

Swindon Borough Council and NHS Swindon Diversity Impact Assessment for Leisure and Culture Commissioning Strategy - Leisure Workstream

1 What's it about?

Refer to equality duties

The Council continues to be subject to intense financial pressures and all Cabinet portfolio holders and officers continue to review Council services to ascertain how services can be best positioned to contribute to One Swindon and the Council's Strategic Objectives in the coming months and years.

The Council operates an extensive range of leisure and culture facilities which both contribute to a wide range of social and economic outcomes, including keeping residents fit and healthy and developing the local economy. However, this is achieved, in common with most other local authorities, with a net cost, which in the 2012/13 financial year was £3.6m. Significant effort has been made in recent years to reduce the cost of services - it is now £1m less than it was 5 years ago - and budget plans for 2013/14 aim to reduce this net cost of service to £3.1m. It is unlikely that the Council will be able to reduce this figure significantly if it continues to operate these facilities. In addition, whilst the **facilities** are well run, several do not cover their operating costs and a necessary overhead cost is required such as for maintenance, marketing and IT to support the operations at each site.

Many of the facilities are in need of major capital investment to keep them operational and attractive to users, currently the estimated level of investment required is circa £4.5m and this value is expected to grow as facilities become older and customer expectation increases.

Cabinet in March 2013 agreed to progress the development and implantation of a Leisure and Culture Commissioning Strategy which ensures the most viable option for the continued provision of a sustainable offer within the Borough and for the Council to meet the One Swindon outcomes and its strategic objectives, whilst seeking to significantly reduce the net cost of services.

As part of this Change Programme, Cabinet (March 2013) agreed to invite expressions of interest from the market to set out how the Council's Leisure facilities might be best configured and managed to enable provision at a significantly reduced cost. This might result in proposals being submitted for any, or a combination of the following:

- Outright disposal of a facility(ies) – reshaping and/or enhancing the existing leisure offer e.g. an 'Oasis type' deal
- Outright disposal of a facility(ies) for an alternate use which is still aligned to the Council's Strategic Objectives
- Transfer of operations to a third party on a fixed term contractual basis.

A multi-disciplinary Leisure Workstream Group, accountable to a Programme Team within the overall governance structure for the Change Programme, has been established to progress this part of the commissioning strategy.

In July 2013 the Council's Cabinet considered a further report on the future of the Council's Leisure and Golf facilities and agreed that the facilities would now be offered to the market, inviting interested parties to bid to take over the running of the facilities on 99 year leases. If successful, this approach would see the facilities being operated by a third party(s) and the Council's financial liabilities for the facilities would cease.

The advertisement was subsequently placed in national and local publications from 31st October, 2013, with a closing date for submissions on 7th February 2014. The target transfer date is 1st July, 2014.

The leisure facilities are being marketed by independent property advisor GVA and include the operation of the golf courses at Broome Manor, Highworth and Moreton as a single package and six leisure centres; Croft Sports Centre, Delta Tennis Centre, Dorcan Recreation Complex, Haydon Centre, Health Hydro and the Link Centre as a further package.

Proposals will also be accepted from operators should they wish to run a combined golf and leisure package. The aim is to transfer the facilities via long-term leases, enabling the facilities to remain operational and delivering financial savings to the Council.

The proposal may extend to include Highworth Recreation Centre at a later date subject to negotiations between Highworth Recreation Trust, Highworth Town Council, Swindon Borough Council and the preferred bidder.

What potential is there to meet the equality duties?

In considering any proposals for change, the Council will reflect on the requirements of the Public Sector Equality Duty and in particular the need to have due regard to advance equality of opportunity. It is recognised that this is a proactive duty which requires the Council to make the most of opportunities available to improve access to

and use of facilities by the public.

In order to gain a better insight into the equality and other implications of the Leisure Change Programme, a piece of research was commissioned to understand how the Swindon Leisure offer could be best shaped to enable residents to be fit and healthy.

The key focus for the research included:

- An improved understanding of current participation levels in active leisure in Swindon
- An assessment of the impact of different types of activity in terms of both health and social benefits
- An appraisal of sports and active leisure initiatives likely to increase participation

The overarching finding was that whilst the Council's current leisure facilities are driving an increasing level of participation at good value, the provision of specialist facilities will not solve the health inequality in the Borough. The research highlighted that currently just under 24% of the Swindon population was described as 'active', and the growth rate to achieve this figure since 2005 was one of the highest compared with many other local unitary authorities.

