

BIRMINGHAM CITY COUNCIL

CUMULATIVE EQUALITY IMPACT ASSESSMENT

2020+ BUDGET

REPORT

February 2020



Introduction

The Council in its annual budget-setting process is required to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations when making decisions on budget proposals.

The Public Sector Equality Duty requires councils to demonstrate their consideration of the Equality Duty as part of the process of decision-making. This involves an understanding of the potential impact of policy and decisions on different people and evidence on how decisions were reached. To help us do this we undertake an Equality Impact Assessment (EIA). While there is no legal requirement to conduct an Equality Impact Assessment, this process enables a rigorous analysis of decision-making and identifies any negative and positive impact on people with protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership, but only in respect of the requirements to have due regard to the need to eliminate discrimination.
- Pregnancy and maternity
- Race – ethnic or national origins, colour or nationality
- Religion or Belief – including lack of belief
- Sex
- Sexual orientation.

To inform the Council's financial decision-making process, we have attempted to take a consistent approach to assessing the equalities impact of our proposals across services. The Council, working with services users, communities and partners, will need to take action to mitigate the collective impact of any such proposals that demonstrate as having adverse impacts on the above protected characteristics. Feedback on budget proposals from the public consultation and service led consultations are incorporated into the relevant individual Equality Impact Assessments and reflected in the Cumulative Impact Assessment.

Equality Impact Assessment process

We believe that mainstreaming equalities in everything we do will help promote equality across all our services. That is why we have undertaken an equality analysis of all our proposals.

In building our approach to these budget savings, we have carefully considered areas which have the least direct impact on people, and how we re-shape services and any ongoing investment to continue to protect front line services.

Each Service area has completed an initial EIA of its savings proposal to help identify any potential negative or positive impacts. Any adverse impacts on people and communities with protected characteristics will be alleviated by mitigation plans.

These mitigation plans will be implemented and monitored as part of the EIA process.

This document draws into one place, a summary of the service-based Equality Impact Assessments for the 2020+ budget proposals that show potential adverse impacts. In addition to service-based proposals, there are a range of budget proposals which are efficiencies and do not have any disproportionate impact for people with protected characteristics as defined in the Equalities Act 2010.

It's important to note that the Equality Impact Assessment is not a one-off task, instead it is an ongoing process that develops as the budget saving proposal evolves over time. All EIAs are recorded on the councils 'live' SharePoint site where the EIAs will be updated with additional consultations, data and monitoring information on any adverse equality impacts as changes in provision occur.

A total of 19 EIAs have been completed alongside the budget proposals for this budget. The cumulative EIA has reviewed this to consolidate at a high level the key points for consideration.

Local context

The Council continues to face significant financial challenges year on year against a backdrop of rising demand in core public services. These expenditure pressures cover a range of costs including the effects of inflation and meeting increasing service demands, such as adult social care. The aim is to deliver a sustainable plan for future years.

This year's budget consultation referred to £5.5m for specific proposals for the coming 2020/21 financial year. These were in addition to previously agreed savings of £21.4m. It also referred to the longer-term financial challenge of identifying a total of £81.5m over the next four years. These savings are on top of the savings of around £730m that the Council has already made since 2010/11.

Inevitably there will be some impact on front-line service delivery, on those who are in greatest need, including groups who share equality characteristics. In undertaking the equality impact analysis, the Council has had to consider how the savings proposals for 2020+ will impact on the delivery of the Council's priorities:

- Birmingham is an entrepreneurial city to learn, work and invest in
- Birmingham is an aspirational city to grow up in
- Birmingham is a fulfilling city to age well in
- Birmingham is a great city to live in
- Birmingham residents gain the maximum benefit from hosting the Commonwealth Games
- Birmingham is a city that takes a leading role in tackling climate change.

The impact of our changing population, public sector spending cuts, shortages in affordable housing are some of the key factors that makes the financial planning process evermore challenging. Together, these factors exacerbate poverty and

inequality which places increased demands on already pressurised services. As such, we are redesigning our services to better meet the needs of our citizens and protect the most vulnerable people and communities from any adverse effects of our savings proposals.

Our city profile

Birmingham is a growing dynamic and vibrant global city with a population of 1.15 million people; it is the second largest city in the United Kingdom.

In the next five years we will see a population growth of 3%, largely due to 'natural changes' of more births than deaths.

We are a young city, 46.1% of our population is aged under 30.¹ Low skills and educational attainment, poverty and poor health are holding back some of our most disadvantaged young people.

