist them to make final decisions in respect of the various agreements between the Council, the Trust and the strategic partner. The Council’s decisions will be incorporated into a summary report which will be made available on the Council’s website.

# 1. Background information

## 1.1 Leisure Transformation Programme

Belfast City Council is currently developing and implementing the Leisure Transformation Programme (“the Programme”). This is a strategic programme of investment in leisure facilities and services over the next ten years. It aims to create modern, affordable health and wellbeing facilities, coupled with excellent customer service, so that more people will feel inspired to lead a more active lifestyle and thereby enjoy a better quality of life. There are two key strands to the Programme:

1. **Transforming Assets** – an investment of £105 million in the development of the leisure asset base.
2. **Transforming Services** – an improvement programme that will put in place new governance arrangements with a view to offering better customer service and value for money as well as creating greater health and social benefits.

The programme for **transforming assets** will be undertaken in three phases and will include the refurbishment or replacement of leisure facilities across the city. It will also include assets transferring as part of the reform of Local Government. The first phase is already underway and includes a major refurbishment of Olympia and Andersonstown Leisure Centres.

In relation to **transforming services**, the Council has approved the establishment of a Leisure Trust (a non-profit distributing organisation) to manage leisure facilities and services, with the professional support of a strategic partner (an organisation with extensive experience of the leisure industry). This will include the transfer of services as part of the reform of Local Government. The Council is currently developing the necessary arrangements for the operation of the Trust and the transfer of certain responsibilities, including the employment of staff; these arrangements will include a partnership agreement and an initial business plan. Staff currently employed by Belfast City Council in the management and operation of sport and leisure facilities will be transferred to the new arrangements under a strict transfer agreement which provides both statutory protection and additional assurances.

## 1.2 Equality Impact Assessment

Belfast City Council is committed to implementing the statutory duties under Section 75 of the Northern Ireland Act 1998, which require that the Council, in carrying out its functions in Northern Ireland, have due regard to the need to promote equality of opportunity:

- between persons of different -
  - religious belief;
  - political opinion;
  - racial group;
  - age;
  - marital status;
  - sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and
- between persons with dependants and persons without.

Without prejudice to these obligations, the Council also needs to consider the desirability of promoting good relations between people of different religious beliefs, political opinions or racial groups.

The Council decided to undertake an Equality Impact Assessment (EQIA) of the Programme to identify the potential equality of opportunity and good relations implications for people in the various Section 75 categories and also to identify measures to ensure that due regard is paid to the need to promote equality of opportunity and good relations in the provision of leisure facilities and services in the future. The draft EQIA report was published for consultation at the end of June for a 12 week consultation period ending on 19<sup>th</sup> September 2014.

This Final EQIA Report has been prepared to assist the Council in the decision making process with respect to the arrangements for the establishment and operation of the Trust and the transfer of responsibilities. The statutory equality duty requires that, when making a decision, the Council should take into account the results of the EQIA and the consultation responses.

This report follows the format suggested by the Equality Commission in their Practical Guidance on Equality Impact Assessment (2004). It contains:

- executive summary;



- background information;
- summary of data collection;
- summary of consultation undertaken;
- the key findings of the EQIA;
- conclusions, including the decision making process.

### 1.3 Aims of the Programme

The overall aim of the Programme is:

“To create modern, affordable health and wellbeing facilities coupled with excellent value for money and customer service, so that more people will feel inspired to lead a more active lifestyle and therefore enjoy a better quality of life.”

The Council has also agreed a series of guiding principles for the Programme:

- **5\* service for 3\* prices:** an affordable and innovative ‘best in class’ customer and community-focussed service;
- **Focus on health and well-being outcomes:** work with others to improve the health of the population by enabling more people to be more active, more often;
- **More than sport:** contribute to wider social, environmental and economic regeneration outcomes, linked to the Council’s emerging community plan;
- **Value for money:** maximise efficiency and income generation opportunities, reducing dependency on Council rate-based funding;
- **Democratically accountable:** working in partnership with the Council to deliver public benefit and accountable to elected Councillors to deliver real change in local neighbourhoods;
- **Well-connected:** well-run, well used leisure facilities which are fit for purpose, attractive and welcoming, with proactive community outreach and marketing;
- **People:** staff who are well-trained, customer-focussed and participate in the growth of the business;
- **Balanced investment:** a hierarchy of facilities and services which are welcoming and safe, promoting access for all within each quarter of the city;
- **Partnership:** flexible to maximise strategic opportunities in the city, working collaboratively.