The research suggested that continued investment by the Council in the current range of facilities was unlikely to result in a significant reduction in the number of 'inactive' residents and other ways needed to be found to stimulate a wider number of residents to become active. Geographically, most of the Borough is well-served by existing facilities. However, the areas that are least well-served are those where inactivity and deprivation is highest.

These findings will be used to help address the equality implications of the Change Programme for Leisure, including strengthening the in-house role of the current Sports and Health improvement Team, as described below.

At the July 2013 meeting of Cabinet, it was agreed to invite expressions of interest from the market for leisure and golf facilities.

What equality benefits does it create?

Some of the Council's Leisure facilities are not fit for purpose and/or accessible by some sectors of the community. It is therefore the intention that any proposals brought forward will seek to address any current imbalance where reasonably practical, given the context and insight set out above.

The above Leisure research and insight, together with discussions with Public Health partners, confirm that health inequality in the Borough is going to place an increasingly challenging financial burden on public services.

It is already estimated that this cost is in the region of £2.6m pa. It is therefore crucial

that the Council now places significant focus on finding innovative ways to encourage the 75% 'inactive' residents in the Borough to become more active.

Cabinet agreed therefore that the current approach towards increasing participation by the Council's Sports and Health Improvement Team should be reviewed and widened considerably. The new scope will include a focus on developing both Leisure and Culture initiatives, in partnership with Public Health and Localities, to target increased participation in those sectors of the community, currently identified as not active, in line with the Health and Wellbeing Strategy.

This will help to promote the One Swindon priorities of 'Everyone is enjoying sports, leisure and cultural facilities' and 'Improving health and well-being for all by widening participation in sports, leisure and cultural facilities'.

The Sports and Health Improvement Team have already been highly effective in successfully bidding for sports funding – for example, recently securing £1/2m+ funding for the Youth Sport and Tri-Active projects targeting more disadvantaged parts of the community – and these proposed changes will help strengthen and widen their role further.

What are the barriers to meeting this potential?

Given the financial challenges the Council currently faces, some sectors of the community may find some decisions personally challenging. The Council will seek to minimise impacts where possible or compensate by seeking bidders that have plans for improving facilities at the Leisure sites.

Who is expected to benefit or use the service (internal/external)? What do you know about them?

Swindon's population is changing and will continue to change significantly over the next 15 years – with a much larger older population, with associated physical impairments, as well as becoming more ethnically diverse. Any developed plans for the longer term provision of Leisure and Golf facilities will need to reflect this and how a future offer is both accessible to and supportive of these changes (and others which become apparent over time). By undertaking a planned approach to changes now and seeking to continue with a level of sustainable provision to the community, the Council can take the opportunity to consider how it might better meet the needs of service users as it re-shapes Leisure and Golf provision in the Borough.

A very detailed list of stakeholders has already been developed, which is added to on a regular basis and the Council will work with these stakeholders to ensure that all sectors of the community are consulted about any proposed changes to services.

In addition, the KLOE research has provided valuable insight into those groups more and less likely to use Leisure facilities. For example, the research identified that some socio-demographic groups can be identified, both locally and from national data, as having a lower probability of participation in sport and active recreation. They include older people (aged over 55), younger women, Asian women, people with low educational attainment, people on low incomes (particularly the unemployed) and people with disabilities. Families with young children, people living in higher-density housing, Council tenants, and those living in households with more than two adults also have a lower probability of participating.

Again, this information will be used as far as practicable to help shape the future Leisure and Golf offer in the Borough. .

In terms of those using Leisure and Golf facilities and purchasing the Swindon Leisure Card, there are discounts available for younger and older people, and those not in work and/or on benefits. The opportunity will be taken in any contractual negotiations to identify if similar arrangements can be offered by another provider. However, there is a risk that the new operator will decide not to have a Leisure Card (or equivalent), or may decide not to have the current concession rates for older people, for example, and this could therefore have equality implications. There is an expectation, however, that market forces will ensure that the provision remains accessible to many sectors of the community.

Who is missing or may find it difficult to use the service?

The Council will work with our stakeholders to check for any missing sectors of the community and/or identify sectors not previously considered. The KLOE findings will also be used to inform work in this area.

