



**Notice of a public meeting of  
Executive**

**To:** Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Kent, Lomas, Pavlovic, Ravilious and Webb

**Date:** Thursday, 18 April 2024

**Time:** 5.30 pm

**Venue:** The Thornton Room - Ground Floor, West Offices (G039)

**AGENDA**

**Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any decisions made on items\* on this agenda, notice must be given to Democratic Services by **4:00 pm on Thursday, 25 April 2024**.

\*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

**1. Declarations of Interest**

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

- (1) *Members must consider their interests, and act according to the following:*

<b>Type of Interest</b>	<b>You must</b>
<i>Disclosable Pecuniary Interests</i>	<i>Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Directly Related)</i> <b>OR</b> <i>Non-Registrable Interests (Directly Related)</i>	<i>Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Affects)</i> <b>OR</b> <i>Non-Registrable Interests (Affects)</i>	<i>Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.</i>

- (2) *Disclosable pecuniary interests relate to the Member*

*concerned or their spouse/partner.*

- (3) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*

- 2. Minutes** (Pages 1 - 10)  
To approve and sign the minutes of the Executive meeting held on 14 March 2024.

- 3. Public Participation**  
At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Executive.

**Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings.** The deadline for registering at this meeting is **5:00pm on Tuesday, 16 April 2024.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

### **Webcasting of Public Meetings**

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates ([www.york.gov.uk/COVIDDemocracy](http://www.york.gov.uk/COVIDDemocracy)) for more information on meetings and decisions.

- 4. Forward Plan** (Pages 11 - 16)  
To receive details of those items that are listed on the Forward

Plan for the next two Executive meetings.

- 5. Advertising contract** (Pages 17 - 56)  
This reports seeks approval for the Council to negotiate a new 15-year (plus a 1-year option to extend) concession contract with its incumbent partner, J C Decaux UK Limited, to provide and maintain bus shelters with either no advertising, paper adverts or digital adverts, and digital Free-Standing Units, subject to the necessary planning consents. The market appraisal is commercial in confidence.
- 6. Ward Funding Allocation 2024/25** (Pages 57 - 80)  
The Executive is asked to approve the method of allocation of ward funding, taking into account the feedback from the Corporate Service, Climate Change and Scrutiny Management Committee held on Monday 18th March 2024.
- 7. Consultation on an Equity, Diversity and Inclusion Strategy 2024-27 and Next Steps** (Pages 81 - 138)  
This report presents the results of an externally facilitated assessment against the recently refreshed Equalities Framework for Local Government (EFLG).
- 8. Recommissioning of Sensory Services in York** (Pages 139 - 236)  
This report seeks approval from the executive to commence a competitive tender process to re-procure Sensory Impairment Services in York.
- 9. Housing Retrofit update** (Pages 237 - 260)  
This report seeks decisions to deliver further retrofit works in the private and social housing sector as well as supporting future retrofit activity through advice and support.
- 10. Urgent Business**  
Any other business which the Chair considers urgent under the Local Government Act 1972.

Democratic Services officer:

Name: Robert Flintoft

Contact details:

- Telephone – (01904) 555704
- E-mail – [Robert.flintoft@york.gov.uk](mailto:Robert.flintoft@york.gov.uk)

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

**This information can be provided in your own language.**

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

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City of York Council

Committee Minutes

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Meeting	Executive
Date	14 March 2024
Present	Councillors Douglas (Chair), Kilbane (Vice-Chair), Coles, Lomas, Pavlovic, Ravilious and Webb
Officers in Attendance	Bryn Roberts – Director of Governance Debbie Mitchell – Chief Finance Officer Pauline Stuchfield - Director of Customer and Communities Joe Micheli - Head of Communities Andrew Laslett - Strategic Services Manager Alison Cooke - Head of Strategic Planning Policy Gareth Arnold - Development Manger Tracey Carter - Director of Housing, Economy & Regeneration James Gilchrist - Director of Transport, Environment and Planning Julian Ridge - Transport Strategy
Apologies	Councillors Kent

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### 102. **Declarations of Interest (17:30)**

Members were asked to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests.

Cllr Kilbane declared that he had a prejudicial interest in relation to agenda item 6 The Council's Contract with Make It York, as he is a member of the Make It York Board of directors.

Cllr Ayre declared that he had a personal interest in relation to agenda item 5 Procurement of Healthwatch York, as he worked for a Healthwatch contract provider in Bradford.

**103. Minutes (17:31)**

Resolved: That the minutes of the Executive meeting held on 20 February 2024 be approved and then signed by the Chair as a correct record.

**104. Public Participation (17:32)**

It was reported that there had been 2 registrations to speak at the meeting under the Council's Public Participation Scheme.

Flick Williams stated that language mattered and states originally in reports around 'suffering' with disabilities showed issues which needed addressing with training in the Council. She also stated that disabled advocacy groups were being over relied on in multiple consultations and asked the Council to use things such as the Higgins report to advise policy decision making.

Joseph Gilling spoke on behalf of the York Cycle Campaign, he highlighted that York residents responding to the Local Transport Strategy consultation wanted a city that is safe and convenient to cycle, walk, and catch a bus, not one dominated by cars. He stated that the Council had not previously delivered against this desire for more active travel and that projects that put active travel first were needed to reverse the decline in cycling.

**105. Forward Plan (17:40)**

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings at the time the agenda was published.

**106. Procurement of Healthwatch York (17:41)**

[Cllr Ayre left the meeting for this item]

The Director of Customer & Communities introduced the report and outlined the recommendations to reprocure the City of York Council's Healthwatch York contract for a maximum 4 year value of £462,440. It was highlighted that a 4 year contract



would offer stability for the contract holder and assist in staff recruitment.

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the work undertaken as part of the Healthwatch contract and thanked York CVS for their work as the previous contract holder. She noted that the new contract would fund the maximum amount of time and the security of income for the Healthwatch provider and would be a benefit for residents.

Resolved:

- i. Approved the decision to go out to tender for Healthwatch York for 4-years under Option 1 within the report;
- ii. To delegate authority to the Director of Customers and Communities in consultation with the Head of Procurement (or their delegated officers) to seek Providers from the market for provision of a total 4-year Healthwatch York contract in compliance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015;
- iii. To delegate authority to the Director of Customers and Communities in consultation with the Director of Governance (or their delegated officers) to determine and conclude the terms of the resulting contract with the chosen provider; and
- iv. To delegate authority to the Director of Customers and Communities in consultation with the head of Procurement and Director of Governance (or their delegated officers) to determine and conclude the terms of any amendments, extensions, and/or modifications to the contract post award in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

Reason: To meet the council's statutory duty to commission an independent Healthwatch York service.

**107. The Council's Contract with Make It York (17:46)**

[Cllr Kilbane left the meeting for this item]

The Strategic Services Manager set out the proposal to extend the contract of Make it York by 2 years and make changes to their service level agreement. He also highlighted the proposed new City Centre Vision and noted how this framework would inform future service level agreements with Make it York.

The Executive Member for Health, Wellbeing and Adult Social Care welcomed the work undertaken by Make it York to promote the city and assist the Council to operate dynamically in the tourism market. She noted the positive steps taken by Make it York to focus on greater income generation while maintaining commitments to delivering events such as Pride in the city. Finally she welcomed Make it York's work in promoting the city centre residents as well as tourists and their involvement in the delivering the Councils culture strategy and support for the UNESCO bid.

Resolved:

- i. Approved the MIY Service Contract extension for two years (23 September 2024 to 22 September 2026), using the extension provisions under the current contract;
- ii. Approved the new SLA shown at Annex A and the changes to charging set out at paragraph 14-15;
- iii. To delegate authority to the Director of Customer and Communities (and their delegated officers), in consultation with the Director of Governance (and their delegated officers in Legal Services), to determine the provisions of any documentation required under the terms and conditions current contract to effect the extension and incorporate the new SLA in the contract;
- iv. Approved the granting of a lease/occupational agreement to MiY of the Shambles Market site and market office on Silver Street (at a peppercorn annual rent) until and including 22 September 2026 with delegated authority to the Director of Customer and Communities (and their delegated officers), in consultation with the Director of Governance, to

negotiate the provisions of and conclude the entry into of such agreement.

Reason: To keep secure a strong future for MiY as a Teckal company.

**108. Statement of Community Involvement update (17:55)**

The Head of Strategic Planning Policy introduced the report outlining that the Councils consultation procedures required being brought up to date ahead of the delivery phase of the Local Plan. It was confirmed that the Statement of Community Involvement was a legal requirement and that it was important for the Council to undertake consultations properly to avoid grounds for judicial review.

The Executive Member for Housing, Planning and Safer Communities highlighted the importance of getting consultations right and to ensure decisions are taken which are financially, socially, and morally right for the Council and the city.

Resolved:

- i. Approved the draft revised Statement of Community involvement (Annex C) for public consultation;
- ii. To delegate the consultation strategy for the Statement of Community involvement to the Corporate Director of Place in consultation with the Executive Member for Housing, Planning and Safer Communities.

Reason: To update the Statement of Community Involvement as the regulatory consultation document for planning purposes.

**109. Delivering additional Gypsy and Traveller Accommodation and improving existing facilities (18:04)**

The Director of Housing, Economy & Regeneration introduced the report and highlighted the need to improve the quality of City of York Council Gypsy and Traveller accommodation sites and the requirement to expand provision in the Local Plan. Officers

noted the requirement for 22 pitches to meet defined and undefined need.

The Executive Member for Housing, Planning and Safer Communities highlighted the Local Plan inspectorate's concerns regarding Gypsy and Traveller accommodation provision in York. He noted that these were communities that had been marginalised and ignored, which had resulted in sites such as those in Osbladwick required significant improvement. He highlighted the Council's aim to rebuild its relationship with this community and deliver the improvements and additional provision required.

Officers confirmed that the cost of pitch provision was estimated to £5.25m, of this sum potentially £1.95m will come from future s106 contributions. This would leave £3.3m long term borrowing requirement to the Council.

Resolved:

- i. Approved the approach to forward fund the delivery of additional Gypsy and Traveller pitches to meet the need identified in the Local Plan alongside improving existing provision. In doing so, formally acknowledging an investment estimated to be £5.25m will be needed and officers instructed to produce a detailed business case which will be brought before Executive for consideration later in the year;
- ii. Approved the physical investments in pitches (recommendation i), and noted that a separate report will be brought to Executive to refresh the Council's commitment to addressing the inequalities of all kinds that are faced by the gypsy and traveller community. This separate piece of work will set out a wide range of actions that are being developed with the gypsy and traveller community in order to address the issues highlighted in a recently completed Gypsy and Traveller Health Needs Assessment and those that have been identified by the gypsy and traveller community or through the discussions on the subject of this report;
- iii. Noted that a recruitment process is underway for a Senior Project Officer Gypsy and Traveller Accommodation. This role will lead on the

- development of investment plans into both the development of existing pitches and the improvement of existing accommodation and facilities.
- iv. Noted that a stock condition survey has been commissioned to be completed in spring and the outcome of which will inform investment plans alongside resident engagement;
  - v. Noted that, subject to further Executive approval post plan adoption, a Supplementary Planning Document will be developed setting out the design principles for pitch delivery to support the Local Plan policies that require additional pitches on both council sites and Strategic Housing Sites;
  - vi. To establish a workstream to identify and assess alternative sites to support Gypsy and Traveller Accommodation using a benchmarking approach of the proposed Osbaldwick site expansion and the associated health and social outcomes using a suite of site selection criteria (to be agreed by Executive) against any alternative windfall sites across the identified developable area in the Local Plan that may emerge at a later date and reporting of that exercise to Executive prior to the commencement of the expansion of the Osbaldwick site.

Reason: To ensure that the Council's commitment to meeting pitch requirements as set out in the Local Plan is appropriately met. The Local plan identifies that up to 1800 windfall sites for housing are likely to become available during the plan period. Therefore there may be alternative delivery options that may offer long-term advantages to meeting growing Gypsy and Traveller needs. Alternative sites have not been identified during the previous Local Plan site search for Gypsy and Traveller accommodation, but this does not mean they will not exist in the near future.

#### **110. Local Transport Strategy update (18:27)**

The Director of Transport, Environment and Planning introduced the report and apologised for the use of language in the original Annex B and noted that as a result the annex had been republished and amended as an agenda supplement. Regarding the report he highlighted that the Council had

received significant and positive response to the consultation which strongly supported the themes in the Consultation of the Local Transport Strategy. He confirmed that the next steps would be to work towards a detailed strategy, that could be in place to work with the new York and North Yorkshire Mayor.

The Executive Member for Environment and Climate Emergency welcomed the outcome from the consultation showing support for the Council's key policy areas. She highlighted the importance of the Local Transport Strategy would have in meeting the Council's climate change commitments. She outlined the importance of finding quick wins and policies that delivered co benefits that improved green spaces, helped people move around the city sustainably, and reduced emissions.

The Executive Member for Economy & Transport apologised for the original language within Annex B. He highlighted that the Council needed to deliver on air quality, congestion, and to free up road space for public transport, cycling, and walking. He welcomed the results from the Local Transport Strategy consultation and noted that it showed that residents wanted change from the status quo.

Resolved:

- i. Noted the results of "Our Big Transport Consultation", and instruct officers to prepare a Local Transport Strategy guided by the results of the consultation on the Local Transport Strategy's policies in "Our Big Transport Conversation". This new Local Transport Strategy will be presented to Executive for adoption later in 2024 so that it can form the basis of discussions about transport investment in York which will take place between City of York Council and the York and North Yorkshire Mayor;
- ii. Delegated authority to the Director of Transport, Environment and Planning, in consultation with the Director of Governance and Executive Member for Transport and Economy to publish technical pieces of work, which are required to progress transport plan making in York – as these pieces of work become available. This is likely to include plans to improve bus services, under York's Bus Service

- Improvement Plan, the York Local Cycling and Walking Infrastructure Plan and various modelled assessments of York's transport network;
- iii. To request that the Director of Environment, Transport and Planning develops a brief for a Movement and Place Plan for York and note that a further report about Supplementary Planning Documents to the Local Plan will be brought before Members later in 2024. This will include the transport Supplementary Planning Document;
  - iv. Approved the proposed approach of delivering "quick wins" which reflect the results from the engagement process when this can be achieved within existing budgets and powers.

Reason: To respond to the Our Big Transport Conversation and develop a Local Transport Strategy to support the new Mayor in the development of a Transport Plan for York and North Yorkshire which reflects the challenges and views of York.

Cllr Douglas, Chair

[The meeting started at 17:30 and finished at 18:47].

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**Forward Plan: Executive Meeting: 18 April 2024**

**Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 9 May 2024**

<b>Title and Description</b>	<b>Author</b>	<b>Portfolio Holder</b>
<p><b>Building a smokefree generation in York: approving use of the Local Stop Smoking Services and Support Grant</b></p> <p>Purpose of Report: The report will give an overview of how the council intends to utilise new resource from the Section 31 Local Stop Smoking Services and Support Grant 2024-2025 grant, where the city has been allocated an initial £196,000 from Department of Health and Social Care to be spent on reducing smoking in York in 2024/2025, with grant expected to continue each year until 2028/2029.</p>	<p>Peter Roderick, Director of Public Health</p>	<p>Executive Member for Health, Wellbeing and Adult Social Care</p>
<p><b>Update to Joint Committee Governance Arrangements for the Yorkshire Purchasing Organisation (“YPO”)</b></p> <p>Purpose of Report: To seek approval to sign a revised Management Agreement, which sets out the governance arrangements for the YPO Joint Management Committee following a review of governance and recommendations for approval.</p> <p>The Executive will be asked to:</p> <p>i. Note and consider the changes recommended by the YPO Management Committee.</p>	<p>Dan Moynihan, Senior Solicitor - contract and commercial</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities</p>

Title and Description	Author	Portfolio Holder
<p>ii. Delegate authority to the Director of Governance (and their delegated officers) to sign an updated Management Agreement on behalf of the Council noting that all Member Authorities must also agree before the revisions take effect.</p>		
<p><b>Veritau Assurance Limited – Creation of New Audit &amp; Assurance Company Limited by Guarantee</b></p> <p>Purpose of Report: To consider the establishment of a new Teckal company for the provision of audit and assurance services to CYC, North Yorkshire Council (“NYC”), Middlesbrough Council (“MC”), and Redcar and Cleveland Borough Council (“RBCB”) (and potentially other local authority members in due time), which would adhere to the Teckal exemption under Reg. 12(1) of the Public Contracts Regulations 2015.</p> <p>The Executive will be asked to:</p> <p>i. Further to Article 12 of the CYC Constitution, approve the formation of a new Teckal compliant company limited by guarantee together with NYC, MC, and RCBC for the delivery of audit and assurance services to these authorities.</p> <p>ii. Approve the novation of CYC’s current Contract for the Provision of Assurance Services with CYC’s and NYC’s current Teckal company, Veritau Limited, to the New Company.</p>	<p>Dan Moynihan, Senior Solicitor - contract and commercial</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities</p>

Title and Description	Author	Portfolio Holder
<p>iii. Delegate authority to the Director of Governance (and their delegated officers) to negotiate, draft and conclude with the other member authorities and Veritau Limited all necessary documentation linked to the formation of the new company (including (but not limited to) the new company's Articles of Association, Members Agreement, and the Novation of the Contract for the Provision of Assurance Services between CYC and the New Company.</p>		
<p><b>Gypsy and Traveller Action Plan</b></p> <p>Purpose of Report: To set out a 12 month action plan of activity with the ambition of reducing inequalities within Gypsy and Traveller communities.</p> <p>The Executive will be asked to approve the action plan.</p>	<p>Laura Williams, Assistant Director (Customer and Communities)</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities, Executive Member for Housing, Planning and Safer Communities</p>
<p><b>Future Resettlement Pathway – Building Independence</b></p> <p>Purpose of Report: This report sets out the results of the review of homelessness rough sleeping resettlement pathways which provides emergency /temporary accommodation and support via residential placements for everyone over the age of 16 who needs it.</p> <p>The report outlines the continued move towards a tailored, person-centred,</p>	<p>Tracey Carter, Director Economy, Regeneration and Housing</p>	<p>Executive Member for Children, Young People and Education, Executive Member for Health, Wellbeing and Adult Social</p>

Title and Description	Author	Portfolio Holder
<p>strength-based approach to resettlement and makes recommendations to reshape existing provision to deliver long term improvements to the lives of care experienced young people as they proceed into adulthood and to vulnerable, homeless adults and young people.</p> <p>Existing provision is a mixture of internally delivered and externally commissioned services. Significant external service contracts come to an end in the 31st July 2024 and decisions need to be made about future models of provision.</p> <p>The Executive will be asked: To review the report and agree future Delivery arrangements.</p>		<p>Care, Executive Member for Housing, Planning and Safer Communities</p>

**Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 13 June 2024**

Title and Description	Author	Portfolio Holder
<p><b>Capital Programme outturn</b></p> <p>Purpose of report: To provide members with the outturn position on the capital programme.</p> <p>Members will be asked: To note the outturn, recommend to full Council any changes as appropriate.</p>	<p>Debbie Mitchell, Chief Finance Officer</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities</p>

<p><b>Finance &amp; performance outturn</b></p> <p>Purpose of report: To provide members with the year-end position on both finance and performance.</p> <p>Members will be asked: To note the report.</p>	<p>Debbie Mitchell, Chief Finance Officer Ian Cunningham, Head of Business Intelligence Hub</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities</p>
<p><b>Treasury Management Quarter 4 Prudential Indicators</b></p> <p>Purpose of report: To provide members with an update on the treasury management position.</p> <p>Members will be asked: To note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	<p>Debbie Mitchell, Chief Finance Officer</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities</p>
<p><b>Treasury Management 23/24 outturn</b></p> <p>Purpose of report: To provide the annual treasury management review of activities and the actual prudential and treasury indicators.</p> <p>Members will be asked: To note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	<p>Debbie Mitchell, Chief Finance Officer</p>	<p>Executive Member for Finance, Performance, Major Projects and Equalities</p>

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<b>Meeting:</b>	Executive
<b>Meeting date:</b>	18/04/2024
<b>Report of:</b>	Claire Foale Assistant Director Policy and Strategy
<b>Portfolio of:</b>	Cllr Katie Lomas Executive Member for Finance, Performance, Major Projects, Human Rights, Equality, and Inclusion

## Decision Report: Advertising Contract

### Subject of Report

1. Prior to the ending of the current bus shelter advertising contract, the council conducted an independent market appraisal to understand the value of place-based advertising across the city.
2. The market appraisal provided sufficient information for the Council to negotiate a new 15-year (plus a 1-year option to extend) concession contract with its incumbent partner, J C Decaux UK Limited (“**JC Decaux**”), to provide and maintain bus shelters with either no advertising, paper adverts or digital adverts, and digital Free-Standing Units, subject to the necessary planning consents. The market appraisal is commercial in confidence.
3. In tandem, the council has developed an advertising policy and supporting guidance which aims to restrict high fat, salt or sugar (HFSS) adverts being displayed across the city.

### Benefits and Challenges

4. Outdoor advertising in York currently raises around £179k for the Council through a combination of bus shelter adverts, car-parks and park and ride, roundabout and boundary signs. The independent Market Appraisal demonstrated there is the potential

to increase advertising revenue across a range of formats across the city, with a potential value of “anywhere from £456,000 to £479,000 per annum, an uplift of circa £290k per annum.” This estimate is subject to caveats including planning consent, market demand and capacity to grow the offer.

5. The end of the current bus shelter advertising concession contract provides an opportunity for York to benefit from a range of value-added advertising installations which could include air quality monitors, GDPR compliant device counters via publicly available wifi and dedicated digital advertising space for council events, civic promotion and messaging (subject to planning consents). In addition, the new concession contract sets out clear sustainability expectations including community biodiversity projects facilitated by JC Decaux UK, together with restricting the display of high fat, sugar and salt adverts across the advertising on renewal and retenders.
6. JC Decaux UK has a commitment to be net zero by 2030 with sustainability measures in place, such as their energy usage is from 100% renewable energy source (solar, wind, hydro) certified by EDF.
7. There is a challenge resulting in the move from paper advertising to digital advertising. This is demanded by the market and is prevalent in other heritage and conservation areas, however for York this represents a unique challenge to continue to ensure the character of the city remains intact.
8. Each installation with digital advertising (whether bus shelter or free-standing units) will require planning permission. Furthermore, the digital advertising screens will include auto dim technology, and be turned off between 12pm-5am whilst being compliant to the luminance levels stipulated by the planning authority.

## **Policy Basis for Decision**

9. **Equalities:** The design specification of the bus shelters and free-standing units includes features to better support different communities, including seating across all bus shelters, avoiding blocking visibility, wider walk around widths and energy efficient lighting.



10. **Affordability:** The new advertising contract supports the Council's Mid Term Financial Strategy and savings plan. This includes making an annual donation (both monetary and employee volunteering) to York's Community Fund.
11. **Climate:** The new contract responds to the Council's ambition to be net zero by 2030. Air quality measures have been added to bus shelters in key locations together with sustainable measures incorporated within the design and maintenance of the refurbished bus shelters and new digital free-standing units. Direct award of the new concession contract will minimise emissions associated with demolition, disposal and replacement of the existing shelters and advertising infrastructure. Opportunities for bus shelters and advertising infrastructure to support the ambition for York to be Climate Ready by 2030 should be considered in their design.
12. **Health:** There is a strong body of evidence that suggests restricting advertising to avoid high fat, sugar and salt products better supports resident's healthy weight. The council has refreshed the advertising policy to incorporate high fat, salt and sugar policy developed by Public Health and partners. Incorporating the council's advertising policy into the new advertising contract, and all place-based advertising contracts going forward, is aligned to both the Council Plan's commitment to reduce health inequalities and provide the best start for children and young people, and the Joint Health and Wellbeing Strategy 2022-2032.

## Financial Strategy Implications

13. The current financial strategy already assumes a total of £500k additional income from advertising, of which £125k was expected in 2023/24 with the balance of £375k expected in 2024/25.
14. The new bus shelter and digital Free-Standing Unit contract, subject to contract and planning for digital advertising, will include an upfront payment commitment of the first years rent. It is anticipated that the increased rent to the Council will be of at least 20%. More than the current income the Council receives.

## Recommendation and Reasons

Executive are invited to:

1. Note the independent market appraisal and the potential revenue opportunities from place-based advertising:
  - Understanding the potential value of advertising opportunities across the council's estate and assets to realise maximum revenues, recognising that by doing so there will be a necessary change from analogue to digital advertising, to keep up with market demand and recognise increased revenue opportunities.
2. Approve the direct award of a new 15-year (plus a possible 1-year extension) bus shelter advertising and digital free standing unit concession contract to JC Decaux and delegate authority to negotiate and conclude the new concession contract (and the provisions of any subsequent modifications and/or extensions thereto) to the Director of Governance in consultation with the Head of Procurement and the Director of Public Health:
  - The bus shelter and digital information board contract expired on 31 December 2023 and is now on a 12-month extension as per the current contract mechanism. By approving the new contract, the council will more quickly benefit from the increased revenue with the supplier being able to more quickly digitise subject to planning approvals.
  - 75% of Out Of Home advertising revenue comes from Digital and as such Paper advertising alone is no longer sustainable for the future operational running of a Bus Shelter and Free-Standing Unit contract.
  - If direct award is not support, the Council would need to run a new tender awarded prior to 1 January 2025.
3. Pursuant to Rule 26.1 of the Council's Contract Procedure Rules ("**CPRs**"), approve a waiver of Rules 11.4 and 11.7 of the Council's CPRs in relation to the direct award of the new concession contract to JC Decaux UK.
  - Most of the bus shelters in York are currently the property of JCDecaux, who both purchase, install and maintain them.

The risks of not continuing the concession contract are set out in the report and can be summarised as, all current bus shelters would be dismantled by JCDecaux in January 2025 with new ones needed to be sourced, installed and maintained introducing a substantial additional cost to the Council in both capacity and, potentially capital expenditure and ongoing operational expenditure if a new supplier is not found through a competitive tender.

4. Approve the council's advertising policy which will be embedded into the bus shelter, and all place-based advertising contracts with adverts displayed on council owned or operated land:
  - The new advertising contract allows greater controls over the types of advertising that is displayed. The council's advertising policy is designed to restrict high fat, salt and sugar products being displayed to residents to help promote better health and wellbeing.

## Background

5. The Financial Strategy 2023/24 - 2027/28 approved by Council in February 2023 notes additional income from advertising contracts of £125k in 2023/24 and £375k in 2024/25.
6. The council currently generates revenue from advertising from bus-shelters and other formats (boundary signs, roundabouts, car parks), totalling around £179k per year.
7. The bus shelter contract is with JC Decaux and the other format contract is with Community Partnerships. This report only considers the bus shelter contract, noting not all bus shelters are managed through this contract.
8. To understand the potential value of advertising contracts, the council commissioned an independent market appraisal to better understand income generation opportunities from small and large format out of home media, with options that are deliverable and with 'the estimated value of their recommendations'.
9. *The Advertising and sponsorship income generation feasibility study and audit report* (the market appraisal) was produced independently and identifies several possible new and or enhanced revenue streams for the council from commercial

advertising and sponsorship. Council income from place-based advertising could be increased to around £456k-£478k per annum (subject to planning consents) through a combination of:

- Re-tendering the bus-shelter concession contract to include free-standing digital advertising and information units
  - Tendering new large format out of home advertising displays (billboards), primarily digital, with both rental and percentage share income.
  - Add to the commercial value of sponsored roundabouts and boundary signs along with advertising displays in car parks and park & rides, either through engagement with the current supplier or through a tender exercise.
10. In addition, an independent report issued in March 2024 by <sup>1</sup>KPMG and Outsmart explored sustainability comparisons between advertising channels and noted:
- Per impression out of home emits less carbon than all other media measured
  - Out of home is 3.3% of advertising power consumption and less than 3.5% of advertising carbon footprint
  - Control over the supply chain and end to end operations means out of home advertising media owners directly improve sustainability more easily than other advertising channels
  - Out of home is a more sustainable advertising platform for brands than other media types.

### **Bus shelter and free-standing digital unit contract**

11. The Financial Strategy 2023/24 - 2027/28 approved by Council in February 2024 notes additional income from advertising contracts of £125k in 2023/24 and £375k in 2024/25.
12. JCDecaux UK currently holds the concession contract for providing and maintaining bus shelters across the council's geography. Although they are not the only provider of bus shelters, they own 142 bus shelters (of which 80 including paper advertising). The

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[OOH is just 3.3% of UK Advertising's Power Consumption & under 3.5% of its Carbon Footprint - New Report \(outsmart.org.uk\)](https://www.outsmart.org.uk)

concession contract was extended for 12 months in December 2023 to allow the negotiation of a new concession contract to take place.

13. A new 15-year concession contract has been negotiated with JC Decaux UK to provide and maintain the majority of bus shelters and digital Free-Standing Unit advertising across the council's geography on council-owned land. This includes future development opportunities. There are other bus shelters managed outside of this concession contract, which do not feature advertising.
14. Subject to planning consents, the concession contract makes provision for internally illuminated and digital advertising and non-advertising bus shelters, together with free standing digital units.
15. If digital advertising is not supported, the independent market appraisal has made clear the market will not be interested in entering into a new contract as it will no longer be commercially viable.
16. As a result, this could expose the Council to having to develop and maintain its own Bus Shelter estate at an initial fee of around £1.4m in Capex (asset, foundations, installation, power connection) as well as an ongoing annual operational costs of around £200k taking into account electricity costs, business rates and associated cleaning and maintenance costs.
17. The new concession contract will provide the council with an annual revenue comprised of a minimum guarantee and profit share. Subject to contract and planning for digital advertising, the Council will see an increase of at least 20% in income from the previous concession contract. To alleviate pressure in this year's budget, the contract will also make provision for an upfront payment of the minimum guarantee.
18. The value of the proposed concession which is subject to contract and planning for digital advertising is based on both the resident population and the high number and high value of the visitor economy which is extremely attractive to advertisers, benefiting the council indirectly through increased revenue.
19. The proposed concession contract has been negotiated on a single tender basis. This is because the market appraisal report sets out the likely revenues which was derived through

consultation with providers and negating the requirement for a competitive tender.

20. The addition of digital adverts is a market requirement. Digital advertising both increases revenue to the council and provides the council with the opportunity of advertising its own information, with complete autonomy to promote council messaging and events, at the time the council wants, and to the audience that's most appropriate.
21. The construction and maintenance of bus shelters has changed since the existing contract was negotiated in 1996. JC Decaux UK's commitment to be net zero will work in unison with the council's own commitment to reach net zero by 2030. Sustainability measures are included within the new concession contract. These include:
  - a. Lighting should be LED
  - b. Energy from 100% renewable sources certified via private meter connection (solar on-site has been discounted due to the variable conditions, with only 18% energy at most which cannot power the full unit, leading to reliance on grid provision.)
  - c. 100% electric fleet for maintenance crews.
  - d. Rainwater collated for cleaning where feasible.
  - e. Recycled or upcycled production and maintenance.
  - f. Community biodiversity initiatives.
  - g. Monitor and minimise embedded carbon, contributing to the council's annual emission reporting.
22. In addition, following discussion with Planning, illuminated panels will have restricted luminance levels as set by the Planning Authority, to reduce both visual impact and keep emissions low. This is similar to the current illuminated advertising panels that are set by the Planning Authority.
23. Maintenance of the bus shelters is included in the new concession contract. Response times remain the same, with a slight enhancement - residents and officers will now be able to report issues via an app developed by JC Decaux UK which enables JC Decaux UK to arrange timely responses to faults reported. Response times of maintenance issues are listed below:
  - a. all items shall be cleaned at least once a fortnight throughout the year - including sides and clear roofs;

- b. graffiti and fly posters shall be removed within one working day of JC Decaux UK becoming aware or being notified;
  - c. offensive graffiti shall be removed within four (4) Normal Working Hours of the JC Decaux UK becoming aware or being notified;
  - d. routine repairs shall be carried out within two working days of the JC Decaux becoming aware or being notified of the fault;
  - e. Brandsabotage/Brandalism - on notification the JC Decaux shall replace within a day.
24. The design of the bus shelters includes provision to include air quality sensors for the council's Air Quality Team to consider, free public Wi-Fi, together with sustainability measures above. The Yorkshire Rose has been added to be consistent with street furniture installed across the city, which is currently included on the wayfinding signage across the city centre. The new design is subject to internal approval following consultation with disabled community groups.
25. The design includes requirements such as ensuring advertising improves visibility for approaching buses.
26. Given the length of time of the new concession contract (ie. 15 years), JC Decaux UK will support community activity and build a relationship with the city. This includes making an annual donation (both monetary and employee volunteering) to York's Community Fund together with facilitating tree-planting and community-led biodiversity activities.
27. All bus shelters are, and will remain, the property of JC Decaux UK, who both purchase, install and maintain them. The risks of not continuing the concession contract are set out in the report and can be summarised as, all current bus shelters would be dismantled by JC Decaux UK and new ones needed to be sourced and installed, introducing additional cost to the council in both capacity and, potentially both capital and ongoing operational expenditure if a new supplier is not found through a competitive tender, and increasing waste and embodied carbon.
28. Executive are therefore invited to endorse the direct award of a new 15-year concession contract to JC Decaux UK (with an option to extend by up to 1-year) and delegate authority to negotiate and conclude the contract (and the provisions of any subsequent

modifications and/or extensions thereto) to the Director of Governance and their delegated officers.

29. The council will develop the other place-based advertising opportunities identified in the report when appropriate, with Executive subsequently invited to endorse any future contracts.

### **Advertising policy**

30. The council's Public Health team have been working on a number of policies and guidance which promotes a healthy food environment in York; this is in line with the city's 'Healthy Lives, Healthy Weight Strategy, and the 'Local Government Declaration on Health Weight' which the council signed in 2019.
31. There is strong evidence that the promotion and advertising of food products which are high in fat, sugar and salt (HFSS) drives higher consumption of these products (hence the billions spent globally on this type of marketing). The UK population now get over 50% of their calories from this type of ultra processed food.
32. The number of children living with an unhealthy weight has been increasing in York and nationally, as evidenced by the National Child Measurement Programme. In 2007-08, 29.8% of year six children were overweight or obese, and the most recent data in 2022-23 shows that has risen to 32.5%. Approximately 1 in 4 reception-aged children, 1 in 3 year six children and 2 in 3 adults in York are not living with a healthy weight.
33. Whilst obesity and its consequences cost society more than the budget of the police, fire and criminal justice services combined, public health promotion efforts to try and tackle it – often focussing around communications with the public encouraging healthier diets and increased physical activity – are dwarfed by the power of advertising. The global marketing budget of one HFSS product – Coca-Cola – in 2022 (\$4.2bn) was similar in size to the entire public health grant in England (£3.5bn), and junk food marketing in general is estimated to be worth 30 times the amount the UK government spends on promoting healthy eating.
34. Children and young people have been shown to have a high degree of exposure to HFSS advertising, to be more susceptible than adults to its effects, and that children with higher levels of HFSS advertising exposure have measurably higher calorie intake.



35. This has led public health experts and a strong body of research evidence to suggest that tackling the advertising and marketing environment is a valid and necessary policy to supporting a healthy weight in our population. One of the areas which the council can influence is the types of adverts that are shared on council land. This has informed a refresh of the council's advertising policy (**Annex A**) informed by HFSS guidance (**Annex B**) developed by York's Public Health team.
36. The new policy implements an evidence-based model used by Transport for London and now several other local authorities to shape the types of products the council will allow to be advertised through its new contract.
37. An initial evaluation of the policy as implemented in London, carried out by The London School of Hygiene and Tropical Medicine, was published in February 2022. It found that the policy contributed to households buying up to 1,000 fewer calories of energy from unhealthy foods each week and a reduction in sugar purchases per week of up to 81% from products such as chocolate and confectionary. A second independent evaluation from the University of Sheffield's School of Health and Related Research was published in July 2022. It estimated that the policy was associated with 94,867 fewer cases of obesity, among other health benefits, and projected savings for the NHS of over £200 million.
38. In summary, the proposed advertising policy bans the marketing of HFSS products on any council-controlled or tendered advertising material. HFSS products are easily identifiable to advertisers through use of a national database held by the Food Standards Agency (the Nutrient Profiling Model).
39. The impact of the HFSS guidance (Annex B), in terms of advertising income to the council, was explored in the report (Annex A), which concluded any income effect was likely to be negligible, with the food industry having recognised that policies like this are becoming usual practice and adjusting their portfolios and adapting their approach accordingly.
40. The advertising policy has been embedded into the contract. Executive are invited to approve the refreshed council advertising policy, including measures on restricting HFSS advertising as set out in the HFSS guidance (Annex B).

