

Equality Impact Assessment (EIA)

Name of Policy or Practice	Closure of Civic Hall Auditorium, Conwy		
Head of Service responsible for the Policy or Practice	Marianne Jackson, Head of Community Development Service		
Name of officer (s) completing impact assessment form	Sheila Evans – Library Development Officer		
Service	Culture and Information	Date of Assessment	12/12/2013

EIA Completed by :		EIA Agreed by Head of Service :	
Date	December 2013	Date	17/12/2013,
Name(s)	Sheila Evans	Name	MARIANNE JACKSON
Signature(s)	<i>S. A. Evans</i>	Signature	<i>M. Jackson</i>

STEP 1 – Identify the Main Aims and Objectives of the Policy or Practice

1. What is being assessed? (*Please double click on the box and select 'checked' as appropriate to cross X*)

- New and revised policies or practices
- New procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year
- Decisions affecting service users, employees or the wider community
- New project proposals affecting staff, communities or accessibility to the built environment, e.g., new construction work or adaptations to existing buildings
- Other please explain in the box below:

2. What are the overall aims and objectives of the policy or practice?

- To close the Civic Hall Auditorium, as it no longer offers a suitable or safe venue for theatre performances or meetings.
- The inability to invest significant financial resources in this facility means there are problems reaching adequate safety standards. This is a risk to the health and safety of current and potential users of the Civic Hall Auditorium, as well as staff working there.
- The management, maintenance and up-keep of the Civic Hall is a responsibility of Culture and Information a function which was transferred to it a few years ago with inadequate resources i.e. small budget and no permanent staff .The budget has been overspent every year with a consequent impact on the library service budget. This decision will help protect Library provision during financial constraints.
- To reduce the reputational risk to the Authority, as there have been numerous complaints from users of the facility.

3. Who is the policy or practice intended to help or benefit (stakeholders)?

- Conwy Library Service will benefit by being relieved of the financial burden imposed by the Civic Hall Auditorium to protect key elements of the library service provision in the county.
- Performers are entitled to a safe and appropriate environment in which to perform.
- Audiences are entitled to a safe and appropriate environment.
- Disabled performers and audiences are entitled to an accessible venue.
- The service and the authority – through eliminating risk from a building which is non DDA compliant and continues to have numerous Health and Safety issues despite significant investment.

4. Who are the main consultative groups or communities of interest?

- Community Development Service.
- Current users of the Civic Hall Auditorium (performance givers and their audiences) including CHAPS, local dance groups and local performers and schools, Conwy Feast and Blue Grass.
- The local community, including children and parents involved in these performances.
- CIWB Conwy CUBE, who wish to take over the management of the whole building.
- Elected representatives, Town, Community and County Members.
- Contractors and local business who supply services to the users of the Civic Hall Auditorium.

STEP 2 - Consider Existing Information and What This Tells You

When completing this section, you need to consider if you have sufficient information with which to complete your EIA, or whether you need to undertake a period of engagement/consultation before continuing. The legislation relating to the EIA process requires you to **engage and involve people who represent the interests of those who share one or more of the protected characteristics and with those who have an interest in the way you carry out your functions**. This needs to be proportionate to the policy or practice being Equality Impact Assessed. You may have already recently undertaken consultation specifically on this policy or practice. Other officers within CCBC may have carried out engagement work which will be relevant to this EIA and you can review the Community Involvement Database to find out what engagement activities have taken place in Conwy and establish if this is relevant. If you have very little or no information from previous engagement that is relevant to this EIA, you should consider undertaking some engagement work with your stakeholders and with relevant representative groups to ensure that you do not unwittingly overlook the needs of each protected group.

5. What do you already know about the impact on each protected characteristic from your experience of current service delivery or previous engagement or consultation? You could refer to the Initial Equality Impact Assessment Screening Form and the Community Involvement Database.