3 Impact

Refer to dimensions of equality and

equality groups

Show consideration of: age, disability, sex, transgender, marriage/civil partnership, maternity/pregnancy, race, religion/belief, sexual orientation and if appropriate: financial economic status, homelessness, political view

Is there any potential or real issue which will stop some groups or people getting involved?

See above references to the KLOE research

Is that reasonable? Can it be justified or mitigated?

Under the current financial challenges the Council faces some difficult decisions but will do its utmost to minimise the impact on Leisure and Golf services users. As well as an overarching DIA and this Leisure related DIA, the Council will also ensure that there is an impact assessment for any specific proposals that are brought forward for formal consideration.

To provide mitigation or justification these more detailed equality assessments will include items such as:

- How physical access will be improved through any proposed changes – this will include issues such as access within a premise, access to information, access to facilities, access outside of a premise (from nearest public transport etc...)
 - How access by groups identified through implementation of the One Swindon objectives will be enhanced
 - Operating hours and how these affect usage
 - Communication of services and service changes
 - Building an understanding of the usage by various equality groups and working to increase uptake of services to reflect Swindon's diverse population (cultural access)
 - What service standards/specifications will need to be built into any future commissioning process to ensure full and ongoing access by Swindon communities and in pursuit of the One Swindon priorities.
-

How will this service be successfully delivered to a diverse group of people? (positive impact)

The Council has already undertaken extensive research to understand the impact of the Change Programme. The aim will be that the proposals explored provide the best possible mix of outcomes reflecting the diverse needs of the community within the financial constraints the Council currently faces.

Is there any innovative thinking, working or technology that could improve delivery?

'Soft market testing' was carried out in June and September 2013 with potential Leisure providers, which included interest from the private sector, charitable/voluntary sector, and local community. This exercise provided an opportunity for both the Council and these organisations to gain a better understanding of the market and the Leisure and Golf facilities that are now open to formal expressions of interest (Eols), following Cabinet approval on 24 July 2013.

Both at the 'soft market testing' stage and subsequently at the formal Eol stage, there were/will be opportunities to discuss with potential future providers how a sustainable Leisure and Golf offering could be developed, and what innovative and creative solutions might be available to address equality and other implications of the Change Programme, and to benefit all Swindon residents. An example of where this has already happened is the transfer in 2012 of the Oasis Leisure Centre and adjoining land to a private company, and the resulting plans for a regional leisure destination which will have a positive impact on the local Swindon economy, including local employment.

Equally, it is recognised that there could be a risk of a new operator deciding not to continue with certain activities. For example, this occurred with Moirai at the Oasis deciding not to continue to offer indoor bowls. In this instance, the Council worked with the bowls club to provide an alternative facility. Whilst this may not be possible if other cases arose, the Council would work in partnership with the chosen operator(s), the relevant club and users to look for solutions, and in particular to try and minimise any equality implications.

In addition, the Evaluation Criteria to be used to assess bids/bidders will be based on 70% financial criteria and 30% socio-economic benefits. In relation to the latter, this will include social value, which will measure the ability of the bidder to offer a sustainable, affordable provision of services to the public. Within this, an assessment will be made on the extent on which bidders are able to meet the following objectives:

- Fit and Healthy - how will bidders ensure that the leisure/golf services they provide from the facilities will support a national agenda of improving fitness and wellbeing within the Borough.
 - Community Relationships – how will bidders be able to build and sustain strong meaningful relationships/partnerships with clubs, community groups, parish
-

councils.

What consultation has taken place? How has the consultation influenced the service?

As part of a communications strategy for the Change Programme, an extensive list of Leisure stakeholders was compiled and all were contacted in advance of the initial report being considered at Cabinet on 20 March, 2013. Also articles were placed in the local media to inform a wide range of stakeholders of the Council's proposals. Meetings have also taken place with some of these stakeholders, and a presentation made in April to the Sports Forum, with another planned in November 2013. A Staff Consultation Panel has been established, which meets every 4 to 6 weeks, with formal terms of reference, and each site (including Culture sites) represented. A regular newsletter is being sent to all stakeholders and staff affected, and a communications website on the Leisure and Culture Change Programme has been created. The newsletter alerts readers to any further reports to Cabinet and the recommendations Members will consider.

It has been made clear that the Council is keen that both customers and staff help shape the Change Programme, and community groups were encouraged to consider registering an interest in operating Leisure facilities, as part of the original soft market testing exercise. The advertisement for the soft market testing was advertised both locally and nationally in May 2013.