The agreement between the Council and the Trust will ensure that the Trust will deliver against a range of desired social outcomes as well as financial targets. These will include employability and community development outcomes and local neighbourhood

regeneration benefits. Delivering against health outcomes will be core to the activities and purposes of the Trust.

The Council will retain ownership of the leisure capital assets and will lease them to the Trust. In due course, this will also include the assets transferring as part of Local Government Reform. The Council will agree annual funding for the Trust based on the Trust's proposed business plan. The Trust will be accountable to the Council through this annual review and regular performance reports. If the Trust fails to achieve its contractual requirements, the Council has the right to take back the facilities and to revert to Council operation or, should it so choose, contract with another specialist operator.

## 2. Summary of data collection

The EQIA process requires the Council to collect and analyse existing quantitative and qualitative data and research by relevant equality grounds in order to make a judgement of the extent of the likely impact of the Programme on people in each category. The EQIA included information on the following:

- research on the benefits of participation in sport and leisure activities;
- data on inequalities in terms of participation in sport and leisure;
- data on the population of the Council area by Section 75 grounds;
- data on Council staff.

A summary of the analysis is set out below and full details are included in the draft EQIA report which can still be accessed on the Council's website:

<http://www.belfastcity.gov.uk/council/equality/eqia.aspx>

### 2.1 Benefits of participation

The EQIA report indicated that there is a wide range of research studies on the benefits of participation in sport and leisure activities which suggest that there are five key areas of benefit:

- **Physical health** – physical activity reduces the risk of cardiovascular disease, type 2 diabetes and obesity and may reduce the risk of certain types of cancer, hypertension and osteoporosis.
- **Mental health** – moderate exercise is a viable way to treat depression and dementia and can reduce the risk of dementia.

- **Education and employment** – exercise has been shown to increase capacity for learning and improve energy levels and concentration and therefore influences educational attainment and employment prospects.
- **Reduction in anti-social behaviour and crime** – physical activity can be beneficial in tackling anti-social behaviour and crime by providing a diversionary activity, creating a hook for teaching emotional and career skills, achieving behaviour modification and building self-esteem.
- **Social cohesion** – sport and leisure contribute positively to many of the factors that build social cohesion including all of the above.

The report also presented the results of research which indicated that people in certain Section 75 groups are at greater risk in terms of these key areas, including:

- **Physical health** – higher risks apply to people across the equality grounds in relation to different illnesses.
- **Mental health** – the risk of poor mental health increases substantially with age and people with learning disabilities or Down's syndrome may experience a higher risk of dementia.
- **Employment** – the current economic recession has had a severe negative impact on young people, especially young men. In addition, data shows that just over a third of disabled people are in employment compared to three-quarters of non-disabled people.
- **Anti-social behaviour** – conduct disorders are the most common mental and behavioural problems in children and young people and the prevalence increases throughout childhood.

## 2.2 Inequalities in participation

The EQIA report showed that the groups most at risk are, in many cases, the ones that are under-represented in terms of participation. The report used evidence from the 2010 Sport and Physical Activity Survey (SAPAS), commissioned by Sport NI, to identify the groups who are less likely to participate in sport and leisure activities on a regular basis. This showed that participation in sport in Belfast is below the NI average in many categories with women, disabled people and those aged over 30 being significantly under-represented.

The EQIA report also referred to general research which showed that:

- inequality and discrimination persist in the provision of and access to sport and physical recreation opportunities by black and ethnic minority communities;
- there are practical barriers to participation for women in disadvantaged communities, including cost and the time of day at which sports are played;
- women aged 25-34 with children at home are half as likely as women the same age without children to take part in sport on a regular basis, the main barrier being lack of child care.

### 2.3 Data on residents

As part of the process of Local Government Reform, the Belfast City Council area will be expanded in 2015 to include some areas currently within Lisburn and Castlereagh districts. The EQIA report contained an analysis of the population of the new council area by Section 75 grounds and the key findings are listed below.