41. The advertising policy will be reviewed over the duration of the contract and updated for Executive future considerations when appropriate.

## Consultation Analysis

42. An internal group including Communications, Planning, Regeneration and Highways was convened to inform the development of the market appraisal and contract. The contract has been finalised through consultation with Procurement and Legal.
43. The design of the bus shelters will be tested with disabled community groups prior to contract approval.
44. An independent consultation with key stakeholders was conducted by Fortuna who produced the market appraisal. Responses from key stakeholders covering conservation and the city are included against the advertising 'opportunities' in the *Advertising and sponsorship income generation feasibility study and audit report*.
45. The budget consultation focus groups conducted throughout December 2023 and January 2024 highlighted that residents are comfortable raising additional income from tourists. Although indirectly, because the revenue share of the contract is predicated on York's high value, high volume visitor economy, the council can attract a higher income than other places.

## Options Analysis and Evidential Basis

There are only two options presented today:

1. Accept the recommendations above and progress the direct award of the new concession contract with JCDecaux UK, embedding the refreshed advertising policy, recognising that by doing so, digital advertising will be introduced to public spaces leading to an increased revenue to the council;

Or

2. Reject the recommendations and ask officers to run a competitive tender exploring whether any provider would be prepared to only

feature paper adverts. This presents a considerable risk, as the market appraisal notes, the market has changed over the last 20 or so years and digital is now an expected part of the offer. In addition, by doing so, it would create an additional capacity requirement to both run the tender process at an additional cost and time to the council, and then arrange for the dismantle of existing bus shelters, and installation of new ones with a new provider, leading to disruption to the public and highways network.

## Organisational Impact and Implications

### Financial

The current level of income generated by place-based advertising is c£179k and, as outlined elsewhere in the report, a budget saving of £125k was approved for 2023/24.

This new contract will provide the council with an annual revenue comprised of a minimum guarantee and profit share. Subject to contract and planning for digital advertising, the Council will see an increase of at least 20% in income from the previous concession contract. This is to alleviate pressure in this year's budget.

In addition, the bus shelter contract mitigates additional council expenditure by providing the bus shelters and bus shelter maintenance (see financial risks).

### Human Resources

Should there be additional resources required to undertake aspects of these projects, consideration should be taken to assess and possibly re-prioritise existing resources or seek short term additional capacity. All options will be considered in line with the current financial climate and HR processes.

### Legal

**Power:** The Council has power under the general power of competence under section 1(1) of Localism Act 2011 to raise income through outdoor advertising.

**Specific Legislation:** Outdoor advertising is subject to a legal control system predominantly contained in the Town and Country Planning

(Control of Advertisements) (England) Regulations 2007, SI 2007/783. Consents would need to be in place. Where a local authority seeks planning consent from itself there is a mechanism in place to maintain probity.

**Guidance:** Following an Office of Fair-Trading investigation, non-statutory guidance was issued in 2012 entitled “*Street furniture advertising: Recommendations to Local Authorities*”. This focuses on ways Local Authorities might procure street furniture advertising in future to encourage greater competition. It highlights the risks of long duration contracts and recommends Local Authorities separate out contracts for installing and maintaining street furniture from contracts to advertise on that street furniture. It also recommends that Local Authorities tender out contracts which come to the end of their current term, rather than simply renegotiating an extension with the incumbent provider for reasons of transparency and encouraging new entrants.

**CPRs:** Under Rule 26.1 of the Council’s CPRs, except where the Procurement Regs apply, the Executive has the power to waive any requirements within these CPRs for specific projects upon request.

**Contract Implications:** The new concession contract has been negotiated with JC Decaux with advice and input from Legal Services.

If the Executive decide not to proceed with the proposed concession contract with JC Decaux UK, this will mean the current contract with JC Decaux will expire on 31<sup>st</sup> December 2024 and the Council would have to commission a new concession contract on the open market with advice from the Commercial Procurement team (see **Procurement** below) and a new contract drafted with advice from Legal Services in readiness for the new concession contract to start from 1 January 2025. As all the bus shelters and equipment under the current concession contract belong to JC Decaux, any re-procurement would also necessitate the additional costs of procuring and installing new bus shelters and equipment, as well as potential TUPE and pension implications in relation to the relevant transfer of any JC Decaux UK staff to the Council or any replacement provider, all of which would need to be addressed in any new contract(s) drafted by Legal Services.

## **Procurement**

The contract has resulted in the requirement for a waiver. It is important to note, a waiver request is submitted for consideration to waive the council’s Contract Procedure Rules, and potentially waive and breach

the Public Contract Regulations 2015 (cost depending) and not seek competition or test the market. Justifications have been provided that meet the waiver grounds detailed within the Contract Procedure Rules.

## **Health and Wellbeing**

Public Health fully supports the implementation of the new advertising policy and associated HFSS policy and guidance. The inclusion in this contract negotiation of the HFSS policy drawn up by CYC and reviewed by Fortuna will improve the long-term health impacts and nutritional benefits of food advertised to York residents and will therefore be a net health gain for the city.

## **Environment and Climate action**

Direct award of the new concession contract will minimise emissions associated with demolition, disposal and replacement of the existing shelters and advertising infrastructure that remain fit for purpose. Carbon emissions savings could also be achieved by replacing paper-based signs with energy efficient digital signs. However, the move to digital advertising will increase the energy usage, and therefore, measures to reduce energy usage should follow the energy hierarchy:

- Lean – minimise usage through LED lighting and smart controls;
- Clean – use of onsite renewable generation should be considered;
- Green – use of grid electricity should be from renewable sources.

Opportunities for bus shelters and advertising infrastructure to support the ambition for York to be Climate Ready by 2030 should be considered in their design.

## **Affordability**

The council will have 10% of all advertising time, allowing it to provide messages direct to specific groups, including carers, or low income groups, to promote council services that could better support.

There was a concern expressed in the government's EIA that by promoting non HFSS products, people on lower income will no longer have the same choice of food products, potentially making choices more expensive. The government propose mitigating this by providing more information about healthy food choices, and that the cost of products is not changing which is at the discretion of the food and drink industry.

Advertising HFSS products can still be promoted on non-council advertising channels as appropriate.

### **Equalities and Human Rights**

The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

In addition to the benefits in the policy section of this report, the Equalities Impact Assessment shows potential positive impacts on several protected characteristics.

### **Data Protection and Privacy**

Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all of our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.

The DPIA screening questions were completed for this report and as there is no personal data being processed for the options set out in this report, there is no requirement to complete a DPIA. This will be reviewed where required following the decision on this report.

**Communications** There are no Communications service implications of this report over any media management requirements.

**Economy** No impact

## Risks and Mitigations

The opportunities for income uplift through advertising revenue, are not insignificant, which go some way towards mitigating the risks outlined below:

**Market acceptance risk** The Out of Home Advertising market is no longer developing 100% paper advertising given the increasing move to Digital which now represents 75% of revenue. As such, there is a risk that if digital advertising is not supported, the market will not be interested in entering into a new 15yr term for the development of paper display shelters as the contract will no longer be commercially viable.

**Financial risks** relate to a) retention of the current level of income, and b) failure to realise the opportunities for increased income as described. c) If the contract does not go forward, this could expose the Council to having to develop and maintain its own Bus Shelter estate at an initial fee of around £1.4m in Capex (asset, foundations, installation, power connection) as well as an ongoing annual operational costs of around £250k-£300k taking into account electricity costs, business rates and associated cleaning and maintenance costs.

**Installation risks** relate to whether as a Planning Authority, and constraints imposed by conservation areas, the ability to switch from paper to digital is possible, with the risk that revenue is compromised.

**Reputationally** although the digital advertising units have been tested and are designed to be no more obtrusive than existing bus shelter advertising units, residents might not support them and will make representations through Planning. Resident engagement will take place once the installation plan has been completed.

## Wards Impacted

ALL

## Contact details

For further information please contact the authors of this Decision Report.

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<b>Date:</b>	9/4/2024

**Background papers**

Executive February 2024 Financial Strategy 23/24-27/28 Savings  
[Agenda for Council on Thursday, 22 February 2024, 6.30 pm](#)  
[york.gov.uk](http://york.gov.uk)

Healthy Lives Healthy Weight Strategy [Healthy-Weight-Healthy-Lives-Strategy.pdf \(healthyork.org\)](#)

**Annexes**

- Annex A** Council Advertising Policy
- Annex B** High Fat, Salt, Sugar (HFSS) Guidance
- Annex C** Equalities Impact Assessment



## **Annex A City of York Council Advertising Policy**

We strive to be an open and honest organisation which actively engages with our residents, businesses, visitors and partners. Our communication with stakeholders should be a two-way process, so everyone's views can help shape the services we provide. We're a listening council.

This policy is intended to provide clear guidance regarding the requirements to advertise on council property and/or public estate.

The policy covers you if you're:

- an advertiser agency or organisation hoping to advertise on City of York Council's property or public estate
- a marketing communications or sponsorship agency hoping to use the council's public estate for commercial gain (such as licencing or promotion of specific events)

Council property, assets and public estate is defined as:

- boundary signs
- roundabouts
- car parks
- roads and highways
- council-owned buildings including the Stadium, City Walls and Mansion House
- bus stops
- information boards
- ward notice boards

For more information contact: [claire.foale@york.gov.uk](mailto:claire.foale@york.gov.uk)

### **General approach to advertising and sponsorship**

We're looking to maximise revenue from advertising or sponsorship on its public and digital space, including public highways, car parks, roundabouts, Park & Ride sites, bus stops, billboards, boundary signs and city-centre Wi-Fi, and wherever it's within the constraints of this policy and acceptable to the council to permit advertising or sponsorship.

The council officers, who are appointed to administer the advertising and sponsorship processes, will ensure that the acceptance and display of

advertising or sponsorship does not conflict with any other policy or operational objectives of the council.

Such broader objectives can include the need to generate revenue through promoting certain services we provide, and it would not be appropriate to display advertising for 'competing services'; what constitutes a competing service will change from time to time.

There will be other examples of advertising which might conflict with broader council objectives. Where advertising cannot be accepted due to such conflicts, the reasons will always be clearly explained to advertisers or their agents.

The council does not take a 'white-listing' approach (which is when specific permitted advertising is defined), but rather follows a 'black-listing' approach (which is when the basic assumption is that advertising is permitted unless it falls into a number of **prohibited products, services and advertisers** categories).

### **National legislation and policy**

We take note of relevant national policy such as:

- **Advertising Codes regulated by the Advertising Standards Authority**
- **Consumer Protection from Unfair Trading Regulations, 2008**
- **The Calorie Labelling (Out of Home Sector) (England) Regulations, 2021**
- **The Soft Drinks Industry Levy Regulations, 2018**
- **The Food (Promotion and Placement) (England) Regulations 2021**
- Restrictions on multi-buy deals (due October 2023)
- Restrictions on advertising on TV and online (due January 2024)

We particularly take note of the **Consumer Protection from Unfair Trading Regulations 2008**, which seek to protect consumers from unfair, misleading or aggressive marketing practices and require all advertisers to **strongly comply** with not only the letter, but also the spirit, of these regulations.

### **Prohibited products, services and advertisers**

Other than the specific categories of products and services which may not be promoted by the council, as defined below, most products and

services may be promoted, although all submissions are subject to individual scrutiny as to their acceptability.

Private sector competitors who offer services provided by City of York Council or other public sector organisations may advertise on council owned advertising space subject to individual case approval. This policy toward competitor advertising will be reviewed on a quarterly basis, or as required.

Political organisations **may not** advertise on council owned advertising space. We, while actively encouraging the engagement of citizens and community groups in policy setting and other democratic processes, do not encourage, and will generally not permit, advertising from what might broadly be called 'lobby groups'. Whether those lobby groups be very local and temporary, perhaps centred on a particular planning decision, or national or international and more permanent in nature.

Gambling organisations are not considered appropriate advertisers.

Organisations offering entry into a competition following completion of a form containing any personal information will not be allowed to advertise.

In addition to the [specific exemptions](#) listed, there may also be some specific controls and policies associated with individual placements.

### **Specific exemptions**

The following categories of organisations, products or services are **strictly prevented** from, and will not advertise or be advertised on council owned advertising space:

Types of organisations:

- political organisations
- manufacturers of tobacco or tobacco related products
- manufacturers of alcohol products
- advertising from any organisation associated with 'adult industries' will not be permitted
- organisations whose values, products, services or views, conflicts with the cores values or policies of the Council in any way

Those who affect public support for a political party, a person identified with such a party, or a point of view or question of political controversy.

Associates with organisations in financial or legal conflict with the council:

- any organisation which discriminates on the grounds of race, colour, national origin, religion, sexual orientation or disability
- any organisation which appears to compete directly with a council service or income stream will be considered on a case by case basis; or example, if the council is running fostering advertising, it will not expect to see competing private foster agencies advertising

Named organisations:

- none specified at this stage, but organisations will be added to this list as and when they are identified

Types or products and services, or any advertising implying or relating to the sale, promotion or use of:

- tobacco or tobacco related products
- vaping products
- alcohol
- gambling
- pornography
- adult content
- unhealthy food or drinks defined as high saturate fat, salt and/or sugar (HFSS)
- cosmetic surgery
- loans and speculative financial products
- weapons, violence or anti-social behaviour of any description
- any product or service which is deemed or perceived to discriminate on the grounds of race, colour, national origin, religion, sexual orientation or disability

Additional policy guidance on HFSS restrictions is available in the council's [\*\*High Fat, Salt or Sugar Advertising Guidance\*\*](#).

We'll ensure that there can be no questions as to content suitability and retains the right to refuse any content that we're not happy with. Any content or advertising which has an overtly 'sexual tone' will be excluded without exception.

Named products and services:

- none specified at this stage, but products or services will be added to this list as and when they are identified

### **Style and content of advertising**

We expect adherence to the Advertising Codes regulated by the [Advertising Standards Authority](#) and the Committee of Advertising Practice.

We will not hesitate to support complainants and subsequent engagement with the Advertising Standards Authority if the code is not followed.

Advertising on public highways (including roundabouts or boundary signs) cannot include arrows or directions that would conflict with highways signs and could represent a safety risk.

### **Behavioural targeting, cookies and privacy**

Advertising across the council's public estate is managed and maintained by third-party suppliers.

The third-party and advertiser will have regard to [Regulation \(EU\) 2016/679 \(the General Data Protection Regulation, 'GDPR'\)](#) and the [Data Protection Act 2018](#) in the case of personal data, and the [Privacy and Electronic Communications \(EC Directive\) Regulations 2003](#) in the case of activities relating to electronic communications.

Advertisers must comply with this legislation and guidance is available from the [Information Commissioner's Office](#). Although the legislation has a wide application, these rules relate only to data used for direct marketing purposes. The rules should be observed in conjunction with the legislation, and do not replace it.

The third-party suppliers who provide, maintain and manage advertising are listed below, together with links to their individual privacy statements.

- JC Decaux Group - [JCDecaux's Privacy and Personal Data Protection Policy](#)
- Community Partnerships Media - [CP Media's Privacy Policy](#)

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**Annex B**  
**City of York Council**  
**High Fat, Salt or Sugar Advertising Guidance**

This guidance is an addition to the City of York Council's Advertising Policy and should be read and applied alongside that policy. It details guidance relating to restrictions of High Fat, Salt or Sugar (HFSS) products and requirements for advertising approvals.

Find guidance about:

1. The general principles:
  - a. The **UK Nutrient Profiling Model** (NPM) was developed by the **Food Standards Agency**, which was subsequently exposed to rigorous scientific scrutiny and extensive consultation, with ongoing technical support being provided by the **Department of Health and Social Care**. The model uses a scoring system, balancing the contribution made by beneficial nutrients that are particularly important in children's diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity. Such food and drink is not only purchased directly by children but is bought for them by others.
  - b. Read guidance on how to identify whether a product is considered HFSS under the **UK Nutrient Profiling Model**.
  - c. The outcome of any reviews or revisions of the NPM will be taken into consideration in applying our policy.
  - d. City of York Council or its representatives may request evidence of nutrition information of food and drink products advertised, and in line with the **Food Standards Agency** recommendations, City of York Council expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the **United Kingdom Accreditation Service** (UKAS).
2. Exceptions:
  - a. There are no exceptions to the policy offered on council-owned advertising sites. City of York Council understands there may be some limited unintended consequences of applying this policy, but has concluded that these consequences do not justify a general exceptions process.

- b. The only circumstance in which an exception will be considered is within the footprint of an event operating on council-owned land, where the application of the policy would make the event unviable or logistically unfeasible to run; for example, directional signage to stalls at a food and drink festival.
3. Content featuring only non-HFSS products:
  - a. These would normally be approved but would still need to comply with other sections of the City of York Council's Advertising Policy.
4. Content featuring only HFSS products:
  - a. Where proposed content features only food and/or drink which is rated HFSS, such copy would be rejected, unless a practical exception has been agreed by the council as per **paragraph 2.b.**
  - b. It's therefore recommended that, before committing to advertising production agreements, advertisers should discuss their eligibility with the council or its agents.
5. Content where there is a range of food and drink featured, some of which is HFS:
  - a. The advertising or promotion of HFSS products is unacceptable under the policy, so a range or meal could not feature them (for example, fish, chips and peas could only be advertised if all products were non-HFSS). This would also apply to any meal settings being shown, including those for restaurants, aggregator platforms and delivery services.
  - b. It's the responsibility of advertisers and/or sponsors and their agents to verify the status of the products featured using the NPM.
6. Content where no food or drink is featured directly but the advertisement is from or features a food and drink brand:
  - a. This may include:
    - i. advertisements where the brand's logo is included but no products, such as a brand values campaign
    - ii. directional signage to a store, app or website
    - iii. promotional advertising which is price-led but features no products such as '50% off everything' or similar
    - iv. advertising about a business or its performance



- v. content such as slides delivered by a sponsor at an event sponsored by a food or drink brand
  - b. Food and drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (for example, non-HFSS products) as the basis of the copy.
  - c. Where advertisers and sponsors are uncertain about the classification of proposed copy under these guidelines, they should discuss this with the council or its agents.
- 7. Advertisements or other content where food and drink is shown 'incidentally' for example, it's not the subject of the advertisement but is included (or implied) by visual or copy:
  - a. HFSS products should not be promoted by being featured in advertisements for other products. It's the responsibility of advertisers and their agents to verify the HFSS status of the products featured using the NPM.
  - b. Where a food or drink item is featured incidentally and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by the council or its agents on the basis that the advertisement promotes the consumption of HFSS foods.
- 8. Advertisements or other content where food and drink is referenced in text, through graphical representations or other visual representation:
  - a. HFSS products should not be promoted through references in text, graphical images or other visual representations of food and drink. Where a food or drink item is featured in this way and does not relate to a specific identifiable product which can be assessed for its HFSS status, copy may be rejected by the council or its agents on the basis that it promotes the consumption of HFSS foods.
- 9. Indirect promotion of HFSS food and drink:
  - a. Where a product is non-HFSS but falls within a category covered by Public Health England's (PHE) recommendations for sugar or calorie reduction, the product should always carry a prominent product descriptor to help differentiate it from noncompliant products (for example, where an advertisement features a non-HFSS pizza or burger, the

image should be accompanied by prominent text that names the specific product and retailer).

- b. Children should not usually be shown in advertisements for products which are compliant in a category which is covered by PHE's recommendations for sugar or calorie reduction.

10. Portion sizes:

- a. The NPM model is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by PHE's recommendations for sugar or calorie reduction, the product should be displayed as a single portion, unless agreed otherwise by the council or its agents.
- b. If advertisers, sponsors and agencies are unsure about how to interpret this, or any other aspect of these guidelines, they are encouraged to get in touch with the council or its agents and work together on a solution to avoid submitted copy requiring changes or being rejected.

**City of York Council**  
**Equalities Impact Assessment**

**Who is submitting the proposal?**

<b>Directorate:</b>	Governance		
<b>Service Area:</b>	Policy and Strategy		
<b>Name of the proposal :</b>	Advertising Contract		
<b>Lead officer:</b>	Claire Foale		
<b>Date assessment completed:</b>	March 2024		
<b>Names of those who contributed to the assessment:</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
David Smith	Access Officer	CYC	Access
Laura Williams	AD Communities and Equalities	CYC	Equalities
Michael Howard	Head of Highways and Transport	CYC	Highways
Peter Roderick	Director of Public Health	CYC	Public Health
Olly Willmore	Regional Director	JCDecaux UK	Bus Shelter and Digital Free-Standing Units

**Step 1 – Aims and intended outcomes**

<p><b>1.1</b></p>	<p><b>What is the purpose of the proposal?</b></p> <p>The proposal is to</p> <ul style="list-style-type: none"> <li>a) Approve a new 15-year contract for place-based advertising on Bus Shelter and Digital Free-Standing Units (subject to planning consents)</li> <li>b) Approve the amendment of the Council’s current advertising policy which is designed to restrict high fat, salt and sugar products being displayed to residents to promote better health and wellbeing</li> </ul>
<p><b>1.2</b></p>	<p><b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)</p> <p>Out of home (OOH) advertising is covered by the Town and Country Planning (Control of Advertising) Regulations 2007 and amendment 2021 <a href="https://www.legislation.gov.uk/ukxi/2021/617/contents/made">https://www.legislation.gov.uk/ukxi/2021/617/contents/made</a> ; The UK Code of Non-broadcast Advertising (ASA) ; and the Code of Recommended Practice on Local Authority Publicity 2011. Advert content is covered by:</p> <ul style="list-style-type: none"> <li>• <a href="#"><u>Consumer Protection from Unfair Trading Regulations, 2008</u></a></li> <li>• <a href="#"><u>The Calorie Labelling (Out of Home Sector) (England) Regulations, 2021</u></a></li> <li>• <a href="#"><u>The Soft Drinks Industry Levy Regulations, 2018</u></a></li> <li>• <a href="#"><u>The Food (Promotion and Placement) (England) Regulations 2021</u></a></li> <li>• Restrictions on multi-buy deals (due October 2023)</li> <li>• Restrictions on advertising on TV and online (due January 2024)</li> <li>• <a href="#"><u>Consumer Protection from Unfair Trading Regulations 2008,</u></a></li> </ul> <p>The High Fat, Salt and Sugar guidance is covered by The <a href="#"><u>UK Nutrient Profiling Model</u></a> by the <a href="#"><u>Food Standards Agency</u></a>, and the <a href="#"><u>Department of Health and Social Care</u></a></p>

<b>1.3</b>	<p><b>Who are the stakeholders and what are their interests?</b></p> <p>Residents, commuters, businesses – who view the advertising, or purchase advertising space and/or use the bus network and bus shelters</p>
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<b>1.4</b>	<p><b>What results/outcomes do we want to achieve and for whom?</b></p> <ul style="list-style-type: none"> <li>• Modern, accessible and sustainable bus shelters and Digital Free-Standing Units – improved / high standard street furniture</li> <li>• Continued, high standard maintenance &amp; cleaning regime of the bus shelters and Digital Free-Standing Unit estate</li> <li>• Increase in revenue from place-based advertising due to digitisation</li> <li>• Increase Council’s time on screen on Digital Bus Shelters and Free-Standing Units to promote messaging and civic events</li> <li>• Partnership to promote social benefit – biodiversity initiatives and support of the York Community Fund</li> <li>• Reduced High Fat, High Salt, High Sugar advertising on council owned land</li> <li>• Greater awareness of healthy food and drink choices</li> </ul>
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## Step 2 – Gathering the information and feedback

2.1	<b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b>	
<b>Source of data/supporting evidence</b>	<b>Reason for using</b>	
A range of national evidence has been used to inform the development of the proposal and advertising policy including national/international best practice.	Place based advertising is informed by data and evidence which informed the Town and Country Planning (Control of Advertising) regulations.	
Budget consultation 2022 and 2023	Residents indicated they would be comfortable with the council seeking increased revenue from tourists	
Local Transport Consultation and Blue Badge Access Consultation	How disabled people move through the city, and understanding the barriers they face has helped inform the contract specifications.	
The High Fat, High Salt, High Sugar evidence base	Transport for London and the London School of Hygiene and Tropical Medicine evidence base about the benefits of implementing this policy informed the council's approach.	
The government's EIA which was published when introducing HFSS guidance	<a href="https://www.gov.uk/government/equality-assessments/equality-assessment-introducing-further-advertising-restrictions-on-tv-and-online-for-products-high-in-fat-salt-and-sugar">Equality assessment: introducing further advertising restrictions on TV and online for products high in fat, salt and sugar - GOV.UK (www.gov.uk)</a> The government have already consulted on the introduction of HFSS guidance which supports the introduction in York	

**Step 3 – Gaps in data and knowledge**

<b>3.1</b>	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>	
<b>Gaps in data or knowledge</b>		<b>Action to deal with this</b>
The view of different people with different protected characteristics.		Feedback will continue to be collated and inform the regular review of the contract and advertising policy.
The views of residents in the development of this proposal.		Feedback will continue to be collated and inform the regular review of the contract and advertising policy.

**Step 4 – Analysing the impacts or effects.**

4.1	<p><b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?</b> Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>The introduction of the HFSS guidance into the new advertising contract is a positive impact on children, with evidence suggesting that children are more likely to be influenced by advertising and as a result, less HFSS products could lead to healthier food choices and so lower childhood weight.</p> <p>There might be a small impact on all ages due to reducing freedom of choice.</p> <p>Advertising copy must comply with ASA Guidelines and CYC’s Advertising Policy.</p>	+	M
Disability	<p>The bus shelter design now includes provision for more space to support greater accessibility through the city, and seating in all bus shelters. The design of the bus shelter will be tested with community groups prior to approval. All bus shelters and digital free-standing units are subject to planning consents which would mitigate the risk of inaccessibility becoming an issue.</p>	0	L



	<p>Disabled children are at greater risk of developing obesity-associated conditions as adults, such as T2 diabetes and that the HFSS policy might help disabled children develop healthier choices into adulthood. There is evidence to show a causal link between advertising and consumption with children (see age above).</p> <p>Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.</p>	<b>+</b>	<b>L</b>
<b>Gender</b>	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.	<b>-</b>	<b>-</b>
<b>Gender Reassignment</b>	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.	<b>-</b>	<b>-</b>
<b>Marriage and civil partnership</b>	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.		
<b>Pregnancy and maternity</b>	The carbon emissions and digital frequencies emitted from digital advertising does not have an impact on children/maternity.	<b>0</b>	<b>L</b>
	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.	<b>+</b>	<b>L</b>
<b>Race</b>	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.	<b>-</b>	<b>L</b>
<b>Religion and belief</b>	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.	<b>0</b>	<b>L</b>

	If cultural foods are classified in the policy as HFSS products their advertising will be restricted due to their high fat, salt or sugar content, and not due to their religious connotation.		
<b>Sexual orientation</b>	Advertising copy must comply with ASA Guidelines and CYC's Advertising Policy.	-	L
<b>Other Socio-economic groups including :</b>	<b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>		
<b>Carer</b>	The council will have 10% of all advertising time, allowing it to provide messages direct to specific groups, including carers, or low income groups, to promote council services that could better support.	0	L
<b>Low income groups</b>	<p>The council will have 10% of all advertising time, allowing it to provide messages direct to specific groups, including carers, or low income groups, to promote council services that could better support.</p> <p>There was a concern expressed in the government's EIA that by promoting non HFSS products, people on lower income will no longer have the same choice of food products, potentially making choices more expensive. The government propose mitigating this by providing more information about healthy food choices, and that the cost of products is not changing which is at the discretion of the food and drink industry. Advertising HFSS products can still be promoted on non-council advertising channels as appropriate.</p>	0  -	L  L

<b>Veterans, Armed Forces Community</b>	The council will have 10% of all advertising time, allowing it to provide messages direct to specific groups, including to promote council services that could better support.	<b>0</b>	<b>L</b>
<b>Other</b>			
<b>Impact on human rights:</b>			
List any human rights impacted.	By restricting HFSS advertising, there is an impact on the rights of the individual to choose what they eat or drink, this impact is minimal as the restrictions only apply to advertising on council land, with other channels able to provide wide range of advertising as appropriate.	<b>0</b>	<b>M</b>

## Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b>
<p>Residents and businesses will be able to continue to inform the annual review of the advertising contract and keep the council informed about any issues or changes required.</p> <p>Healthy food and drink support will be promoted to children and their parents to provide greater choice around costs of healthy food and drink.</p> <p>The design of the bus shelters will be tested with the disabled community.</p>	

## Step 6 – Recommendations and conclusions of the assessment

6.1	<b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b>
<p>- <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

## Step 7 – Summary of agreed actions resulting from the assessment

7.1	What action, by whom, will be undertaken as a result of the impact assessment.		
Impact/issue	Action to be taken	Person responsible	Timescale
Resident and business feedback	Promote how residents and businesses can inform the annual review of the contract	Claire Foale	July 2024
Healthy, cheap, food and drink choices	Promote the cost and availability of healthy food and drink options	Claire Foale	Ongoing
Bus shelter design	Set out how the bus shelters meet space and accessibility arrangements	JCDecaux UK	May 2024. Planning applications to be submitted post contract completion.
Free Standing Unit design	Set out the space and accessibility arrangements in the design	JCDecaux UK	When submitting planning applications. Post contract completion.

**Step 8 - Monitor, review and improve**

<b>8. 1</b>	<b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The contract will be reviewed annually, with quarterly progress meetings. The above points will be covered in the annual meeting.



<b>Meeting:</b>	Executive
<b>Meeting date:</b>	18/04/2024
<b>Report of:</b>	<b>Pauline Stuchfield</b> Director of Customer and Communities
<b>Portfolio of:</b>	<b>Cllr Lomas</b> - Finance, Performance, Major Projects and Equalities <b>Cllr Pavlovic</b> - Housing, Planning and Safer Communities

## Ward Funding Allocation 2024/2025

### Subject of Report

1. The 2024/25 individual Ward budget allocation is comprised of £250,000 to be allocated across the city, and this report outlines existing and potential models to inform making the split to wards. The Executive is asked to approve the method of allocation of ward funding, taking into account the feedback from the Corporate Service, Climate Change and Scrutiny Management Committee held on Monday 18<sup>th</sup> March 2024.

### Benefits and Challenges

2. The ward budgets provide an opportunity for ward members to deliver against locally agreed priorities through the funding of local community projects. These projects also contribute to the Council plan priorities around Equalities and Human Rights, Affordability, Climate Change and Health Inequalities. This enables ward members to engage the community around the delivery of local priorities through building community capacity and asset-based community development. The ward budgets were designed in 2023/24 to focus more deliberately on need utilising the index of multiple deprivation.

## Policy Basis for Decision

3. One City, for All, the Council Plan 2023 – 27 sets out a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives. The ward budgets enable community capacity to be built, reflecting coproduction with residents on the agreement of local priorities and the codesign of local projects, alongside the funding of many local voluntary and community sector organisations, helping to build inclusive, strong and thriving communities. Furthermore, applications to the ward grants must demonstrate how projects will meet the four council plan core commitments of Affordability, Environment, Equalities and Human Rights, and Health Inequalities.
4. At July 2023 Full Council it was proposed that ward funding is composed of the following elements from 1st August 2023:
  - allocate a minimum Ward Budget for Members to spend on priorities in their neighbourhood action plans that correspond with those of the council's core commitments;
  - introduce a second element based on need;
  - create a single pot of funding for multiple and/or 'city wide' applications (an additional amount of £100,000).

## Financial Strategy Implications

5. The 2024/25 ward budget allocation is comprised of £250,000 to be allocated across the city and the paper outlines the existing and potential models to inform making this split to wards. The funds are a part of the council's base budget, reflecting the priorities set out in the Council Plan.
6. Ward budget decisions will be taken in the financial year that the budget is allocated, requiring ward member approval and Director decision sign off. Each year a deadline will be published, in line with the year end financial closedown timetable, by which all member approved ward grants and schemes must be submitted for Director consideration and decision. After the published deadline in any given financial year there will be no opportunity to



make decisions on ward funding until the next financial year subject to budget allocation. There will be no carry forward of any uncommitted funds i.e. where there was no published decision by the stated deadline.

## Recommendation and Reasons

7. The Executive is asked to approve the recommendation at paragraph 10 below on the allocation of ward funding taking into account any feedback from the Corporate Service, Climate Change and Scrutiny Management Committee.
8. The Executive is therefore asked to consider the content of the report, the options presented and consider if they wish to maintain the existing model A or agree another model from the options outlined in the report to Corporate Service, Climate Change and Scrutiny Management Committee, attached as Annex A.
9. From the models set out in the report to Scrutiny and attached as Annex A, models A, E and F most closely align with the Council plan, the EACH priorities (Equalities and Human Rights, Affordability, Climate and Health) and reflect analysis of Index of Multiple Deprivation or census deprivation data. The approaches take into account the size of the ward and its deprivation level based on premise that deprivation is usually in line with population levels. Providing ward budgets based upon a split of an element base funding per Councillor, and an element of ward deprivation is also in line with the objectives set out at the Full Council in July 2023.
10. As Model E groups wards together in deprivation categories and model F becomes quickly out of date, whilst also not considering the depth of deprivation, this will reduce the impact on the most deprived wards. Whereas, Model A considers depth of deprivation most systematically, reflecting the size of ward and deprivation level and is the preferred option. **Therefore, subject to funding, Model A is recommended for the next three financial years and reflecting the Council Plan 2023 - 2027.**

*Reason: To ensure that ward allocations meet Council Plan priorities and methodologies around allocations are transparent to residents and stakeholders.*

## Background

11. In 2023/24 the financial allocation per ward was based upon, firstly a base split per ward by the number of councillors (£105k) and then a secondary split in each ward based on deprivation (£145k). The base amount per councillor ensures a minimum amount for each ward, which is then enhanced by analysis of depth of deprivation. It should be noted, that there is an inherent skewing of the total amounts, reflecting the number of councillors per ward.
12. In 2023/24, in order to allocate the £145k based on deprivation, the levels of need in all wards were assessed against the national Index of Multiple Deprivation (IMD). IMD scores and ranks each area, using seven different dimensions or domains, each of which is based on a basket of indicators. The data combines information from the domains to produce an overall relative measure of deprivation. IMD is released at an LSOA (Lower Super Output Area) level, and the resulting overall Ward IMD scores are an area level aggregation of this relative measure of deprivation.

7 Domains of Index of Multiple Deprivation	
Income Deprivation	Crime
Employment Deprivation	Barriers to Housing and Services
Education, Skills & Training Deprivation	Living Environment Deprivation
Health Deprivation & Disability	

13. The 2023/24 allocation was designed with the intention of using deprivation so that those wards with the highest scores (the more deprived wards) would have the greater funding allocations, noting:
  - National and local data suggests that wards with a higher population, generally, are the more deprived areas. Therefore, if deprivation is used as the main measure of allocation, there does not have to be a further normalisation of the data by population.

- The latest release of IMD data was in 2019, with another version originally expected in late 2023, which could have been used for allocations in 2023/24 and 2024/25, but this has been delayed nationally and is unlikely to be available to Local Authorities until early 2025.
  - In 2023/24 an attempt was made to create a ward funding split based solely upon Council Plan indicators and EACH (Equalities & Human Rights, Affordability, Climate and Health) indicators. However as relatively few of the Council Plan indicators are available at ward level, a model which covers all 4 elements of EACH could not be created.
14. The 2023/24 ward funding process was subject to a call-in at Corporate Services, Climate Change and Scrutiny Management Committee on 2nd November 2023, where the funding split agreed at Executive was confirmed and committee agreement to have sight of further models and details for the Council to make a decision on in future years.
15. Further consultation, to help define the 2024/25 ward funding split took place with Members at the Corporate Services, Climate Change and Scrutiny Management Committee on 18th March 2024. The views expressed by the Scrutiny Committee are outlined below at paragraph 16.