Despite being a young city, we are expected to see a larger growth of older adults age 65+ (6%) and 90+ (10.3%) by 2023.²

Birmingham is the 7th most deprived local authority in England according to the 2019 English Indices of Deprivation and 43% of the population living in Lower Super Output Areas (LSOAs) in the 10% most deprived areas in England.

41% of Birmingham Children live in poverty (compared to a national average of 31.2%).

Almost 3 in 10 (29.8%) households with children in Birmingham are living in lone parent households, against an England and Wales average of 25%.

The City has a higher proportion of working age residents with no qualifications (12.6%) compared to the national average (8.0%) which limits access to employment and training opportunities. Qualification levels are particularly low in the city for some communities.

Our changing demographics and socio-economic disparities are some of the important factors that have informed our decisions.

¹ 2018 Population Estimates

² Source: ONS Mid-2016 Projections

Summary of Cumulative Equality of Impact

This cumulative equality assessment has been developed by considering city demographics as mentioned above, relevant data sources, and feedback from service user and resident consultations. The assessment identifies the equality impact of a single saving decision or a series of decisions that potentially has a negative or positive impact on one or more protected characteristic.

The summary analysis of budget proposals impacting on residents set out in this document highlights the potential impact on protected characteristics, as identified from service specific EIAs. The initial analysis of the budget proposals shows a number of key common factors and design principles:

- The streamlining of services and teams to increase efficiency and effectiveness.
- Increasing income generation and traded services to protect services such as with schools.
- Better use of technology to drive internal efficiencies and move to online service to improve service user experience.

Service leads responsible for specific savings proposal have designed bespoke mitigations where adverse impacts have been identified.

Despite these mitigations, there are still potential impacts on groups with protected characteristics. To alleviate any adverse effects, we will undertake regular monitoring and analysis to review impacts and put in place council wide mitigations to minimise any negative impacts.

Workforce Implications

Specific service areas impacted by staffing changes will complete a full EIA, supported by staff consultations. A cumulative workforce equality impact analysis of budget savings will be completed, including mitigation plans to minimise any negative impacts.

Summary of Cumulative Equality Impact key findings

The EIA process and public consultation have been based on identifying whether service delivery impacts are likely to be different for a person because of their protected characteristics.

The EIAs were considered where groups may be impacted by more than one service change across the council. A summary analysis of the EIAs in relation to the nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership, but only in respect of the requirements to have due regard to the need to eliminate discrimination.
- Pregnancy and maternity
- Race – ethnic or national origins, colour or nationality
- Religion or Belief – including lack of belief
- Sex
- Sexual orientation.

Age

The Equality Act 2010 says that you must not be discriminated against because:

- you are (or are not) a certain age or in a certain age group
- someone thinks you are (or are not) a specific age or age group, this is known as discrimination by perception
- you are connected to someone of a specific age or age group, this is known as discrimination by association

Age groups can be quite wide (for example, 'people under 50' or 'under 18s'). They can also be quite specific (for example, 'people in their mid-40s'). Terms such as 'young person' and 'youthful' or 'elderly' and 'pensioner' can also indicate an age group.

Based on 2016 ONS projections, in Birmingham between 2018 and 2022 the number of children under 15 are due to increase by 3%. Of these, children aged 0 to 4 are due to grow by 1.5% to 86,000 children, but the latest growth rate in Birmingham children will be the 10 to 14 age group – increasing by 6.0% to 84,900. More than 40% of Birmingham's school children have a first language that is known or believed to be other than English (42%). 41% of children in Birmingham are living in poverty.

Despite being a young city, we are expected to see a larger growth of older adults age 65+ (6%) and 90+ (10.3%) by 2023. The older adult population has and will continue to rise in Birmingham, with increases of 24% for those aged 85+ years expected in the next 10 years. Nearly a fifth of older people are living alone with a health problems and/or disability.

Potential equality impact:

Many older people who successfully use the internet may benefit from the shift to digital citizen engagement. However, across the proposals there are risks that some older people may be disadvantaged by not being able to engage with digital technology, for a number of reasons. The individual service EIAs will address the mitigation as the service develops.

There are several proposals which are about service integration and increase in commercial trading of services that link to children and young people. The consultation has highlighted public concern about a potential increased financial pressure on schools and how that can impact on children. The service model transformation and efficiency in the Education and Skills service could potentially disadvantage some young people but initial assessments show a potential to positively impact on improving the quality of education to all our children. The individual service proposal EIAs will monitor any adverse impacts and the mitigation of any risks identified.