<b>Religion</b>	The population of Belfast is almost equally divided between people from a Catholic community background (48.8%) and people from a Protestant community background (42.5%).
<b>Political opinion</b>	The results of the elections to the Shadow Council in May 2014 in terms of number of seats won were: Sinn Féin 19, DUP 13; Alliance 8, SDLP 7; UUP 7, PUP 3, Green Party 1, People Before Profit Alliance 1, TUV 1.
<b>Racial group</b>	There is a higher proportion of people from a black and minority ethnic background in Belfast at 3.3% compared with 1.8% in Northern Ireland as a whole. The largest minority ethnic groups are the Chinese community (0.7%) and the Indian community (also 0.7%).
<b>Age</b>	Belfast has a slightly lower percentage of young people (aged under 16 years) than the NI average with 19.2% compared with 21% for NI as a whole. However, there is a significantly higher percentage of 16-24 year olds (15% compared with 12.6%). In other age groups the city's population corresponds with NI averages.
<b>Marital status</b>	Belfast has a higher percentage of single people (45.3%) than NI as a whole (36.1%) and a corresponding lower percentage of married people (35.6% compared with 47.6%).

<b>Gender</b>	Belfast has a predominantly female population (52% of residents). This is slightly higher than the NI figure of 51.0%.
<b>Disability</b>	The Census showed that 23.5% of the residents of the city have a limiting long term illness, health problem or disability which limits their daily activities or the work they can do, compared with the NI average of 20.7%.
<b>Dependants</b>	29.8% of households in Belfast include dependent children, compared with the NI average of 33.9%. 12% of households consist of a lone parent and a dependent child or children, compared with the NI average of 9.1%. Over 92% of lone parents in the city are female. At the time of the Census, 12.3% of people said that they provided unpaid care for a dependent person; this is slightly higher than the NI average of 11.8%.

## 2.4 Data on staff

The Council monitors all staff in terms of community background and gender and submits an annual report to the Equality Commission under the provisions of the Fair Employment and Treatment (NI) Order. Monitoring shows that 51.6% of staff are from a Protestant community background and 44.3% from a Catholic community background. The proportion of males to females is 59.2% to 40.8%. These proportions are broadly reflected in the composition of staff involved in the management and delivery of sport and leisure.

## 3. Summary of consultation undertaken

### 3.1 Methodology

The Council is committed to consultation which is timely, open and inclusive, and conducted in accordance with the Equality Commission's Guiding Principles.

All consultees listed in the Council's Equality Scheme were notified of the availability of the draft EQIA report and invited to comment. Information about the EQIA (including all relevant background documents) was placed on the Council's website and attention was drawn to the consultation process through social media and intranet for staff. Consultation with the Trade Unions and affected staff had already been in progress for some time when the EQIA was published and continued into the EQIA consultation period.

As the draft EQIA report indicated that disabled people and older people in Belfast tended to participate less in sport and physical activity than other groups, the consultation process focused on these two categories. In June, the Council facilitated a focus group of representatives of organisations which address the needs of disabled people; this event considered three Council initiatives, including the Leisure Transformation Programme, and provided an opportunity for small group discussion on ways to improve leisure facilities to attract more disabled users. In July the Council's Seniors' Forum considered the findings of the EQIA report and a further discussion took place with the East Belfast Seniors' Forum later that month.

In addition, a written response was received from a Belfast sports club whose membership includes a high proportion of girls, people from a Black and Minority Ethnic background and disabled people.

### **3.2 Responses received**

Consultation with groups representing disabled people identified the following issues and suggestions:

- Transportation is a major problem for many disabled people in terms of accessing leisure centres.
- Costs can be a barrier to participation by disabled people and Disability Living Allowance should be a criterion for reduced price admission.
- Many disabled people would prefer to take part in activities in groups, to overcome the fear of participation, but in integrated not separate classes.
- Disabled people would welcome further adaptations in leisure centres such as tactile flooring, swim times with fewer numbers of swimmers, smaller classes and facilities for guide dogs.
- It was suggested that more disabled people should be employed in leisure centres and that all staff needed to be more aware of the needs of disabled people. Several organisations offered assistance in terms of developing suitable written and audio materials for disabled customers and training staff on assisting people with particular disabilities. Shop Mobility NI also suggested that there was potential to

extend their scheme for providing scooters and wheelchairs to leisure centres and parks.