## **Options Analysis and Evidence Base: 2024/25 Models and Allocation**

16. There are several models which could be used to split ward funding that have been suggested by both Business Intelligence and at the Call-in Scrutiny committee and subsequent Scrutiny Committee on 18 March 2024, and all are based on latest available data at time of report writing, whether this be population, households, deprivation or other indicators that are available at a ward level. These models are:

Model	Description	Allocation
Model A	Based on Deprivation This is the same as the 2023/24 Ward budget allocation.	£105k base to be split by Councillor on each ward £145k to be split by each ward based on deprivation
Model B	Dividing the funding by the number of wards.	£250k to be split by each ward based on number of wards
Model C	Dividing the funding by the number of Councillors.	£250k to be split by each ward based on number of Councillors
Model D	Dividing the funding by the number of population.	£250k to be split by each ward based on population.
Model E	Based on the IMD deprivation scoring for each ward. York's methodology reduces the IMD 1-10 deciles for wards into four groups A1-4. The most deprived wards sit within A1 and the least deprived within A4.	£105k of the funding divided equally across every Councillor and £145k will be allocated based on the IMD deciles
Model F	Based on the Household Deprivation figures from the 2021 Census and how many Councillors each ward has.	£105k of the funding divided equally across every Councillor and £145k will be allocated based on the number of most deprived ward households out of all deprived households
Model G	Based on Deprivation and this figure multiplied by ward population, and then figure used as % of total.	£105k base to be split by Councillor on each ward £145k to be split by each ward based on deprivation
Model H	Based on Deprivation and this figure multiplied by ward councillors, and then figure used as % of total.	£105k base to be split by Councillor on each ward £145k to be split by each ward based on deprivation

17. High level pros/cons and whether meets policy objectives set out in EACH / Full Council are within the table below.

Model	Pros	Cons	Meets EACH	Meets Full Council July 2023
Model A	This approach will take into account both the size of the ward and its deprivation level	Based on the premise that wards with a higher population are more deprived	Y	Y
Model B	Simple allocation method	This method would not recognise the size of some of the larger wards or the deprivation levels.	N	N
Model C	Simple allocation method	This method would not recognise the deprivation levels in wards	N	N
Model D	Simple allocation method	This method would not recognise the deprivation levels in wards	N	N
Model E	This approach will take into account both the size of the ward and its deprivation level	Based on the premise that wards with a higher population are more deprived, but also grouping on deprivation likely to leads to a flattening of funding for most deprived wards.	Y	Y

Model F	As a more direct measure of deprivation, the household deprivation indicators can be used to say that one area has double the proportion of households with multiple needs compared to another.	As this model only looks at 2 or more dimensions, does not take into account areas of very high deprivation	Y	Y
Model G	This approach will take into account both the size of the ward and its deprivation level	This approach puts greater weighting on population, and smooths out where wards have same IMD score but different population	Y	N
Model H	This approach will take into account both the size of the ward and its deprivation level	Same as Model G, but more simplistic with only a 1-3 Councillor option	Y	N

## Consultation Analysis

18. As agreed, further consultation took place with Members at the Corporate Services, Climate Change and Scrutiny Management Committee on 18th March 2024 and was informed by the paper attached as Annex A, which outlined the various models. The views expressed by the Scrutiny Committee are outlined below:

- Officers presented that models A, E and F most closely align with the Council Plan, the EACH priorities and reflecting analysis of IMD data. General discussions on splitting funding by both a councillor and deprivation quotient, meant

that in a few wards this created slightly unexpected per head of population figures, but this was because some wards had pockets of deprivation. This debate was a continuation of the scrutiny call-in discussion in October 2023.

- Consideration of community assets being included in the models was raised, to help inform how ward funds might be allocated. Incorporating community assets into an allocation was discussed as challenging (for data/comparable reasons), and views were shared on how knowledge of community assets was more likely to be taken into account when bids for local schemes came forward.
- Administration group members broadly supported the current model A, reflecting it taking into consideration the size of the ward and its deprivation level.
- Opposition group members broadly agreed that Model F recognises deprivation across the city and should be supported.
- Some views were expressed by members that given model F has an analysis of IMD domains linked to household deprivation indicators this can be a strength, however it can also lead to disproportionate levels of deprivation findings, and that because the threshold for “2 dimensions” did not take in to account scale would not take in to account some of the city’s most recognised deprived wards.
- A further options were suggested by councillors outside of scrutiny to multiply the IMD score by the population, or number of Councillors as a proxy, and to use the new figure in the same way in which the IMD score is currently used. These models have now been included as Models G and H.
- An alternative option was suggested to use the £145,000 allocation as a central fund for Members to bid into reflecting deprivation levels in their wards. However, it was recognized that the time required to set up and administer this approach would be prohibitive and the city-wide ward funding scheme also existed.
- The Chair of the Scrutiny Committee acknowledged that whilst model E goes some way to addressing the concerns raised about model A, there was a very small financial

difference in funding outcomes, and could exacerbate some of the concerns raised in Model A.

## Organisational Impact and Implications

19.

- **Financial**

There are no direct financial implications for this report as the £250,000 ward budget will remain the same, however there might be a different allocation across the wards should the Executive choose to agree a different option, to the current option A.

- **Human Resources**

There are no human resources implications from this report.

- **Legal**

There are no legal implications from this report.

- **Procurement**

There are no procurement implications from this report.

- **Health and Wellbeing**

A greater focus on deprivation within wards and utilising the IMD will enable health inequalities to be addressed more directly with partners and residents. The ward budgets support a variety of social action projects that deliver health and wellbeing outcomes for residents, helping to address health inequalities at a local level. For example, 17 of the 21 wards have identified addressing loneliness and social isolation as a local priority. Reducing the levels of loneliness in the city is also a priority within the Health and Wellbeing Strategy. Public Health Officers have also expressed support for models A and E, reflecting the consideration of health deprivation data, through the IMD. This can be further enhanced through the work of the Population Health Hub and ward profiles.

As there is significant scope for this resource to be used to improve health and tackle inequalities, Public Health supports the targeting of this resource to areas with the most need. Public health also supports the use of IMD as a measure of deprivation rather than using the Census 2021 data.



- **Environment and Climate action**

The ward budgets have provided grants to voluntary and community groups that manage green spaces throughout the city, such as Friends of Groups. Grants have also been made to support the energy efficiency of community buildings, supporting the carbon reduction and climate change strategy. Allocation that includes a split based on deprivation aligns with a 'just transition' approach to tackling the climate emergency, which provides support for vulnerable groups.

- **Affordability**

The 2023/24 ward funding allocation was designed with the intention of using deprivation so that wards with the highest scores (the most deprived wards) would have the greatest funding allocations. Addressing the impact of the cost of living and poverty in communities has become a priority for many of the wards, which has seen projects funded to address poverty and destitution at a neighbourhood level. Many of the wards have funded additional advice sessions provided by Citizens Advice York for example, providing bespoke sessions in local community settings. Grants have also been provided to community food projects, helping to address food poverty and complementing the development of community hubs across the city as part of the Good Place Network.

- **Equalities and Human Rights**

a) The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

b) Consideration of deprivation data through the analysis of the IMD will provide information to help inform how equalities and human rights issues are considered by Members and residents through the neighbourhood action planning process and

responded to through the codesign of social action projects. This will enable equalities, human rights and inclusion issues to be responded to more directly, enabling more equitable and inclusive communities, where the conditions are created for all residents to achieve positive outcomes.

- **Data Protection and Privacy**

Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK GDPR. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.

DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve. As there is no personal data, special categories of personal data or criminal offence data being processed to inform the decision in this report, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions AD-04609.

- **Communications**

There are no communications implications from this report.

- **Economy**

Many of the wards fund community led economic development projects supporting the delivery of employment, training and learning initiatives and supporting the development of social and community enterprises.

## **Risks and Mitigations**

20. Whilst there are no direct risks outlined in this report, it is worth noting that allocations could go up or down for wards as a result of any change in mechanism should the Executive implement any change in approach.

## **Wards Impacted**

21. All wards

## Contact details

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<b>Date:</b>	27/03/2024

## Background papers

Corporate Services, Climate Change and Scrutiny Management Committee

18<sup>th</sup> March 2024

<https://democracy.york.gov.uk/documents/s174393/Ward%20Funding%20CSMC%2018%20March.pdf>

Corporate Services, Climate Change and Scrutiny Management Committee (Calling In) 2 October 2023

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=602&MId=14431&Ver=4>

Full Council 20<sup>th</sup> July 2023

<https://democracy.york.gov.uk/documents/s168967/Report%20of%20Executive%20Member.pdf>

<https://democracy.york.gov.uk/documents/s168969/Annex%20-%20Ward%20Budgets%202023-27.pdf>

## **Annexes**

Annex A - Ward Funding Allocation Models - March 2024

## **Abbreviations**

EACH = Equalities and Human Rights, Affordability, Climate, Health

IMD = Index of Multiple Deprivation

LSOA = Lower Super Output Area

## Annex A - Ward Funding Allocation Models

Model A	Based on the 2023/24 Ward budget allocation of: £105k base to be split by Councillor on each ward £145k to be split by each ward based on deprivation							
Ward	Councillors	Population (Census 2021)	Households (Census 2021)	2019 IMD score (higher score is worse)	2019 IMD score weighting	Deprivation Funding	Councillor Funding	To Allocate
Acomb	2	9,111	3,801	11.76	5.46%	£7,915.76	£4,468.09	£12,383.85
Bishopthorpe	1	4,136	1,818	5.87	2.73%	£3,952.84	£2,234.04	£6,186.88
Clifton	2	9,417	4,111	22.79	10.58%	£15,344.84	£4,468.09	£19,812.93
Copmanthorpe	1	4,148	1,762	3.29	1.53%	£2,212.67	£2,234.04	£4,446.71
Dringhouses & Woodthorpe	3	11,492	5,117	9.65	4.48%	£6,499.67	£6,702.13	£13,201.80
Fishergate	2	9,555	3,623	9.50	4.41%	£6,395.86	£4,468.09	£10,863.95
Fulford & Heslington	1	4,175	1,635	4.77	2.22%	£3,212.85	£2,234.04	£5,446.89
Guildhall	3	14,553	6,356	16.38	7.61%	£11,028.84	£6,702.13	£17,730.97
Haxby & Wigginton	3	11,774	5,255	5.25	2.44%	£3,532.85	£6,702.13	£10,234.98
Heworth	3	13,434	5,717	14.92	6.93%	£10,047.18	£6,702.13	£16,749.31
Heworth Without	1	4,076	1,830	5.09	2.36%	£3,428.97	£2,234.04	£5,663.01
Holgate	3	11,960	5,664	13.36	6.20%	£8,996.27	£6,702.13	£15,698.40
Hull Road	3	14,860	3,584	10.51	4.88%	£7,076.22	£6,702.13	£13,778.35
Huntington & New Earswick	3	12,419	5,622	12.67	5.88%	£8,527.51	£6,702.13	£15,229.64
Micklegate	3	12,405	6,244	11.80	5.48%	£7,945.30	£6,702.13	£14,647.43
Osbalwick & Derwent	2	8,401	3,530	6.67	3.10%	£4,491.17	£4,468.09	£8,959.26
Rawcliffe & Clifton Without	3	12,334	5,358	7.30	3.39%	£4,913.59	£6,702.13	£11,615.72
Rural West York	2	8,113	3,250	5.83	2.71%	£3,923.50	£4,468.09	£8,391.59
Strensall	2	8,327	3,340	7.14	3.32%	£4,807.17	£4,468.09	£9,275.26
Westfield	3	13,976	6,200	26.66	12.38%	£17,946.92	£6,702.13	£24,649.05
Wheldrake	1	4,157	1,647	4.16	1.93%	£2,800.03	£2,234.04	£5,034.07
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>		<b>100.0%</b>	<b>£145,000</b>	<b>£105,000</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

<b>Model B</b>	<b>Dividing the funding by the number of wards</b>			
<b>Ward</b>	<b>Councillors</b>	<b>Population (Census 2021)</b>	<b>Households (Census 2021)</b>	<b>To Allocate</b>
Acomb	2	9,111	3,801	£11,904.76
Bishopthorpe	1	4,136	1,818	£11,904.76
Clifton	2	9,417	4,111	£11,904.76
Copmanthorpe	1	4,148	1,762	£11,904.76
Dringhouses & Woodthorpe	3	11,492	5,117	£11,904.76
Fishergate	2	9,555	3,623	£11,904.76
Fulford & Heslington	1	4,175	1,635	£11,904.76
Guildhall	3	14,553	6,356	£11,904.76
Haxby & Wigginton	3	11,774	5,255	£11,904.76
Heworth	3	13,434	5,717	£11,904.76
Heworth Without	1	4,076	1,830	£11,904.76
Holgate	3	11,960	5,664	£11,904.76
Hull Road	3	14,860	3,584	£11,904.76
Huntington & New Earswick	3	12,419	5,622	£11,904.76
Micklegate	3	12,405	6,244	£11,904.76
Osbalwick & Derwent	2	8,401	3,530	£11,904.76
Rawcliffe & Clifton Without	3	12,334	5,358	£11,904.76
Rural West York	2	8,113	3,250	£11,904.76
Strensall	2	8,327	3,340	£11,904.76
Westfield	3	13,976	6,200	£11,904.76
Wheldrake	1	4,157	1,647	£11,904.76
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

<b>Model C</b>	<b>Dividing the funding by the number of Councillors</b>			
<b>Ward</b>	<b>Councillors</b>	<b>Population (Census 2021)</b>	<b>Households (Census 2021)</b>	<b>To Allocate</b>
Acomb	2	9,111	3,801	£10,638.30
Bishopthorpe	1	4,136	1,818	£5,319.15
Clifton	2	9,417	4,111	£10,638.30
Copmanthorpe	1	4,148	1,762	£5,319.15
Dringhouses & Woodthorpe	3	11,492	5,117	£15,957.45
Fishergate	2	9,555	3,623	£10,638.30
Fulford & Heslington	1	4,175	1,635	£5,319.15
Guildhall	3	14,553	6,356	£15,957.45
Haxby & Wigginton	3	11,774	5,255	£15,957.45
Heworth	3	13,434	5,717	£15,957.45
Heworth Without	1	4,076	1,830	£5,319.15
Holgate	3	11,960	5,664	£15,957.45
Hull Road	3	14,860	3,584	£15,957.45
Huntington & New Earswick	3	12,419	5,622	£15,957.45
Micklegate	3	12,405	6,244	£15,957.45
Osbalwick & Derwent	2	8,401	3,530	£10,638.30
Rawcliffe & Clifton Without	3	12,334	5,358	£15,957.45
Rural West York	2	8,113	3,250	£10,638.30
Strensall	2	8,327	3,340	£10,638.30
Westfield	3	13,976	6,200	£15,957.45
Wheldrake	1	4,157	1,647	£5,319.15
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

Model D	Dividing the funding by head of population			
Ward	Councillors	Population (Census 2021)	Households (Census 2021)	To Allocate
Acomb	2	9,111	3,801	£11,230.24
Bishopthorpe	1	4,136	1,818	£5,098.04
Clifton	2	9,417	4,111	£11,607.41
Copmanthorpe	1	4,148	1,762	£5,112.83
Dringhouses & Woodthorpe	3	11,492	5,117	£14,165.06
Fishergate	2	9,555	3,623	£11,777.51
Fulford & Heslington	1	4,175	1,635	£5,146.11
Guildhall	3	14,553	6,356	£17,938.05
Haxby & Wigginton	3	11,774	5,255	£14,512.65
Heworth	3	13,434	5,717	£16,558.77
Heworth Without	1	4,076	1,830	£5,024.09
Holgate	3	11,960	5,664	£14,741.92
Hull Road	3	14,860	3,584	£18,316.46
Huntington & New Earswick	3	12,419	5,622	£15,307.68
Micklegate	3	12,405	6,244	£15,290.43
Osbalwick & Derwent	2	8,401	3,530	£10,355.09
Rawcliffe & Clifton Without	3	12,334	5,358	£15,202.91
Rural West York	2	8,113	3,250	£10,000.10
Strensall	2	8,327	3,340	£10,263.88
Westfield	3	13,976	6,200	£17,226.84
Wheldrake	1	4,157	1,647	£5,123.93
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>	<b>£250,000</b>



## Annex A - Ward Funding Allocation Models

<b>Model E</b>	<p>Based an allocation per Councillor and the IMD deprivation scoring for each ward. York's methodology reduces the IMD 1-10 deciles for wards into four groups A1, A2, A3 and A4. The most deprived wards sit within A1 and the least derived within A4. The proposed calculation would have awarded more funding to those wards in A1 on a proportionate scale, with A4 receiving the lowest amount.</p> <p>£105k base to be split by Councillor on each ward and £145k allocated based on the IMD deciles</p>							
Ward	Councillors	Population (Census 2021)	Households (Census 2021)	National (IMD) Decile (where 1 is most deprived 10% of LSOAs) OHID	Grouping Multiplier	Deprivation Funding	Councillor Funding	To Allocate
Acomb	2	9,111	3,801	7	2	£8,787.88	£4,468.09	£13,255.97
Bishopthorpe	1	4,136	1,818	10	1	£4,393.94	£2,234.04	£6,627.98
Clifton	2	9,417	4,111	4	3	£13,181.82	£4,468.09	£17,649.91
Copmanthorpe	1	4,148	1,762	10	1	£4,393.94	£2,234.04	£6,627.98
Dringhouses & Woodthorpe	3	11,492	5,117	9	1	£4,393.94	£6,702.13	£11,096.07
Fishergate	2	9,555	3,623	9	1	£4,393.94	£4,468.09	£8,862.03
Fulford & Heslington	1	4,175	1,635	10	1	£4,393.94	£2,234.04	£6,627.98
Guildhall	3	14,553	6,356	6	2	£8,787.88	£6,702.13	£15,490.01
Haxby & Wigginton	3	11,774	5,255	10	1	£4,393.94	£6,702.13	£11,096.07
Heworth	3	13,434	5,717	6	2	£8,787.88	£6,702.13	£15,490.01
Heworth Without	1	4,076	1,830	10	1	£4,393.94	£2,234.04	£6,627.98
Holgate	3	11,960	5,664	7	2	£8,787.88	£6,702.13	£15,490.01
Hull Road	3	14,860	3,584	8	2	£8,787.88	£6,702.13	£15,490.01
Huntington & New Earswick	3	12,419	5,622	7	2	£8,787.88	£6,702.13	£15,490.01
Micklegate	3	12,405	6,244	8	2	£8,787.88	£6,702.13	£15,490.01
Osbalwick & Derwent	2	8,401	3,530	10	1	£4,393.94	£4,468.09	£8,862.03
Rawcliffe & Clifton Without	3	12,334	5,358	10	1	£4,393.94	£6,702.13	£11,096.07
Rural West York	2	8,113	3,250	10	1	£4,393.94	£4,468.09	£8,862.03
Strensall	2	8,327	3,340	10	1	£4,393.94	£4,468.09	£8,862.03
Westfield	3	13,976	6,200	3	4	£17,575.76	£6,702.13	£24,277.89
Wheldrake	1	4,157	1,647	10	1	£4,393.94	£2,234.04	£6,627.98
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>		<b>33</b>	<b>£145,000</b>	<b>£105,000</b>	<b>£250,000</b>

IMD Decile	Grouping	Multiplier
1 - 3 (most deprived)	A1	4
4 - 5 (deprived)	A2	3
6 - 8 (not so deprived)	A3	2
9 - 10 (least deprived)	A4	1

## Annex A - Ward Funding Allocation Models

Model F	Based an allocation per Councillor and on the Household Deprivation figures from the 2021 Census and how many Councillors each ward has. £105k base to be split by Councillor on each ward and £145k allocated based on the number of most deprived ward households out of all deprived households							
Ward	Councillors	Population (Census 2021)	Households (Census 2021)	Households deprived in 2 or more dimensions (Census 2021)	Percentage of all York Households deprived in 2 or more dimensions (Census 2021)	Deprivation Funding	Councillor Funding	To Allocate
Acomb	2	9,111	3,801	536	4.6%	£6,741.26	£4,468.09	£11,209.35
Bishopthorpe	1	4,136	1,818	214	1.9%	£2,691.47	£2,234.04	£4,925.51
Clifton	2	9,417	4,111	702	6.1%	£8,829.04	£4,468.09	£13,297.13
Copmanthorpe	1	4,148	1,762	149	1.3%	£1,873.97	£2,234.04	£4,108.01
Dringhouses & Woodthorpe	3	11,492	5,117	618	5.4%	£7,772.57	£6,702.13	£14,474.70
Fishergate	2	9,555	3,623	500	4.3%	£6,288.49	£4,468.09	£10,756.58
Fulford & Heslington	1	4,175	1,635	177	1.5%	£2,226.13	£2,234.04	£4,460.17
Guildhall	3	14,553	6,356	911	7.9%	£11,457.63	£6,702.13	£18,159.76
Haxby & Wigginton	3	11,774	5,255	621	5.4%	£7,810.30	£6,702.13	£14,512.43
Heworth	3	13,434	5,717	1,018	8.8%	£12,803.37	£6,702.13	£19,505.50
Heworth Without	1	4,076	1,830	174	1.5%	£2,188.39	£2,234.04	£4,422.43
Holgate	3	11,960	5,664	752	6.5%	£9,457.89	£6,702.13	£16,160.02
Hull Road	3	14,860	3,584	647	5.6%	£8,137.31	£6,702.13	£14,839.44
Huntington & New Earswick	3	12,419	5,622	848	7.4%	£10,665.28	£6,702.13	£17,367.41
Micklegate	3	12,405	6,244	723	6.3%	£9,093.16	£6,702.13	£15,795.29
Osbalwick & Derwent	2	8,401	3,530	400	3.5%	£5,030.79	£4,468.09	£9,498.88
Rawcliffe & Clifton Without	3	12,334	5,358	541	4.7%	£6,804.15	£6,702.13	£13,506.28
Rural West York	2	8,113	3,250	297	2.6%	£3,735.36	£4,468.09	£8,203.45
Strensall	2	8,327	3,340	299	2.6%	£3,760.52	£4,468.09	£8,228.61
Westfield	3	13,976	6,200	1,268	11.0%	£15,947.61	£6,702.13	£22,649.74
Wheldrake	1	4,157	1,647	134	1.2%	£1,685.32	£2,234.04	£3,919.36
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>	<b>11,529</b>	<b>100.0%</b>	<b>£145,000</b>	<b>£105,000</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

Ward	Based on the 2023/24 Ward budget allocation of: £105k base to be split by Councillor on each ward £145k to be split by each ward based on deprivation - % of IMD Score multiplied by Population								
	Councillors	Population (Census 2021)	Households (Census 2021)	2019 IMD score (higher score is worse)	2019 IMD score x Population	2019 IMD score weighting	Deprivation Funding	Councillor Funding	To Allocate
Acomb	2	9,111	3,801	11.76	107,128	4.53%	£6,567.55	£4,468.09	£11,035.64
Bishopthorpe	1	4,136	1,818	5.87	24,285	1.03%	£1,488.79	£2,234.04	£3,722.83
Clifton	2	9,417	4,111	22.79	214,644	9.08%	£13,158.91	£4,468.09	£17,627.00
Copmanthorpe	1	4,148	1,762	3.29	13,633	0.58%	£835.80	£2,234.04	£3,069.84
Dringhouses & Woodthorpe	3	11,492	5,117	9.65	110,951	4.69%	£6,801.93	£6,702.13	£13,504.06
Fishergate	2	9,555	3,623	9.50	90,777	3.84%	£5,565.12	£4,468.09	£10,033.21
Fulford & Heslington	1	4,175	1,635	4.77	19,925	0.84%	£1,221.50	£2,234.04	£3,455.54
Guildhall	3	14,553	6,356	16.38	238,411	10.08%	£14,615.96	£6,702.13	£21,318.09
Haxby & Wigginton	3	11,774	5,255	5.25	61,786	2.61%	£3,787.86	£6,702.13	£10,489.99
Heworth	3	13,434	5,717	14.92	200,490	8.48%	£12,291.21	£6,702.13	£18,993.34
Heworth Without	1	4,076	1,830	5.09	20,761	0.88%	£1,272.75	£2,234.04	£3,506.79
Holgate	3	11,960	5,664	13.36	159,822	6.76%	£9,798.03	£6,702.13	£16,500.16
Hull Road	3	14,860	3,584	10.51	156,194	6.60%	£9,575.59	£6,702.13	£16,277.72
Huntington & New Earswick	3	12,419	5,622	12.67	157,309	6.65%	£9,643.92	£6,702.13	£16,346.05
Micklethorpe	3	12,405	6,244	11.80	146,403	6.19%	£8,975.37	£6,702.13	£15,677.50
Osbalwick & Derwent	2	8,401	3,530	6.67	56,045	2.37%	£3,435.86	£4,468.09	£7,903.95
Rawcliffe & Clifton Without	3	12,334	5,358	7.30	90,022	3.81%	£5,518.84	£6,702.13	£12,220.97
Rural West York	2	8,113	3,250	5.83	47,282	2.00%	£2,898.68	£4,468.09	£7,366.77
Strensall	2	8,327	3,340	7.14	59,460	2.51%	£3,645.21	£4,468.09	£8,113.30
Westfield	3	13,976	6,200	26.66	372,578	15.75%	£22,841.15	£6,702.13	£29,543.28
Wheldrake	1	4,157	1,647	4.16	17,290	0.73%	£1,059.95	£2,234.04	£3,293.99
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>			<b>100.0%</b>	<b>£145,000</b>	<b>£105,000</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

Ward	Based on the 2023/24 Ward budget allocation of: £105k base to be split by Councillor on each ward £145k to be split by each ward based on deprivation - % of IMD Score multiplied by number of Councillors								
	Councillors	Population (Census 2021)	Households (Census 2021)	2019 IMD score (higher score is worse)	2019 IMD score x Councillors	2019 IMD score weighting	Deprivation Funding	Councillor Funding	To Allocate
Acomb	2	9,111	3,801	11.76	23.52	4.39%	£6,360.56	£4,468.09	£10,828.65
Bishopthorpe	1	4,136	1,818	5.87	5.87	1.10%	£1,588.11	£2,234.04	£3,822.15
Clifton	2	9,417	4,111	22.79	45.59	8.50%	£12,330.05	£4,468.09	£16,798.14
Copmanthorpe	1	4,148	1,762	3.29	3.29	0.61%	£888.98	£2,234.04	£3,123.02
Dringhouses & Woodthorpe	3	11,492	5,117	9.65	28.96	5.40%	£7,834.03	£6,702.13	£14,536.16
Fishergate	2	9,555	3,623	9.50	19.00	3.54%	£5,139.27	£4,468.09	£9,607.36
Fulford & Heslington	1	4,175	1,635	4.77	4.77	0.89%	£1,290.81	£2,234.04	£3,524.85
Guildhall	3	14,553	6,356	16.38	49.15	9.17%	£13,293.02	£6,702.13	£19,995.15
Haxby & Wigginton	3	11,774	5,255	5.25	15.74	2.94%	£4,258.13	£6,702.13	£10,960.26
Heworth	3	13,434	5,717	14.92	44.77	8.35%	£12,109.83	£6,702.13	£18,811.96
Heworth Without	1	4,076	1,830	5.09	5.09	0.95%	£1,377.64	£2,234.04	£3,611.68
Holgate	3	11,960	5,664	13.36	40.09	7.48%	£10,843.18	£6,702.13	£17,545.31
Hull Road	3	14,860	3,584	10.51	31.53	5.88%	£8,528.95	£6,702.13	£15,231.08
Huntington & New Earswick	3	12,419	5,622	12.67	38.00	7.09%	£10,278.17	£6,702.13	£16,980.30
Micklelegate	3	12,405	6,244	11.80	35.41	6.60%	£9,576.45	£6,702.13	£16,278.58
Osbalwick & Derwent	2	8,401	3,530	6.67	13.34	2.49%	£3,608.79	£4,468.09	£8,076.88
Rawcliffe & Clifton Without	3	12,334	5,358	7.30	21.90	4.08%	£5,922.33	£6,702.13	£12,624.46
Rural West York	2	8,113	3,250	5.83	11.66	2.17%	£3,152.66	£4,468.09	£7,620.75
Strensall	2	8,327	3,340	7.14	14.28	2.66%	£3,862.71	£4,468.09	£8,330.80
Westfield	3	13,976	6,200	26.66	79.98	14.92%	£21,631.36	£6,702.13	£28,333.49
Wheldrake	1	4,157	1,647	4.16	4.16	0.78%	£1,124.95	£2,234.04	£3,358.99
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>			<b>100.0%</b>	<b>£145,000</b>	<b>£105,000</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

Model comparison											
Ward	Councillors	Population (Census 2021)	Households (Census 2021)	Model A	Model B	Model C	Model D	Model E	Model F	Model G	Model H
Acomb	2	9,111	3,801	£12,383.85	£11,904.76	£10,638.30	£11,230.24	£13,255.97	£11,209.35	£11,035.64	£10,828.65
Bishopthorpe	1	4,136	1,818	£6,186.88	£11,904.76	£5,319.15	£5,098.04	£6,627.98	£4,925.51	£3,722.83	£3,822.15
Clifton	2	9,417	4,111	£19,812.93	£11,904.76	£10,638.30	£11,607.41	£17,649.91	£13,297.13	£17,627.00	£16,798.14
Copmanthorpe	1	4,148	1,762	£4,446.71	£11,904.76	£5,319.15	£5,112.83	£6,627.98	£4,108.01	£3,069.84	£3,123.02
Dringhouses & Woodthorpe	3	11,492	5,117	£13,201.80	£11,904.76	£15,957.45	£14,165.06	£11,096.07	£14,474.70	£13,504.06	£14,536.16
Fishergate	2	9,555	3,623	£10,863.95	£11,904.76	£10,638.30	£11,777.51	£8,862.03	£10,756.58	£10,033.21	£9,607.36
Fulford & Heslington	1	4,175	1,635	£5,446.89	£11,904.76	£5,319.15	£5,146.11	£6,627.98	£4,460.17	£3,455.54	£3,524.85
Guildhall	3	14,553	6,356	£17,730.97	£11,904.76	£15,957.45	£17,938.05	£15,490.01	£18,159.76	£21,318.09	£19,995.15
Haxby & Wigginton	3	11,774	5,255	£10,234.98	£11,904.76	£15,957.45	£14,512.65	£11,096.07	£14,512.43	£10,489.99	£10,960.26
Heworth	3	13,434	5,717	£16,749.31	£11,904.76	£15,957.45	£16,558.77	£15,490.01	£19,505.50	£18,993.34	£18,811.96
Heworth Without	1	4,076	1,830	£5,663.01	£11,904.76	£5,319.15	£5,024.09	£6,627.98	£4,422.43	£3,506.79	£3,611.68
Holgate	3	11,960	5,664	£15,698.40	£11,904.76	£15,957.45	£14,741.92	£15,490.01	£16,160.02	£16,500.16	£17,545.31
Hull Road	3	14,860	3,584	£13,778.35	£11,904.76	£15,957.45	£18,316.46	£15,490.01	£14,839.44	£16,277.72	£15,231.08
Huntington & New Earswick	3	12,419	5,622	£15,229.64	£11,904.76	£15,957.45	£15,307.68	£15,490.01	£17,367.41	£16,346.05	£16,980.30
Micklegate	3	12,405	6,244	£14,647.43	£11,904.76	£15,957.45	£15,290.43	£15,490.01	£15,795.29	£15,677.50	£16,278.58
Osbalwick & Derwent	2	8,401	3,530	£8,959.26	£11,904.76	£10,638.30	£10,355.09	£8,862.03	£9,498.88	£7,903.95	£8,076.88
Rawcliffe & Clifton Without	3	12,334	5,358	£11,615.72	£11,904.76	£15,957.45	£15,202.91	£11,096.07	£13,506.28	£12,220.97	£12,624.46
Rural West York	2	8,113	3,250	£8,391.59	£11,904.76	£10,638.30	£10,000.10	£8,862.03	£8,203.45	£7,366.77	£7,620.75
Strensall	2	8,327	3,340	£9,275.26	£11,904.76	£10,638.30	£10,263.88	£8,862.03	£8,228.61	£8,113.30	£8,330.80
Westfield	3	13,976	6,200	£24,649.05	£11,904.76	£15,957.45	£17,226.84	£24,277.89	£22,649.74	£29,543.28	£28,333.49
Wheldrake	1	4,157	1,647	£5,034.07	£11,904.76	£5,319.15	£5,123.93	£6,627.98	£3,919.36	£3,293.99	£3,358.99
<b>Total</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>	<b>£250,000</b>	<b>£250,000</b>	<b>£250,000</b>	<b>£250,000</b>	<b>£250,000</b>	<b>£250,000</b>	<b>£250,000</b>	<b>£250,000</b>

## Annex A - Ward Funding Allocation Models

Model comparison per head of population											
Ward	Councillors	Population (Census 2021)	Households (Census 2021)	Model A	Model B	Model C	Model D	Model E	Model F	Model G	Model H
Acomb	2	9,111	3,801	£1.36	£1.31	£1.17	£1.23	£1.45	£1.23	£1.21	£1.19
Bishopthorpe	1	4,136	1,818	£1.50	£2.88	£1.29	£1.23	£1.60	£1.19	£0.90	£0.92
Clifton	2	9,417	4,111	£2.10	£1.26	£1.13	£1.23	£1.87	£1.41	£1.87	£1.78
Copmanthorpe	1	4,148	1,762	£1.07	£2.87	£1.28	£1.23	£1.60	£0.99	£0.74	£0.75
Dringhouses & Woodthorpe	3	11,492	5,117	£1.15	£1.04	£1.39	£1.23	£0.97	£1.26	£1.18	£1.26
Fishergate	2	9,555	3,623	£1.14	£1.25	£1.11	£1.23	£0.93	£1.13	£1.05	£1.01
Fulford & Heslington	1	4,175	1,635	£1.30	£2.85	£1.27	£1.23	£1.59	£1.07	£0.83	£0.84
Guildhall	3	14,553	6,356	£1.22	£0.82	£1.10	£1.23	£1.06	£1.25	£1.46	£1.37
Haxby & Wigginton	3	11,774	5,255	£0.87	£1.01	£1.36	£1.23	£0.94	£1.23	£0.89	£0.93
Heworth	3	13,434	5,717	£1.25	£0.89	£1.19	£1.23	£1.15	£1.45	£1.41	£1.40
Heworth Without	1	4,076	1,830	£1.39	£2.92	£1.30	£1.23	£1.63	£1.08	£0.86	£0.89
Holgate	3	11,960	5,664	£1.31	£1.00	£1.33	£1.23	£1.30	£1.35	£1.38	£1.47
Hull Road	3	14,860	3,584	£0.93	£0.80	£1.07	£1.23	£1.04	£1.00	£1.10	£1.02
Huntington & New Earswick	3	12,419	5,622	£1.23	£0.96	£1.28	£1.23	£1.25	£1.40	£1.32	£1.37
Micklegate	3	12,405	6,244	£1.18	£0.96	£1.29	£1.23	£1.25	£1.27	£1.26	£1.31
Osbalwick & Derwent	2	8,401	3,530	£1.07	£1.42	£1.27	£1.23	£1.05	£1.13	£0.94	£0.96
Rawcliffe & Clifton Without	3	12,334	5,358	£0.94	£0.97	£1.29	£1.23	£0.90	£1.10	£0.99	£1.02
Rural West York	2	8,113	3,250	£1.03	£1.47	£1.31	£1.23	£1.09	£1.01	£0.91	£0.94
Strensall	2	8,327	3,340	£1.11	£1.43	£1.28	£1.23	£1.06	£0.99	£0.97	£1.00
Westfield	3	13,976	6,200	£1.76	£0.85	£1.14	£1.23	£1.74	£1.62	£2.11	£2.03
Wheldrake	1	4,157	1,647	£1.21	£2.86	£1.28	£1.23	£1.59	£0.94	£0.79	£0.81
<b>York</b>	<b>47</b>	<b>202,823</b>	<b>85,464</b>	<b>£1.23</b>							



<b>Meeting:</b>	Executive
<b>Meeting date:</b>	18 <sup>th</sup> April 2024
<b>Report of:</b>	Director of Customer & Communities
<b>Portfolio of:</b>	Executive Members for Finance, Performance, Major Projects and Equalities, and Housing, Planning and Safer Communities

## **Decision Report: Consultation on an Equity, Diversity and Inclusion Strategy 2024-27 and Next Steps**

### **Subject of Report**

1. This report presents the results of an externally facilitated assessment against the recently refreshed Equalities Framework for Local Government (EFLG) as shown in full at Annex A.
2. This work has directly fed into the drafting of an Equity, Diversity and Inclusion (EDI) Strategy 2024/27 (Annex B) in response as well as directing immediate actions over the next few months. Members will be asked to approve a recommendation to consult on the draft strategy to inform the final document for adoption and a detailed action plan.
3. The council is committed to meeting its priorities around EDI and this set of recommendations builds on others around the Social Model of Disability, Anti-Racism and Human Rights. The work ongoing in the city to provide a warm welcome to those seeking sanctuary and the partnership working that is evident in this and other recent inclusion work, is reflected in the 'Achieving' elements of the EFLG assessment. This sets the standard for all other elements of the Framework and the programme of work to deliver significant improvements across all areas by 2027.

## Benefits and Challenges

4. This work sits alongside other recent areas of development and action including re-establishment of the Human Rights Equality Board, the council's adoption of the Social Model of Disability and its Anti-Racism Action Plan.
5. It builds on the city's designation and partnership working with regard to City of Sanctuary, Human Rights City and pledge to be an Anti-Racist City and recognised growing cross partnership strengths in these areas.
6. The key challenge will be in the plan development to work towards achieving Excellent in the EFLG for local government within three years, at a time of constrained and reducing resources. The feedback in the EFLG report gives helpful direction in how the council can build on skills in the workforce to develop capacity to support and embed a whole organisation shift in equity, inclusion and diversity.

