

Equality & Poverty Impact Assessment 00445 (Version 1)

SECTION ONE: ESSENTIAL INFORMATION

Service & Division:	Children's Services Planning & Resources	Lead Officer Name:	Kenny McNeill
		Team:	Planning & Resources
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Proposal:	Closure of Blackness public convenience	Reference No:	

What is the Proposal?	Budget & Other Financial Decision	Policy (New or Change)	HR Policy & Practice	Change to Service Delivery / Service Design
	Yes	No	No	Yes

Who does the Proposal affect?	Service Users	Members of the Public	Employees	Job Applicants
	Yes	Yes	Yes	No

Other, please specify:

Identify the main aims and projected outcome of this proposal (please add date of each update):

17/02/2023	To achieve a budget saving of £35k
17/02/2023	To ensure an equitable approach with other areas that no longer have a public convenience provision
19/01/2024	No expressions of interest in CAT have been submitted. Proposed mitigations are that members of the public will require to use alternative nearby facilities as noted in the action plan.

SECTION TWO: FINANCIAL INFORMATION

For budget changes ONLY please include information below:			Benchmark, e.g. Scottish Average
Current spend on this service (£'0000s)	Total:	£35	Actual current costs
Reduction to this service budget (£'0000s)	Per Annum:	£35	Cease actual costs
Increase to this service budget (£'000s)	Per Annum:	Nil	
If this is a change to a charge or concession please complete.	Current Annual Income Total:	Nil	
	Expected Annual Income Total:	Nil	
If this is a budget decision, when will the saving be achieved?	Start Date:	01/08/2023	
	End Date (if any):	31/03/2024	

SECTION THREE: EVIDENCE Please include any evidence or relevant information that has influenced the decisions contained in this EPIA. (This could include demographic profiles; audits; research; health needs assessments; national guidance or legislative requirements and how this relates to the protected characteristic groups.)

A - Quantitative Evidence This is evidence which is numerical and should include the number people who use the service and the number of people from the protected characteristic groups who might be affected by changes to the service.

There are no performance reports produced to demonstrate usage of the premises.

B - Qualitative Evidence This is data which describes the effect or impact of a change on a group of people, e.g. some information provided as part of performance reporting.

Social - case studies; personal / group feedback / other

There is no statutory requirement to provide this public convenience.

It is not a viable option to consider charging for the use of this public convenience as this would involve the installation of barriers, income management and further investment to upgrade the facility to meet charging standards. The costs out way the benefits and the premises could be targeted for theft (cash if collected) or misused as they are not staffed.

This is the last remaining public convenience in the Falkirk Council area.

The provision is free at point of access so there is no record of usage levels.

The provision is near to the John Muir Way and is used by walkers/ tourists.

Best Judgement:

Has best judgement been used in place of data/research/evidence?	Yes
Who provided the best judgement and what was this based on?	View of officers.
What gaps in data / information were identified?	We do not have specific data relating to usage.
Is further research necessary?	No
If NO, please state why.	Unable to obtain usage data and potential impacts can be inferred.

SECTION FOUR: ENGAGEMENT

Engagement with individuals or organisations affected by the policy or proposal must take place

Has the proposal / policy / project been subject to engagement or consultation with service users taking into account their protected characteristics and socio-economic status?	No	
If YES, please state who was engagement with.		
If NO engagement has been conducted, please state why.	The proposal is submitted as part of the service budget savings options. We plan to meet trade unions in regard to the staffing implications.	
How was the engagement carried out?	What were the results from the engagement? Please list...	
Focus Group	Yes	Trade unions - February 2023
Survey	No	
Display / Exhibitions	No	
User Panels	No	
Public Event	No	
Other: please specify		
Has the proposal / policy/ project been reviewed / changed as a result of the engagement?	No	
Have the results of the engagement been fed back to the consultees?	No	
Is further engagement recommended?	No	

SECTION FIVE: ASSESSING THE IMPACT

Equality Protected Characteristics: What will the impact of implementing this proposal be on people who share characteristics protected by the Equality Act 2010 or are likely to be affected by the proposal / policy / project? This section allows you to consider other impacts, e.g. poverty, health inequalities, community justice, carers etc.

Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Please provide evidence of the impact on this protected characteristic.
Age			✓	Although no specific data available to the Council, it is widely understood that older and younger people are more likely to need to use public conveniences.
Disability			✓	Although no specific data available to the Council, it is widely understood that people with additional support needs and their carers are more likely to need to use public conveniences. The UK government has taken a number of steps recently to increase provision of 'Changing Places' toilets for disabled people who cannot use standard accessible toilets. The nearest adapted toilets are at Tesco, Link Road, Bo'ness EH51 9AN.
Sex			✓	While men can then use both cubicles and urinals, women can only use the former, and women also need safe spaces given their particular health and sanitary needs (for example, women who are menstruating, pregnant or at menopause, may need to use the toilet more often).
Ethnicity				
Religion / Belief / non-Belief				
Sexual Orientation				
Transgender				
Pregnancy / Maternity			✓	Pregnant women are more likely to need to use public conveniences due to menstruation, bladder issues brought on by pregnancy and childbirth.
Marriage / Civil Partnership				
Poverty				
Care Experienced				
Other, health, community justice, carers etc.			✓	The nearby John Muir Way is a long distance walking route accessible to as many people as possible. Walkers may need to use the public convenience at this stage of the route.