- The website does not currently provide information on the qualifications of leisure centre staff and the facilities and services that disabled people can access. It was suggested that contact numbers should be provided for course leaders so that disabled people can find out in advance if a particular class is suitable for them.
- Attention was drawn to good examples in other Council areas where specific activities for disabled people (such as tandem riding and guided running) are promoted.

Consultation with older people identified the following issues and suggestions:

- Exercise regimes and classes at leisure centres may be too demanding and not age appropriate; staff enthusiasm, while welcomed, does not always translate into the right level of programmes.
- Staff should be trained so that they have greater appreciation and sensitivity to customers' needs and understand that they need to take the time to help disabled older customers.
- In some leisure centres, the halls are too big to be welcoming to older people who tend to prefer a cosy environment, for example in the coffee area.
- There is a need for privacy in changing rooms with cubicles rather than open areas.
- Costs can be a barrier to participation by older people as can transport costs, especially where bus routes are not easily accessible; there needs to be greater flexibility on pricing structures.
- Leisure centres should be integrated with other facilities such as health, social services and occupational therapy. In terms of Council run facilities, there should be better links to community centres and parks.
- The marketing of leisure centres tends to be "corporate" and does not appeal to older people. Also, the current website has limited information and needs to be more user friendly.

The written response pointed out the importance of the pricing policy to the viability of running a not for profit sports club. If prices were increased, the club would have to increase membership fees above the HMRC threshold for a “Community Association Sports Club”. The club also indicated that its programme for disabled children and young people with scoliosis would not be viable if out of hours prices were increased. They expressed concern that the emphasis on maximising income generating possibilities will result in increased charges and thereby disadvantage their members, who include a high proportion of girls, people from a Black and Minority Ethnic background and disabled people. They asked that the Council ensure that there are proper safeguards in place to ensure continuing positive outcomes for community sports clubs and their members.

## **4. Key findings**

The analysis of data and research presented in the draft EQIA report and the comments and suggestions made during the consultation process have been used to determine whether there are particular Section 75 groups that might be differentially impacted by the Programme, in terms of:

- whether there are current inequalities in terms of participation in sport and leisure activities for certain Section 75 groups which the Programme might help to address through both development of the leisure asset base and operational policies;
- whether the transfer of staff under the new arrangements has the potential to differentially affect certain Section 75 groups;
- whether the Programme has the potential to contribute to the better promotion of good relations.

### **4.1 Current inequalities**

There is ample evidence that sport and leisure facilities can bring significant benefits to participants in relation to improved physical and mental health, the potential to increase educational attainment and find employment, reduced anti-social behaviour and crime and improved social cohesion. The Programme will provide an opportunity to address current under-participation by certain Section 75 groups in sport and leisure activities. There is a large target audience in the Belfast area for increasing the participation of under-represented groups by providing high quality, accessible and affordable facilities and activities.



The consultation exercise provided a number of suggestions as to how under-represented groups can be encouraged to make greater use of leisure centres. These addressed issues relating to:

- the facilities themselves (particularly in terms of adaptations for disabled users);
- organised classes and activities;
- staff training and awareness;
- the pricing policy;
- marketing and communication.

## **4.2 Transfer of staff**

There have been a number of EQIAs carried out on projects involving the transfer of staff from a public sector employer to a contractor (generally a private sector company) and a range of concerns has been expressed regarding differential impacts for certain Section 75 groups. These concerns have mainly centred around three issues:

- protection of terms and conditions, including pension arrangements;
- differences in human resource policies and work culture;
- access to training, development and promotion opportunities.

With regard to terms and conditions, including pension arrangements, there are strict statutory guidelines in place<sup>1</sup> to protect transferring staff and ensure that there is no diminution in the terms and conditions they currently enjoy. This means that no differential impact should result from the transfer of staff for any of the Section 75 groups. However, the Council has undertaken extensive discussions with staff and Trade Unions to ensure that the transfer agreement addresses all the key issues.