## Policy Basis for Decision

7. The Council Plan One City, For all 2023-2027 states:  
**Equalities and Human Rights - Equality of opportunity**  
'We will create opportunities for all, providing equal opportunity and balancing the human rights of everyone to ensure residents and visitors alike can benefit from the city and its strengths. We will stand up to hate and work hard to champion our communities.'  
With a specific priority to deliver:  
*'Be recognised by LGA as "excellent" in Equalities, Diversity and Inclusion'.*
8. The impact of this work however will affect every element of the Council Plan and associated policies.
9. This work will contribute to the council's core commitments around:



- a) **Equalities & Human Rights** – this report is fully focussed on meeting this core commitment.
- b) **Affordability** – inequity and exclusion can impact on access to jobs, skills development and economic opportunity and so any improvements made will have direct benefits of the financial and economic wellbeing of the community.
- c) **Climate & Environment**– there are no likely direct impacts on the Environment of this report although celebration of diverse cultures will bring a positive contribution to our community places and spaces.
- d) **Health** – there are known health disparities for people from all equality groups, both nationally and seen in data on the health of people in York, and any improvement in opportunity impacting on health and wellbeing will have a positive impact on the community. Regarding *Understanding and working with your communities* more work is planned around disaggregating data to understand equalities impacts of population health data; this will be in the action plan to be completed in the next 3-6 months.

## Financial Strategy Implications

- 10. The costs relating to this report will be contained within existing budgets. Some elements of workforce monitoring may be limited or otherwise by the nature and capability of systems in use and data available which require further investment as part of ICT development plans. Resources within the Communities Team are being reviewed to create some capacity to support EDI and Human Rights work corporately utilising the £50k growth built into the 2024/25 budget strategy. The work across all directorates could be considerable in terms of meeting statutory equalities and human rights responsibilities, including the need for additional training resources to support the delivery of these responsibilities.
- 11. Considering the council's current financial challenge, funding any growth in this area of work will require compensatory savings to be identified elsewhere across the Council.

## Recommendation and Reasons

- 12. Executive is asked to:

- a) note the results of the externally produced assessment against the requirements of the Equalities Framework for Local Government (EFLG) and areas of achievement and development which will feed into the action plan at Recommendation c), below;
- b) endorse the draft Equity, Diversity and Inclusion Strategy 2024-27 at Annex B which will be used as an interim strategy pending the outcome of consultation, as the equality objectives are required as part of meeting the council's Public Sector Equality Duty;
- c) approve officers to carry out a public consultation on the draft strategy to inform the final three year strategy and action plan for approval in autumn 2023, noting this will not hold up of delivery of critical core actions needed to start the work of improvement as identified. A further report will be brought to Executive with the results of this consultation.

Reason: To demonstrate the City of York Council's core commitment to becoming a more equal, diverse and inclusive council.

## **Background**

### **EFLG Assessment**

13. This work was undertaken between October 2023 and January 2024 by an experienced assessor against the refreshed version 2 of the EFLG. The analysis was extensive and informed by interviews with a wide range of people within the council and external stakeholders, alongside document reviews.
14. The EFLG sets out four modules for improvement, underpinned by a range of criteria and practical guidance that can help a council plan, implement and deliver real equality outcomes for employees and the community. The four modules are:
  - Understanding and working with your communities;
  - Leadership, partnership and organisational commitment;
  - Responsive services and customer care; and

- Diverse and engaged workforce.
15. As described in the Assessment Report, for each module there are three levels of achievement: *Developing*, *Achieving* and *Excellent*.
  16. The levels are progressive and cumulative so an organisation can plan and chart its progression against different priorities. Councils can be at different levels of the framework for different modules or themes.
  17. The levels are:
    - **Developing** - The developing level criteria contain the basic building blocks for each priority. An organisation at the Developing level has made an organisational commitment to improving equality. It is putting in place processes to deliver on equality issues and is working towards meeting or is meeting the statutory requirements.
    - **Achieving** - An organisation at the Achieving level has policies, processes and procedures in place and is delivering some good equality outcomes. It is not only meeting but can demonstrate exceeding statutory requirements.
    - **Excellent** - An organisation at the Excellent level has mainstreamed equality throughout the organisation and can demonstrate that it is delivering significant outcomes across its services that are making a difference in its communities. The organisation not only exceeds statutory requirements but is an exemplar council for equality and diversity in the local government and wider public sector.
  18. Sitting beneath each module are a number of themes, each with a short descriptor at each level of the framework. Each theme has a set of indicators or criteria that can be used to self-assess or plan activity.
  19. In summary the assessment shows the following results for City of York Council:

<b>Module/Theme</b>	<b>Assessment Level 2024</b>
<b>Understanding and working with your communities</b>	<b>Developing</b>

- collecting and sharing information	Developing
- analysing and using data and information	Developing
- <i>effective community engagement</i>	<i>Achieving</i>
- <i>fostering good community relations</i>	<i>Achieving</i>
- participation in public life.	Developing
<b>Leadership, partnership and organisational commitment</b>	<b>Developing</b>
- political and officer leadership	Developing
- priorities and working in partnership	Developing
- using equality impact assessment	Developing
- performance monitoring and scrutiny.	Developing
<b>Responsive services and customer care</b>	<b>Developing</b>
- commissioning and procuring services	Developing
- integration of equality objectives into planned service outcomes	Developing
- service design and delivery	Developing
<b>Diverse and engaged workforce</b>	<b>Developing</b>
- workforce diversity and inclusion	Developing
- inclusive strategies and policies	Developing
- collecting, analysing, publishing workforce data	Developing
- learning, development and progression	Developing

### Development of a Draft EDI Strategy

20. There are a number of recommendations contained in the assessment report in Annex A and they form the basis of:
- the draft EDI Strategy at Annex B of this report which describes the type of EDI organisation the council wants to be and its key objectives; and
  - a more detailed action plan that will secure a route to Excellence under the EFLG over the next three years.
21. The draft Strategy contains the council's proposed equality objectives for 2024-27 which are:
- Developing and promoting anti-discrimination policies and practices at all levels of the council and in delivery of our services to the public.
  - Improving equity practice at corporate, service and individual levels throughout the council.

- Develop a systematic process of conducting equality impact analysis and needs/requirements assessments, across all protected characteristic groups across all service areas as part of business and decision-making processes.
- Provide ongoing training and support for staff and members to help them to meet their duties under the Equality Act of 2010, raise awareness of this Policy and ensure residents of York are treated with dignity and respect, and continue to report on progress.
- Implement our Equity, Diversity & Inclusion Action Plan 2024 – 2027 and seek to achieve ‘Excellence’ against the Equalities Framework for Local Government (EFLG) by March 2027.

### **3 Year Action Plan**

22. The Action Plan is under development building on the EFLG assessment, and like the Strategy, will be reviewed in light of the outcomes of consultation. Key actions will be built on reaching *Achieving* status within 18 months of this report and *Excellent* within the 18 months afterwards.

### **Proposed Consultation**

23. To shape the final strategy and action plan the intention is to consult with CYC employees and a wide range of representative resident groups, and residents directly representing all protected characteristics under the Equalities Act. The newly re-established Human Rights and Equalities Board will also have the opportunity to feed into the Strategy.

### **Consultation Analysis**

24. The EFLG assessment was conducted through an extensive set of conversations with the council’s management team, other key officers, councillors, staff and staff group representatives, members of the community and community groups.

### **Options Analysis and Evidential Basis**

25. There is no other recommendation but to accept Recommendation a), the report at Annex A is for noting and informing next steps.
26. Regarding the interim strategy at Recommendation b) the Executive could put the draft strategy on hold pending consultation but given that the Public Sector Equality Duty requires the council to publish its equality objectives every four years, these at least should be published. These will give a line of sight for all the council's work which need to have EDI and Human Rights considerations and implications embedded into its values, processes plans and decision-making mechanisms.
27. Consultation (Recommendation c) on the draft strategy to inform it further and help build an action plan to meet the city's needs as well as the requirements of the EFLG framework, is essential if the council is serious about engaging with those who are affected most by barriers the strategy and action plan seek to remove. Executive can choose not to consult and adopt the Strategy 'as is', and separately receive and approve the Action Plan or delegate the approval of the Action Plan to officers.

## Organisational Impact and Implications

- **Financial** - The financial implications are described in paragraph 10 above and outline that, in light of the council's continued financial challenges, any additional costs will be managed by reprioritising existing budgets. Whilst the staffing costs incurred in doing this work will remain within existing budgets, further resources may be needed for training purposes across all equalities responsibilities. Considering the council's continued financial challenges, any additional costs will need to be managed by making compensatory budget cuts elsewhere within the Council or through reprioritising existing budgets.
- **Human Resources** – An additional post will be created to lead EDI in the council taking forward the operational actions in the action plan. Human Rights and equalities training / awareness will be undertaken to embed actions into all aspects of everyday working at the council. Resources will be built into the Equalities, Access & Inclusion Team in the coming months. HR will work alongside this team to review the outcome of the risk assessments

and resulting policy/process implications referred to in the report and annexes.

- **Legal:**
  - The Council needs to take into account the Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).
  - Under the Human Rights Act 1998 it is unlawful for a public authority to act in a way which is incompatible with the rights set out in the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 ("the Convention"). In particular, the enjoyment of the rights and freedoms set out in the Convention must be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
  - The report gives an update on how the council is seeking to meet its obligations under Equalities and Human Rights Acts with regard to all people protected under those Acts.
- **Procurement** - There are no direct procurement impacts contained in this report. However, protected characteristics under the Equalities Act can be focused on when considering social value in procurement.
- **Health and Wellbeing** - Health implications are covered in paragraph 9 above included as one of the council's core commitments. Public health and the Director of public health support the intentions within this report. Overall, promoting equality contributes to the creation of healthier, more resilient communities where individuals can thrive and enjoy a higher quality of life.
- **Environment and Climate action** - The design and implementation of services to achieve our climate change ambition

will follow the principles of the EDI Strategy. The negative impacts of climate change are most likely to be experienced by disadvantaged and vulnerable groups; EDI is therefore essential in ensuring a just transition towards net zero and that appropriate adaptation measures are delivered to support these groups.

- **Affordability** – Inequity and exclusion can impact on access to jobs, skills development and economic opportunity and so any improvements made as a result of this report will have direct benefits of the financial and economic wellbeing of the community.
- **Equalities and Human Rights** -There will be a need to ensure resources are dedicated to all equalities work across all protected characteristics under the Equalities Act. An Equalities Impact assessment for final approval of the strategy will inform approval and the final action plan presented back to Executive.
- **Data Protection and Privacy** –
  - Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.
  - DPIAs helps us to assess and demonstrate how we comply with all of our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.
  - The DPIA screening questions were completed for this report and as there is no personal data being processed for the options set out in this decision report, there is no requirement to complete a DPIA at this point. However, we will review the need for a DPIA where required, such as if consultation is to be carried out.
- **Communications** - Building on work already done in internal communications around the Council Plan's Equalities commitment, and in the ongoing annual communications plan, visible and consistent communications approaches will be required to support and demonstrate the City of York Council's core commitment to becoming a more equal, diverse and inclusive council.



- **Equalities and human rights** – This is one of the four core commitments in our Council Plan- One City, for all. Communications support will be needed as we seek to deliver the EDI strategy and action plan.
- **Economy**- Like the affordability implications, the report will have a positive impact on access to jobs, skills development and economic opportunity if equitable and inclusive policies are embedded and diversity is baked into the council's culture.

## Risks and Mitigations

28. Should the actions in this report not be delivered, the council will fail to make progress and to be taken seriously with regards to any and all aspects of equalities and inclusion. As such the council will remain unrepresentative of its communities, nor will be seen as a fair and inclusive employer. It will also fail to achieve in its ambition to be Excellent against the EFLG. Management of resources, capacity and close monitoring of action plans will need to be in place to mitigate these risks.
29. Impacts for the city as a whole could be significant, impacting on the city's reputation as a welcoming and safe city in which to live, work, visit and do business. The actions in this report will seek to support the hard work of partners and council teams in relation to city wide work.

## Wards Impacted

All wards

## Contact details

For further information please contact the authors of this Decision Report.

### Author

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<b>Service Area:</b>	Customer & Communities
<b>Report approved:</b>	Yes
<b>Date:</b>	27/03/2024

## Background papers

Executive 13<sup>th</sup> July 2023: Minute 18 – Anti-Racism & Inclusion Strategy & Action Plan:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13919&Ver=4>

Full Council 20<sup>th</sup> July 2023 Minute 20 – Anti-Racism & Inclusion Strategy & Action Plan:

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=331&MId=13925&Ver=4>

Executive – 14<sup>th</sup> September 2023 - Approval of the Council Plan 2023-2027

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13930&Ver=4>

Executive – 14<sup>th</sup> December 2023:

- Refreshed Governance Arrangements for York's Human Rights & Equalities Board
- City of York Council Actions in Response to the York Anti-Racism and Inclusion

## Strategy

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MId=13933&Ver=4>

Decision Session - Executive Member for Finance, Performance, Major Projects and Equalities 24<sup>th</sup> January 2024 - Implementing The Social Model of Disability

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=1060&MId=14294&Ver=4>

## Annexes

- **Annex A:** City of York Council – Equality Framework for Local Government (EFLG) Assessment
- **Annex B:** Draft Equity, Diversity & Inclusion Strategy 2024 - 2027

## Abbreviations

CYC	City of York Council
DPIA	Data Protection Impact Assessment
EDI	Equity, Diversity & Inclusion
EFLG	Equalities Framework for Local Government
EIA	Equalities Impact Assessment
HREB	Human Rights and Equalities Board
ICT	Information, Communications & Technology Services
LGA	Local Government Association

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## **City of York Council – Equality Framework for Local Government (EFLG) Assessment V2**

### **1. Introduction**

The equality framework is intended to help local authorities to:

- Deliver accessible, inclusive and responsive services to customers and residents in their communities including those from under-represented groups.
- Employ a workforce that reflects the diversity of the area they are serving.
- Provide equality of opportunity for all staff.
- Meet the requirements of the Public Sector Equality Duty and support any aspirations to exceed these.

This can be delivered by:

- Identifying the areas of activity that councils need to address to deliver good equality outcomes.
- Helping councils to understand how they can build equality into processes and practices.
- Supporting organisations to become inclusive employers.
- Enabling councils to informally self-assess their progress on the equality improvement journey and determine where and how they need to improve.

#### EFLG underlying principles

- The EFLG is part of the LGA's sector support programme offer to the local government sector and as such engagement with the framework is voluntary.



- The framework can help with compliance with the Public Sector Equality Duty which is a legal obligation of the Equality Act 2010.
- The framework references the nine legally protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also encourages councils to consider other issues that might be affecting their staff such as caring responsibilities as well as issues affecting communities like socio-economic inequality and isolation including rural isolation.
- The EFLG is supportive of the Equality and Human Rights Commission's six selected domains of equality measurement which it has identified as the areas of life that are important to people and that enable them to flourish. They are: education, work, living standards, health, justice and personal security, and participation.
- The modular design of the framework reflects the fact that councils come in all shapes and sizes with different resources, communities and priorities. It recognises that action on all equality issues at once is not always possible.
- Developing EDI processes and practices is an ongoing process for all councils, regardless of what level a council is performing at (even in excellence there is room for improvement).
- The framework supports the LGA's Equality peer challenge and other peer challenges.

The framework sets out four modules for improvement, underpinned by a range of criteria and practical guidance that can help a council plan, implement and deliver real equality outcomes for employees and the community. The four modules are:

- Understanding and working with your communities
- Leadership, partnership and organisational commitment
- Responsive services and customer care
- Diverse and engaged workforce.



For each module there are three levels of achievement. Developing, Achieving and Excellent. The levels are progressive and cumulative so an organisation can plan and chart its progression against different priorities. Councils can be at different levels of the framework for different modules or themes.

**Developing** - The developing level criteria contain the basic building blocks for each priority. An organisation at the Developing level has made an organisational commitment to improving equality. It is putting in place processes to deliver on equality issues and is working towards meeting or is meeting the statutory requirements.

**Achieving** - An organisation at the Achieving level has policies, processes and procedures in place and is delivering some good equality outcomes. It is not only meeting but can demonstrate exceeding statutory requirements.

**Excellent** - An organisation at the Excellent level has mainstreamed equality throughout the organisation and can demonstrate that it is delivering significant outcomes across its services that are making a difference in its communities. The organisation not only exceeds statutory requirements but is an exemplar council for equality and diversity in the local government and wider public sector.

Underlying each module are a number of themes, each with a short descriptor at each level of the framework. Each theme has a set of indicators or criteria that can be used to self-assess or plan activity.

### **3. City of York Council EFLG Assessment.**

There are five key modules within the assessment criteria, outlined below. The assessment has been conducted through 1 to 1 interviews with the political leadership and key members, senior officers/leaders/officers, chairs of staff networks and reviewing key documents.



The EFLG assessment will be used to develop the Councils new Equity, Diversity & Inclusion Strategy 2024 – 2027.

### **Understanding and working with your communities**

- collecting and sharing information
- analysing and using data and information
- effective community engagement
- fostering good community relations
- participation in public life.

### **Leadership, partnership and organisational commitment**

- political and officer leadership
- priorities and working in partnership
- using equality impact assessment
- performance monitoring and scrutiny.

### **Responsive services and customer care**

- commissioning and procuring services
- integration of equality objectives into planned service outcomes
- service design and delivery.

### **Diverse and engaged workforce.**

- workforce diversity and inclusion
- inclusive strategies and policies
- collecting, analysing and publishing workforce data
- learning, development and progression





- health and wellbeing

## 1. Understanding and working with your communities. Result: Developing

### 1a. Collecting and sharing information. Result: Developing

#### EFLG Criteria

The City of York Council has gathered and published information and data on the profile of its communities and the extent of inequality and disadvantage. Plans are in place to collect, share and use equality information with partners. The organisation is clear about what sources of information (both local and national) are relevant and useful. The organisation knows what information is already being collected – internally and by its partners, including voluntary and community sector stakeholders. Some information and data have been gathered and published. The organisation is working with its partners to ensure information is shared effectively. Partners ensure efficient collection of data that avoids duplication. The authority is compliant with GDPR legislation in its collection, analysis storage and use of data and information.

#### EFLG Assessment

The City of York is fully GDPR compliant, staff members have received training and GDPR protocols are in place. The City of York has developed a Joint Strategic Needs Assessment (JSNA) which has been published and shared with external strategic and local stakeholders across the City. There is little evidence of how quantitative data is used to design and deliver services to diverse communities. The JSNA has a limited focus on health inequalities on those from diverse backgrounds. However, there is clear evidence that the Council has significant communication and involvement with external stakeholders, particularly the voluntary and community sectors. However, there is an over reliance on qualitative information which is used to understand the needs and aspirations of diverse communities.



## Recommendations

- Develop an ED&I equality monitoring guidance for managers.
- Identify services which are priority in respect to impact on diverse communities and implement equality monitoring.
- Design data sharing systems to enhance the use of equality monitoring.
- Develop an ED&I Service Delivery Guide for managers to ensure corporate and local data (equality monitoring of service, JSNA data) is shared.
- Ensure that the next revision of the JSNA includes a data section on the healthcare needs of BAME, LGBTQ+ and other diverse communities.
- Equality data is disaggregated based on protected characteristics.
- Ensure that quantitative information is shared to identify and measure equality needs of diverse communities and to understand and measure outcomes for the area.

### **1b. Using and analysing data. Result: Developing**

#### EFLG Criteria

Systems are being developed by the City of York Council to analyse soft and hard data/intelligence about communities, their needs and aspirations. The Council is developing and improving systems for collating and analysing the different sets of data being collected. Information is collected by front-line staff or key decision makers and taken account of. Information captured about inequalities is used in decision making. The authority is compliant with GDPR legislation, analysis and use of data and information.

#### EFLG Assessment:

The City of York Council are assessing evidence through the JSNA, however there is little evidence that this is shared across the Council. There is some evidence that the



Council is improving the mechanisms and improving how front-line staff can be used to collate the information. However, this is sporadic and there are discussions about how this could be embedded across the Council. The Council do not have the financial and human resources to embed this across the Council.

Recommendations:

- See Leadership, partnership, and organisational commitment section for further recommendations.
- Ensure service planning contains equality actions developed through the use of quantitative and qualitative information.
- Ensure each service area has a trained Equity, Diversity & Inclusion (ED&I) champion.

**1c. Effective community engagement. Result: Achieving**

EFLG Criteria

The City of York Council's whole council approach to the development of inclusive community engagement structures is being developed throughout the organisation. There are opportunities for communities to be involved in decision making. The organisation has an agreed approach to engagement. It is clear about different levels of engagement (i.e. informing, consulting, participating, co-producing) and when these are appropriate. Engagement structures are in place. There are opportunities for under-represented groups to engage with decision making. The organisation can evidence examples of these opportunities. Shared engagement structures/mechanisms are in development with partners. There are some shared engagement activities with partners.



EFLG Assessment:

The City of York Council has created a Corporate ED&I Group which meets on a regular basis, involves a range of senior officers and reports to the Chief Executive. The group members and some areas of the Council have good levels of engagement with a wide range of key stakeholders from diverse communities. The Council have worked through significant challenges, which include the issues surrounding the blue badge scheme. There is evidence that the Council and the disabled community are working in partnership.

The Council has worked hard to build on its engagement activities, for example the pledge of the Council to become an Anti-Racist City, City of Sanctuary and other pledges. The Council has supported the development of the City's Anti-Racist Strategy by ensuring it was developed and that strategic partners had a role to play in its implementation. It has worked closely with BAME groups.

The City of York Council has been brave and bold on the ED&I agenda. However, there are significant financial and human resources gaps but with some limited resources plan and budget growth which will seek to mitigate risks of not meeting the Equality Act 2010 Public Sector Equality Duties and not delivering on those public commitments.

Recommendations:

- Ensure the Council's new Equity, Diversity & Inclusion Strategy 2024 - 2027 is consulted with all diverse communities in York and strategic partners.
- Ensure corporate EQiAs are consulted with diverse communities.



## 1d Fostering good community relations. Result: Achieving

### EFLG Criteria

City of York Council's structures are in place and across partnerships to understand community relationships and map community tensions. There are joint partnerships responsible for monitoring community tensions. The Community Safety Strategy considers the issue of community cohesiveness. Council communications/ promote positive relations.

### EFLG Assessment:

The City has a Safer York Partnership which involves a range of strategic partners from York. There are some mechanisms to monitor community tension and the partnership does have a system to report Hate Crimes. The Hate Crime data is analysed and progress is being made on the York Hate Crime Partnership Action Plan with the involvement of diverse communities. Political leaders and members have played a leadership role in community relations for example during extreme right wing demonstrations at the local mosque. The Council does not have a stand-alone Social Cohesion or Community Cohesion Strategy, but there is discussion in respect to how this could be developed and implemented. It is noted that York is a cohesive community and there is a recognition that focus needs to remain and the need to stay vigilant.

### Recommendations:

- Consider the development of a Community Cohesion Strategy
- Publish tackling hate crimes outcomes
- The Council plays a leading role in bringing the partners and the community together if there are serious incidents of hate crime, community tensions.



## 1e Participation in public life. Result: Developing

### EFLG Criteria

The City of York Council has a clear understanding of the level of participation in public life by different communities/protected characteristics. This can include involvement in local democracy and representation e.g. school governors, councillors, board members of voluntary/statutory sector organisations. Information and data is gathered about the extent of involvement in public life.

### EFLG Assessment:

There is a recognition in the political leadership that more needs to be done to ensure that political membership needs to become more diverse and inclusive across all political parties. The community and voluntary sector in York has limited resources, but is very active. There is good evidence that demonstrates that there is relatively good representation of disabled people, older people and women in public life. However, there is an under-representation of BAME groups in public life.

### Recommendations

- Develop initiatives to increase the representation of BAME communities in public life.



## **2. Leadership, partnership, and organisational commitment. Result: Developing.**

### **2a. Political and officer leadership. Result: Developing.**

#### EFLG Criteria

The political and executive leadership have publicly committed to reducing inequality, fostering good community relations and challenging discrimination. Senior leaders in the organisation have stated their commitment to a diverse workforce and have made clear what is expected from staff when delivering services to the community. Leadership on equality is demonstrated in a way that is recognised and understood by the organisation and local communities. Leaders have publicly committed to improving equality in their area. There is some evidence of action, not just 'talking about it'. The organisation has established and publicised a strong business case for its equality work. The organisation regularly communicates its commitment to promoting equality to staff and the community. There is evidence that publications reflect the organisation's commitment to equality and fostering good relations. There is inadequate resourcing but some expertise for EDI work and case studies across the organisation.

#### EFLG Assessment

The City of York Council's Council Plan 2023 – 2027, One City, for all, has four core commitments EACH. One of which is Equality & Human Rights where the Council have publicly stated their commitment to ED&I. Councillor Katie Lomas is the member champion for Human Rights, Equality and Inclusion. Senior Officers in the Customer & Communities Directorate have played a pivotal role in ensuring ED&I as a corporate priority is on the organisational agenda. The Council has an ED&I page which is updated and includes the CYC's equality duties, census data, ward profiles and the 5 equality objectives for CYC.



### Recommendations

- Develop an Equality, Diversity & Inclusion Strategy 2024 – 2027, ensuring that there is a clear commitment from the political and officer leadership.
- Identify financial and human resources that will deliver on the Anti-Racist pledge; commit to becoming a Human Rights City, reach Achieving (April 2025) and Excellent status (April 2026); Implement the Equity, Diversity & Inclusion Strategy 2024 – 2027.
- Members and the officer leadership develop case studies demonstrating how they have delivered change in their directorates and in their cabinet portfolios, in respect to design and delivery of services, creating workplace inclusion and diversity and these are published annually.

### **2b. Priorities and partnership working. Result: Developing**

#### EFLG Criteria

Partnership working arrangements are being reviewed with the voluntary and community sector and the wider community to ensure that local equality priorities are addressed. Corporate and partnership documents capture the commitment of the organisation and partners to equality. Equality objectives are reflected in local strategic planning. There is support and investment in the voluntary and community sector that it is able to work as a network or collective with the council.

#### EFLG Assessment:

The City of York Council has good partnership arrangements with the community/voluntary sector and has a track record in working with diverse communities to resolve issues, particularly with the disabled community. Both the new administration and officers have taken positive steps to resolve ED&I challenges. The Council have





developed a number of forums, which include the York Access Forum and other partnership groups.

### Recommendations

- Continue to consult with diverse communities on the Council's equality priorities, objectives and outcomes.
- Ensure these equality objectives are delivered through service planning and produce an annual equality report highlighting progress.
- External stakeholders, diverse community organisations are involved in reviewing performance and progress, including areas of health, human rights and lived experience intersectionality.
- Develop an ED&I dashboard that outlines progress on a quarterly or half yearly basis for internal and external stakeholders.

## **2c. Using equality impact assessment. Result: Developing**

### EFLG Criteria

Due regard is taken to the aims of the general equality duty when conducting business as usual, making decisions and when setting policies. The organisation has an agreed approach to conducting equality analysis/impact assessment of policy and service decisions. This process includes both business as usual issues and decision making. Training and support on equality analysis and impact assessment is available for staff. Impact assessments take account of the views of those affected by the policy or decision. There is a process for ensuring that equality impact assessments.

### EFLG Assessment

The City of York Council has an agreed equality impact assessment process. There is evidence that the Council has conducted EIAs across the service. EIA training was



delivered to staff and there is some support for officers, although this is limited. The quality of the EIAs produced by service areas are not consistent and could risk not meeting the requirements of the Equality Act 2010 and its Public Sector Equality Duty (PSED). CYC have two staff leads on EIA however they have limited capacity to assess EIAs across the Council, deliver training and ensure EIAs a fully Equality Act 2010 compliant.

### Recommendations

- Deliver EIA training for managers.
- Ensure actions from EIAs are linked to service planning and performance.
- Collate case studies demonstrating how or where equality impact assessments have informed decision-making and led to different, tailored services that have improved outcomes.
- Collate case studies demonstrating how City of York Council captures information about what budget/service cuts mean to people's lives.

## **2d. Performance monitoring and scrutiny**

### EFLG Criteria

Appropriate structures are in place to ensure delivery and review of equality objectives. There is an appropriate and accountable leadership group/board/forum who have responsibility for the equality agenda. There some limited dedicated resources for supporting equality work.

### EFLG Assessment

The City of York Council has a Corporate Equalities Group (CEG) which is chaired and co-ordinated by the Assistant Director of Customer & Communities. The group membership includes a range of officers, staff networks and members across the Council. The CEG meets on a regular basis and has a strategic and operational



oversight across the Council. There are limited human resources, primarily the Access Officer and Migration officer who have very good links in the community. The CEG have shown support for a range of initiatives which include the development of an Anti-Racist City and are developing internal plans and leading on the Anti-Racist agenda across the City of York.

The City of York, senior officer leaders and the political leadership have set an ambitious ED&I agenda particularly in respect to race and disability. However, there are significant lack of human and financial resources currently available which may risk failure in delivering the ED&I agenda. Some limited growth has been included in the 2024/25 budget process.

### Recommendations

- Review the aims, objectives and membership of the CEG.
- Create an ED&I team with sufficient human and financial resources.
- Review how change can be delivered on an intersectional basis.
- Create Equality, Diversity & Inclusion Champions (voluntary) and ensure that staff are equipped with the skills and competencies to embed ED&I.
- Create Service based ED&I plans which are supported by the Equity, Diversity & Inclusion Champions and linked to service planning mechanisms.
- Deliver an Annual Plan to enhance and publish the outcomes in services, partnership working and ED&I programmes.

### **3. Responsive services and customer care. Result: Developing**



### 3a. Commissioning and procuring services. Result: Developing

#### EFLG Criteria

The organisation ensures that procurement and commissioning processes and practices take account of the diverse needs of clients, and that providers understand the requirements of the public sector Equality Duty. Guidance is available for suppliers on the equality requirements for the procurement and commissioning process. There are standard equality clauses for contracts. Procurement is based on known analysis of communities' needs. The organisation has started to consider how it can measure the social value of its contracts and procured services and goods.

#### EFLG Assessment:

The City of York Council has standard equality clauses that meet the requirements of the Equality Act 2010 and service activities to ensure service specifications meet the diverse needs of the communities, including work around the Social Value Act. The Council has a Social Value Policy and has published outcomes.

#### Recommendations:

- The Social Value outcomes demonstrate that actions have tackled inequality in respect to diverse communities, e.g. how many disabled people, young people, BAME people, single parents etc are supported to work.
- Develop ED&I commissioning guidance to ensure service specifications capture the needs of all communities and use the information within the JSNA, when revised.
- Develop social value targets in respect to ED&I.



- Develop case studies where there is evidence of improvement in tackling social and economic gaps across protected characteristic groups.

### **3b. Integration of equality objectives into planned service outcomes. Result: Developing**

#### EFLG Criteria

Equality objectives for the organisation have been set and published in accordance with the requirements to support the public sector Equality Duty. Structures are in place to ensure equality outcomes are integrated into business objectives. Objectives are underpinned by robust equality analysis. Equality analysis is fed into planning and assessment of service plans. Objectives are SMART (Specific, Measurable Realistic, Achievable and Timely).. The specific duty to publish equality objectives has been met. Service plans are monitored regularly to ensure that equality objectives are being met. Customer care policies highlight the needs of protected groups.

#### EFLG Assessment:

The City of York Council has set equality objectives, these are managed by the Council's Corporate Equalities Group.

1. Knowing our communities - to better understand our diverse communities and their needs,
2. Involving our communities - to strengthen community participation and influence in the decision-making process,
3. Responsive services and customer care - to improve our customer experience to respond to differing needs,
4. A skilled and committed workforce - to strengthen our position as an 'equal opportunities' employer and service provider,



5. Leadership, partnership and organisational commitment - to strengthen our leadership role in developing and sharing good practice.

Equality impact assessments are being conducted and there is evidence that these actions are being acted upon in services and are being reviewed by managers and staff. The Council is in the process of enhancing the EIA toolkit to include human rights. The Customer Care policies include ED&I statements and staff have a general understanding of ED&I principles.

However, there a need to review how ED&I competencies are built across the Council and how these shape the services we need to meet the needs of all communities and create inclusive and diverse workplaces. It is not clear how equality actions sit within the service planning framework.

Recommendations:

- Develop ED&I service planning guidance for managers.
- Create a 3-year Equality, Diversity & Inclusion Strategy, outlining how equality objectives will be actioned, monitored and reviewed.
- Ensure external stakeholders are involved in the monitoring and review of equality objectives.
- Local and corporate actions are developed to ensure services meet the needs of diverse communities.
- Develop local service actions plans focussed on service delivery, commissioning, customer service and workforce development.
- Develop ED&I case studies outlining how services have been re-designed.



### **3c. Service delivery and design. Result: Developing**

#### EFLG Criteria

The organisation has systems to collect, analyse and measure how satisfied all sections of the community are with all services. There are mechanisms in place for service users to be consulted about service development and delivery. Social Value and collaborative principles are reflected in the organisations practical service delivery. The organisation is able to analyse and measure whether all sections of the community are able to access services. It is clear who service users are. Services carry out mapping exercises to identify and review current participation and to highlight gaps. The organisation collects data about user satisfaction with its services. The mapping and satisfaction data collected is disaggregated by different equality groups or vulnerable communities. Complaints are disaggregated by protected groups.

There are mechanisms in place to enable staff to introduce business improvements. Appropriate mechanisms are in place to ensure that Human Rights considerations are identified when planning services and that customers and citizens are treated with dignity and respect. Consideration has been given to the links between equalities and safeguarding in relevant services.

#### EFLG Assessment:

The City of York Council has published the 2021 Census through the York Open Data portal, have produced ward profiles, Public Health data tools and the Joint Strategic Needs Assessment (JSNA). The Council's Corporate Equalities Group have reviewed the data when developing strategies and initiatives and this has been used to some extent when conducting equality impacts assessments. It is envisaged that the revised EIA tool will include Human Rights consideration and consultation with community groups and is currently underway. The City of York



Council collects some equality service delivery data. However, this is not consistent across the Council.

Recommendations:

- Develop Case Studies demonstrating how services co-produced with service users influence change in design and/or delivery.
- Develop Equality Monitoring Guidance for Managers.
- Develop take-up of service monitoring mechanisms in key areas e.g. benefits, grants, fostering /adoption etc.
- Collate evidence of improved safeguarding outcomes for under-represented groups.

**4. Diverse and engaged workforce. Result: Developing**

**4a. Workforce diversity and inclusion: Result: Developing**

EFLG Criteria

The organisation understands its local labour market and has mechanisms in place to monitor its workforce against protected characteristics. The organisation is clear about its local labour market. The organisation has begun to identify the steps it needs to take to achieve a diverse workforce. These are reflected in recruitment policies and procedures. The progress of protected groups through the organisational hierarchy is monitored and reported on. Equality mapping data is used as part of the analysis. Recruitment and selection is monitored at all stages of the process by protected characteristics.





### EFLG Assessment:

There is a clear commitment within the Council's HR & OD for a diverse and inclusive workforce and there have been a number of initiatives with employees to listen to their concerns and act. The Council have an established staff equality network, which is involved in discussions and debates and there is some evidence that this has led to activity that has shaped some strategic thinking e.g. the Anti-Racist City. The staff networks need to play a more strategic and operational role. However, there is a lack of support for staff to become involved. The BARMC group have had a change in leadership and will require additional support to shape their role for the future. Likewise, other staff networks will need guidance and co-produce activities to the Council's aspiration to embed the Social Model of Disability, PRIDE and becoming an Anti-Racist City and Human Rights City.

### Recommendations:

- Create an Inclusive Recruiters Programme to tackle under-representation of BAME and other groups in the workplace.
- Co-produce Staff Network aims and objectives with stakeholders.
- Develop an internal comms plan and link staff networks to support internal and external diversity events.
- Ensure HR / OD have human and financial resources to implement change management programmes.

## **4b. Inclusive strategies and policies. Result: Developing**

### EFLG Criteria

The organisation's workforce strategies and policies include equality considerations and objectives. All employment policies and procedures comply with equality legislation and employment codes of practice. The organisation's workforce



strategy identifies equality issues. Targets and objectives are based on internal monitoring, staff consultation and the assessment of the local labour market and barriers to employment. New/changing employment policies and procedures are assessed for their impact on people with protected characteristics. All employment and training related policies are regularly reviewed. The organisation recognises and acknowledges that staff from protected groups may experience issues such as micro-aggression from colleagues or service users. The council is using its workforce data to develop training and development strategies that can support a wider equalities agenda for employees. There is no workforce objective or target setting around equalities. A range of inclusive structures are in place to engage and involve staff, namely staff equality networks. Policies and systems are in place to identify, prevent and deal effectively with harassment and bullying at work.