Protected Group	Relevance of the policy / practice by protected characteristic
Race	<p>We do not have specific data regarding the composition of the users / audiences of the Civic Hall Auditorium as events are run by external organisations.</p> <p><u>Mitigation</u> Research was done in 2011 to scope possible alternative venues for housing those who currently use the Civic Hall Auditorium: this will be updated before the Civic Hall Auditorium is closed and users will be informed.</p> <p>According to the last Census Data (2011) for Conwy County Borough Council: 96.1 % of the population were White British or White Irish and 2.4% were of ethnic minority origin.</p> <p>We are not aware that this group would specifically be affected by any of the proposed changes to this service.</p>
Disability	<ul style="list-style-type: none"> ▪ According to 2011 Census data for Conwy County Borough Council, 12.1% of the population have their “day to day activities limited a lot” by limiting long term illness (LTI), while 24.2% of the population have some sort of LLI. The 2010 Arts in Wales Survey (ACW) found that 66% of those with a disability or LTI attend arts events (<u>excluding cinema</u>) at least once per year (pg. 73) <p><u>Mitigating Factors</u></p> <ul style="list-style-type: none"> ○ There is a lack of adequate access for disabled users to the Auditorium level which is on the first floor of this building. This is attested through complaints from disabled people about the

	<p>inadequate facilities for disabled people at this venue</p> <ul style="list-style-type: none"> ○ There are a number issues with this building, that affect disabled people including: <ul style="list-style-type: none"> ▪ There are no accessible toilets at the venue ▪ All female toilets are on mezzanine floors and cannot be accessed by a lift ▪ The lift is non-Disability Discrimination Act (Equality Act) compliant ▪ No lift access to the changing rooms for performers ▪ The lift is not a fire evacuation lift ▪ There is a “fire evacuation” chair, but this is not suitable for all disabled users
Sex	<p>Although we have no access to specific user equality data obtained from local providers at this venue, a national survey undertaken by the Arts Council of Wales (2010) showed that in Wales, attendance at arts events including plays and other live performance is biased towards women and higher social grades. Those who attend arts events (<u>excluding cinema</u>) at least once per year include 83% of women (pg. 73). This information indicates that the closure could have an impact on women.</p>
Age	<p>According to the 2011 Census data for Conwy County Borough, 24.7% of the population of Conwy County Borough are aged 65 years or older.</p> <p>According to the <i>ACW Arts in Wales Report, 2010</i>, 70% of those aged 65 years or older attend some sort of art event (<u>excluding cinema</u>) at least once per year (pg. 73). This indicates that this decision could have an impact on older people.</p> <p>Anecdotal evidence suggests that a large proportion of audiences for some productions are older people.</p> <p>The 2010 Arts in Wales Survey (ACW) found that 88% of families and 83% of those aged 16-24 years attend an arts event (<u>excluding cinema</u>) at least once per year (pg. 73).</p> <p>Some of the performances at this venue, e.g. pantomimes, and performances by dance classes, are undertaken by (or aimed at) local children and young people, and often it is children or young people and their parents who come to watch them. Other events are targeted at families e.g. wrestling.</p> <p>All age groups would be affected by the decision to close.</p>

	<p><u>Mitigating Factors</u></p> <ul style="list-style-type: none"> ○ Health and Safety factors are an issue, especially for disabled people, and many older people who suffer from an age related disability (see also - section on disability above) ○ Audiences of all ages are entitled to a safe and appropriate environment
Religion & Belief	<p>According to the 2011 <u>Census Data</u> for Conwy County Borough, 64.7% of the population are Christian, 0.5% are Muslim, while less than 0.5% of the population are Buddhist, Hindu, Jewish or Sikh in Conwy County Borough.</p> <p>We are not aware that religion and belief will be specifically affected by the proposed changes</p>
Sexual Orientation	<p>We are not aware that this group would specifically be affected by the proposed changes</p>
Gender Reassignment	<p>We are not aware that this group would specifically be affected by the proposed changes</p>
Marriage & Civil Partnership	<p>We are not aware that this group would specifically be affected by the proposed changes</p>
Pregnancy & Maternity	<p>We are not aware that this group would specifically be affected by the proposed changes</p> <p>There is no baby changing or breast feeding facilities at the Conwy Civic Hall Auditorium.</p> <p>There is no hot water e.g. in the sinks in the toilet / kitchen area.</p>
Welsh Language	<p>According to the Census data (2011) for Conwy County, 27.4% of the population were Welsh speakers. While, according to the Arts Council of Wales, Arts in Wales Survey (2010) 82% of Welsh language speakers attend an arts event (<u>excluding cinema</u>) at least once per year (pg. 73).</p> <p>In North Wales, “rural isolation” accounted for quite a high percentage of household and drama bookings in this region according to the Arts Council of Wales, Arts in Wales Survey (2005). An update on this information was not available in the 2010 Report. We are also unable to verify that this applies at this small local venue.</p>