Sex

The Equality Act 2010 says you must not be discriminated against because:

- you are (or are not) a particular sex
- someone thinks you are the opposite sex (this is known as discrimination by perception)
- you are connected to someone of a particular sex (this is known as discrimination by association)

In the Equality Act, sex can mean either male or female, or a group of people like men or boys, or women or girls.

Birmingham's population is made up of 50.5% females and 49.5% males¹.

Gender inequality and gender-based violence can affect both men and women, although in many areas the inequalities are more significant for women.

These inequalities are often even greater for individuals with more than one protected characteristic for example women with a long-term illness or disability are more than twice as likely to have experienced domestic abuse in the last year as other women. Women from mixed/multiple ethnic groups were more likely to have experienced domestic abuse in the last year than any other ethnic group.

Female residents in Birmingham earn less than males, with average gross incomes for full time workers having a £5k gender pay gap.³

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to sex.

³ Birmingham Community Cohesion Strategy

Gender Reassignment

In 2016 a Women and Equalities Committee report highlighted that the terms 'gender reassignment' and 'transsexual' in the Equality Act 2010 are outdated and misleading, something that we fully agree with. The preferred umbrella term is trans. However, the legislation has yet to be updated.

The Equality Act 2010 says that you must not be discriminated against because you are transsexual, when your gender identity is different from the gender assigned to you when you were born. For example:

- a person who was born female decides to spend the rest of his life as a man

In the Equality Act it is known as gender reassignment. All transsexual people share the common characteristic of gender reassignment.

To be protected from gender reassignment discrimination, you do not need to have undergone any specific treatment or surgery to change from your birth sex to your preferred gender. This is because changing your physiological or other gender attributes is a personal process rather than a medical one.

You can be at any stage in the transition process – from proposing to reassign your gender, to undergoing a process to reassign your gender, or having completed it.

There are no local estimates of the number of trans people living in Birmingham however nationally there are estimated to be between 200,000-500,000 trans people in the UK.

Surveys in the UK by Stonewall and other organisations have shown that trans people experience significant discrimination and inequalities, for example one survey 41% of trans men and women reported having experienced hate crime because of their gender identity in the last 12 months⁴.

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to gender reassignment.

⁴ [Trans people in the UK. Government Equality Office.](#)

Marriage/Civil Partnership

The Equality Act says you must not be discriminated against in employment because you are married or in a civil partnership.

In the Equality Act marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex or opposite sex.

People do not have this characteristic if they are:

- single
- living with someone as a couple neither married nor civil partners
- engaged to be married but not married
- divorced or a person whose civil partnership has been dissolved

In the 2011 Census there were 163,204 people in the city who were married and 803 who were registered with a same-sex civil partnership⁵.

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to marriage or civil partnership.

⁵ 2011 Census DC1101EW ([NOMIS](#))

Pregnancy & Maternity

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavorably because she is breastfeeding.

Around 17,500 women become pregnancy in Birmingham each year.

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to pregnancy and maternity.

Sexual Orientation

The Equality Act 2010 says you must not be discriminated against because:

- you are heterosexual, gay, lesbian or bisexual
- someone thinks you have a particular sexual orientation (this is known as discrimination by perception)
- you are connected to someone who has a particular sexual orientation (this is known as discrimination by association)

In the Equality Act, sexual orientation includes how you choose to express your sexual orientation, such as through your appearance or the places you visit.

The Government estimates 5-7% of the population of England and Wales is lesbian, gay or bisexual (LGB). In 2018, the adult population (aged 18+) in Birmingham was 852,986, so the government's 5-7% estimate would mean an LGB population in the city of between 42,650 and 59,700.

Lesbian, gay and bisexual people experience significant inequalities in health, employment, education and crime and often experience challenges in accessing services because of fear, or experience, of discrimination.

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to sexual orientation.

Race

The Equality Act 2010 says you must not be discriminated against because of your race.

In the Equality Act, race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may have Chinese national origins and be living in Britain with a British passport.

Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

A racial group can be made up of two or more distinct racial groups, for example black Britons, British Asians, British Sikhs, British Jews, Romany Gypsies and Irish Travellers.

You may be discriminated against because of one or more aspects of your race, for example people born in Britain to Jamaican parents could be discriminated against because they are British citizens, or because of their Jamaican national origins.