#### EFLG Assessment:

There is some evidence to demonstrate that policies and procedures have ED&I clauses and that the policies are reviewed on a 3 yearly basis. Equality impact assessments are conducted on changes/reviews. However, these do not seem to have delivered the changes the Council wanted. The policies are consulted with staff networks and this has been welcomed by the staff networks. However, the policies do not recognise micro-aggressions or forms of indirect discrimination. There is a recognition in the Council that creating a diverse and inclusive workplace has significant challenges, which include a lack diversity in the local labour market and attracting diverse applicants.

The Council has policies and procedures to tackle harassment, bullying and discrimination, but there is little evidence that the data is published. There is some evidence to suggest that some cases of harassment and bullying are not reported or that staff don't feel confident to report these issues.



### Recommendations:

- A specific HR/OD EIA toolkit is developed to include an EIA framework for re-structures (budget cuts) and an EIA framework for HR strategies and policies.
- Ensure all policies are assessed using both quantitative and qualitative data / information and that these are followed across the Council.
- Consider the development of RESPECT Allies to create inclusion, deal with cases informally and ensure formal cases are reported/resolved.

### **4c. Collecting, analysing and publishing workforce data. Result: Developing**

#### EFLG Criteria

Systems are in place to collect and analyse employment data across a range of practices (recruitment, training, leavers, grievance and disciplinaries etc). The organisation reports annually on its Gender Pay Gap. People are encouraged to provide data and there are initiatives in place to increase the disclosure of equality information by staff. Employee data is analysed organisationally and service by service. Diversity monitoring information is separated from recruitment decisions and held securely. GDPR processes are in place and regulations are being met.

#### EFLG Assessment:

The City of York Council is embarking on an ambitious ED&I journey and regularly monitors its workforce against protected characteristics: Ethnicity, gender, disability, age and sexual orientation, in respect to workforce (head count), new starters, leavers, turnover, sickness rates, which are disaggregated across directorates. This information is presented at various groups such as CEG and EAG. The Council has ED&I clauses within its policies and procedures. However, the data does not include all the protected characteristics and needs to include areas



such as grievances, disciplinaries, training/development and promotion/acting up positions. The Council publishes it's Gender Pay Gap on a regular basis, which has been reducing.

There is a general consensus from HR/OD and staff networks that the workforce equality data is not fully representative of its workforce. This is due to a number of factors, including staff being unsure how it will be used, its purpose and safety of information. HR / OD have worked hard to ensure staff take part, but progress has been slow. The key protected characteristic groups which are under-represented are sexual orientation and disability groups.

#### Recommendations:

- Revise equality monitoring mechanism to ensure it meets the Public Sector Equality Duty (PSED) using Equality & Human Rights Commission (EHRC) good practice guides.
- Conduct a series of Equality Monitoring Data campaigns with staff networks to increase equality data.
- Conduct Equality Pay Analysis on ethnicity and disability protected characteristics.

#### **4d. Learning, development and progression. Result: Developing**

##### EFLG Criteria

The organisation carries out regular assessments of the training, learning and development needs of members and officers in order that they understand their equality duties and take action to deliver equality outcomes. Consideration is given to the progression of under-represented groups. An assessment has been made as to what equality-related training, learning or development is required in the organisation. Appropriate behavioural competencies have been identified for the workforce. The learning and development plan/strategy take account of



equality issues including the progression of under-represented groups. Induction training for new members includes equality and all members are offered equality training. Appraisal processes ensure staff and managers are aware of their equality-related responsibilities and accountabilities.

#### EFLG Assessment:

The City of York Council has delivered a range of ED&I training to officers and members. ED&I is included in the on-boarding / induction training and recruitment selection training. However, most of the ED&I training has been primarily on-line based training and it is recognised internally that it has not led to culture change or any significant increases in ED&I competencies.

There is a recognition with HR/OD that the Council needs to build ED&I competencies at each tier e.g. front-line, managers and leaders and that the ED&I training offer is bespoke and tailored, according to organisational needs and is linked to organisational ED&I outcomes.

Employees are generally unaware of their equality related responsibilities or accountabilities. However, City of York staff have a very good understanding of fairness and demonstrate qualifiable commitment to want to create a fair city and workplace where everyone feels welcome.

#### Recommendations:

- Identify human and financial resources to deliver specific ED&I programmes that focus on the City of York ED&I priorities.
- Ensure the officer and members of Executive/CMT undertake cultural competency & inclusive leadership training.
- Deliver face to face, MS Teams / Zoom bite size training: 2 hours training sessions, lunchtime briefings on ED&I competencies e.g. How to have a conversation about equalities at work? How to sensitively tackle a discriminatory or



offensive remark? What's my role in implementing the Social Model of Disability?

- Map the career progress of protected characteristic groups.
- Ensure all leadership programmes are inclusive and promoted to staff equality networks and their members.

#### **4e. Health and wellbeing**

##### EFLG Criteria

The organisation has begun to consider how equality, diversity and inclusion issues are linked to employee health and wellbeing. The organisation uses workforce data and other information from staff to determine what its health and wellbeing priorities are. Staff in protected groups have opportunities to inform these considerations.

The organisation has assessed all aspects of the working environment to ensure that the health and safety needs of all its employees are met. A range of inclusive mechanisms are in place to engage and involve staff. The organisation had previously considered working arrangements and patterns in the light of the COVID pandemic. The organisation has a policy for reasonable adjustments for staff and members and managers are trained to implement it. Occupational health services are provided. The organisation has started to address mental health issues in the workplace.

##### EFLG Assessment:

- During the pandemic the City of York Council worked with staff to ensure that staff were protected and services were delivered to the most vulnerable in York. This has led to a more flexible, productive and user focussed service and has changed working patterns in the Council. The Council has a good



reputation in respect to well-being and mental health with staff, who cited examples during Covid. The Council also has an Occupational Health Service and has a good response to implementing reasonable adjustments for staff. The council needs to get to the point where HR statistics show that diverse staff groups have good satisfaction rates and disabled staff feel well supported by their managers and the policies of the organisation.

Recommendations:

- The Council to fully implement the Social Model of Disability
- HR policies to be co-produced with disabled employees.

We would like to thank the senior leadership team, councillors, staff, members of the community who are passionate about York who helped us to shape the assessment and its recommendations. The actions from this EFLG assessment will be used to create an Equity, Diversity & Inclusion Strategy 2024 – 2027.

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# City of York Council

## Draft Equity, Diversity & Inclusion Strategy

2024 - 2027

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Our Vision

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## Our Vision

As a core commitment within our Council Plan we are ambitious for and committed to achieving continuous improvement and equality across all our services and functions. We aim to deliver services that are equally accessible to all our customers and to implement robust strategies and policies that are person centred and considerate of needs. As an employer we will ensure equity in the recruitment, training and promotion of our employees. We will also celebrate diversity within the workplace and our city, encourage our employees to embrace continuous learning and development in all aspects of their role as officers and as individuals supporting our communities. As part of this process our Equity, Diversity & Inclusion Strategy aims to ensure we deliver on our commitments and, drive change at all levels of the Council.

We will collaborate with our strategic partners, as well as employees, trade unions, community groups, service users, residents and customers to co-produce initiatives and deliver the change we aspire to. We are proud to continue deliver against our commitments as a Human Rights City and City of Sanctuary, and seek to support and include all members of our communities to be the best they can be in our city.

Our Equity, Diversity & Inclusion Strategy 2024 - 2027 is a working document, which will be constantly under review by our Corporate Equity, Diversity & Inclusion Group as well as our external stakeholders and we welcome any comments and collaborative working, which may inform the process. We will report annually in April 2025, 2026 and 2027 on the progress we have made and include any new actions.

We believe that this Strategy and action plan not only highlights the council's commitment to achieve true equity, celebrate diversity and secure the inclusion of all, but also makes us transparent and accountable.

Finally, we would like to express our support for and commitment to this strategy and look forward to seeing positive outcomes and benefits emerge from its implementation.

***Cllr Claire Douglas***  
***Leader of the Council***

***Ian Floyd***  
***Chief Operating Officer***

Consultation Draft

## 1 Equity, Diversity & Inclusion (ED&I) Statement

### Equity

*Equity* is about the fair treatment for all people, so that strategies, policies, procedures and practices that are being implemented ensure that protected characteristic identity is not predictive of life chances, opportunities and outcomes.

Equality presumes that all people should be treated the same. However, equity has a different approach. Equity takes into consideration a person's or a community's protected characteristics, for example disability, race/ethnicity, gender, religion/belief, age, sexual orientation, gender reassignment/identity, social class, maternity/paternity, marriage or civil partnership (in employment), sex and promotes the adjustments to service or employment practice to ensure that the outcome is equal. Equity recognises that structures, bias and lack of opportunities lead to disadvantage.

### Diversity

The Council values diversity and recognise that different people bring different perspectives, ideas, knowledge and culture and that this difference brings great strength. A wider talent pool provides new perspectives and is proven to create innovation.

We believe that discrimination or exclusion based on individual characteristics and circumstances, such as age; disability; caring or dependency responsibilities; gender or gender reassignment, identity or expression; marriage and civil partnership status; political opinion; pregnancy and maternity; race, colour, care experience; nationality, ethnic or national origin; religion or belief; sexual orientation; socio-economic background; trade union membership status or other

distinctions, represents a waste of talent and a denial of opportunity for self-fulfilment.

We expect commitment and involvement from all our staff, partners and providers of goods and services in working towards the achievement of our vision.

## **Inclusion**

Inclusion is about workplace experiences and the degree to which employers involve and embrace all employees, recognise that their diversity adds to value to the council, it's service users, communities, external stakeholders and create more innovative solutions and meaningful contributions. National and international evidence illustrates that inclusive cultures lead to diverse workplaces.

## 2. Our Equity, Diversity & Inclusion Commitment

*To achieve our vision we will value diversity in our communities, promote an inclusive society and oppose all form of intolerance and prejudicial discrimination, whether it is, intentional, unintentional or intentional.*

*City of York Council is therefore committed to :*

- *Working in partnership with all communities in York to ensure they are fully involved in democratic decision-making processes;*
- *Promoting diversity and fighting intolerance through our work with all our partners in the public, voluntary, community, independent and private sectors, locally and regionally;*
- *Ensuring all council services (and information about them) are available to, and shaped to meet the different needs of, all our city's communities. Also, that users are involved in the co-design and development of those services;*
- *Taking positive action to prevent harassment and victimisation of residents, service users and employees;*
- *Ensuring equal access to jobs at all levels of the council so that our workforce aims to reflect York's diversity;*
- *Distributing/facilitating grants and other resources to reflect the diverse needs within the city;*
- *Implementation of this policy by all Members and employees;*

- *Ensuring our employment policies and practices do not prejudicially discriminate. This includes those dealing with recruitment, promotion, training, grievance, capability, discipline and retention;*
- *Providing support and training to ensure this policy makes a difference;*
- *Ensuring regular and effective monitoring and review of the implementation of this policy and action plan so that we make a difference and continuously improve our equalities practice.*

Consultation Draft



### **3. Our Promise.**

We believe that equality is essential to building strong cohesive communities. Our promise is to ensure that ED&I is an essential ingredient in becoming a vibrant community. The challenge for our ED&I Strategy is to be able to live up to and embrace the commitments made in our Council Plan 2023 – 2027 ‘One City for All’

Our Council Plan commits us to demonstrate both quality and equality to all York’s, citizens, service users, our staff and the people who visit us.

### **4. Our Objectives (what we will do)**

Our Equity, Diversity & Inclusion Statement pledges us to:

- Developing and promoting anti-discrimination policies and practices at all levels of the council and in delivery of our services to the public.
- Improving equity practice at corporate, service and individual levels throughout the council.
- Develop a systematic process of conducting equality impact analysis and needs/requirements assessments, across all protected characteristic groups across all service areas as part of business and decision-making processes.
- Provide ongoing training and support for staff and members to help them to meet their duties under the Equality Act of 2010, raise awareness of this Policy and ensure residents of York are treated with dignity and respect, and continue to report on progress.

- Implement our Equity, Diversity & Inclusion Action Plan 2024 – 2027 and seek to achieve ‘Excellence’ against the Equalities Framework for Local Government (EFLG) by March 2027

## **5. Our Equity, Diversity & Inclusion Strategy 2024 - 2027**

Aims to:

- Ensure that services are designed, co-ordinated and delivered to manage diversity effectively by tackling inequality and social exclusion.
- Engage in equality analysing strategies, policies and procedures and setting equality objectives.
- Ensure that services are accessible, welcoming, culturally sensitive and responsive to the needs of our diverse city and communities.
- Ensure that we enable people and communities to fully participate in consultation over the planning and delivery of council services that affect them.
- Ensure that we work with our partners to pursue equality and diversity objectives across the public, voluntary and business sectors of York.
- Ensure that we respond quickly and effectively to legislation and national policy initiatives on anti-discrimination measures and practices.
- Ensure that we effectively monitor how well we are achieving our goals to eradicate discrimination, hate crimes and anti-social behaviour from York

## **6. Responsibilities.**

The Executive has collective councillor responsibility for the delivery of the ED&I Strategy. Each Executive Member also has responsibility for reviewing and evaluating equalities as appropriate for their portfolio area.

The Human Rights and Equalities Board alongside our Scrutiny Committees will be able to scrutinise the delivery of the plan over the three years.

We will secure a mechanism by which resident and stakeholder voices can be heard to feed into the development of policies and strategies, with consideration of their rights through Human Rights and Equalities Analysis tool.

The Chief Operating Officer will take the lead responsibility for the overall management of the Equity, Diversity & Inclusion Strategy and Chair the Council's new Corporate Equity, Diversity & Inclusion Group.

Directors and Heads of Service are expected to demonstrate commitment to ensuring that the ED&I Strategy 2024 – 2027 is implemented at every level of the organisation.

All members of staff are required to support the ED&I strategy, policies, initiatives and ensure that members of the public, service users or employees are not discriminated against on the grounds of their race, age, disability, ethnic origin, nationality, gender, dress, colour, religious belief, maternity/paternity, HIV or other medical status, social or economic status, marriage or civil partnership, sexual orientation or gender assignment, socio-economic status, caring responsibilities or care experience.

## **7. How we will Equality Analyse our Strategies, Services, Functions and Policies.**

We will use equality impact analyses across all our key functions in relation to all protected characteristics using our Human Rights and Equality Analysis Toolkit.

We will:

- Establish clear aims and objectives for the policy to be assessed.
- Consider available qualitative and quantitative data.
- Assess how each option being considered will directly or indirectly impact on our community.
- To formally consult all relevant stakeholders which will primarily include service users, voluntary and community organisations, staff members and their associations and trade unions.
- Monitor and review the changes made to the policy or service.
- Publish the results of the Human Rights and Equality Analysis.

## **8. Monitoring and Evaluating the Strategy & Plans.**

We will ensure that our service plans address issues in a tangible manner that is open to inspection. We will:

- Challenge – whether the service meets the needs of all sections of the community.
- Compare – how well our services are performing from the point of view of all groups, against other service providers.
- Consult – effectively over services and ensuring that we include all hard to reach groups and carry out the consultation in a non-discriminatory and inclusive manner.
- Compete – Ensure that service providers conduct equality analysis and set equality objectives effectively.

We will publish an annual report which will:

- Report on completion of action plans, outcomes and related performance measures;
- Update action plans; and
- Update this strategy in response to any changes in the council and city's strategic and policy framework.

## **9. Equality Act 2010 and Public Sector Equality Duty**

The Equality Act 2010 came into force on 1st October 2010 with further provisions being enforced on 6th April 2011, to bring all existing discrimination laws together into one piece of legislation that addresses employment, provision of goods and services, and property.

The Act includes a Public Sector Equality Duty (PSED) which was extended

to address age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, \*marriage and civil partnership and pregnancy and maternity. These groups are often called “protected characteristics” (PC’s)\*\*

The Public Sector Equality Duty (PSED) consists of two parts, which the council must meet when carrying out its functions:

(1) The General Duty (section 149 of the Equality Act 2010) requires the council to have due to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a relevant Protected characteristic and persons who do not share it, and to
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

These are often referred to the three aims of the general equality duty.

To advance equality of opportunity, the council must have due regard to the need to:

- removing or minimising disadvantages suffered by people due to their protected characteristics
- taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

This includes treating some people more favourably than others in order to redress existing inequality and taking into account the needs of disabled people.

*\* Marriage and civil partnership and pregnancy and maternity only apply to the first aims of the general duty, not to the other aims (i.e. “advancing equality of opportunity” and “good relations”)*

*\*\* These PC’s are explained in more detail on the City of York council’s website:*

(2) The Specific Duties, set out below, are legal requirements designed to help the council meet the general duties of the PSED.

They are:

- Publishing equality information on its workforce and service in an accessible way annually thereafter.
- Publishing its own equality objectives. These objectives must be based on equality evidence and analysis, they must be specific and measurable, and be reviewed and revised at least every four years.
- Publishing evidence of equality analysis (formerly known as equality impact assessment) undertaken and information used to establish whether policies, practices and decisions further the equality aims of the general duty or have an adverse effect on different groups. If there is evidence of the latter, the council should consider whether there are ways of mitigating any adverse impact identified.
- Publish information about engagement with people who have an interest in furthering the three aims of the general duty.

The Equality and Human Rights Commission (EHRC) is responsible for monitoring and assessing local authorities’ compliance with the equality duty, and

has the power to serve notices on local authorities that fails to comply. The equality duty can also be forced by Judicial Review via the EHRC, a group or individuals with an interest in the duties of the Equality Act 2010

## **10. The Equity Diversity & Inclusion Action Plans**

In taking the actions and meeting our obligations which are set out in the attached action plans (*in development*), we will expect to achieve a number of outcomes which show real improvements over a period of time.

These are:

- A workforce that aims to be representative of the communities in York, and an improved employee profile at all levels of the organisation.
- Better access to services and more accessible services.
- A caring and responsive council which meets the needs of all members of the community, increased customer satisfaction across all areas.
- Improved service provision which reflects the needs of the people of York.
- Meet their duties under the Equality Act of 2010, raise awareness of the Equality Policy and ensure residents of the City are treated with dignity and respect as we deliver services.

### Scope:

The scope and action plans incorporate other recent policy developments and commitments such as:

- The Social Model of Disability
- Anti-Racism Strategy and Action Plan (City and Council).





<b>Meeting:</b>	Executive
<b>Meeting date:</b>	18/04/2024
<b>Report of:</b>	Corporate Director of Adult services and Integration (DASS)
<b>Portfolio of:</b>	Councillor Jo Coles - Member for Health, Wellbeing and Adult Social Care

## Decision Report: Recommissioning of Sensory Services in York

### Subject of Report

1. The Council of the City of York (“**CYC**”) and Wilberforce Trust first entered a contract on 1<sup>st</sup> April 2017 for the provision of the Sensory Impairment Service (the “**Contract**”) after a full competitive tendering exercise was completed. The Contract is due to come to an end on 30<sup>th</sup> September 2024.
2. The purpose of this report is to seeks approval from the executive to go out to the market and commence a competitive tender process to re-procure Sensory Impairment Services in York. This will enable CYC to go through a process that is fair, open, and transparent, and will ensure CYC secures value for money and the best outcomes for our customers.
3. The budget per year stands at £170,790 in addition to children’s mobility training of £16,224p.a. which totals to a ceiling value of £187,014 p.a. The total contract value for the Sensory Support Service contract that will be advertised to invite competitive tenders is £935,070 over the term of the contract, which is for an initial term of 3-years, with an option to extend for up to a further 2-years from 1st October 2024.

4. In line with Section 2 of the Care Act 2014, 'Preventing, reducing or Delaying Needs' makes specific reference to those with Sensory Impairments. The Sensory Hub (which acts as a single point of referral) ensures that adult customers with sensory impairment(s) are offered:
- Advice and information - that helps prevent, reduce, or delay the need for ongoing care and support.
  - Registration-registration process for Certificate of Visual Impairment (CVI).
  - Sensory Impairment Assessments
  - Rehabilitation services for people with a visual impairment.
  - Access to Daily Living Equipment
  - Deafblind Support.
5. Maintenance of a Sight Register is a statutory requirement for the council. Under Section 77 of the Care Act 2014, local authorities are legally required to establish and maintain a register of sight-impaired and severely sight-impaired adults who are ordinarily resident in their area.

## Benefits and Challenges

<b>Table 1 – Pros and Cons detail</b>
<p><b>Advantages (Pros)</b></p> <ul style="list-style-type: none"> <li>• CYC will be fully compliant with CYC's Contract Procedure Rules (CPR) and the Procurement Regs by tendering the Sensory Support Service on our tender tool YORtender.</li> <li>• Offers an important opportunity to shape the Sensory Service with a re-developed specification outlining clear expectations of service delivery and outcomes for our customers, providing transition from children to adult's services.</li> <li>• Providers will progress through a neutral selection process with clear set obligations and the selection will be made based on a rigorous evaluation of what CYC requires.</li> <li>• The new Contract will have an initial term of 3-years, with an option to extend for up to a further 2-years (5-year Contract).</li> </ul>
<p><b>Disadvantages (Cons)</b></p> <ul style="list-style-type: none"> <li>• Tendering services does not mean that there is a guarantee of Providers bidding for the Sensory Service. However, CYC has currently two major providers which provides a sustainable open market.</li> </ul>

- To complete the tendering exercise can be time consuming and will require commitment of staff resources from various departments. The open procedure will be used that will combine stages of the process and is the fastest procedure to progress.

### Key Risks

- Tendering the Service does not mean that there is a guarantee of Providers bidding for the Sensory Support Service, and this would lead to CYC not providing statutory services in line with the Care Act 2014.
- Timescales to reprocure the Service are sufficient currently but if there are delays within the process this may not allow sufficient time to embed the new service if there is a new Provider.
  - The Pension Scheme implications.
  - TUPE implications.

## Policy Basis for Decision

6. The All-Age Commissioning Strategy, Market Sustainability Plan and the 10-year vision 'People at the Heart of Care: adult social care reform paper' clearly outlines that the Council will work with existing Providers within the market to provide sustainable, quality and value for money services.
7. **Section 2 of the Care Act 2014** 'Preventing, Reducing or Delaying Needs' states that statutory guidance outlines outcomes for individuals, groups and local populations and makes specific references to people with a sensory impairment. The service will contribute to the following key areas as highlighted in the care Act; Prevention; Assessment and eligibility; Information and Advice; Charging; Registers.
8. **The Equality Act 2010** is also very significant for sensory impaired people. It requires all organisations that provide a service to the public to make reasonable adjustments to those services to ensure they are accessible to everyone.
9. Sensory Support Services in York directly support the achievement of The Council Plan 2023 to 2027, **One City, For All**, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:
  - a) **Health**-Improve health and wellbeing and reduce health inequalities.

- b) **Equalities and Human Rights**- Equality of opportunity
- c) **Affordability**- Tackling the cost-of-living crisis.

## Financial Strategy Implications

10. The current annual value of the contract is £186,300. However, the budget for the contract is £170,790, therefore the contract is currently overspending by £15,510 p.a. This will be in addition to Special educational needs and disabilities (SEND) contribution to children's mobility training of £16,224 p.a. bringing the annual contract value of **£187,014 p.a.** The total ceiling contract value for the Sensory Support Service contract that will be advertised to invite competitive tenders is £935,070 over the term of the contract (total of 5 years, 3 initial +2 years), from 1st October 2024. The re-procurement provides an opportunity to review value for money for this contract and address the current overspend.
11. The current Sensory Support Hub model which acts as a single point of access for all sensory needs in York has driven efficiencies to the statutory provision. The proposed future contract will be performance related payment to ensure efficiencies are achieved within the entirety of the contract.

## Recommendation and Reasons

12. **Recommendation(s):**
  - a) To approve the procurement of a new contract for the Sensory Support Service for an initial term of 3-years, with an option to extend for up to a further 2-years.
  - b) To delegate authority the Corporate Director of Adult Services and Integration (and their delegated officers) in consultation with Chief Finance Officer (and their delegated officers in Commercial Procurement) to commence procurement from the market for a new contract for the Sensory Support Service for an initial term of 3-years, with an option to extend for up to a further 2-years via an open, fair and transparent competitive process and evaluation criteria in compliance with the Council's Contract Procedure Rules under Appendix 11 of the

Council's Constitution (the "**CYC's CPRs**") and (where applicable) under the Light Touch Regime under Regulations 74 to 76 and Schedule 3 of Public Contract Regulations 2015 (the "**Procurement Regs**")

- c) To delegate authority to the Corporate Director of Adult Services and Integration (and their delegated officers), in consultation with the Director of Governance (and their delegated officers in Legal Services), to determine the provisions of the new contract for the Sensory Support Service, and the provisions of any subsequent modifications and/or extensions thereto.
- d) To delegate authority to the Corporate Director of Adult Services and Integration (and their delegated officers), in consultation with the Chief Finance Officer (and their delegated officers in Commercial Procurement) and the Director of Governance (and their delegated officers in Legal Services), to award and conclude the new contract for the Sensory Support Service following an open, fair, and transparent competitive process and evaluation criteria in compliance with the Council's CPRs and (where applicable) the Procurement Regs.

**Reason(s):** The option proposed will comply with CYC's CPRs and the Procurement Regs in terms of completing an open, fair, and transparent process as the market has not been approached since 2017.

Further, the provision of the Sensory Support Service ensures the Council meets the statutory duty under the Care Act 2014 through prevention and delay, and the ability to plan anticipated needs (rehabilitation), assessment and eligibility, information and advice and registration data (Certificate of Vision impairment).

## **Background**

- 13. In York there are an estimated 7,140 people living with sight loss. This includes around 4,600 people living with mild sight loss, 1,580 people living with moderate sight loss and 960 people living with severe sight loss. Of the above, there are 1,035 people registered as blind or partially sighted. Roughly half are registered as blind and

half as partially sighted. By 2032 there are expected to be 8,410 people in York living with sight loss, an estimated increase of 18% over the next decade.<sup>1</sup>

14. An estimated 22,600 people have a moderate or severe hearing impairment, and 510 people have a profound hearing impairment. An estimated 1,360 people are living with some degree of dual sensory loss in York. Of these people, it is estimated that 550 are living with severe dual sensory loss.<sup>2</sup>
15. The current Wilberforce Trust Contract commenced on 1<sup>st</sup> April 2017 for 3-years to 31<sup>st</sup> March 2020 plus the option of a further 2-year extension until 31<sup>st</sup> March 2022 with a further 6-months agreed to 30<sup>th</sup> September 2022. The final 2-year extension was agreed from 1<sup>st</sup> October 2022 to 30<sup>th</sup> September 2024. The team provide a supportive service to anyone living with any degree of visual or hearing loss, and a separate contract called the children's mobility service.
16. In line with the Care Act 2014, the Sensory Hub (which acts as a single point of referral) ensures that adult customers with sensory impairment(s) are offered:
  - **Advice and information** - that helps prevent, reduce, or delay the need for ongoing care and support.
  - **Registration** - inform and advise people on the benefits of registration and complete the registration process for Certificate of Visual Impairment (CVI).
  - **Sensory Impairment Assessments**- identify people's support needs on a day-to-day basis, recognising any risks or challenges as a result of their sensory loss.
  - **Rehabilitation services** - for people with a visual impairment. The Service will offer rehabilitation support for eligible customers with visual impairment or who are Deafblind. There is a separate service for Children's mobility training.
  - **Support Plans**- through (and regular reviews of support plans) for customers receiving an ongoing intervention through this service.
  - **Access to Equipment**- to support daily living

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<sup>1</sup> <https://www.rnib.org.uk/professionals/health-social-care-education-professionals/knowledge-and-research-hub/key-information-and-statistics-on-sight-loss-in-the-uk/>

<sup>2</sup> <https://www.rnib.org.uk/professionals/health-social-care-education-professionals/knowledge-and-research-hub/key-information-and-statistics-on-sight-loss-in-the-uk/>

- **Deafblind support-** who are unable to benefit from those services aimed primarily at Visually Impaired or Deaf/Hard of Hearing customers.
17. In addition, the Service demonstrates added value by either directly providing or referring adults with sensory impairment(s) to the following types of support services:
- Volunteering and befriending services.
  - Equipment Demonstration and Resource Centre(s).
  - Counselling and emotional support services.
  - Employment and welfare support.
  - Education and training.
  - Social and leisure activities.
  - Community and peer support.
  - Other initiatives and forms of support.
18. The service has a separate contract with the SEND team providing Mobility Training for children and young people (CYP) in York. Initially this was to provide short-term support but has grown into a longer-term commitment. Since starting the work in September 2021, the Rehab team have provided regular support to CYP and further advice or assessment to others. Supporting and monitoring the progress of children with VI is a statutory requirement to ensure their needs are being met, as stated in the Children and Families Act, 2014 and SEND Code of Practice, 2015. Currently this involves mobility services for children and young people with a vision impairment.

## **Contract Monitoring and Performance**

19. Since contract inception on 1<sup>st</sup> April 2017, The Wilberforce Trust continues to satisfactorily deliver the contract under outcomes related to:
- Prevent, Reduce and Delay the need for ongoing Support
  - Provide Excellent Experiences of Care and Support
  - Flexible, Choice and Control
  - Linkages and Connections
  - Provision of accessible daily equipment.
20. Key highlights included a steady increase in total contacts since covid which affected the service. Contacts related to hearing loss reduced after the covid pandemic which affected the service. There has been a steady rise with contacts related to dual sensory

impairments and visual impairments. CVI registrations have remained steady. The table below summarises outcome 1 on prevention.

*Diagram 1: Prevent, reduce, and delay the need for ongoing support*

<b>Outcome 1:</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023 Minus Q4</b>	<b>Total Contacts Type</b>
Total Contacts	513	765	600	316	387	544	427	<b>3552</b>
Total New Contacts	363	461	380	173	226	295	231	<b>1925</b>
Contacts related to Hearing Loss	230	332	264	114	121	158	141	<b>1360</b>
Contacts related to Dual Sensory Impairment	14	49	33	28	30	47	31	<b>204</b>
Contacts related to Visual Impairment	209	371	303	174	234	327	245	<b>1863</b>
CVI registration	31	106	111	72	78	88	69	<b>555</b>
Total contacts annually	1360	2084	1691	877	1076	936	1144	<b>Total contacts: 9459</b>

21. Providing effective, consistent, and joined up sensory provision for customers and their carers- self-referrals was the most preferred referral type followed closely by hospital referrals. At its peak, 2019 represented the most referrals which dipped due to covid but saw its peak in 2022.
22. The redesigned, reviewed and expanded brand new demonstration Sensory hub in February 2023 led to rise in enquiries and support required around items and equipment's. Items have been updated such as telephones, tinnitus relieving device, daily living aids,



technology and much more. The New equipment and resource hub has offered an updated technology and comprehensive choice of equipment.

23. The service has been able to maintain their waiting list (27 cases last year) and allocation time, mainly attributed to the other voluntary sensory support services in York as identified in the survey.
24. Covid enabled the service to innovate on how they communicate with their clients in alternative formats such as sign Video app for BSL, online meetings and audiobooks.
25. The commissioning team have conducted annual reviews with the provider that are focused on the following domains:
  - Enjoying and achieving- customer feedback has been positive where support has enabled their daily life to be impacted such as using an issued writing frame to be able to send handwritten letters or a liquid level indicator to be able to return a warm drink to their spouse.
  - Making a positive contribution-promoting independence, person centred assessments and working together with the customers on mobility training.
  - Social inclusion- customer feedback around accessing other agencies for support not provided such as MySight befriending or support groups.
  - Being Healthy-providing advice and information, ensuring equipment, advice, support, or training is provided to a high standard and appropriate signposting or onward referrals.
  - Develop sustainable social networks- Partnership working with RAD and teachers for the Deaf to develop strong links with the Deaf community, collaborative and partnership working with others in the sensory loss sector, such as Let's Get Active, with Thomas Pocklington Trust, Sight Loss Councils and MySight York.
  - Community participation- social media, signposting to organisations, collaborative events with other agencies.

- Reduction in social isolation- such as outreach support, advice and information while conducting assessments and signposting to other befriending agencies.
  - Promote choice and self-determination- Provision of assessments and support promoting self-independence.
  - Staying Safe-Onward referral to other teams and providing equipment to support with safely managing daily living tasks.
26. The proposed future contract will be performance related payment to ensure efficiencies are achieved within the entirety of the contract.

## Engagement around Future service delivery

### Methodology

27. To support this consultation, a task and finish group was conducted on 5 October 2023 to review the survey questions and discuss the communication and engagement plan. The group included people with lived experience of sensory loss and other stakeholders, including representatives from The Wilberforce Trust (YorSensory), MySight, York Older People's Assembly and North Yorkshire Sight Loss Council.
28. The survey was conducted for 10 weeks between 1<sup>st</sup> November 2023 to 8<sup>th</sup> January 2024 offered in different formats to ensure accessibility. The survey sought people's views about the current service provision and what changes could make improve the service (Further Information on **Annex A**)

### Survey Outcome

29. The survey responses showed that people with sensory loss rely on a wide range of services in York, beyond those which are funded by the council. It is clear these services are vital in supporting people's independence and wellbeing, but that more needs to be done to make it possible and easier for people to get out of their homes, access services, and stay connected to people and the community (Full report on **Annex A**).
30. Customers highlighted the following regarding the future provision of the service: Better Access to information and communication, better access to public spaces and services, better assistive technology and good quality equipment, improved awareness and

understanding of sensory loss, better access, and experience to transport services.

31. Customers indicated the following **outcomes** if the above were achieved; Being independent, staying mobile and getting out, improved communication, staying connected, feeling safe and more confident, being supported and ongoing support.

An example of some of the comments regarding independence were “Give me more freedom and independence”,

“I would be less reliant on others when shopping / taking medication.”,

“My wife struggles with her mental health and the changes to her sight. She is scared about how she will cope if I am not around to help her. She relies on me for a lot of her care needs.”

32. To summarise, the responses highlight the need for:

- Better promotion of sensory support services to ensure they reach out to all potential customers.
- Ongoing access to equipment and technology to support daily living, making sure it is of sufficient quality, and people know how to use it.
- A range of options for communicating with services, to meet people’s communication needs.
- Work to increase public awareness and understanding of sensory loss.
- Ongoing support for people as their needs and circumstances change, and the ability to access services when they need them rather than having to wait.

33. Participants of the deaf Café were also asked to give their views regarding the current sensory provision, of which, most related to lack of BSL interpreters mostly in Health settings. The Council got in touch with the PALS team at York Hospital who have agreed to co-produce with the deaf Café in a tendering exercise for a new provider of BSL Interpreter services at York Hospital as well as deaf volunteers to support deaf community in the hospital setting which resulted in a positive experience within the deaf community. There have also been improvements in relations with the YorSensory services in York. YorSensory offers and pays for the Sign Video subscription to ensure that people who use BSL are able to communicate with them if in need of sensory assessments for their customers or assign freelance face to face BSL interpreters.

## Organisational Impact and Implications

### *Financial Implications*

34. The current annual value of the contract is £186,300. However, the budget for the contract is £170,790, therefore the contract is currently overspending by £15,510 p.a. This will be in addition to Special educational needs and disabilities (SEND) contribution to children's mobility training of £16,224 p.a. bringing the annual contract value of **£187,014 p.a.** The total estimated contract value for the Sensory Support Service contract that will be advertised to invite competitive tenders is £935,070 over the term of the contract, which is for an initial term of 3-years, with an option to extend for up to a further 2-years from 1st October 2024. The re-procurement provides an opportunity to review value for money for this contract and address the current overspend.
35. The proposed future contract will be performance related payment to ensure efficiencies are achieved within the entirety of the contract.

### *Procurement Implications*

36. The total estimated contract value for the Sensory Support Service contract that will be advertised to invite competitive tenders is £935,070 over the term of the contract, which is for an initial term of 3-years, with an option to extend for up to a further 2-years from 1st October 2024. Therefore, this procurement does exceed the current Light Touch Regime (LTR) threshold of £663,540 which is applicable to Health and Social Care contracts. Therefore, the Public Contract Regulations 2015 stipulates that where a contract exceeds the LTR threshold a Contract Notice must be published in the public domain i.e., the website "Find a Tender", to invite competitive tenders to complete an evaluation and award of the contract.

The procurement for the Sensory Support Service will be advertised on the e-tendering website Yortender and also a Contract Notice will be published in the UK Government portal "Find a Tender" to advertise the commencement of the procurement exercise which will be conducted in an a compliant, open, transparent, and fair procedure in accordance with the current legislation of the Public

Contract Regulations 2015 (PCR's 2015) and also our CYC's Contract Procedure Rules (November 2023).