	<p>However, based on the general trend it is likely that this decision could impact on Welsh speakers.</p> <p><u>Mitigating Factors</u></p> <ul style="list-style-type: none"> ○ The majority of performances given at this venue are in the English language, an annual Welsh medium drama has been held at the auditorium in the past, but not in recent years.
Other (please state)	<p><u>Social Groups</u></p> <p>The 2010 Arts in Wales Survey (ACW) survey found that those who attend any arts events at least once a year (<u>excluding cinema</u>) includes ABCs (87%) and people who do not live in Communities First areas (81%) – (pg. 73, section 10.2 of the report).</p> <p><u>Mitigating Factors</u></p> <ul style="list-style-type: none"> ○ Audiences of all social groups are entitled to a safe and appropriate environment ○ Health and safety issues that could affect all in this group, see also section on age and disability above

6. Summarise the additional relevant data, research and performance management information you already have:

Data / Information	Examples
<p>The Initial EIA Screening document suggest that the main “protected characteristic groups” that would be affected by this closure would be:</p> <ul style="list-style-type: none"> ○ Women ○ Children and young people ○ Families ○ Older people ○ Disabled people, though not necessarily in an adverse way <p>Complaints/ Service User Data</p> <p>There have been numerous complaints from service users about the condition of the Civic Hall during the last few years, especially from disabled people relating to the fact that the venue is unsuitable for disabled</p>	<p>Initial EIA Screening</p> <p>Complaints</p> <p>Compliments</p> <p>Service User data</p> <p>Service User Feedback</p> <p>Inspections or Audits</p>

patrons.

CHAPS use this venue regularly and feel that its closure, without offering a suitable alternative in Conwy would be detrimental to the future of their amateur dramatic society. CHAPS stress that their performances bring people to Conwy (of all ages) and if this venue is closed, this may be detrimental to the local community. They have also complained about the sub-standards facilities at the Auditorium.

Building, Fire Safety Audit and the Health and Safety Audit 2013 and previous

Have identified up to £607,500 spend required on the building over a period of 1-3 years of which £340,000 is required immediately including:

- Replace the lift that is over 30 years old, it has broken down numerous occasions and parts are difficult to source, replacement cost over £50k
- The highest category risk from the FRA to upgrade the fire detection system needs to be addressed, costs £20K
- There is no hot water e.g. in the sinks in the toilet / kitchen area
- Ongoing water penetration to building
- Permanent improvements to the stage lighting systems are outstanding
- Poor visibility re: the lighting on the emergency exit stairway, which needs to be improved to meet the needs of the visually impaired.

Research or Comparative Information

Extensive communication with the then Civic Hall Auditorium users was undertaken in 2011 when the proposal to close the Auditorium was taken through the political process, the decision was deferred while discussion were ongoing with CIWB Conwy CUBE.

Arts Council of Wales (ACW) Arts in Wales Survey (2010) * rep. sample size of 7,323 adults resident in Wales (aged 16 and over). This shows 88% of the adult population in Wales normally either participate and/or attends any arts activities once a year or more.

Statistics for those attending art events at least once per year (excluding cinema) show (see pg. 73,

Examples

Service User Surveys
Studies by Government departments or professional bodies
Census data
Service based projects and research
How Fair Is Wales (EHRC data)

Section 10.2):

- 87% of ABCs; 88% of families, 83% of women, 66% of those with a disability or long-term illness; 81% who **do not** live in Communities First areas; 82% of Welsh language speakers; 70% of those aged 65 years and over, and 83% aged 16-24 year.

