

Equalities Impact Assessment for the Telephony Strategy 2012- 2015

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the **9** protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) to seek to ensure equality of treatment towards service users and employees;*
- (b) to identify the potential impact of the proposal or decision upon them.*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **the decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **the duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. the decision maker must be **aware of the needs of the duty.***
- 4. the **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?*
 - a. **Collection and consideration of data and information;***
 - b. **ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **proper appreciation of the extent, nature and duration of the proposal or decision.***
- 7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).*
- 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the*

questions you should consider

<http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>

1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

The Telephony Strategy proposes to create a more flexible delivery model for telecommunications for both council staff, users and residents. It supports positive solutions to an integrated telephony service to provide “efficient, effective and appropriate services to its customers”.

The Council received 157,222 external calls between March 2011 and April 2012. The new strategy supports the Council’s commitment to improving customer contact.

The investment in upgrading technology will be based on what is already in place and should not lead to significant additional costs over and above what has been included within the strategy.

The strategy includes the procurement of a new call handling system. It will be a requirement of the system to offer queue messaging and self service to assist in driving down call waiting times. Customers will have and the flexibility to choose the method of receiving calls” (paragraph 3.8 Draft Telephony Strategy 2012- 2015).

The strategy does not anticipate negative impacts on any communities.

Contacting the Council Contact centre remains free or at low cost and no negative community impacts are envisaged.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The telephony provision was reviewed in 2012 and identified a need for improvements in technology to support the potential to support organisational change and deliver the Council's Customer First Programme.

The Council is committed to advancing flexible and mobile working wherever possible.

The Council has rolled out over 450 laptops and over 1,000 mobile phones and hand held devices for Direct Services staff. This technology has to date enabled approximately 50% of staff to be able to work flexibly (either through hot desking, or working from home and has the added advantage of reducing the need to travel to meetings and reducing the Council's carbon footprint and travel costs).

This reflects recent political initiatives from both the previous government (2010 Family Friendly Working Hours Taskforce) and the current coalition government's commitment in relation to flexible working where the intention is to extend the right to all within the wider caring structure, e.g. grandparents and neighbours.

A consultation is expected in the autumn with legislation expected by 2012

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

No consultation has taken place internally however the strategy offers a wider range of options for staff which will support flexible working for officers who may have improved opportunities to be employed working from home.

Consultation on the strategy will take place with customers following CEB.

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4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

There is potential as part of the consultation to get a details of the staff numbers already signed off and agreed as working from home and to agree a target for increasing home working as the technology improves to support telephone conferencing and links to all office based networks from home

The technology can be used as a part of a video telephone conferencing options with customers who wish to have online meetings.

This option will provide an improvement in our range of services for some disabled customers.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

The Council does not anticipate any adverse impacts from the proposed Telephony Strategy and will monitor the effectiveness and value for money of the new systems through robust contract monitoring processes built into the current procurement tender for the contract.

Lead officer responsible for signing off the EqIA:

Role: Jane Lubbock

Date: 20th August 2012

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies

- Specific impact tests (e.g. statutory equality duties, social, regeneration and sustainability)
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources (attach hyperlinks including Government impact assessments where relevant)

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