Birmingham is a super-diverse city, with 42% of the population being from an ethnic minority background, reflecting the city's rich and varied cultural heritage. Academic research suggests that there are people from nearly 200 countries who have made Birmingham their home¹. The 2011 Census revealed that 42.1% classified themselves within an ethnic group other than white British, compared to 30% in 2001, a rise of 12%. According to the 2011 census over 60% of the under 18 population is now from a non-white British background, compared to around 44% in 2001.

Qualification levels are particularly low in the city for some communities. A high percentage of Pakistani and Bangladeshi residents have no qualifications. Around 47,000 people living in Birmingham are unable to speak English or speak English well.

Potential equality impact:

Across the proposals there are risks that the shift to digital citizen engagement may disadvantage non-English speakers from different ethnic backgrounds. The lack of access to technology, digital capability, and cultural barriers are some of the challenges likely to be experienced by some BME communities. The Council aims to use 'Plain English' as a standard approach to improve accessibility and the current website can be translated into 60 different languages. However accessibility remains a cross cutting risk that must be actively considered. The individual service EIAs will address the mitigation in the context of the service transformation.

Disability

The Equality Act 2010 says that you must not be discriminated against because:

- you have a disability
- someone thinks you have a disability (this is known as discrimination by perception)
- you are connected to someone with a disability (this is known as discrimination by association)

It is not unlawful discrimination to treat a disabled person more favorably than a non-disabled person.

In the [Equality Act](#) a disability means a physical or a mental condition which has a substantial and long-term impact on your ability to do normal day to day activities.

You are covered by the Equality Act if you have a progressive condition like HIV, cancer or multiple sclerosis, even if you are currently able to carry out normal day to day activities. You are protected as soon as you are diagnosed with a progressive condition.

You are also covered by the Equality Act if you had a disability in the past. For example, if you had a mental health condition in the past which lasted for over 12 months, but you have now recovered, you are still protected from discrimination because of that disability.

In the 2011 Census 98,181 citizens reported a disability or long term health problem that limited their day-to-day activities a lot, and a further 99,720 reported a similar condition that limited these activities a little.

One in four adults in the West Midlands has a mental health issue. Particular groups of people are at greater risk of mental illness, including people from ethnic minority communities, lesbian, gay, bisexual and transgender (LGBT) people. Many people with a physical health condition also have a mental health condition.

In Birmingham around 1% of supported working age adults with a learning disability are in in paid employment compared to the England average of 5.8%, this relates to just 21 in 2,166 people¹.

Potential equality impact:

Across the proposals there are risks that the shift to digital citizen engagement may disadvantage disabled service users, having difficulties with vision, hearing, mobility or literacy. The Council website is compliant with the disability access requirements and this has been actively considered in the development of the software. We will continue to engage with communities and the voluntary sector to improve digital accessibility. The individual service EIAs will address the mitigation in the context of the service transformation.

Religion and Belief

The Equality Act 2010 says you must not be discriminated against because:

- you are (or are not) of a particular religion
- you hold (or do not hold) a particular philosophical belief
- someone thinks you are of a particular religion or hold a particular belief (this is known as discrimination by perception)
- you are connected to someone who has a religion or belief (this is known as discrimination by association)

In the Equality Act religion or belief can mean any religion, for example an organized religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system.

The Equality Act also covers non-belief or a lack of religion or belief.

The 2011 Census found that Christianity is the most commonly reported religion in the city (46.07%) followed by Islam (21.85%), Sikhism (3.02%) and Hinduism (2.08%) and Buddhism (0.45%). 19.27% of citizens reported having no religion.

Potential equality impact:

Across the Budget proposals the initial impact assessments have not highlighted any negative or positive impacts on individuals in relation to religion and belief.

Council-wide mitigating action

The Council is committed to minimising and preventing negative impacts on specific protected equality groups. The council will take the following mitigating actions:

Undertake regular monitoring and analysis to evaluate trends and identify actions, and as part of the equality impact assessment process. We will continue to engage and consult service users/stakeholders to garner their views and ideas to meet our corporate priorities.

Service managers must ensure ongoing monitoring of the impact of services changes, to identify any unanticipated impact at an early stage.

Any impacts identified through monitoring should be used to inform next year's budget setting process.

Where required a full EIA will need to be completed to include issues highlighted in the consultation process.

Continued engagement with service-users, residents and relevant partners to identify ways in which services can be improved to better meet needs.