Between 2005 and 2010 there was a recorded overall percentage decrease in arts attendance for **Conwy**, though, this is possibly due to the closure of Theatr Gwynedd in Bangor in 2008.

7. Have you complied with the duty to engage as described at the start of this section and are you sufficiently informed to proceed?

Yes No *(please cross as appropriate X)* If Yes, please proceed to Step 3

If No, you may wish to consider pausing at this point while you undertake engagement activities (which you should add to your action plan – Step 6). Please incorporate any information you have obtained from this additional activity in the box below and state what the key findings were:

STEP 3 - Procurement and Partnerships

The public sector General Duty means all public authorities need to consider the needs of different groups when designing and delivering public services. This duty also applies to private sector organisations who deliver a public function on our behalf and we need to ensure that those organisations exercise those functions by ensuring our procurement and monitoring of those services complies with the General Duty.

8. Is this policy or practice to be carried out wholly or partly by contractors or in partnership with another organisation(s)?

Yes No *(please cross as appropriate X)*

If No, please proceed to Step 4

9. If yes, how will you comply with Equality, Human Rights and Welsh Language Legislation? Think about :

Procurement

- Setting out clear equality expectations in Tendering and Specification documentation
- On what you based your decisions in the award process
- That contract clauses cover legislative equality requirements
- Performance and Monitoring measures are included to monitor compliance

Partnerships

Who is responsible for :

- Equality Monitoring relevant data
- Equality Impact Assessment
- Delivering the actions from the EIA
- Ensuring that equality, human rights and Welsh Language legislation is complied with by all partners

Cabinet in September 2010 agreed the closure of the Auditorium as a saving as the budget had been overspent for many years. In a subsequent report in February 2011, the closure was postponed until community possibilities were exhausted. The authority has been working with CIWB Conwy Cube community initiative for the past 2 years with a view to the group taking over the management of the building. Since the end of 2010 over 20 project development meetings between CIWB Conwy Cube and CCBC have taken place chaired by the Head of Community Development Service and supported by CDS officers. The project group has included officers from Estates Management, ERF, Planning and Conservation, Finance, European Funding and Legal Services who have provided support and advice in advance of the Business Case now under review.

The group has presented a business case to the authority in August 2013; appraisal of its business case by officers has highlighted concern over the viability and sustainability of the proposals.

STEP 4 - Assessing the Impact

10. Is there any evidence of higher or lower take-up or satisfaction by any group(s), and if so, how is this explained?

When considering the client group using the Civic Hall Auditorium, there appears to be a limited amount of local data of the exact type of user. However, there is a list of the different groups that book the Civic Hall, which gives us some evidence, e.g. local amateur dramatics groups/ local school/ local dance schools and other local community groups.

Anecdotal evidence regarding the type of people attending these different types of performances has given us some further insight. Although it seems that people of all ages use this venue, some performances appear to attract a larger percentage of older people, while others, e.g. school plays, dance classes and pantomimes attract more children and young people, their parents and their relatives.

Additional evidence from ACW show general trends for those attending arts events (*excluding cinema*) from the social groups ABC (87%), women (83%) and 16-24 year olds (83%) and families (88%), though these are all Wales statistics.

Issues relating to the usage of the building by disabled people are significant factors, as due to lack of adequate disabled facilities, some disabled customers are therefore unable to access the venue – this is borne out by complaints received from disabled customers.

11. Does the geography or demography of any groups reveal anything?

Many of the groups who book this venue are from the local area and so are most of their audiences, e.g. school plays with parents and families being the main audience. However, some users e.g. Conwy Feast and Bluegrass Festival will include people from outside the immediate area.

Small Area Statistics (estimates 2011) for the Wards of Conwy, Caerhun and Deganwy, showed the number of older people as a percentage of the population at 26.2%, 28.2% and 38.7% respectively.