With regard to differences in human resource policies and work culture, previous EQIAs have suggested that that some policies can have a differential effect on people in certain Section 75 groups. For example, any restrictive changes in terms of flexibility in patterns of working can have a significant impact on people with dependants. The culture of a workplace may also affect a number of Section 75 groups if they feel that the working environment is not as supportive as that which they have previously experienced. In setting up the new governance arrangements, the Council will ensure that the strategic partner has

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<sup>1</sup> Including the Transfer of Undertakings (Protection of Employment) Regulations 2006 and the Service Provision Change (Protection of Employment) Regulations (Northern Ireland) 2006.

an exemplary record in terms of promoting equality and diversity and has all the appropriate policies in place.

With regard to training, development and promotion opportunities, any changes that restrict the amount of or access to such opportunities may have a differential impact on younger employees who are looking to develop a career in the leisure industry and on older employees who have less flexibility in terms of finding employment elsewhere. The Council will ensure that the strategic partner will have a proven track record in the industry and will be large enough to provide appropriate skills and personal and career development for staff within the leisure industry.

### **4.3 Promoting good relations**

The Council acknowledges that the historic legacy of division in the city means that there is over-provision of leisure centres. The Council has a vision for reducing this and sees the new governance arrangements as a catalyst for change.

In the short term the Council is not considering the closure of any existing centres. In terms of control, the Trust would not be able to independently close leisure facilities. This would potentially be a breach of contract and could only be done with the consent of the Council, through its formal decision-making processes. However, the new governance arrangements will allow for the development of services that are tailored to the needs of customers rather than providing a generic approach. In the future, this may include the development of “centres of excellence” for certain specialist sports which will encourage users to travel to other parts of the city. The capital programme for the re-design and refurbishment of centres will also have a major focus on access in order to promote movement across the city for individuals and groups. The Programme is therefore likely to have a positive impact on the promotion of good relations by creating new opportunities for users from different backgrounds to take part in activities alongside each other.

## **5. Conclusions**

The Leisure Transformation Programme provides a major opportunity to address current inequalities and improve facilities and services for particular equality categories. The Council will therefore put in place measures to maximise the benefits of the Programme, to ensure that the facilities and activities provided are appropriate for all groups in terms of content, location, time of day and price, and that they are appropriately marketed.

## 5.1 Development of the leisure asset base

As noted above, the Council is committed to an investment of £105 million in the development of the leisure asset base over the next 10 years, including the areas transferring under Local Government Reform. This will provide for the refurbishment or replacement of leisure facilities across the city, in accordance with the established principle of balanced investment. The suggestions made by consultees regarding the design of leisure centres will be taken into account as the Programme progresses.

It should be noted that all three phases of the leisure capital programme will be developed in strict accordance with the Council's Stage Approval Process which includes the development of:

1. Strategic Outline Case
2. Outline Business Case
3. Final Business Case.

The screening of each proposed project for equality of opportunity and good relations implications, together with appropriate neighbourhood consultation, is part of the development of the Strategic Outline Case and screening reports are updated as necessary during the development of the Outline and Final Business Cases. Where the screening process indicates a major impact on equality of opportunity or good relations, an EQIA is undertaken. Progression to the next stage must be approved by the Strategic Policy and Resources Committee and equality implications will therefore be taken into account when decisions are made.

## 5.2 Governance arrangements

The Council is currently developing arrangements with the Trust and the operating partner. and will ensure that the Trust is charged with providing facilities and services for the public benefit in the interests of tackling health inequalities and promoting social regeneration. The Trust will be established with a major focus on achieving social outcomes, not just achieving financial savings. The choice of strategic partner will also be based on the ability of that organisation to deliver against the social outcomes, in terms of promoting and educating people about healthy lifestyles. The strategic partner will be a social enterprise, not a private sector company, with an established ethos of working with local communities and special interest groups.

In terms of operational policies, the Trust will have responsibility for developing an annual business plan which aligns with the Council's corporate objectives. The business plan will be agreed with the Council each year and will be an essential part of the process of confirming future funding for the Trust. The Council will ensure that the initial business plan will include provisions relating to the promotion of equality of opportunity and safeguards to ensure continuing positive outcomes for community sports clubs and their members. The provisions will ensure:

- that the programming and location of classes and activities will take account of the need to encourage participation by under-represented groups;
- that opening hours and times of classes will recognise the needs of various groups to participate at different times of day;
- that charging policies will include concessionary rates for certain groups, i.e. those for whom price is a true barrier to participation.