4 So what?
process

[Link to business planning](#)

What changes have you identified?

No specific changes have yet been identified but the 'soft market testing' referred to above represented the first stage of future change was reported back to Cabinet on 24 July 2013. The consultation process will continue and has already been widened to include presentation/discussion at Locality meetings.

What will you do now and what will be included in future planning?

The process described in this DIA will be followed, which will include identifying and as far as possible, addressing the equality and diversity implications. This DIA will be developed further as the Change Programme progresses and more information is known/becomes available.

When will this be reviewed?

The Leisure Change Programme DIA will be regularly reviewed through a comprehensive and robust governance structure using key milestones, as set out below:

- At weekly meetings of the Leisure Workstream Group
- At fortnightly meetings of the Leisure and Culture Project Team
- At monthly meetings of the Programme Board
- At regular meetings of a cross-party Member Group
- At Cabinet, as required
- At regular meetings of the Staff Consultation Panel.

The key milestones have so far included:

- Completion of the initial 'soft market testing' held on 5 – 7 June, 2013
- Report to Cabinet at the meeting on 24 July, 2013
- Review of the decision making process by the Council's Scrutiny Committee on 29th July 2013
- Completion of further 'soft market testing' in September 2013
- Creation of a cross party Member Group in October 2013
- Expressions of Interest sought through national and local advertising from 31st October, 2013.

Significant savings are sought to balance the 2014/15 budget so the timetable will be challenging.

How will success be measured?

A significant reduction in the net cost of services whilst enabling a sustainable Leisure and Golf offer within the Borough which meets One Swindon and Strategic objectives/priorities.

For the record	
Name of person leading this DIA Ian Bickerton	Date originally completed - May 2013 Updated – June, 2013, July 2013, end October 2013, 6 th November, 2013

Names of people included in consideration of impact Sue Mendham, Helen Miah, Nick Stephenson, Phil Denham, Rob Richards, James Short, Sandra Pritchard, Steven Woodman, Adrian Arnold	
---	--

Name of Corporate Director signing DIA Bernie Brannan
--

Date signed

Strategic Planning Framework - Diversity Impact Assessments

1 What's it about?

refer to equality duties

- What is it there for? What is it set up to deliver? What is the proposed change? What do you want to achieve?
- What potential is there to meet the equality duties?
- What equality benefits does it create?
- What are the barriers to meeting this potential?

2 Who's it for?

refer to equality groups

- Who is expected to benefit or use the service (internal/external)?
- What do you know about them (evidence)?
- Who is missing or may find it difficult to use the service?
- Do you know why?

3 Impact

refer to dimensions and equality groups

- Is there any potential or real issue which will stop some groups or people getting involved? (adverse impact)
- Is that reasonable? Can it be justified or mitigated?
- How will this service be successfully delivered to a diverse group of people? (positive impact)
- Is there any innovative thinking, working or technology that could improve delivery?
- What consultation has taken place? How has the consultation influenced the service?

4 So what?

- What changes have you identified?
- What will you do now and what will be included in future planning?
- When will this be reviewed?
- How will success be measured?
- Who is signing this off/taking responsibility?

Considerations

Our equality duties

1. Eliminate discrimination, harassment and victimisation
2. Advance equality of opportunity
3. Foster good relations

In the areas of age, disability, sex, transgender, marriage/civil partnership, maternity/pregnancy, race, religion/belief, sexual orientation.

Extended by SBC policy to include: financial or economic status, homelessness, political view.

Dimensions of equality

How will the service affect the life chances of different groups?
Consider how the service will impact

1. **Life expectancy**
2. **Physical security:** e.g. freedom from violence and physical and sexual abuse.
3. **Health and well-being:** e.g. access to high quality healthcare.
4. **Education:** e.g. being able to be creative, to acquire skills and qualifications, and having access to training and life-long learning.
5. **Standard of living:** e.g. being able to live with independence and security; and covering nutrition, clothing, housing, warmth, utilities, social services and transport.
6. **Productive and valued activities:** e.g. access to employment, a positive experience in the workplace, work/life balance, being able to care for others.
7. **Individual, family and social life:** e.g. self-development, having independence and equality in relationships and marriage.
8. **Participation, influence and voice:** e.g. participation in decision-making and democratic life.
9. **Identity, expression and self-respect:** e.g. freedom of belief and religion.
10. **Legal security:** e.g. equality and non-discrimination before the law and equal treatment within the criminal justice system.