Research from the ACW (2010 Survey) showed 87% of residents in North Wales attended and/or participated in the arts at least once a year. According to the ACW (2010 Survey) North Wales has above average play attendance (for all of Wales) particularly from the ABC1 social groups.

12. Do any rules or requirements or the way the policy or practice is delivered prevent or reduce the likelihood of any groups from use or access or are any other barriers created for them?

e.g.: due to limited income, location, times of availability, access to buildings, information or language, eligibility rules, dress code, cultural issues

Yes – access to the building

- Due to lack of financial resources to invest in the building, we are unable to bring the Civic Hall Auditorium up to the required health and safety standard for all patrons.
- Due to lack of financial resources to make the Civic Hall more suitable for disabled users, disabled patrons often cannot access the Auditorium.
- Due to lack of financial resources over an extensive period of time we are unable to upgrade the facilities at the Auditorium, subsequently it has become tired and non-complaint with DDA (Equality Act) and Health and Safety standards. This also is off-putting to would-be service users and has led to a decline in usage and consequently in income.
- There are no parking facilities or drop-off point for the building and in the summer particularly parking can be difficult in Conwy.
- In order to ensure equality of access and for Health and Safety compliance significant expenditure is required on the building: over £607,500 spend is required on the building over a period of 1-3 years of which £340,000 is required immediately.
- The Service considers that in its current condition the Auditorium is no longer for purpose and presents an unacceptable risk to users.

13. Can any of these limitations be justified on the grounds of advancing equality of opportunity or fostering good relations between those who share a protected characteristic and those who do not?

No.

14. Do any of these limitations amount to unlawful discrimination?

Yes No Not Sure
(please cross as appropriate X)

If you answered Yes or Not Sure, please state on the table below, which protected group(s) it applies to and if possible explain why (including likely impact or effects of this proposed change):

Race	Black Minority Ethnic groups Gypsies / Travellers
Disability	Mobility Dexterity Blind or Visually impaired Deaf or Hearing impaired
See section 5	

	Mental Health Learning Disabilities
Sex See section 5	Men Women
Age See section 5	Older People Children Young People
Religion & Belief	Faith communities
Sexual Orientation	Gay Lesbian Bi-sexual Heterosexual
Gender Reassignment	A person who proposes to, starts or has changed his or her gender
Marriage & Civil Partnership	
Pregnancy & Maternity	
Human Rights	Right to Education, Private and Family Life, Protection of property, etc
See section 5	
Welsh Speaking Communities See section 5	
Other socially excluded groups or communities (please state)	
Social Groups ABC – see section 5.	

15. If you answered No to Question 14, do the barriers and limitations amount to a differential impact for certain groups?

Yes No Not Sure

(please cross as appropriate X)

16. If you answered Yes or Not Sure to Question 15, please give details in the box below and explain why

- The health and safety risk to all those attending, which includes those of different Protected Characteristic is substantial.
- Currently there is discrimination because some disabled users cannot access all parts of the Auditorium.

17. Do you have enough information to make an informed judgement?

Yes No **(please cross as appropriate X)**

If you answered Yes, please justify:

Yes, the Health and Safety, Fire Risk assessments and Access Audit support the fact that the Civic Hall Auditorium requires significant investment in order to become a safe and accessible venue.

If you answered No, what information do you require about protected groups?

18. Is it possible to get the information needed quickly and easily, or should data collection be included in the action plan? Please give details below:

It is not possible to get further information about "Protected Groups" quickly or easily, as a survey of users will not be conclusive as the performers and audience is continually changing by the nature of the function of the Auditorium, we have little control over the type of performances.

STEP 5 – Dealing with Adverse or Unlawful Impact and Strengthening the Policy or Practice

In this section, you will consider whether there are any measures to reduce or remove any adverse impact. You should also explore other ways of achieving the same goal and / or alternative means of delivering a service to meet the needs of different groups.

19. What measures can you introduce to the policy or practice which could reduce or remove any unlawful impact or disadvantage?

- Closure of the Civic Hall Auditorium to eliminate adverse and unlawful impact.