Public Sector Equality Duty: Scottish Public Authorities must have 'due regard' to the need to eliminate unlawful discrimination, advance quality of opportunity and foster good relations. Scottish specific duties include:

	Evidence of Due Regard
Eliminate Unlawful Discrimination (harassment, victimisation and other prohibited conduct):	Toilets, both in municipal and private sector locations, are an important facility for members of the public, in particular, women, those with children, older people and disabled people. Closure of the facility is likely to impact these groups more than others.
Advance Equality of Opportunity:	Closing this facility without any mitigation means that women, younger and older people and people with a disability less likely to visit this area and to participate in outdoor activities or tourism.
Foster Good Relations (promoting understanding and reducing prejudice):	Engagement with service users has not been undertaken however the proposal to close the facility does not provide an opportunity to foster good relations between groups.

SECTION SIX: PARTNERS / OTHER STAKEHOLDERS

Which sectors are likely to have an interest in or be affected by the proposal / policy / project?		Describe the interest / affect.
Business	Yes	The proposal may indirectly impact on demand for use of toilets in local businesses. Some business may see this as a benefit to increase footfall, others may not. Taxi drivers are thought to use the public convenience so an alternative would need to be found by them.
Councils	No	
Education Sector	No	
Fire	No	
NHS	No	
Integration Joint Board	No	
Police	Yes	The proposed closure will reduce vandalism of the premises but may increase public urination nuisance in the area.
Third Sector	No	
Other(s): please list and describe the nature of the relationship / impact.	This could be an opportunity for community transfer or for some other group to provide this service.	

SECTION SEVEN: ACTION PLANNING

Mitigating Actions: If you have identified impacts on protected characteristic groups in Section 5 please summarise these in the table below detailing the actions you are taking to mitigate or support this impact. If you are not taking any action to support or mitigate the impact you should complete the No Mitigating Actions section below instead.

Identified Impact	To Who	Action(s)	Lead Officer	Evaluation and Review Date	Strategic Reference to Corporate Plan / Service Plan / Quality Outcomes
Source alternative provision	Community	Explore the option of community transfer	Place Services	01/04/2023	
Provide directions to the nearest public toilets	Service users	Erect signage directing service users to nearest alternative facilities	Place Services	01/04/2023	
Source alternative provision	Service users/ walkers/ tourists	Use of Blackness Castle owned by Historic Scotland	Place Services	01/04/2023	

No Mitigating Actions

Please explain why you do not need to take any action to mitigate or support the impact of your proposals.

Are actions being reported to Members?

Yes

If yes when and how ?

SPR Update January 2024

SECTION EIGHT: ASSESSMENT OUTCOME

Only one of following statements best matches your assessment of this proposal / policy / project. Please select one and provide your reasons.

No major change required	No	
The proposal has to be adjusted to reduce impact on protected characteristic groups	No	
Continue with the proposal but it is not possible to remove all the risk to protected characteristic groups	Yes	The proposal is to close this facility with the limited mitigations noted.
Stop the proposal as it is potentially in breach of equality legislation	No	

SECTION NINE: LEAD OFFICER SIGN OFF

Lead Officer:

Signature:	<i>Kenny McNeill</i>	Date:	17/02/2023
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SECTION TEN: EPIA TASK GROUP ONLY

OVERALL ASSESSMENT OF EPIA: Has the EPIA demonstrated the use of data, appropriate engagement, identified mitigating actions as well as ownership and appropriate review of actions to confidently demonstrate compliance with the general and public sector equality duties?	No
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ASSESSMENT FINDINGS If YES, use this box to highlight evidence in support of the assessment of the EPIA If NO, use this box to highlight actions needed to improve the EPIA	There is very little actual data about the usage of this public convenience. however it is widely accepted that women, older and younger people, pregant women and people with a disability more like to need to use public conveniences
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Where adverse impact on diverse communities has been identified and it is intended to continue with the proposal / policy / project, has justification for continuing <u>without making changes been made</u>?	Yes	If YES, please describe: Some mitigations have been proposed - however the impact of these on those who are impacted should continue to be assessed and monitored : these mitigations are providing signage to nearest public toilet (EPIA also says there are no public toilets in the Falkirk Council area) and asking Historic Scotland if members of the public can use facilities designated for visitors to Blackness Castle. The impact of each of these options should continue to be monitored and assessed if toilet closed
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LEVEL OF IMPACT: The EPIA Task Group has agreed the following level of impact on the protected characteristic groups highlighted within the EPIA

LEVEL		COMMENTS
HIGH	Yes / No	
MEDIUM	Yes	There is no data on the actual usage of toilets but there likely to be an impact on a number of groups.
LOW	Yes / No	

SECTION ELEVEN: CHIEF OFFICER SIGN OFF

Director / Head of Service:			
Signature:	<i>Karen Algie</i>	Date:	24/01/2024