Although the Trust will have responsibility for its operational policies, any proposed changes will be highlighted in the business plan for the coming year. The Council will remain responsible for applying the statutory equality duties to the provision of leisure services and will ensure that due regard is given to any equality implications arising from proposed changes as part of the annual review of the Trust's activities, which will include detailed consideration of the new business plan. Section 75 processes, including screening, EQIAs and consultation, will be applied by the Council to any proposed changes to policies.

### **5.3 Transfer of staff**

The Council is well aware of the concerns of some staff and Trade Unions and has been in consultation with them since September 2013 with a view to agreeing those potential assurances as part of the transfer agreement that may sit alongside the statutory protections. These assurances may include access to learning and development; the provision of job opportunities (including apprenticeship schemes); career progression; and protection of pension provisions and representation on the Board of the Trust.

In general terms, when selecting a strategic partner, the Council and Trust will ensure that the organisation has a proven track record as a fair and good employer, with a full range of HR policies that ensure the equitable and proper treatment of employees in all aspects of their employment. The organisation will be professional and large enough to provide a personal, skills and career development path for staff within the leisure industry; in practice, staff may find it easier to acquire skills, competencies and experience in a single focus

organisation. The Council will also ensure that best practice tools, such as Quest and Investors in People, will be in place within the strategic partner.

With respect to the culture of the new employer, Elected Members have strongly indicated their preference that the strategic partner is a stakeholder organisation, which means that staff can have a say in the running of the business. This should ensure that any minority groups have an opportunity to make their views known and influence the development of working practices.

#### **5.4 Stakeholder engagement**

The consultation on the EQIA demonstrated the value of direct input to operational policies by those with specialist knowledge of the needs and priorities of people across the equality categories. The Council will ensure that the Trust and operating partner maintain a strong ethos of engagement with key stakeholders to maximise the benefits of the Programme.

It should be noted that further engagement with young people on the issues raised in the EQIA is planned to take place in October 2014.

#### **5.5 Monitoring for adverse impact**

The final stage in the EQIA process is the establishment of a system to monitor the impact of the Programme in order to find out its effect on groups within the equality categories. The results of the monitoring must be reviewed on an annual basis and must be published in the Council's annual Section 75 report to the Equality Commission<sup>2</sup>.

If the monitoring and analysis of results over a two year period show that the Programme has resulted in greater adverse impact than predicted, or if opportunities arise which would allow for greater equality of opportunity and/or good relations to be promoted, the Council must ensure that the Programme is revised to achieve better outcomes for the relevant equality groups.

The Council will continue to have responsibility for monitoring the equality impacts of changes to sport and leisure provision as a result of the Programme and will require regular monitoring reports from the Trust and its strategic partner against a range of Key Performance Indicators (KPIs). The KPIs are currently under development, but, as well as detailed financial, participation and health indicators, the suite of indicators will include a full range relating to people and communities, with agreed targets.

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<sup>2</sup> Practical Guidance on Equality Impact Assessment, Equality Commission for NI (2004) p50

Indicators which are currently being considered for inclusion in the people and communities KPIs include:

- % visits by older people;
- % visits by disabled people;
- % visits by people from the two main communities;
- % visits by people from Black and Minority Ethnic communities;
- Number of intergenerational activities;
- Number of outreach programmes being delivered;
- Number of stakeholder forums organised;
- Number of external stakeholder forums attended;
- Number of community events organised and/or facilitated;
- Number of linked activities with other council facilities;
- % of visitors who think that leisure centres are 'shared and open'.

## **5.6 Decision and publication of the results of the EQIA**

This final EQIA report will be submitted to Council to assist them to make final decisions in respect of the various agreements between the Council, the Trust and the strategic partner. The Council's decisions will be incorporated into a summary report which will set out the consideration given to the impact of alternative policies and mitigating actions.

The final summary report will be made available on the Council's website. In addition, Equality Scheme consultees and those who responded to the consultation will be notified of the availability of the report.