The Commercial Procurement team will support All Age Commissioning colleagues with going out to the market and commence a competitive tender process to re-procure Sensory Impairment Services in York. And enable CYC to go through a process that is fair, open, and transparent, and will ensure CYC secures value for money and the best outcomes for our customers.

There may be the consideration of existing staff from the current service provider Wilberforce Trust that support the delivery of the current Sensory Impairment Service contract who potentially may be liable to transfer under the provisions of TUPE (Transfer of Undertakings Protection of Employment) which will include actions before, during and after the tender period that need to be included into the Procurement Timetable, contract, evaluation of tenders and suitable timescales assigned to enable a seamless transfer of any staff that might be liable to transfer under TUPE to the successful bidder, if the incumbent provider doesn't tender or isn't awarded the contract following the completion of the evaluation of tenders received.

### ***Human Resources (HR) Implications***

37. If the current providers are successful in winning the contracts, there are clearly no HR implications for CYC. If other providers are successful in winning the contracts, TUPE is likely to apply, assuming that the employees attached to the undertaking fulfil the criteria to TUPE to the successful provider. The onus would then be on the current provider to ensure the Pensions assessment of the two schemes are broadly comparable.
38. If there are no successful providers and given that this is a statutory service, and the service was therefore 'In-sourced' it is likely that TUPE would apply assuming that the employees attached to the undertaking fulfil the criteria to TUPE. There would then be the associated pensions due diligence / actuarial assessment to ensure that the NYP was broadly similar to that of the current providers.

## ***Legal Implications***

### **39. Authority/Vires**

- a) Section 111 of the Local Government Act 1972 states that CYC may do anything that is calculated to facilitate, or conducive or incidental to, the discharge of any primary function.
- b) Section 1 of the Localism Act 2011 permits CYC to do anything that individuals generally may do.
- c) Under Rule 8.11 of the CYC CPRs, only the Executive may agree, or authorise another Officer to enter a contract under their delegated powers where the aggregate contract value (including any extensions) is worth more than £500,000 or is otherwise treated as a Key Decision. Given the likely value of the new Contract for the Sensory Support Service, and the likely impact it will have on the community, any decision in relation to this report will constitute a “Key Decision” under Article 7 of the CYC Constitution. The Executive is therefore the appropriate decision-making body in this instance.
- d) Any Key Decision (and any decision as to whether a matter should be considered a Key Decision) is subject to Call-In.
- e) The proposed procurement is also, in Legal’s view, not a “Routine Procurement.”

### **40. Statutory Duties**

- a) Under Section 2(1) of the Care Act 2014, CYC are under a duty to provide or arrange for the provision of services, facilities, or resources, or take other steps, which it considers will:
  - i. contribute towards preventing or delaying the development by adults in its area of needs for care and support;
  - ii. contribute towards preventing or delaying the development by carers in its area of needs for support;
  - iii. reduce the needs for care and support of adults in its area; and
  - iv. reduce the needs for support of carers in its area.

**41. Contract & Procurement Law Implications**

- a) The likely value of the proposed contract means any procurement of as a result of this Report will be likely be above the procurement threshold for the Light Touch Regime under the Procurement Regs.
- b) Any new Contract will need to be commissioned via a compliant procurement route under (where applicable) the CYC CPRs and the Procurement Regs, with advice from the Commercial Procurement team (see **Procurement Implications** above). An appropriate form of contract will need to be drafted and completed with support from Legal Services. Legal Services must also be consulted with on any proposed extensions and/or modifications to any new Contract post award.
- c) If CYC proceeds with going out for procurement, Adults & Integration must also consider and factor into their planning any relevant provisions under the current Contract, including (but not limited to) any relevant provisions with regards to the relevant transfer of staff from the Wilberforce Trust to any replacement provider under TUPE. Further advice on any requirements upon termination/expiry within the Contract must be obtained from Legal Services before proceeding with this option, as well as advice from other relevant departments (e.g., HR and Finance in respect of any TUPE/Pension related issues).

**Health and Wellbeing Implications**

42. Overall, sensory services have a direct and positive impact on health and well-being outcomes by addressing various aspects of resident's experiences. By engaging the senses in positive and therapeutic ways, these services can directly contribute to improved health outcomes and enhance overall quality of life for those effected residents and their families. The services also have a preventative function enabling people to be more independent and thus avoiding preventable ill health, the Public health team is supportive of the way forward proposed in this report.

**Equalities and Human Rights Implications**

43. CYC recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have

due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

44. An **Equalities Impact Assessment** has been carried out and is annexed to this report at **Annex B**. In summary, the result of the assessment is set out findings from EIA.

The impact of the proposals on protected characteristics has been considered as follows:

- Age – Positive/High
- Disability – Positive/High
- Gender – Positive/Low
- Gender reassignment – Positive/Low
- Pregnancy and maternity – Positive/Low
- Race – Positive/Medium
- Religion and belief – Positive/Low
- Sexual orientation – Positive/Low
- Other socio-economic groups including:
  - Carer - Positive/Medium (see Disability); Positive/Medium
  - Low-income groups – Positive/Medium
  - Veterans, Armed Forces Community– Positive/Low

### ***Data Protection and Privacy Implications***

45. DPIAs (Data Protect Impact Assessment – Annex C) are an essential part of our accountability obligations. Conducting a DPIA is a legal requirement for any type of processing, including certain specified types of processing that are likely to result in a high risk to the rights and freedoms of individuals. Under UK GDPR, failure to conduct a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines. A DPIA is a 'living' process to help manage and review the risks of the processing and the measures the service area(s) have in place on an ongoing basis. It will need to be kept under review and reassess if anything changes.



46. The DPIA “screening questions” identified there will be processing of personal data, special categories of personal data and / or criminal offence data in the procurement of Sensory Support Service and the ongoing provision of this service and so a DPIA is required as part of the ongoing project/ plan/ procurement. The DPIA will help to:

- systematically analyse, identify, and minimise the data protection risks of this project
- assess and demonstrate how we comply with all our data protection obligations.
- minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what we want to achieve.

### ***Communications Implications***

47. The implications of this report for the communications service are minimal, with any post-decision involvement expected to be reactive only in relation to media enquiries about the number and/or quality of commissioned services, and potentially when and if commissioned services come to an end."

## **Options Analysis and Evidential Basis**

48. Per the above sections of this report, it has been recommended to approve the procurement of a new contract for the Sensory Support Service for an initial term of 3-years, with an option to extend for up to a further 2-years.

49. The service will continue to act as a single referral point for all adult customers with sensory impairment(s). The hub is a holistic service pathway which meets all statutory requirements under the Care Act 2014 for sensory impairment provision and offers a range of statutory and non-statutory interventions.

50. Compliance with CYC Procedure rules and Public Contracts Regulations 2015 would reduce any challenges from the market and provide an important opportunity of improving services. The competitive tendering process enable the Council to go through a process that is fair, open, and transparent, and will ensure CYC secures value for money and the best outcomes for our customers.

## Recommended Timelines

51. If the recommended approach is adopted the timeline for implementation of sensory service will be the following:

31<sup>st</sup> Jan 2024: DMT  
 28th Feb 2024: CMT  
 18th April 2024: Executive CMT  
 April-May 2024: ASC Commissioning Team to prepare tender documents.  
 May-June 2024: Tender Process  
 July -Aug 2024: Evaluation and award of the contract  
 Aug-Sept 2024: Implementation Phase  
 1<sup>st</sup> Oct-24: New Service offer commences

## Risks and Mitigations

52. Risks are regularly reviewed and managed with required mitigations and controls put in place to minimise likelihood and impact.

## Wards Impacted

53. All

## Contact details

For further information please contact the authors of this Decision Report.

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<b>Date:</b>	23/02/2024

## **Annexes**

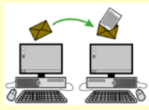



- **Annex A:** City of York Sensory Provision Customer Feedback
- **Annex B** – Equality Impact Assessment (EIA).
- **Annex C** – Data Protect Impact Assessment (DPIA)

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# Resident Feedback Report - Sensory Support Services

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<b>Alternative formats</b>	
If you require this document in an alternative format (e.g. large print, braille, BSL, audio or Easy Read) you can:	
	Email us at: <a href="mailto:cycaccessteam@york.gov.uk">cycaccessteam@york.gov.uk</a>
	Call us on: <b>01904 551550</b> and customer services will pass your request onto the Access Team
	Use our BSL <b>Video Relay Service</b> : <a href="http://www.york.gov.uk/BSLInterpretingService">www.york.gov.uk/BSLInterpretingService</a> Select 'Switchboard' from the menu
	

## **Background**

City of York Council (CYC) has a statutory duty to provide sensory support services for its residents under the Care Act 2014. CYC currently funds The Wilberforce Trust (YorSensory) to provide these services. The YorSensory service provides a wide range of support for adult customers with sight and / or hearing loss. This includes putting people in contact with other specialist services.

As the current contract ends in September 2024, we conducted a survey so we could hear from people who use sensory support services, and those who might need to in the future (and their families and carers). We hoped this would give us a better understanding of what sensory support people need and what needs to improve. The survey was open for 10 weeks from 1 November 2023 to 8 January 2024.

This report summarises the outcome of the survey. The feedback will help us shape the future of the sensory service(s) we commission.

## **What we did**

A copy of the survey can be seen in Appendix 1 of this document.

We met with a task and finish group on 5 October 2023 to review the survey questions and discuss the communication and engagement plan. The group included people with lived experience of sensory loss and other stakeholders, including representatives from The Wilberforce Trust (YorSensory), MySight, York Older People's Assembly and North Yorkshire Sight Loss Council.

The key messages were that the survey should focus less on services funded by the council and more on understanding what people with sensory loss need locally, and how they can access services. And that it was important to promote the survey widely and make it accessible.

We offered different ways to complete the survey, including online, by email (with help to access a computer if needed), by hand, BSL video relay service, and help to complete over the phone. We also provided the survey in alternative formats, including standard and large print electronic and paper copies, braille, Easy Read, British Sign Language (BSL) and audio.

We promoted the survey through the council’s website and internal and external newsletters. We asked partner organisations and service providers to help us reach more people, including those supporting people with learning disabilities (who are more likely to experience sensory loss). Posters were put up in local libraries and we also sent posters to local opticians and hearing centres.

Paper copies were posted to more than 1,000 residents known to have sensory loss, and we tried to contact over 100 people by phone to support people to complete the survey, which included the use of a translator.

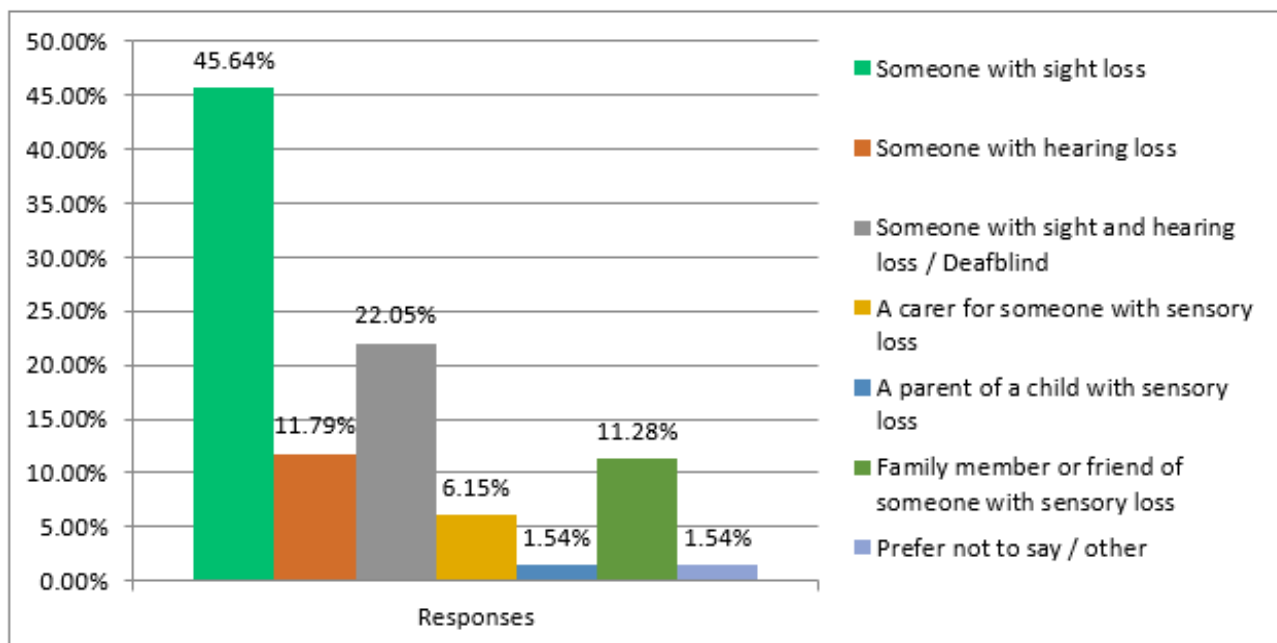
## Survey responses

253 people started the survey. The highest number of responses to a single question was 195.

### Question 1: How would you describe yourself?

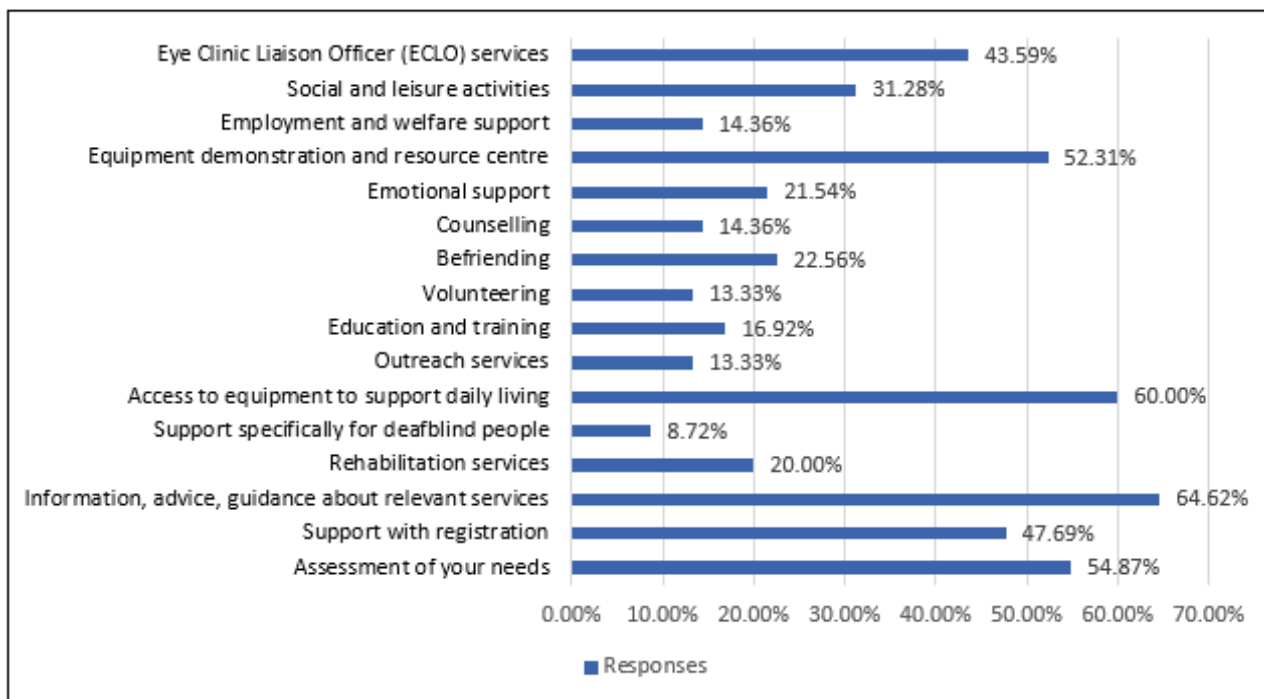
Most responses (46%) were from people with sight loss. 22% described themselves as being deafblind or having sight and hearing loss, and 12% with hearing loss. We also heard from a small number of carers and family members of people with sensory loss.

**Figure 1: How would you describe yourself?**



**Question 2a: Have you (or the person you support) received any of the following support? Which organisation / service provided the support?**

**Figure 2: Type of support**



175 people responded to this question and the responses give a clear indication of the types of support that are widely accessed.

The support received the most was information, advice and guidance about relevant services, followed by access to equipment to support daily living, and then assessment of needs.

Over half of the respondents had used an equipment demonstration and resource centre and just under half had received support with registration, and support from an Eye Clinic Liaison Officer (ECLO).

Over 50 different organisations had provided support to people with sensory loss (confirmed by responses to questions 2a, 2b and 3). People also received support through various NHS and council services. A small number of respondents had also received support through the fire service and DWP / Access to Work.

We have included the full list of organisations in Appendix 2.



In response to questions 2a and 2b, the organisations people mentioned the most (according to how people described themselves) were:

Someone with hearing loss

- YorSensory / Wilberforce Trust
- NHS / hospital services
- Deaf Café
- Council services

Someone with sight loss

- MySight
- Eye Clinic Liaison Officer (ECLO)
- YorSensory / Wilberforce Trust

Someone with sight and hearing loss

- MySight
- Eye Clinic Liaison Officer (ECLO)
- YorSensory / Wilberforce Trust

**Question 2b: Please specify any other sensory loss support you've received along with the organisation or service (if known) that provided it.**

The other types of support people had used the most were:

1. Audio / talking books
2. Home assessment / alterations
3. Benefits information / advice
4. Guide dog services

**Question 3: Please list the 3 types of sensory service support that help you (or the person you support) the most.**

This was a free text question and 131 people told us the types of sensory support service that had helped them the most. These came out on top:

1. Equipment / tech for daily living or work – “The equipment my aunt tried out kept her in touch with life for years.”
2. Eye Clinic Liaison Officer (ECLO)
3. Information / advice / guidance
4. Social / leisure activities
5. Audio / talking books

6. Open / ongoing access to support
7. Befriending
8. Training (mobility / use of tech or equipment etc.)
9. Home visit / outreach and Assessment of needs

#### **Question 4: Thinking about your sensory loss, what is the one thing that would improve your life the most?**

This was a free text question so that people could tell us what would help them live well with sensory loss. There were 156 responses.

Not surprisingly, many people just wanted to have their sight and / or hearing back or improve it.

These were the most common themes, and some of the suggestions:

##### **Access to information and communication**

- Better access to interpreter services, staff trained in British Sign Language (BSL) for face-to-face organisations, like the council, and free sign language tuition for families.
- Not having everything online – call people, provide phone numbers, offer manual systems.
- Provide alternative and appropriate formats to meet needs (large print, audio, BSL etc.). “Human voice should be included as an accessible format.”

##### **Access to public spaces and services**

- Better access into buildings.
- Improved pavements and roads, and better lighting.
- Less street furniture / clutter.
- More hearing loops at venues, better acoustics, more papered walls.
- More audio when out and about, public announcements should be in men’s voices because deaf people lose higher sounds first.
- Clearer notices / signs with better positioning.
- People who work in York establishments being more open to the needs of people with sensory loss.

##### **Assistive technology and equipment**

- Technology that is simple to operate and easier to reset when it goes wrong.

- Help to access the right technology / equipment and support with using it.
- Simple descriptions of innovations.
- Technology that takes into consideration old age and hearing loss.
- Voice controlled equipment.
- Better quality equipment, especially hearing aids.

### **Transport**

- A transport service to get to appointments.
- More accessible and affordable transport.
- Improved transport links.
- Being able to contact transport services (buses, taxis etc.).
- Talking bus stops.

Although not specifically related to sensory loss, one person reported that it was almost impossible to get a taxi if you are in an electric wheelchair.

### **Improved awareness and understanding of sensory loss**

- Greater population awareness of hidden disabilities.
- More deaf awareness and understanding, better campaigns - “people rarely understand the impact and have too high expectations on what a hearing aid actually does.”
- More support and recognition in workplaces.
- Sympathetic understanding by public bodies.
- Businesses and services to be aware of what would help – more training.

### **Help getting out and about**

People shared that they wanted to get out more, and that they needed someone to accompany them (particularly in winter when it is darker).

“I’m struggling to go anywhere after dark, which includes coming home from work. I fell over today because of uneven pavements in the city centre. I need help getting about outside my own home.”

**Other common themes** were around access to healthcare and appointments, help with mobility and independence, having the opportunity to socialise, and emotional support and befriending.

A few people wanted an accessible hub that provides a range of services in one place.

And others wanted simpler processes, and more linked up systems for applying for benefits, council tax discounts, blue badge etc. - "having to do this every few years and provide evidence is just a nightmare and unnecessary for something that is clearly not going to get better".

#### **Question 4(b) How would this help you (or the person you support)?**

There were 135 responses to this free text question. Below are some of the main themes, and some of the comments:

- **Being independent** - "Give me more freedom and independence", "I would be less reliant on others when shopping / taking medication.", "My wife struggles with her mental health and the changes to her sight. She is scared about how she will cope if I am not around to help her. She relies on me for a lot of her care needs." "Make life simpler, less frustrating."
- **Staying mobile and getting out** - "it's a necessity to get out". "At the moment I am struggling staying mobile. I don't want to be trapped in my own home but sometimes I just can't face the obstacle course of the outside world."
- **Improving communication** - "Not being treated like an idiot", "understand conversations better.", "Better and easier access to important services.", "With gradual hearing loss using sign language is essential, this is not available free. Potentially without self-funding our family would be unable to communicate in the future.", "Enable me to hear without so much background noise."
- **Staying connected** - "eliminate the loneliness", "less isolation / exclusion.", "support and company".
- **Feeling safe and more confident** – "This would make me feel safer at a time that I am finding it difficult to retain my independence.", "Registration would help with safety and reassurance that people know."

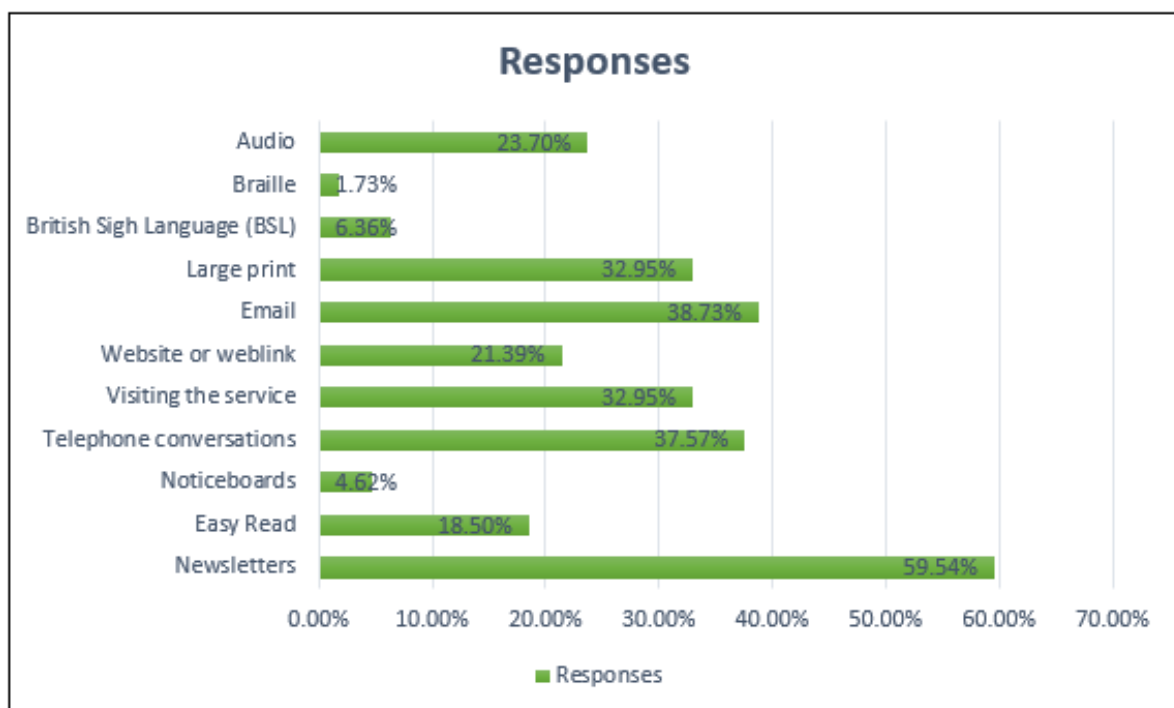
- **Being supported and ongoing support** – “Ability to contact a service when I need it rather than having to wait.”, “Availability of information, help and advice.”, “Speaking to someone who understands, someone with experience.”

### Question 5: How do you prefer to access information about the services?

178 people answered this question, with most favouring newsletters, followed by email and telephone conversations, then large print and visiting the service.

Of those that described themselves as someone with hearing loss, newsletters and emails were the preferred way of communicating, followed by British Sign Language (BSL).

**Figure 3: Access to information**



In addition to the above, other forms of communications included:

- Telephone call with an interpreter
- Smart devices such as Alexa
- Noticeboard in Large print
- Audio USB
- Newsletters in USB or Compact Disc
- Updates at Deaf Café and Deaf society

As well as answering the questions in the survey, people gave feedback relating to specific service providers. Most of the feedback was very positive, demonstrating how much services in the community are valued. Some concern was expressed about services not being able to continue to provide much needed support. There was a small amount of negative feedback, mostly relating to waiting times, poor quality equipment or not being shown how to use it. One person commented that they, “feel like I am going through all of it on my own”.

### **Equality Monitoring Information (About You) Section**

165 people agreed to completing this section of the survey and varying numbers responded to each question. Of those that responded, the most relevant to sensory support highlighted that:

- Most were age 65 and over (65%).
- A high number were female (71%) compared to male (27%).
- 66% confirmed they had physical or mental health conditions or illnesses lasting or expected to last 12 months or more. And 41% felt that their conditions or illnesses reduce their ability to carry out day-to-day activities a lot.
- 22% of respondents look after or give help or support to someone because they have long-term physical or mental health conditions or illnesses, or problems related to old age (excluding that which is part of paid employment).

### **Summary**

The survey responses show that people with sensory loss rely on a wide range of services in York, beyond those which are funded by the council. It is clear these services are vital in supporting people’s independence and wellbeing, but that more needs to be done to make it possible and easier for people to get out of their homes, access services, and stay connected to people and the community.

The responses also highlight the need for:

1. Better promotion of sensory support services to ensure they reach out to all potential customers – some people did not seem to be aware of the range of support available or how they could access it.

2. Ongoing access to equipment and technology to support daily living, making sure it is of sufficient quality, and people know how to use it.
3. A range of options for communicating with services, to meet people's communication needs. These include newsletters, emails, telephone conversations, large print, the option to visit a service and better access to interpreter services and BSL learning.
4. Work to increase public awareness and understanding of sensory loss.
5. Ongoing support for people as their needs and circumstances change, and the ability to access services when they need them rather than having to wait.

Some of the feedback related to issues outside the scope of sensory support services but showed the need for improvements relating to areas such as transport and accessibility of public spaces and venues.

## Next Steps

We will use this valuable information and feedback to help us shape the future of sensory services in York and ensure that residents with sensory loss are listened to.

The results will be shared on York Open Data. Responses that relate to other council services will be passed on to support improvements in other areas, such as making public spaces and venues safer and more accessible and application processes simpler.

Thank you to everyone that helped us produce and distribute the survey, and to those that took the time to share their views and experiences.

Compiled by:

**Fie Beaumont** | Customer & Contracts Monitoring Officer  
E: [Annafie.Beaumont@york.gov.uk](mailto:Annafie.Beaumont@york.gov.uk)

**Edward Njuguna** | Commissioning Manager - Sensory  
| E: [Edward.njuguna@york.gov.uk](mailto:Edward.njuguna@york.gov.uk)

## Appendix 1: Sensory Support Services Survey

Sensory support services in York provide a wide range of support for adult customers with sight and / or hearing loss. This includes putting people in contact with other specialist services.

City of York Council (CYC) are looking at what services people with sensory needs use now, and what can be done to improve services in the future.

### We welcome your feedback if you:

- are living with sensory loss, or
- are a friend or family member of someone with sensory loss; or
- care for someone with sensory loss.

### Please help us by answering the questions below.

We produced this survey with the help of people with sensory loss and partner organisations.

### What happens to my information?

Our survey asks for some personal information which you may choose not to give. We do not publish or share any information which can identify you. Please read the enclosed privacy notice to find out more about how we protect your personal information. We will ask for your consent to this at the start of the survey. You can withdraw your consent at any time by contacting [allageconsultation@york.gov.uk](mailto:allageconsultation@york.gov.uk)

### Thank you for completing our survey.

The results will help us better understand the needs of people in York with sensory loss, and how we can improve services.

**Closing date: 8 January 2024.**

### Publishing the results:

We will publish the results of this survey online at:  
<https://www.yorkopendata.org>








### Privacy Notice

Please confirm that you have read and understood the privacy notice at the end of this document. You must select 'Yes' to take the survey.

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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## Different ways to complete and return this survey:

<b>Complete this form online</b>	You can complete this survey at: <a href="http://www.york.gov.uk/SensorySupportServicesSurvey">www.york.gov.uk/SensorySupportServicesSurvey</a>	
<b>Or use this QR code:</b>	You can use the camera on your smart device to scan the QR code which will take you to the online survey.	
<b>Scan and email</b>	Complete, scan and email the survey to: <a href="mailto:allageconsultation@york.gov.uk">allageconsultation@york.gov.uk</a>	
<b>Access to a computer</b>	Visit any Explore library or West Offices where staff can assist.	
<b>Help to complete over the phone</b>	Call Customer Services on <b>01904 551550</b> and leave your number and we will call you back.	
<b>Drop off</b>	Hand in your completed survey at West Offices.	
<b>Return by freepost</b>	All Age Commissioning Team FREEPOST RTEG-TYYU-KL TZ City of York Council West Offices, Station Rise York YO1 6GA	
<b>Alternative formats</b>		
<b>If you require this document in an alternative format (e.g. large print, braille, BSL, audio or Easy Read) you can:</b>		
	Email us at: <a href="mailto:cycaccessteam@york.gov.uk">cycaccessteam@york.gov.uk</a>	
	Call us on: <b>01904 551550</b> and customer services will pass your request onto the Access Team	
 Video Interpreter	Use our BSL <b>Video Relay Service</b> : <a href="http://www.york.gov.uk/BSLInterpretingService">www.york.gov.uk/BSLInterpretingService</a> Select 'Switchboard' from the menu	

## Questionnaire

### 1) How would you describe yourself?

Someone with sight loss	
Someone with hearing loss	
Someone with sight and hearing loss / Deafblind	
A carer for someone with sensory loss	
A parent of a child with sensory loss	
Family member or friend of someone with sensory loss	
Prefer not to say / Other	

### 2a) Have you (or the person you support) received any of the following support? Which organisation / service provided the support?

If you have never used sensory support services, please skip to question 4 below.

Support Type	Tick all that apply	Specify organisation / service name (if known)
Assessment of your needs		
Support with registration		
Information, advice, and guidance about relevant services		
Rehabilitation services		
Support specifically for deafblind people		
Access to equipment to support daily living		
Outreach Services		

<b>Education and training</b>		
<b>Volunteering</b>		
<b>Befriending</b>		
<b>Counselling</b>		
<b>Emotional support</b>		
<b>Equipment demonstration and resource centre</b>		
<b>Employment and welfare support</b>		
<b>Social and leisure activities</b>		
<b>Eye Clinic Liaison Officer (ECLO) services</b>		

**2b) Please specify any other sensory service support you've received below:**

<b>Support Type</b>	<b>Specify organisation / service name (if known)</b>	
<b>1</b>		
<b>2</b>		
<b>3</b>		

**3) Please list the 3 types of sensory service support that help you (or the person you support) the most:**

<b>No</b>	<b>Service</b>
<b>1</b>	
<b>2</b>	
<b>3</b>	

4a) Thinking about your sensory loss, what is the one thing that would improve your life the most?

4b) How would this help you (or the person you support)?

5) How do you prefer to access information about these services?

Suggestions	Tick all that apply
Newsletters	
Easy Read	
Noticeboards	
Telephone conversation	
Visiting the service	
Website or weblink	
Email	
Large print	
British Sign Language (BSL)	
Braille	
Audio	
Other (please specify)	

## **Appendix 2: List of organisations / departments**

People said they had received support from the organisations and departments listed below. These were taken from the answers to survey questions 2a, 2b and 3.

### **Assessment of your needs:**

Age UK, Older People's Advisory, Carers Centre, Council, DWP, ECLO, MySight, Eye clinic, YorSensory / The Wilberforce Trust, GP, NHS, OT, Hospital, Hearing Teachers, Home Instead, Hearing clinic, Salvere, School, Assessment team.

### **Support with registration:**

ECLO, MySight, Hospital, Council, YorSensory / The Wilberforce Trust, NHS.

### **Information, advice and guidance on relevant services:**

Library, Council, Blind Veterans, MySight, Deaf Café, ECLO, Age UK, Hospital, YorSensory / The Wilberforce Trust, Ability Net, Health centre, Eye clinic, Hearing Teachers, NHS, RNIB, York Deaf Society.

### **Rehabilitation services:**

Council, ECLO, Hearing Link, YorSensory / The Wilberforce Trust, Guide Dogs, MySight, NHS, Occupational Therapist, Physiotherapist, RNIB, Hospital.

### **Support specifically for deafblind people:**

CYC Hearing Teachers, Hospital, MySight, YorSensory / The Wilberforce Trust, NHS.

### **Access to equipment to support daily living:**

Hospital, Access to Work, Employer, Council, Be Independent, Blind Veterans, YorSensory / The Wilberforce Trust, Community Care, MySight, ECLO, Fire Service, Ampliphone, Low Vision Clinic, Medequip, Hue Hearing, Local church, Talking Books, Occupational Therapy, Centre for Deaf and Deafened, RNID, Sound Advantage, NHS, RNIB.

### **Outreach services:**

Age UK, Deaf Café, Guide Dogs, Health centre, IDAS, MySight, RNIB, YorSensory / The Wilberforce Trust, Social Prescribing, Follow Prevention.

**Education and training:**

Ability Net, YorSensory / The Wilberforce Trust, Blind Veterans, CYC Hearing Teachers, Deaf Café, DWP, Living Well with Sight Loss (MySight), privately paid sign language tuition, RNIB, Council, York College.

**Volunteering:**

Healthwatch, HMCTS, MySight, Guide Dogs, parkrun, Sight Loss Council.

**Befriending:**

Age UK, Café Neuro, Church, Deaf Café, Good Gym, GP, MySight, Social Eyes.

**Counselling:**

GP, chapel, Kyra, MySight, NHS, Women's Aid, Survive, Cruse, IDAS.

**Emotional support:**

Deaf Café, York Deaf Club, ECLO, MySight, Esme's Room, Court, YorSensory / The Wilberforce Trust.

**Equipment demonstration and resource centre:**

ECLO, MySight, Hospital, Low Vision Clinic, YorSensory / The Wilberforce Trust, NHS, York Deaf Society.

**Employment and welfare support:**

Access to Work, Aviva, Carers, Council, DWP, ECLO, University, Job Centre, MySight, RNIB, YorSensory / The Wilberforce Trust, York Deaf Club.

**Social and leisure activities:**

Church, MySight, Council website, David Lloyds, Deaf Café, York Deaf Social Society, Mind / YTT, Library, Social Eyes, YorSensory / The Wilberforce Trust, parkrun, Rotary Club, Salvation Army, U3A.

**Other organisations that have provided support:**

York Wheels, Dial & Ride, Sign Live, Disability York, Sign Solutions, Relay Service UK, York Talking News, Local Area Coordinator, Torch Trust, QTVI, Vision Express, Macular Society, Social Worker for the Deaf, Lidgett Church.