20. What measures could be included to strengthen the policy/practice and foster good relations and advance equality of opportunity?

- Research was done in 2011 to scope possible alternative venues for housing those who currently use the Civic Hall Auditorium. This will be updated before the Civic Hall Auditorium is closed and users will be informed of suitable alternatives.

21. What actions could you take to achieve the same goal by an alternative means?

- Submit applications for Capital Funding. However previous applications have been unsuccessful and discussions with grant bodies have indicated a significant shortfall in the required funding. No additional revenue budget will be available from the service.
- CIWB Conwy Cube has been established as a community initiative to take over the management of the building. Appraisal of its business case by officers has highlighted concern over the viability and sustainability of the proposals.

STEP 6 – Action Plan

Please outline below the actions you will take to progress your proposal. These might involve carrying out additional Engagement/Involvement activities, collecting Equality data where this was not readily available to help with this EIA, undertake data analysis from future data obtained to monitor the impact of this policy/practice on an ongoing basis, any actions you need to take to ensure procurement complies with the General Duty, any arrangements you need to put in place to monitor and review the impact of this policy/practice in future, and so on.

Action	Measure of Success	Timeframe	Lead Responsibility	Add to Service Plan (✓)
Actions to be taken before EIA and policy/practice can be signed off				
Actions after EIA and policy/practice signed off				
Committee approval to close the Civic Hall Auditorium	Committee approval	January 2014	Head of Service	
Timescales for closing this part of the building to be agreed	Committee approval	January 2014	Head of Service	
Consult with relevant user groups in identifying alternatives				
Update the research on the alternative venues in order to relocate users to be put in place	Updated research	January 2014	Section Head :Culture and Information	

Inform Civic Hall Auditorium users of alternative venues	Correspondence	February 2014	Section Head :Culture and Information	
Publicise closure of the Civic Hall Auditorium	Press Releases	January 2014 onwards	Section Head :Culture and Information	
Close Civic Hall Auditorium	Closure	31 March 2014	Section Head :Culture and Information	

STEP 7 – Decision To Proceed

22. Using the information you have gathered in steps 1 – 5 above, please state on the table below whether you are able to proceed with the policy or practice and if so, on what basis?

(please cross as appropriate X)

Decision		Action
<input checked="" type="checkbox"/> Yes	Continue with policy or practice in its current form	Complete the Monitoring and Review section (Step 8) to ensure the outcomes are monitored and regularly reviewed
<input type="checkbox"/> Yes	Continue with policy or practice but with amendments for improvement	Complete Action Plan and Monitor and Review sections (Steps 6 & 8) to continually assess impact
<input type="checkbox"/> Yes	Continue with policy or practice but with amendments to remove any areas of adverse impact as identified in Step 5	Complete Action Plan (Step 6) to address any areas of adverse impact and Monitor and Review (Section 8) to continually assess impact

<input type="checkbox"/> No	Abandon this policy or practice as it is not possible to address the adverse impact, and consider alternative ways of addressing the issues	Complete Action Plan to address any issues resulting from abandoning policy and to deal with the adverse impact identified
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STEP 8 – Arrangements for Monitoring Outcomes and Reviewing Data

The EIA process is an ongoing one that doesn't end when the policy/practice and EIA is agreed and implemented. There is a specific legal duty to monitor the impact of policies/practices on equality on an ongoing basis to identify if the outcomes have changed since you introduced this new policy or practice.

23. Please outline below what arrangements you will make to monitor and review the ongoing impact of this policy or practice:

Monitoring and Review arrangements	Timeframe & Frequency	Lead Responsibility	Add to Service Plan (✓)
(including where outcomes will be recorded) If a decision is taken to close the Civic Hall, the process will be monitored and managed by the Section Head: Culture and Information.	Inline with timescales identified above	Section Head: Culture and Information	✓

STEP 9 – Publishing the Equality Impact Assessment

Please arrange for this completed EIA to be agreed by your Head of Service, refer to the EIA Policy regarding publishing arrangements and return a copy to the HR and Equality Officer.