**City of York Council**  
**Equalities Impact Assessment**

**Who is submitting the proposal?**

<b>Directorate:</b>	Adult Social care Integrated Directorate		
<b>Service Area:</b>	Adult Social care Integrated Directorate		
<b>Name of the proposal :</b>	Recommissioning of Sensory Services in York		
<b>Lead officer:</b>	Edward Njuguna		
<b>Date assessment completed:</b>	20/02/2024		
<b>Names of those who contributed to the assessment :</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Edward Njuguna	Commissioning Manager	City of York Council	Sensory and unpaid carers commissioner
Uzmha Mir	Contracts and Quality Manager	City of York Council	Sensory Contracts and Quality Manager, Equality and Diversity

## **Step 1 – Aims and intended outcomes**



<b>1.1</b>	<p><b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.</p>												
	<p>City of York Council (CYC) has a statutory duty to provide sensory support services for its residents under the Care Act 2014. Sensory services provide a wide range of support for adult customers with sight and / or hearing loss. This includes putting people in contact with other specialist services.</p> <p>As the current contract ends in September 2024, an EIA was conducted to measure the impact of customers and residents across York that may be impacted on the changes of service provision or if a new or existing provider comes in place.</p> <p>It is estimated that York is home to 38,735 people over the age of 65 which represents nearly a fifth of the total York population. Haxby and Wigginton ward comprises the highest number of older people with 3,804 residents. Fulford ward, with a total of 854 older residents, has the lowest representation.</p> <p>The York Joint Health and Wellbeing Strategy (2022-2032)<sup>12</sup> describes York’s <i>“changing demographics:</i></p> <ul style="list-style-type: none"> <li>• <i>A growing and ageing population, with a 50% increase in the population over 80 in 2040.</i></li> <li>• <i>Projected growth in healthcare use: 4% increase in hospital use (annually)</i></li> <li>• <i>10% increase in social care (over 5yrs) 2.5% increase in GP use (over 5yrs).”</i></li> </ul> <p>York’s Joint Strategic Needs Assessment<sup>1</sup> projects care needs of some adults over the age of 65:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">Population</th> <th style="background-color: #d3d3d3;">2020</th> <th style="background-color: #d3d3d3;">2040</th> </tr> </thead> <tbody> <tr> <td>Living with dementia</td> <td style="text-align: center;">2,927</td> <td style="text-align: center;">4,291 (+47%)</td> </tr> <tr> <td>Needing care</td> <td style="text-align: center;">11,380</td> <td style="text-align: center;">15,207 (+34%)</td> </tr> <tr> <td>Providing unpaid care</td> <td style="text-align: center;">5,271</td> <td style="text-align: center;">6,592</td> </tr> </tbody> </table>	Population	2020	2040	Living with dementia	2,927	4,291 (+47%)	Needing care	11,380	15,207 (+34%)	Providing unpaid care	5,271	6,592
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Providing unpaid care	5,271	6,592											

			(+25%)	
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<sup>1</sup> York JSNA, April 2023 [JSNA | York Health & Wellbeing \(healthYork.org\)](https://www.healthYork.org)

<b>1.2</b>	<b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)
	<p>The <i>Council Plan</i> stipulates an important outcome for our population of good health and wellbeing and is further supported by the key principles for the York Health &amp; Wellbeing Board of:</p> <ul style="list-style-type: none"> <li>• Ensure that we work together in true partnership for the good of the people of York</li> <li>• Involve local people in identifying the challenges and redesigning services (surveys and engagement)</li> <li>• Promote equality of opportunity and access for all communities, and challenge discrimination if it arises</li> </ul> <p>In addition, one of the eight core outcomes within the <i>Council Plan</i><sup>2</sup> is; “<i>Good health and wellbeing.</i>” The plan states that the Council aims to; “Use innovative strategies to support individuals’ independence, health and wellbeing”.</p> <p>As a local authority, the City of York Council (CYC) has a duty under the <i>Care Act 2014</i>, to prevent, reduce and delay formal intervention for people with care and support needs.</p> <p>The All-Age Commissioning Strategy, Market Sustainability Plan and the 10-year vision ‘People at the Heart of Care: adult social care reform paper’ clearly outlines that the Council will work with existing Providers within the market to provide sustainable, quality and value for money services.</p> <p>The Care Act 2014 statutory guidance outlines outcomes for individuals, groups and local populations and makes specific references to people with a sensory impairment.</p> <p>Maintenance of a Sight Register is a statutory requirement for the council. Under Section 77 of the Care Act 2014, local authorities are legally required to establish and maintain a register of sight-impaired and severely sight-impaired adults who are ordinarily resident in their area.</p>

<sup>2</sup> City of York Council Plan, 2019-2023, [City of York Council Plan 2021](#)

	<p>Sensory Support Services in York directly support the achievement of The Council Plan 2023 to 2027, One City, For All, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:</p> <ul style="list-style-type: none"> <li>a) Health-Improve health and wellbeing and reduce health inequalities, taking a Health in All Policies Approach.</li> <li>b) Equalities and Human Rights- Equality of opportunity</li> <li>c) Affordability- Tackling the cost-of-living crisis.</li> </ul>
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<p><b>1.3</b></p>	<p><b>Who are the stakeholders and what are their interests?</b></p>
	<p><b>Stakeholders;</b> <i>The Wilberforce Trust (YorSensory), MySight York, Specialist Teaching Team and Deaf Café, City of York Council Access Team, People with lived experience of sensory loss, North Yorkshire Sight Loss Council, Living 4 Moments, Community Links, York Older People’s Assembly, York and Scarborough Teaching Hospitals, Age Friendly York Older Citizens Group, York Disability Rights Forum, NHS Humber and North Yorkshire Integrated Care Board, Tees Esk Wear Valleys NHS FT, Age UK, Healthwatch, York Advocacy, Dementia Strategy Group, Carers Groups/Forums, York CVS, Other Stakeholders</i></p>

<p><b>1.4</b></p>	<p><b>What results/outcomes do we want to achieve and for whom?</b> This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2023- 2027) and other corporate strategies and plans.</p>
	<p>Sensory Support Services in York directly support the achievement of The Council Plan 2023 to 2027, <b>One City, For All</b>, which sets a strong ambition to increase opportunities for everyone living in York to live healthy and fulfilling lives, as follows:</p> <ul style="list-style-type: none"> <li>• <b>Health</b>-Improve health and wellbeing and reduce health inequalities, taking a Health in All Policies Approach.</li> <li>• <b>Equalities and Human Rights</b>- Equality of opportunity</li> </ul> <p>This are related to the following outcomes for the service.</p> <ul style="list-style-type: none"> <li>• <b>Prevent, Reduce and Delay the need for ongoing Support</b>- This are related to the statutory duty under Section 2(1) of the Care Act 2024 to contribute towards preventing or delaying the development by adults in its area of needs for care and support. This is related to Health and wellbeing and reducing inequalities within the council plan</li> <li>• <b>Provide Excellent Experiences of Care and Support</b>- focus on the provision of consistent / joined-up provision, effective promotion of the service, timeliness and responsiveness of the</li> </ul>

	<p>service. Examples of publicity, awareness raising, marketing and promotional activities undertaken. This is related to Health and wellbeing and reducing inequalities within the council plan</p> <ul style="list-style-type: none"><li>• <b>Flexible, Choice and Control</b>- focus on work undertaken to involve customers, families and their carers in the planning of their care and support, evidence of delivering support tailored to the needs of the individual rather than a one size fits all approach, evidence of remaining in ongoing contact with customers, how service provision is internally evaluated and monitored. This is related to Health and wellbeing and reducing inequalities within the council plan</li><li>• <b>Linkages and Connections</b>; focus on work undertaken to strengthen the connections between sensory provision and other forms of support for sensory impaired customers - health, housing, voluntary sector provision, leisure, community initiatives etc. Evidence of strong and effective partnership working with a range of other agencies and support organisations. This is related to Health and wellbeing and reducing inequalities within the council plan</li><li>• <b>Provision of accessible daily equipment</b> to support daily living with sensory impairments. This is related to Health and wellbeing and reducing inequalities within the council plan</li></ul>
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# Our Priorities 2023 - 2024



## ASC Vision

We will support people to receive good quality safe services in their own homes through assessment and appropriate support, we will aim to maximise peoples own potential and reduce inequalities across the city.

## Values

We Work Together  
We Improve  
We make a difference

## Partnerships

Through collaboration with partners and the sharing of ideas, assets, skills and knowledge, we will create a future for York that better meets all our needs.

## Communities

We value local communities and will help them to provide care and support to their families, friends, neighbours and colleagues.

## Accountability

We will ensure good governance and links with the ICS, strong performance management that will influence decision making, good financial oversight and control and transparent decision making through key health and social care boards.

## MARKET SUSTAINABILITY

- Commission and provide services where possible jointly with health that are effective, efficient and of good quality
- Build on locality based delivery ensuring care and support is available to suit the needs of the locality.
- Commission services to support people to live longer healthier lives across all age groups.
- Budget Management

## EARLY INTERVENTION & PREVENTION

- Support residents to access community opportunities at the right time in the right place.
- Ensure we have the right mechanisms in place to safeguard and protect our most vulnerable residents.
- Ensure that all residents have equal access to services they require and challenge areas of inequality.
- Ensure children and young people have a seamless transition into adulthood.

## CO-PRODUCTION

- We will ensure that residents voice is heard and is part of the strategies going forward, building on the social care survey and JSNA.
- People who use services and their carers are fully involved in the design and implementations of future services.

## WORKFORCE

- To develop a workforce development strategy with health partners.
- To strengthen and build upon recruitment and retention policies, working with the Principal Social Worker to develop flexible roles.
- Reduction in the use of agency and building strong high performing teams
- A review of the current ASC Workforce to be carried out to inform effective use of current delivery



## Step 2 – Gathering the information and feedback

2.1	<b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
<b>Source of data/supporting evidence</b>	<b>Reason for using</b>	
Royal National Institute of Blind People(RNIB)- <a href="http://www.rnib.org.uk/datatool">www.rnib.org.uk/datatool</a> .	Source of data and is the UK's leading sight loss charity.	
Census Data 2021	Offers the latest figures on sight impairment in York	
2023 Sensory Customer Survey results	Offers an insight into the users of the service and their preferences	
York Open-Source Data	Source of data	
All Age Market Position Statement, City of York Council, 2023-2025 <a href="http://all-age-market-position-statement-2023-to-2025.york.gov.uk">all-age-market-position-statement-2023-to-2025 (york.gov.uk)</a>	Includes outcomes for City of York Population and outlines key priorities	
York Local Health and Wellbeing Strategy 2022-2032, <a href="http://York Joint Health &amp; Wellbeing Strategy">York Joint Health &amp; Wellbeing Strategy</a>	Details the health and wellbeing priorities for the city will be and how these will be addressed	
York Dementia Strategy, 2022-2027, <a href="http://Annex A.pdf (york.gov.uk)">Annex A.pdf (york.gov.uk)</a>	Dementia priorities and data	
City of York All Age Commissioning Strategy 2023-2025	Includes outcomes for City of York Population as well as detailing key priorities	
The Council Plan 2023 to 2027, <b>One City, For All</b> <a href="https://www.york.gov.uk/council-plan-1/one-city-2023-2027">https://www.york.gov.uk/council-plan-1/one-city-2023-2027</a>		

## Step 3 – Gaps in data and knowledge



3.1	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>	
<b>Gaps in data or knowledge</b>	<b>Action to deal with this</b>	

### Step 4 – Analysing the impacts or effects.

4.1	<b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</b>		
<b>Equality Groups and Human Rights.</b>	<b>Key Findings/Impacts</b>	<b>Positive (+) Negative (-) Neutral (0)</b>	<b>High (H) Medium (M) Low (L)</b>
<b>Age</b>	<b>Impact identified:</b>  Positive: As the likelihood of becoming disabled increases with age the procurement will impact positively on older people. It will also benefit younger people who are disabled.  Negative: No negative impact. The procurement will positively impact on the lives of older residents in York as sensory impairment increases with age.	<b>Positive (+)</b>	<b>High (H)</b>

	<p>subject to consultation with disabled residents no negative impacts have been identified.</p> <p><b>Supporting Evidence:</b></p> <p>The evidence below demonstrates through population data that we have an increasing ageing population and that our residents aged 18 – 64 account for 64.2% of York’s population. York’s current population is 202,821 (2021 census), due to rise to almost 215,000 people by 2030. It is estimated that York is home to 38,735 people over the age of 65 which represents nearly a fifth of the total York population. Haxby and Wigginton ward comprises the highest number of older people with 3,804 residents. Fulford ward, with a total of 854 older residents, has the lowest representation.</p> <p>There has been an increase of 15.8% in people aged 65 years and over, an increase of 0.4% in people aged 15 to 64 years, and a decrease of 3.2% in children aged under 15 years.</p> <ul style="list-style-type: none"> <li>• York’s population is on the whole healthy, but this is not true of all communities and groups</li> <li>• There are predicted to be large increases in the number of people with dementia.</li> <li>• More older people are helped to live at home in York than the national average, but access to intermediate care remains a priority.</li> </ul> <p>By 2030, it is estimated that the 65+ population in York will have increased by 17% and the 85+ population in York will have increased by 27% from 2020. Within York, there are approximately 135,536 residents aged 18 – 64, which is 64.2% of the population.</p>		
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	<p>York is already part of the UK Network of Age Friendly Communities. Age Friendly York will:</p> <ul style="list-style-type: none"> <li>• enable people to live healthy and active lives</li> <li>• encourage communities to treat people with respect, regardless of their age</li> </ul> <p>More older people are helped to live at home in York than the national average, but access to intermediate care remains a priority.</p> <p>The Sensory service will provide more accessible care and support with a rehabilitation lead service where people of York will be enabled to return home with equipment, confidence, technology. There will also be a requirement for the Provider to sign post people who feel isolated and/lonely to be linked to community support, voluntary sectors and the Local Area Co-ordinator for the area they live in.</p> <p>Key findings from the Customer sensory survey conducted November 2023 to January 2024 was 66% of the respondents were age 65 and over. RNIB suggests that the older you are, the greater your risk of sight loss. The proportion of people aged 75 years and over in York is higher than the average for England - 9% of the population are aged 75 plus, compared to 9% in England.</p> <p><b>Mitigation:</b></p> <p>All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p>		
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	The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.		
<b>Disability</b>	<p><b>Impact identified:</b></p> <p>Positive: This procurement aims to provide preventative services to people with sensory impairments that will promote their health, wellbeing and independence. It is designed to fulfil the needs they told us about when we consulted them.</p> <p>Negative: People with sensory impairments were consulted during development and there are no negative impacts. It does not divert resources from other groups of disabled people.</p> <p><b>Supporting evidence:</b></p> <p>The way that social care is organised and delivered can be a critical factor in disabled people being able to exercise their human rights over a large proportion of their adult lives. Independence is a fundamental human rights principle which underpins other human rights. The Joint Committee on Human Rights report on the rights of disabled people to independent Living (2012) reaffirms the importance of independent living principles for all disabled people.</p> <p>Information and guidance such as leaflets about the service must be available in different formats to enable residents to fully understand what the sensory rehabilitation service is; such as easy read, braille. This was feedback from the recent survey 'The sensory service website needs updating with more information. Leaflets should be provided to participants about what to expect and their entitlement'.</p>	<b>Positive (+)</b>	<b>High (H)</b>

Training for staff will be a requirement of the new contract and specification to enable them to support a wide range of disabilities so that our residents can access the sensory service and feel supported when receiving care.

Evidence below demonstrates that we have a population that has a variety of disabilities, and each person is an individual with their own needs.

In York, there are 1,035 people registered as blind or partially sighted. Roughly half are registered as blind and half as partially sighted.

In York RNIB estimate that 22,600 people have a moderate or severe hearing impairment, and 510 people have a profound hearing impairment.

An estimated 1,360 people are living with some degree of dual sensory loss in York. Of these people, it is estimated that 550 are living with severe dual sensory loss.

**Table: Registered blind or partially sighted by age band**

Age band	Registered blind	Registered partially sighted	Total
0-17	0	0	0
18-49	80	75	155
50-64	90	70	160
65-74	70	65	135
75+	255	325	580
Total	495	540	1,035

- Total population York: 211,012

- Proportion that are from BAME communities: 6% - lower than the national average.
- Proportion of people with “bad” or “very bad” health: 4.10% - better than the national average.

	<ul style="list-style-type: none"> <li>• Proportion of people with a long-term health condition or disability: 15% - similar to the national average.</li> </ul> <p>400 of the people registered as blind or partially sighted in York have also been recorded as having an additional impairment by the local authority.</p> <p>In 2020/21, 68 Certificates of Vision Impairment were issued in the York.</p> <p>In York, an estimated 260 adults have a learning disability and partial sight. A further 75 adults have a learning disability and blindness.</p> <p>Other work on population health management has looked at the issue of people who live with multiple long-term conditions (multimorbidity):</p> <ul style="list-style-type: none"> <li>• 10.7% of the York practice population have multimorbidity; this represents 24,124 people.</li> <li>• 2.7% of the population have a physical and mental health comorbidity.</li> <li>• Number of people who are disabled in Yorkshire and The Humber (18.9%, 1.0 million).</li> </ul> <p>According to MHA Around 4 million older people (40% of people aged 65 and over) have a limiting long-term illness or impairment and it is estimated that this will rise to over 6 million older people by 2030.</p> <p>Around 850,000 people (most of whom are aged 50 or over) are living with dementia in the UK, and Alzheimer's UK predicts that this figure will rise to 1 million people by 2025. Of these, around a third (288,000) are currently living in residential care settings.</p> <p>According to CQC, disabled people under 65 may use social care for long periods – even for the whole of their lives, whether they have a</p>		
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	<p>physical or sensory impairment, a learning disability or use mental health services.</p> <p>The National Autistic Society (NAS) has reported a 61% increase in the autism since 2005. According to the All Age Autism strategy 2017-2021 York, there are estimated to be 1,635 adults with autism in York, either diagnosed or undiagnosed and 388 children</p> <p>The All-Age Commissioning and Contract Team will monitor the performance of the contracts against the requirements set out within it.</p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p> <p><b>Mitigation:</b></p> <p>All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<p><b>Gender</b></p>	<p><b>Impact identified: As above</b></p> <p>The service would be available to both men and women and neither favours nor negatively impacts upon either group.</p> <p><b>Supporting Evidence</b></p> <p>The service is open to all genders. There could be cultural restrictions or preferences whereby a specific care worker is requested by gender.</p>	<p><b>Positive</b></p>	<p><b>Low(L)</b></p>

	<p>This will be part of finding a care by the assessment team within the service but cannot always be guaranteed. This issue will be considered by the provider who will employ both female and male rehabilitation and support workers dependent on the availability of workforce within the market.</p> <p>From the survey carried out 49% of people that responded did not want to share their gender. 33% were female and 15% were male.</p> <p>According to mid-year population estimates published by the ONS in 2019, males account for 48.2% of York's 201,672 population, while females made up 51.8% of the total. Life expectancy: A gap between wards in York of 10.1 years (Male) and 7.9 years (Female).</p> <p>According to the recent Sensory Customer survey, 71% of the respondents were female compared to male.</p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<p><b>Gender Reassignment</b></p>	<p><b>Impact identified : As Above</b></p> <p><b>Supporting Evidence:</b>  The service is open to both men and women regardless of any possible previous gender reassignment / and transgendered people. Specifications will state that a person that uses the Sensory service must be treated with dignity and respect and receive person centred care. The Equalities Act 2010 identifies nine protected characteristics and Gender</p>	<p><b>Positive</b></p>	<p><b>Low(L)</b></p>



	<p>Reassignment if one of them. In York those with protected characteristics are known as <i>Community of Identity</i>.</p> <p>The Council's Equalities Objectives:</p> <ul style="list-style-type: none"> <li>• <i>Create opportunities for representatives of all sections of the community to participate in the work of the Council</i></li> <li>• <i>Make a commitment to fair recruitment and employment policies</i></li> </ul> <p>The Council's Equalities duties state: advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it for our customers and people who work within the Health and Social Care system.</p> <p>City of York Council plans to establish further system-level, collaborative networks, such as the LGBTQIA. The network will improve the experience of working with CYC by raising awareness of LGBTQIA concerns across the council and in the community.</p> <p>CYC Workforce Development Unit- MyLo also offers LGBTQ, e-learning accessible for all ASC workforce the module will enable vulnerable individuals to feel respected, cared and dignified by our colleagues, team and customers.</p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <hr/> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
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**Pregnancy and maternity**

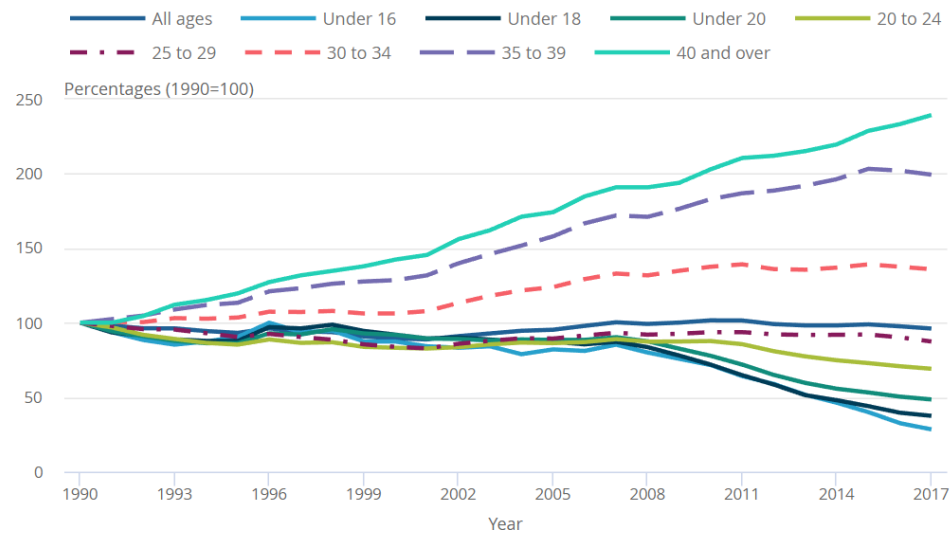
**Impact identified: As above**

**Supported evidence:**

Sensory service and rehabilitation is available for everyone over 18 (with eligibility criteria) there may be customers who receive the service that are childbearing age adults. There is limited data available on pregnant users of the sensory services. Between 2016 and 2017, conception rates increased by 2.6% for women aged 40 years and over. For the second year running, this was the only age group to see an increase. For the fifth year in a row, the largest percentage decrease in conception rates happened among women aged under 16 years (12.9%).

**Figure 3: Continued rise in conception rates for women aged 40 years and over since 1991**

**Relative changes in age specific conception rates, England and Wales, 1990 to 2017**



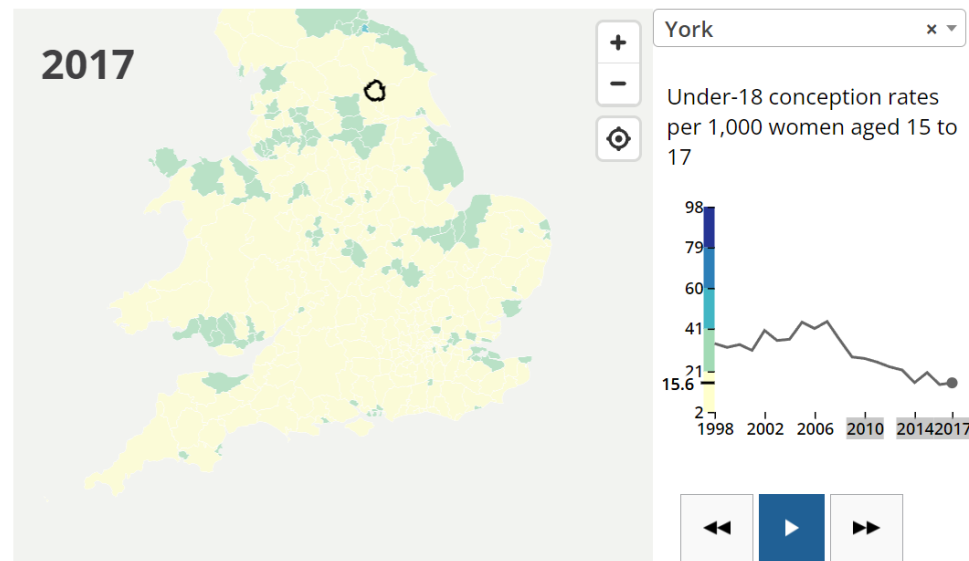
**Positive**

**Low(L)**

According to findings by census reasons for an increased number of women conceiving at ages 30 years and over include:

- increased participation in higher education
- increased female participation in the labour force
- increased importance of a career
- the rising opportunity costs of childbearing
- labour market uncertainty
- housing factors

**Under-18 conception rates by local authority, England and Wales, 1998 to 2017**



The national ONS figures show that fertility rates among younger women have fallen but there has been a rise in older age groups.

In 2022 York a total fertility rate of 1.18 children per woman last year, which was down from 1.2 in 2020, and 1.21 in 2019.

	<p>The British Pregnancy Advisory Service (BPAS) state that <i>"ever-increasing cost of raising a child, high cost of childcare and career development are among the variety of reasons why women choose to postpone having a child."</i> The York press 2022.</p> <p>Lots of external factors such as economics, housing, age and lifestyle also influence decisions.</p> <p>York has a high student population and also York has good access to contraception services through Primary Care and York Sexual Health service which help people to plan their pregnancies and supports individual choice in family planning.</p> <p>CYC are developing plans to establish further system-level, collaborative networks, such as Women's Network. A great deal of work is taking place across the CYC around the topic of menopause, and we are working towards becoming a menopause friendly CYC ASC Workforce, so a women's network may help to further our ambitions and equality in the health and social care working environments.</p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<b>Race</b>	<p><b>Impact Identified:</b></p> <ul style="list-style-type: none"> <li>• Language Barrier</li> <li>• Low BAME workforce in Adults and Children Social Care</li> </ul>	<b>Positive</b>	<b>Medium (M)</b>

- Health and wellbeing in BAME Communities

**Supporting Evidence**

People from different ethnic communities are at greater risk of some of the leading causes of sight loss. Sensory rehabilitation services are available to all customers over the age of 18. People accessing this service will be treated with dignity and respect and their Race and Culture needs will be detailed in their support plans.

The proportion of people from minority ethnic groups is lower than the average for England, 6% of the population are from minority ethnic groups, compared to 15% in England.

Whilst the official proportion of people from a BAME background is lower than the national average at 5.7%, Census data expected in 2022, show numbers have increased, and the diversity of York varies across the city, with 15.1% of people in Hull Road ward from a BAME background.

The city has become more culturally and religiously diverse with a Black and Minority Ethnic (BME) population of 9.8% (non-White British) compared to 4.9% in 2001.

In 2021, 1.8% of York residents identified their ethnic group within the "Mixed or Multiple" category, up from 1.2% in 2011. The 0.6 percentage-point change was the largest increase among high-level ethnic groups in this area.

In 2021, 92.8% of people in York identified their ethnic group within the "White" category (compared with 94.3% in 2011), while 3.8% identified their ethnic group within the "Asian, Asian British or Asian Welsh" category (compared with 3.4% the previous decade).

	<p>The percentage of people who identified their ethnic group within the "Other" category ("Arab" or "Any other ethnic group") increased from 0.5% in 2011 to 1.0% in 2021.</p> <p>There are many factors that may be contributing to the changing ethnic composition of England and Wales, such as differing patterns of ageing, fertility, mortality, and migration. Changes may also be caused by differences in the way individuals chose to self-identify between censuses.</p> <p>The COVID-19 pandemic has continued to have a disproportionate impact on people from some ethnic minority ethnic backgrounds.</p> <p>Our survey of more than 4,000 people aged 65 and over who had used health or social care services recently shows that older people from ethnic minority backgrounds tend to use services less frequently (68% said they use them about once every 2 to 3 months or once in the last 6 months, compared with 58% of people from White British backgrounds.</p> <p>Language barrier can sometimes prevent professionals from effectively assessing, supporting and protecting families. Good communication is key to relationships between professionals and service users. A lack of a common language presents a significant barrier to building trust.</p> <p>Language barrier can sometimes prevent professionals from effectively assessing, supporting and protecting families. Good communication is key to relationships between professionals and service users. A lack of a common language presents a significant barrier to building trust.</p> <p>English is, unsurprisingly, the most popular language in all areas of York, but by far the second most popular language in Yorkshire was Polish, as it was the second most spoken language in 12 out of 20 different areas. It is often followed closely by Romanian and some other Eastern European</p>		
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	<p>languages, like Slovak, but the Polish language is more common in most areas.</p> <p>Urdu also proved very popular in West Yorkshire, being the second most spoken language in both Kirklees and Bradford, although it was less prominent in other counties, like South Yorkshire. Panjabi was the second most popular language in Calderdale, meaning languages from the Indian subcontinent are common in West Yorkshire.</p> <p>In York, the category of 'Other Chinese' language came first. This refers to all the non-Mandarin and non-Cantonese speaking people of China, such as Min, Tibetan or Hakka and when these three categories are combined, they reach 1.01%.</p> <p>Language barriers can result in miscommunication that impacts on an individuals or families understanding of their needs and support.</p> <p>Whilst social care worker can use interpreters, they must rely on the availability of one when needed and ensure consistent quality of translation to build and maintain trust and understanding. Cultural beliefs also need to be considered, and health and social care worker may see patients relying on their family members and friends to act as interpreters. This can, however, present several problems.</p> <p>Technology can make a huge difference many social care workers already use over-the-phone translation services to get help from an interpreter other apps or devises may be alternative cheaper tools to support interpretation.</p> <p>Having social care workers who are bilingual is helpful for providers hiring more bilingual staff. Not only can they help translate important information to patients, but they can also help their organisation communicate in a way that takes cultural differences into account.</p>		
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	<p>Visual prompts can also be an additional support aide in alternative languages shared across health practitioners. See Carer Strategy Group Meeting minutes September 2023 also discusses <i>The Practioners Guide to Carers Support</i> by Cambell McNiell resourcing in additional language to support communities with English as their second language.</p> <p>To improve the experience of working with CYC by raising awareness of race and cultural diversity across the council the Black, Asian Racially Minority Communities members of staff may join the newly established BARMC Group to exchange views and help provide an authoritative voice for staff across the council, and beyond, into the city and the council's partner organisations.</p> <p><b>Mitigation:</b>  Provider will source interpreters where English is not their first language and provide information in designing multi-lingual leaflets. The Council would provide links to Local Area Co-ordinators to the Provider as they would share important Local information for local communities.</p> <p>CYC has progressed in implementing the Race Equality Scheme to promote race equality within York. All services commissioned by CYC are available to residents of York under the individual service criteria. Residents may be signposted to a range of preventative and intervention services, and these can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p>		
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	The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.		
<b>Religion and belief</b>	<p><b>Impact identified:</b> Positive: This procurement aims to provide preventative services to people with sensory impairments that will promote their health, wellbeing, and independence. It is designed to fulfil the needs they told us about when we consulted them.</p> <p>Negative: People with sensory impairments were consulted during development and there are no negative impacts. It does not divert resources from other groups of disabled people.</p> <p><b>Supporting Evidence</b> In 2021, 46.1% of York residents reported having "No religion", making it the most common response in this local authority area (up from 30.1% in 2011). Because the census question about religious affiliation is voluntary and has varying response rates, caution is needed when comparing figures between different areas or between censuses.</p> <p>Cultural sensitivity plays an important role in the relationship between religion and healthcare. Many peoples' identities are informed by their race, culture, ethnicity, gender, or religion. When it comes to receiving medical care, many patients will make decisions based on their identity in some or all of these categories.</p> <p>In 2021, 43.9% of people in York described themselves as Christian (down from 59.5%), while 6.9% did not state their religion (down from 7.8% the decade before).</p>	<b>Positive</b>	<b>Low(L)</b>

	<p>There are many factors that can cause changes to the religious profile of an area, such as a changing age structure or residents relocating for work or education. Changes may also be caused by differences in the way individuals chose to self-identify between censuses. Religious affiliation is the religion with which someone connects or identifies, rather than their beliefs or religious practice.</p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<b>Sexual orientation</b>	<p><b>Impact identified: As Above</b></p> <p><b>Supported Evidence:</b> No Data Available. The survey results had limited information provided about sexual orientation.</p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>	<b>Positive</b>	<b>Low(L)</b>
<b>Other Socio-economic groups including :</b>	<b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>		

<b>Carer</b>	<p><b>Impact Identified:</b></p> <ul style="list-style-type: none"> <li>• Unpaid Carers</li> <li>• Adult carers</li> <li>• Young Adult Carers</li> <li>• Young Carers</li> <li>• Children in Care</li> </ul> <p><b>Supporting Evidence.</b></p> <p>In 2021, 4.6% of York residents (aged five years and over) reported providing up to 19 hours of unpaid care each week. This figure decreased from 7.2% in 2011. These are age-standardised proportions.</p> <p>According to the Census 2021, females were statistically significantly more likely to provide unpaid care than males in every age group up to 75 to 79 years; however, from the age of 80 years onwards, males were statistically significantly more likely to provide unpaid care.</p> <p>In both females and males, the older age groups provide the highest hours of unpaid care per week. In females, those aged between 75 to 79 years and in males, those aged between 85 to 89 years provided the highest percentage of 50 hours or more of care compared with all other age groups</p>	<b>Positive</b>	<b>Medium(M)</b>
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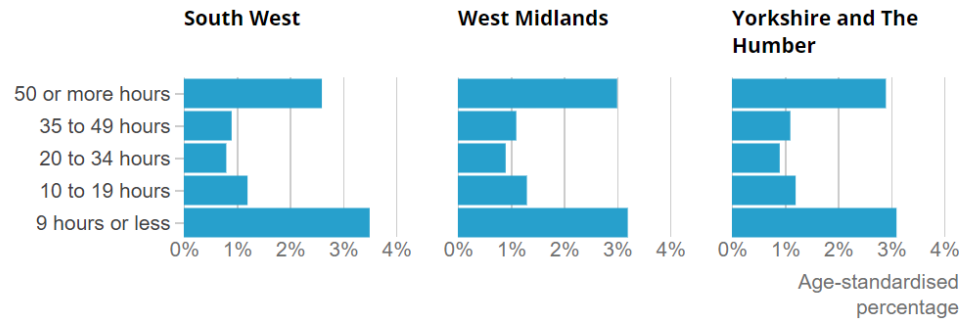


Figure 3 from the census 2021: region with the highest percentage of both unpaid carers, and unpaid carers providing 50 or more hours of care per week

In England, there was a higher percentage of unpaid carers in the most deprived areas. In addition according to MHA Older people provide a large amount of volunteer time to support organisations across the UK. There were an estimated 360,792 care home residents from 1 March 2021 to 28 February 2022, occupying 77.8% of care home beds. Approximately 125,954 (34.9%) of care home residents were classified as self-funders, compared with 234,838 (65.1%) state-funded residents.

In addition according to MHA Older people provide a large amount of volunteer time to support organisations across the UK. There were an estimated 360,792 care home residents from 1 March 2021 to 28 February 2022, occupying 77.8% of care home beds.

**Children entering care**

Meanwhile in 2011 half of children that went into care were of lone parents, larger households, and 8 in 10 children entered care were from poor health and living in deprivation. Black and mixed ethnic minority children uncounted for a higher percentage of children (9% and 7%) in care.

	<p>Whilst abuse and neglect is the main reason for children of Asian and British Asian ethnic group to enter care, children of white British entered care because of family dysfunction.</p> <p>Boys entered the children's home or youth offenders whilst the girls entered the foster care.</p> <p>Overall, just under two thirds (63%) of children that went into care were placed in foster as their first placement. The second most common placement type was children's home or secure homes (19%) followed by independent or semi-independent living (10%). The largest gaps in deprivation were in education and health for instance in 2011 49% of children going into care were living in poor health and disability living dynamics and 39% in poor education dynamics.</p> <p>The following organisations offer support and advice for carers, and those in need of care:</p> <p>York Carer Centre <a href="https://yorkcarerscentre.co.uk/">https://yorkcarerscentre.co.uk/</a></p> <p>Crossroads <a href="https://www.tuvida.org/">https://www.tuvida.org/</a></p> <p>Age UK <a href="https://www.ageuk.org.uk/york/">https://www.ageuk.org.uk/york/</a></p> <p>York and Selby Alzheimer's Society</p> <p><a href="https://www.alzheimers.org.uk/support-services/Selby+&amp;+York+Local+Service+Office/York+&amp;+Selby+Dementia+Information+Service">https://www.alzheimers.org.uk/support-services/Selby+&amp;+York+Local+Service+Office/York+&amp;+Selby+Dementia+Information+Service</a></p> <p>Adult and young carers are eligible for carers needs assessment to assess the ability to become a carer and how to enable caring easier for the carer and cared for.</p>		
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	<p>Staff who have a disability, long term health condition or a carer can join our new Disabled Staff Network to exchange views and help provide an authoritative voice for staff across the council, and beyond, into the city and the council's partner organisations. The network will improve the experience of working here by raising awareness of disability concerns across the council and work alongside the other staff networks.</p> <p><b>Mitigation:</b> Sensory support services will communicate with Carers and loved ones when people are in use of the service and will gain information on an individual needs as they will know them best and support plans will be developed with this information to ensure that customers needs are known and used to shape their care.</p> <p>The Commissioning Team recognises the significance of unpaid carers to our health and social care system. The current carer strategy will enable identification of carers in the community to provide them ongoing support and to maintain their Health and wellbeing, more carers are involved in planning services. All services commissioned by CYC are available to residents of York under the individual service criteria. Residents may be signposted to a range of preventative and intervention services, and these can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<p><b>Low income groups</b></p>	<p><b>Impact Identified:</b></p> <ul style="list-style-type: none"> <li>• Fall in employment</li> <li>• Change working hours</li> <li>• Increase free school meals</li> </ul>	<p><b>Positive</b></p>	<p><b>Medium(M)</b></p>

	<ul style="list-style-type: none"> <li>• Debt and financial crises.</li> </ul> <p><b>Supporting Evidence:</b></p> <p>Ways that promote rehabilitation as a care option and ensure everyone has access to information, including hardest to reach people.</p> <p>When rehabilitation service is ending service provider will link in with Local Area Co-ordinator to signpost to income maximisation and benefit advice agencies, health services and community services.</p> <p>The service is a non-chargeable service to all assessed adults. Signposting is part of the Sensory service, and this should include signposting to income maximisation and benefit advice agencies, health services, etc. as well as other community services such as Age UK, Yorkshire Housing, Healthwatch and other VCSE organisations/services that the council has in place.</p> <p>People living in more deprived areas are at a greater risk of sight loss. The deprivation rank of an area is ordered by 1st being the most deprived and higher numbers being less deprived:</p> <ul style="list-style-type: none"> <li>• York is the 140th most deprived local authority in England.</li> <li>• 1% of the local area is within the 10% most deprived areas in the whole of England.</li> </ul> <p>Only one in four registered blind and partially sighted people of working age are in employment.</p> <p>Carers Trust just launched the results of their recent survey showing 1 in 7 unpaid carers are using foodbanks as a result of soaring living costs and 63% are worried about being able to afford paying bills.</p>		
	<p><b>Cost of Living Crisis</b></p>		

	Food and everyday shopping	Plus £134 increase in September 2022	
	Transport & fuel costs	+ 70% this year	
	Housing costs	+ int.rates & rents	
	Energy costs	+ int.rates & rents	
	Source of information: York cost of living summit		
	The IMD (Indices of Multiple deprivation) report in York 2019 indicates:		



Domain	2019	
	Rank (1=most deprived, 151=least)	York position v 151 UTLAs
Index of Multiple Deprivation	140	12th least deprived
Income Domain	140	12th least deprived
Employment Domain	139	13th least deprived
Education, Skills & Training Domain	115	37th least deprived
Health & Disability Domain	108	44th least deprived
Crime Domain	146	6th least deprived
Barriers to Housing & Services Domain	118	34th least deprived
Living Environment Deprivation	94	58th least deprived
Income Deprivation Affecting Children Index	139	13th least deprived
Income Deprivation Affecting Older People Index	135	17th least deprived

**Financial living crises and debt**

*The Press* states cost of living crisis that debt issues in the UK are set to become dramatically worse over the current months, (July 2022) and maybe even years. Aryza’s new UK Debt Statistics report found York has ranked fourteenth with an average debt level of £18,144. According to *The Press* 2023, Citizens Advise Bureau, their close work with the mental health charities, GPs and hospitals explain that debt is a

	<p>contributing factor for mental health issues and long term depression and anxiety. However, the cost of running CAY, professional and vital services is high, and there is a shortfall to fundraise to fill each year.</p> <p><i>According to Fiona McCulloch of York Citizens Advice debt is addressed as a stigma, and debt is especially prevalent amongst low paid workers, furloughed workers during the Covid, people on benefits, people with disabilities and BAME people. It is still a taboo subject and we need to break this taboo and seek advice and support when needed.</i></p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<p><b>Veterans, Armed Forces Community</b></p>	<p><b>Impact Identified:</b></p> <p>Positive:</p> <p>This procurement aims to provide preventative services to people with sensory impairments that will promote their health, wellbeing and independence. It is designed to fulfil the needs they told us about when we consulted them.</p> <p>Negative:</p> <p>People with sensory impairments were consulted during development and there are no negative impacts. It does not divert resources from other groups of disabled people.</p>	<p><b>Positive</b></p>	<p><b>Low(L)</b></p>

	<p><b>Supporting Evidence:</b></p> <p>The City of York has signed the Armed Forces veteran’s covenant. It is an agreement that no one who has ever served in the Armed Forces, or their families, should be disadvantaged because of their service.</p> <p>In practice, this does not mean that Armed Forces personnel receive preferential treatment compared to other people, but that everyone agrees to work together to ensure that the Armed Forces community can access the same level of service as non-serving citizens.</p> <p>This information should be shared and detailed on any support plans to ensure that any symptoms from their service days are incorporated into how they want their care to be shaped to meet their individual needs when receiving care and support in the sensory service.</p> <p><b>Mitigation:</b> All services commissioned by CYC are available to residents of York under the individual service criteria. Further information can be found on the Live Well York site that can be accessed <a href="https://www.livewellyork.co.uk/">https://www.livewellyork.co.uk/</a></p> <p>The Council will comply with all relevant and forthcoming legislation, Equalities Act 2010, Human Rights Act 1998.</p>		
<p><b>Other</b></p>	<p><b>Employee Wellbeing Support</b></p> <p>To continue to support the wellbeing of our staff during this demanding and difficult time, the Employee Wellbeing Line and email has been setup. The service is for all staff HR related queries, worries or concerns; relating to working hours, pay, health or wellbeing.</p>		

	<p>Email: <a href="mailto:employeewellbeing@york.gov.uk">employeewellbeing@york.gov.uk</a></p> <p>Independent Domestic Abuse Service <a href="mailto:info@idas.org.uk">info@idas.org.uk</a></p>		
<p><b>Impact on human rights:</b></p>			
<p>List any human rights impacted.</p>	<p>At the heart of human rights, is the concept of dignity. Dignity can include factors such as autonomy, social inclusion, justice, respect, independence, and privacy. The 3 most relevant Human Rights that need to be considered for Sensory Service are:</p> <ul style="list-style-type: none"> <li>- Right not to be tortured or treated in an inhuman or degrading way</li> <li>- Right to respect for private and family life</li> <li>- Right not to be discriminated against</li> </ul> <p>Personalisation is at the heart of rehabilitation and an opportunity to embed a human rights-based approach.</p> <p>People accessing the Sensory Service will have their human rights protected and people will be encouraged to exercise their human rights.</p> <ul style="list-style-type: none"> <li>- Commissioners and the Provider will take an approach which respects a person's dignity, values, their right to choose and make decisions based on their personal needs and beliefs.</li> <li>- Service providers ensure equal access for all.</li> <li>- Provide assurances that staff are trained to understand the importance human rights in the delivery of the service and ways in which they can support it. People should be able to discuss their preferences and make choices in how and when their care is delivered, breaking down any barriers in communication to enable this.</li> <li>- Relationship between the person receiving and those delivering support. A relationship centred on promoting human rights and</li> </ul>		

	<p>ensuring that decisions are made together which helps individual lead a dignified and fulfilling life, free from discrimination and degrading treatment.</p> <ul style="list-style-type: none"> <li>- Where possible to have consistency of workers to enable a relationship to be built between the individual and the workers, and for progress to be properly monitored.</li> <li>- Staff are empowered to speak up about their training needs or impact of delivering the service.</li> </ul> <p>Ongoing reflection and feedback from users of the service to learn and improve Human Rights and Equalities Board. The City of York Council and the York Human Rights City Steering Group established the Human Rights and Equalities Board with a remit to:</p> <ul style="list-style-type: none"> <li>• provide strategic direction for the council’s human rights and equalities work</li> <li>• tackle the issues raised within the York Human Rights City Indicator Report</li> </ul> <p>Any services being developed and put in place to provide person centred care must adhered to these principles.</p>		
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**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them

- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p><b>High impact</b> (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p><b>Medium impact</b> (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p><b>Low impact</b> (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

**Step 5 - Mitigating adverse impacts and maximising positive impacts**

5.1	<p><b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b></p>
<p>There will be no negative impact on the above groups and subsequent customers of the Sensory services. Any impacts will be managed as part of an assessment of individuals needs and care and support services will be designed in accordance with information provided by the customer.</p> <p>The service will not change but the provider may, but they will be delivering services in accordance with the robust specification. The survey completed has positive comments ‘The service was essential, it meant I could come home and be safe’ and rehabilitation anD is a perfect way for Customers to gain independence’.</p> <p>Solutions in the above EIA have been provided to provide reassurance that any impacts that we foresee will be minimised by the actions outlined in the EIA.</p>	

**Step 6 – Recommendations and conclusions of the assessment**

6.1	<p><b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b></p>
<p>- <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	



- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

**Important:** If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

<b>Option selected</b>	<b>Conclusions/justification</b>
<b>No major change to the proposal</b>	CYC recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

**Step 7 – Summary of agreed actions resulting from the assessment**

<b>7.1 What action, by whom, will be undertaken as a result of the impact assessment.</b>			
<b>Impact/issue</b>	<b>Action to be taken</b>	<b>Person responsible</b>	<b>Timescale</b>
Documentation	Robust specifications and contract documents to be updated incorporating the needs from the surveys for example provision of information	Edward Njuguna	<b>14/03/2024</b>
Equality and Human Rights Act	Quality Assurance	Laura Williams	<b>23/02/2024</b>

**Step 8 - Monitor, review and improve**

<b>8. 1</b>	<b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	<p>The approach to the market for the Sensory service reflects the journey outlined in our commissioning Strategy as this has been developed to focus on outcomes and principles for commissioning services, in line with the Council's Strategy and plan. Each contract will have Key Performance Indicators that will measure the outcomes with our providers included in the specifications. Training and outcomes expressed as part of the returned surveys will be incorporated into key documents.</p> <p>The procurement of the new contracts should have no negative impact on the end recipient of services. Any future changes will be assessed at the time they are proposed; however, it is unlikely that any of these will have a negative impact.</p>

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## Data Protection Impact Assessment (DPIA) template

Please contact [information.governance@york.gov.uk](mailto:information.governance@york.gov.uk) for advice and support on completing a DPIA.

Please send your completed form to [information.governance@york.gov.uk](mailto:information.governance@york.gov.uk)

This template should be used to record your DPIA process and outcome. It follows the process set out in our DPIA guidance \*\* insert intranet pages\*\*\*

You should start to fill out the template at the start of any major project involving the use of personal data, or if you are making a significant change to an existing process. The final outcomes should be integrated back into your project plan.

Please use this template when one or more of the below applies. If public monitoring is by CCTV please contact [information.governance@york.gov.uk](mailto:information.governance@york.gov.uk) as there is a specific CCTV DPIA template

- **Systematic and extensive profiling with significant effects:**  
any systematic and extensive evaluation of personal aspects relating to natural persons which is based on automated processing, including profiling, and on which decisions are based that produce legal effects concerning the natural person or similarly significantly affect the natural person.
- **Large scale use of sensitive data:**  
processing on a large scale of special categories of data referred to in Article 9(1), or of personal data relating to criminal convictions and offences referred to in Article 10.
- **Public monitoring**  
a systematic monitoring of a publicly accessible area on a large scale

<b>Title</b>	Recommissioning of Sensory Services in York
<b>Brief description</b>	Local authorities have a statutory duty to prevent, reduce or delay needs for care and support (Care Act 2014 section 2) for all adults including carers; this means early intervention to prevent deterioration and reduce dependency on support from others including those with sensory impairments. The current Sensory Support service contract is coming to an end this year, the commissioning team are in the process of recommissioning the service. The DPIA has been completed as part of CYC accountability obligations and a legal requirement for any type of processing, including certain specified types of processing that are likely to result in a high risk to the rights and freedoms of individuals.
<b>DPIA completed by</b>	
<b>Name</b>	Edward Njuguna
<b>Job Title</b>	Commissioning Manager
<b>Department</b>	All Age Commissioning
<b>Email</b>	edward.njuguna@york.gov.uk
<b>Review date</b>	

## Step 1 – Identify the need

### 1. Explain broadly what your project aims to achieve

Local authorities have a statutory duty to prevent, reduce or delay needs for care and support (Care Act 2014 section 2) for all adults including carers; this means early intervention to prevent deterioration and reduce dependency on support from others including those with sensory impairments. The current Sensory Support service contract is coming to an end this year, the commissioning team are in the process of recommissioning the service. The purpose of the report is for Executive Meeting to review the report and recommendations to come to a decision on the best option to go forward.

### 2. What type of processing it involves. You may find it helpful to refer or link to other documents, such as a project proposal.

- Special category health information

### 3. Summarise why you identified the need for a DPIA.

See screening questions

- Use systematic and extensive profiling or automated decision-making to make significant decisions about people.
- Use new technologies, innovative technological or organisational solutions.
- Use profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit.
- Carry out profiling on a large scale including evaluation or scoring

## Step 2 – Describe the processing

### Describe the nature of the processing:

- how will you collect data

Either directly providing or referring adults with sensory impairment(s) to the following types of support services:

- Advice and information

- Registration Certificate of Visual Impairment (CVI).
- Sensory Impairment Assessments
- Rehabilitation services
- Support Plans
- Access to Equipment
- Deafblind support
- how will you use data

The Sensory Hub (which acts as a single point of referral) ensures that adult customers with sensory impairment(s) are offered:

- **Advice and information** - that helps prevent, reduce, or delay the need for ongoing care and support.
- **Registration** - inform and advise people on the benefits of registration and complete the registration process for Certificate of Visual Impairment (CVI).
- **Sensory Impairment Assessments**- identify people's support needs on a day-to-day basis, recognising any risks or challenges as a result of their sensory loss.
- **Rehabilitation services** - for people with a visual impairment. The Service will offer rehabilitation support for eligible customers with visual impairment or who are Deafblind. There is a separate service for Children's mobility training.
- **Support Plans**- through (and regular reviews of support plans) for customers receiving an ongoing intervention through this service.
- **Access to Equipment**- to support daily living
- **Deafblind support**- who are unable to benefit from those services aimed primarily at Visually Impaired or Deaf/Hard of Hearing customers.
- where will the data be stored  
Mosaic systems
- how long will the data be kept/ retention period(s)  
5 years is the length of the contract however the records will be kept on mosaic for that retention period
- how will you delete data  
Using internal procedures for deleting
- What is the source of the data



- Individuals third parties on behalf of individuals professionals
- Who you share data with  
the Sensory Hub, relevant internal cyc teams
- What types of processing identified as likely high risk are involved?  
Potential for special categories/criminal
- Who has access to the data  
Relevant internal cyc staff and third parties/contractor
- Are you using any data processors, contractors, third parties Yes
- What security measures are in place – both technical and organisational  
CYC internal measures
- Using any new technologies; NO
- using any novel types of processing; NO
- what is the nature of the data - and does it include special category or criminal offence data?  
PD,SPCD and COD
- How much data will you be collecting and using and how often/ frequency of the processing  
Only the minimum needed and frequency will be determined by the people accessing the service
- How many individuals are affected/The number of data subjects involved See above
- What geographical area does it cover CYC
- What is the duration of the processing for contract length

**Describe the context of the processing:**

- what is the nature of your relationship with the individuals  
CYC and individuals who contact for this service
- How much control will they have  
Data subjects have control on accessing the service
- Would they expect us to use their data in this way Yes
- Do they include children or other vulnerable groups yes
- Do we have any previous experience of this type of processing Yes
- Are there prior concerns over this type of processing or security flaws? Is it novel in any way? NA

- Are there any current issues of public concern that we should factor in NA
- What is the current state of technology in this area NA
- Are there any relevant advances in technology or security NA
- Are we signed up to any approved code of conduct or certification scheme eg UK GDPR codes of conduct or UK GDPR certification schemes; PSN certification, NHS DSP; etc YES PSC NHS
- Have we considered and complied with relevant codes of practice YES

**Describe the purposes of the processing:**

- what do you want to achieve See other business case docs
- What is the intended effect on individuals provide them with a service
- What are the benefits of the processing – for you, and more broadly See other business case docs
- What are our legitimate interests, where relevant provide a service, spend and monitor of public funds
- What are the intended outcome for individuals See other business case docs
- What are the expected benefits for you or for society as a whole See other business case docs

### **Step 3: Consultation process**

#### **Consider how to consult with relevant stakeholders:**

- describe when and how you will seek individuals' views – or justify why it's not appropriate to do so.
- Who else do you need to involve within your organisation?
- Do you need to ask your processors to assist?
- Do you plan to consult information security experts, or any other experts?

IG, procurement, legal, Business Intelligence, Equalities/communities, Comms and media, Individuals/users feedback

Will continue to work with the successful bidder

#### **Step 4: Assess necessity and proportionality**

##### **Describe necessity and proportionality measures:**

- what is your lawful basis for processing legal obligation, task in the public interest or legitimate interests
- Does the processing actually achieve your purpose Yes
- Is there another way to achieve the same outcome NA
- How will you prevent function creep BAU/service management
- How will you ensure data quality Covered in contract when its in place
- How will you ensure data minimisation Covered in contract when its in place
- What information will you give individuals/intend to provide privacy information to individuals All ROI will be covered in published/accessible PN's
- How will you help to support their rights/do we implement and support individuals' rights As in PN
- what measures do you take to ensure processors comply Procurement process/ongoing contract management
- How do you safeguard any international transfers NA
- Do our plans help to achieve our purpose YES
- Is there any other reasonable way to achieve the same result NA
- How will we prevent function creep As above
- How do we measure to ensure our processors comply Procurement process/ongoing contract management
- What are the safeguards for international transfers/ transfers outside the UK NA

**Step 5 and 6 – Identify and assess the risks and measures to reduce**

Describe source of risk and nature of potential impact on individuals, compliance and corporate as necessary.	Likelihood of harm	Severity of harm	Overall risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measures approved
<p><i>Data breaches: Personal data may be exposed, leading to identity theft, financial fraud, or other forms of malicious use</i></p>	Possible	Significant	Medium	<p><i>Although we think the risk of data breach and privacy violation is low, we will still:</i></p> <p><i>Implement robust data security measures: Using passwords and other cybersecurity tools to protect sensitive data from unauthorised access.</i></p> <p><i>Carry out employee training: Educate our team about data security best practices and the importance of safeguarding personal information.</i></p> <p><i>Review our incident response plan: Check that our plan to handle data breaches or security incidents is still efficient and effective.</i></p>	Reduced	Low	Yes

<i>Privacy violations: Sensitive personal information could be accessed or shared without individuals' consent, violating their right to privacy.</i>							
<i>Discrimination and stigmatisation: Unauthorised access to sensitive personal data may lead to discrimination or stigmatisation against affected individuals.</i>							
<b>Associated compliance risks:</b>							
<i>Non-compliance with data protection regulations: Inadequate data security measures may lead to non-compliance with data protection laws, such as the GDPR, resulting in potential fines and legal actions.</i>	Remote	Minimal	Low	<i>Compliance monitoring: Continuously monitor and update our data security practices to ensure compliance with relevant data protection regulations.</i>	Reduced	Low	Yes

<i>Breach notification obligations: If a data breach occurs due to insufficient security, the organisation may fail to meet its obligation to promptly notify affected individuals and relevant authorities.</i>							
<i>Regulatory investigations: Data protection authorities may launch investigations into the organisation's security practices, resulting in reputational damage and possible penalties for non-compliance.</i>							
<i>Contractual / agreement/MOU/ ISA obligations: We may be in breach of these with **</i>				Controller/processor will be set out in the contract and we will need to do Data processing schedule			
<b>Corporate risks:</b>							
<i>Financial loss: Data breaches and subsequent legal</i>							

<i>action could result in financial losses, including legal fees, fines, and compensation to affected individuals.</i>							
<i>Ensure ROI are published/accessible</i>				Review and update specific PN			



**Step 7: Sign off and record outcomes**

Item	Name/position/date	Notes/ Comments
<b>Measures approved by:</b>		Integrate actions back into project plan, with date and responsibility for completion
<b>Residual risks approved by:</b>		
<b>DPO/ Information Governance advice provided:</b>		Summary of DPO/ Information Governance advice
<b>DPO:/Information Governance advice accepted or overruled by:</b>		If overruled, please explain your reasons
<b>Consultation responses reviewed by:</b>		
<b>This DPIA will kept under review by:</b>		

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<b>Meeting:</b>	Executive
<b>Meeting date:</b>	18th April 2024
<b>Report of:</b>	Director of Housing, Economy and Regeneration
<b>Portfolio of:</b>	Councillor Michael Pavlovic, Executive Member for Housing, Planning and Safer Communities  Councillor Jenny Kent and Councillor Kate Ravillious, Executive Members for Environment and Climate Emergency

## Housing Retrofit Update

### Subject of Report

1. Around a third of the city's carbon emissions are from our homes. Reducing the energy consumption of our homes alongside the transition to low carbon heating systems are vital in supporting York becoming a net zero city. Alongside the climate challenge, our residents have experienced a significant economic cost of living crisis which has hit lowest income families the hardest. This has resulted in less people being able to afford to adequately heat their home, which is known to have a negative impact on both our mental and physical health. In order to help tackle this issue the council has been leading on a number of energy efficiency retrofit projects. This report seeks decisions to deliver further retrofit works in the private and social housing sector as well as supporting future retrofit activity through advice and support.
2. This paper provides an update on council led residential retrofit activity in the city, including completed retrofit works and on-going projects. This includes works to improve both Council housing stock and homes in the private sector. This work is motivated around three key objectives, to reduce the city's impact on climate change, to reduce fuel poverty, and to improve the health of people's homes.

3. Further to providing an update on existing projects, the report seeks decisions to progress our activity in the delivery of further retrofit works. Within the private sector approval is sought to enter into a delivery contract under the Home Upgrade Grants Phase 2 (HUG2) project. This project will deliver retrofit works for 60 low-income households who live in off-gas homes. The work is 100% grant funded and will take place during this financial year.
4. In the social housing sector, the paper seeks approval to enter into a Grant Funding Agreement with the York and North Yorkshire Combined Authority for a £1,895k investment into new low carbon communal heating systems at Alex Lyon House and Honeysuckle House which are council owned Independent Living Communities (ILC). The works are 100% grant funded using the Net Zero Fund. These works will both create a low carbon solution and crucially will significantly reduce fuel bills for the residents of these homes, estimated to be around a 50% reduction in cost.
5. Furthermore, the paper identifies the progress of the Local Energy Advice Demonstrator (LEAD) project which will both create demand for future retrofit work and support its delivery through advice. This project, led by the council, commenced in November 2023. The council is delivering retrofit advice alongside partners and this report notes progress on the signing of grant funding agreements with Joseph Rowntree Housing Trust, York Conservation Trust, York Travellers Trust, and Leeds Beckett University. This partnership will deliver retrofit advice for properties which are 'hard to treat' and will support residents who are often missed or not engaged with.

## **Benefits and Challenges**

6. The key benefits of making the decisions outlined in the report are:
  - a) Noting the progress achieved so far in retrofit works and energy efficiency schemes undertaken by the Council in working towards the Council's ambition to be a net zero carbon city by 2030.
  - b) Noting the commencement of new retrofit and energy efficiency schemes undertaken by the Council.

- c) Enabling the Council to deliver the HUG2 project to enable up to 60 off gas properties to receive energy efficiency and retrofit measures, with measures being aimed at properties with an energy performance certificate (EPC) rating of D, E, F or G, and where the household income is £36,000 a year or less.
- d) Enabling the Council to work in partnership with the city partners to deliver retrofit assessments within their properties and provide their residents with energy retrofit advice.
- e) Enable the Council to upgrade 62 flats at two ILCs with low carbon, renewable based communal heating systems in place of existing expensive and higher carbon storage heater and immersion hot water systems. The communal areas of the schemes would also benefit from the upgrade. Once completed, the total Carbon savings are expected to be 305 tCO<sub>2</sub>e (tons of carbon dioxide equivalent) over the next 10 years.

## Policy Basis for Decision

- 7. All the updates and proposals, align with a number of the Council's commitments, including:
  - 2) **Affordability** – by delivering lower utility costs for people on lower incomes in up to 60 private sector homes and 62 council owned apartments and communal areas in 2 ILC schemes in York.
  - 3) **Climate** – reducing carbon emissions by increasing the thermal efficiency of up to 60 properties in York and providing low carbon heat sources and power generation for 122 homes across the projects.
  - 4) **Health** – improving the health of residents of York through improvement to properties thermal efficiency to help people stay warm in their homes.

In addition, they will also support the Council Plan priorities and the Council's ambition to be a net zero carbon city by 2030.

- a) **Health and wellbeing: A health generating city, for children and adults.**  
Exposure of residents to excess cold exacerbates a range of health conditions and contributes to increased hospital

admissions during the winter months. Older and disabled residents are particularly at risk from excess cold. Retrofitting homes will make tangible improvements to the energy performance of dwellings thereby reducing incidents of excess cold and associated ill health. Excess cold and unaffordable utility bills are also factors which can contribute to mental ill-health. Therefore, these projects can provide a positive base for improved mental health for residents.

**b) Education and skills: High quality skills and learning for all**

Retrofit of existing homes requires a skilled workforce and is labour intensive by the nature of the work involved. People working in the construction industry are typically paid above the national average. Utilising central government grant funding to deliver works creates opportunities for work with the supply chain to create opportunities for further training and skills development locally.

**c) Economy and good employment: A fair, thriving, green economy for all.**

The projects will invest millions of pounds into the local green economy.

**f) Sustainability: Cutting carbon, enhancing the environment for our future.**

Carbon emissions from the residential sector accounts for a third of all carbon emissions in York. Retrofit improves the thermal performance of existing dwellings, reduces heating demand, transitions homes to low carbon solutions, and thus reduces reliance on fossil fuels.

## Financial Strategy Implications

8. The value of the capital contract for HUG2 is £1,056k funded directly from the HUG2 Government Grant awarded by the Department of Energy Security and Net Zero.
9. In addition, City of York Council has been allocated funding of up to £186k to administer the scheme and support the employment of a 0.8 FTE project manager and 0.5 FTE Technical Support Officer for the duration of the project.
10. City of York Council is not required to make any contribution towards the scheme, so there no implications on the Council

budget. However, if the contract is not awarded and the scheme does not proceed then this would result in the loss of £1,242k in capital funding and the potential requirement to repay some or all the funding provided to date. To date, this amounts to a figure of £95k.

11. The value of the LEAD project is £500,000, funded directly from the LEAD Government Grant awarded by the Department of Energy Security and Net Zero, which is supporting the employment of 1.0 FTE project manager, 2.0 FTE Energy Efficiency and Retrofit Advisors, 0.5 FTE Technical Support Officer for the duration of the project.
12. City of York Council is not required to make any contribution towards the scheme, so there are no implications on the Council budget. Part of the project will require working and funding partners, such as the Joseph Rowntree Housing Foundation, to assist with the scheme, as well working with procured delivery partners. Any costs involved with such partnerships will be funded through the allocated LEAD grant awarded.
13. The proposed £1,895k Net Zero Fund grant funding to upgrade the heating systems at Alex Lyon House and Honeysuckle House will resource 100% of the project costs including the council's own project management costs. This represents a significant capital investment in our council house assets.

## **Recommendation and Reasons**

### **14. Recommendations**

Executive are asked to:

- a) Note the progress achieved so far in the completion of energy efficiency and retrofit projects under the following grant funded programmes, Home Upgrade Grant Phase 1 (HUG1), Local Authority Delivery Phase 3 (LAD3), and the Social Housing Decarbonisation Fund Wave 1 (SHDF1).
- b) Note the commencement of new energy efficiency and retrofit projects, including the Local Energy Advice Demonstrator (LEAD) project, Retrofit One Stop York (ROSSY) project, and the Social Housing Decarbonisation Fund Wave 2 (SHDF2).

HUG2

- c) Approve the Council entering into the Home Upgrade Grant Phase 2 delivery contract with Clear Climate, as the winning bidder of the recent procurement exercise.
- d) Delegate authority to the Director of Housing, Economy and Regeneration in consultation with the Head of Procurement and the Director of Governance (or their delegated officers), to conclude the terms of the HUG2 contract with Clear Climate.

LEAD

- e) Note the signing of a grant funding agreements, as part of the Local Energy Advice Demonstrator (LEAD), with Joseph Rowntree Housing Trust. Note the intention to enter further grant funding agreements with York Conservation Trust, York Travellers Trust, and Leeds Beckett University, to enable the delivery of high-quality retrofit surveys and advice which target properties which are 'hard to treat' and residents who are often missed or not engaged with. Such agreements, and the associated transfer of grant funds, will enable a significant number of retrofit surveys and thereby support effective planning for future retrofit delivery works.

Net Zero Fund

- e) Approve the Council entering into the Grant Funding Agreement with York and North Yorkshire Combined Authority for the Net Zero Fund allocation for Alex Lyon House and Honeysuckle House, totalling £1,895k and delegate to the Director of Housing, Economy and Regeneration, in consultation with the Head of Procurement and Director of Governance (or their delegated officers), authority to conclude terms of the grant funding agreement.
- f) Delegate authority to the Director of Housing, Economy and Regeneration, in consultation with the Head of Procurement and the Director of Governance (or their delegated officers), to carry out procurement processes in compliance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015 to seek suppliers for the delivery of the Net Zero Fund projects at Alex Lyon House and Honeysuckle House, and to subsequently enter into contracts covering design, consultancy services and construction works.



**Reason:** To deliver the council's ambitions for minimising the energy bills of those residents facing financial challenges, supporting health and wellbeing, building the local green economy, and retrofit supply chains, and reducing carbon emissions in the city and to ensure the provisions of the Subsidy Control Act 2022 are complied with.

## Background

15. Household energy bills have increased substantially since 2021, with a typical bill likely to have doubled over this period. This is taking into account the central government Energy Price Guarantee announcement, or the increases would have been greater still. These costs have significantly raised the number of households experiencing fuel poverty. Alongside the challenge for residents to keep their homes warm, the council has set an ambition for the city to be a net zero carbon city by 2030 to support the response to the climate emergency. These two challenges bring into sharp focus the need to undertake significant retrofit improvements to housing in the city.
16. A Retrofit Action Plan was approved by the Council's Executive in December 2022, setting out plans for decarbonising homes in York and tackling fuel poverty across all tenures. This Plan builds on the Climate Change Strategy, identifying clear actions required in the residential sector to meet these aspirations. Amongst the key priorities identified are to "Maximise delivery of future government programmes" in the private sector to tackle fuel poverty and accelerate the expansion of retrofit skills in the sector.
17. The Retrofit Action Plan identifies workforce skills and capacity as a key element of meeting the council's decarbonisation aims. Specific commitments include:
  - Ongoing skills programme for our in-house Building Services team to increase our own capacity to deliver works; and
  - Extending existing links with local colleges in addition to other training providers to develop a retrofit skills pathway
18. UK Shared Prosperity Funding is being utilised to help address the local retrofit skills shortage and support delivery of the Retrofit Action Plan. As agreed by Executive in February 2024, the council will develop and deliver a training programme for those involved with retrofitting social housing. The plan for this year is to establish

a cohort, led by the council's own Building Services teams, and other Registered Provider social landlords with homes in the city. Cohorts for priority courses and training have been identified covering the following areas: Retrofit awareness, PAS2035 roles, Heat Pump Systems, Domestic Ventilation, External Wall Insulation (EWI) and Floor Insulation.

19. The council has been highly successful in attracting grant funding in-order to accelerate retrofit works across private rented, homeowner and social housing tenures. This work has directly supported residents in fuel poverty by significantly improving the energy performance of their home.

### **Progress in delivering Retrofit works**

20. Central government funded retrofit works are required to be undertaken utilising an exacting PAS2035 design and assurance standard. These works are delivered by a relatively immature retrofit market at a time of significant cost inflation. Alongside the supply chain skills shortage, the council has needed to develop expertise in this field to support the delivery of these works. This has created significant challenges in delivering retrofit works at scale within the very short timescales which are associated with these government grant funding programmes.
21. Despite these challenges the council has made significant progress in delivering retrofit works to date.

### **Completed Private Sector Property Retrofit Projects**

22. In the private sector, retrofit works have been delivered utilising grant funding secured through Local Authority Delivery Phase 1B (LAD1B), Local Authority Delivery Phase 2 (LAD2), Local Authority Delivery Phase 3 (LAD3), and Home Upgrade Grant 1 (HUG1) schemes.

#### LAD1B

23. Under LAD1B a total of 122 homes have been improved, carrying out 139 different retrofit measures, with works being undertaken in properties in York, Selby, Craven and Harrogate. Of these works, 60 measures were installed in 52 private homes in York. This scheme finished in October 2022.

<b>York Retrofit Measures</b>	<b>Number</b>
Room in Roof Insulation	14
Cavity Wall Insulation	13
Loft insulation	33

LAD2

24. Under LAD2 a total of 29 private homes have been improved, carrying out 29 different retrofit measures, with works being undertaken in York and Selby. Of these works, 27 measures were installed in 27 private homes in York. Works were completed in October 2022.

<b>York Retrofit Measures</b>	<b>Number</b>
Room in Roof Insulation	1
Solar Photo Voltaic Panels	26

LAD3

25. For LAD3, a total of 208 energy measures were installed in 173 homes, with works being undertaken in properties in York, Selby, Craven and Harrogate. Of these works, 141 measures were installed in 120 homes in York, with works being completed in October 2023.

<b>York Retrofit Measures</b>	<b>Number</b>
External Wall Insulation	7
Underfloor Insulation	1
Cavity Wall Insulation	1
Loft Insulation	31
Hybrid Air Source Heat Pumps	10
Solar Photo Voltaic Panels	81
Smart Heating Controls	10

HUG1

26. For HUG1, a total of 29 energy measures were installed in 26 homes, with works being undertaken in properties in York, Selby, and Harrogate. Of these works, 13 measures were installed in 12 homes in York, with works being completed in October 2023.

<b>York Retrofit Measures</b>	<b>Number</b>
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Loft insulation	2
Air Source Heat Pumps	2
Solar Photo Voltaic Panels	9

27. As a result, we have, to date, undertaken around 405 improvement measures in 350 homes in the private sector, with 241 of these measures being installed in 211 York homes. All these works have been entirely funded utilising central government grant to qualifying low-income households.

### **Completed Council Property Retrofit Projects**

28. In respect of works completed to council homes, the Council has delivered energy efficiency and retrofit measures through grant funding from the Local Authority Delivery Phase 2 scheme (LAD2) and the Social Housing Decarbonisation Fund Wave 1 (SHDF1) grant, with City of York Council contributing towards the costs of the schemes via money allocated from the Housing Revenue Account.

#### LAD2

29. Utilising LAD2 funding, 45 CYC council homes, 6 Joseph Rowntree Housing Trust homes, and 8 Yorkshire Housing homes have been improved, all resulting in an improved EPC rating for the property. With a total of 59 retrofit measures installed, delivery completed in October 2022.

<b>Retrofit Measures</b>	<b>Number</b>
Solar Photo Voltaic Panels	45

#### SHDF1

30. Under the SHDF1 scheme, a total of 28 council homes have been improved, carrying out 96 different retrofit measures, with this scheme finishing at the end of March 2024.

<b>Retrofit Measures</b>	<b>Number</b>
External Wall Insulation	1
Cavity Wall Insulation	17
Loft insulation	2
Hybrid Air Source Heat Pumps	17
Solar Photo Voltaic Panels	26

Windows	10
Flat Roof Insulation	4
Doors	10
Smart Heating Controls	9

31. Under the above scheme 73 council properties have been upgraded, with an associated improved EPC rating, helping to reduce residents' fuel bills, improve the thermal performance of their homes, and reduce carbon emissions.

### **Current Private Sector Property Retrofit Projects**

#### Local Energy Advice Demonstrator (LEAD) Project

32. Following a successful application to the Northeast and Yorkshire Net Zero Hub in April 2023, a Grant Agreement of £500k was signed in November 2023.
33. The LEAD Home Energy Advice Scheme subsequently commenced delivery in November 2023, with the aim of providing home energy-efficiency and carbon literacy advice to 475 residents in York, before the end of March 2025. The advice provided will help residents to understand the requirements of their properties and empower them to approach installers. The funding was awarded on the basis of looking to support retrofit advice to residents who are often missed or not or whose homes/buildings are 'hard to treat'.
34. The City of York Council is the lead partner in a collaboration, this includes the following organisations:
- Joseph Rowntree Housing Trust – to be provided with £34.7k of grant to undertake 40 retrofit assessments on their stock and provide their residents with the results of these to support future retrofit works.
  - York Conservation Trust – to be provided with £10k of grant to undertake between 10-20 retrofit assessments and heritage statements on their properties within conservation areas.
  - York Travellers Trust – to be provided with £11.5k of grant to undertake home energy retrofit and safe space training, host three family fun dates at the three travellers' sites to encourage engagement in energy retrofit, and to undertake a

workshop at providing energy retrofit advice to the housed traveller community. Note that this is in addition to the council led stock condition survey to be carried out at council traveller sites.

- Leeds Beckett University – to be provided with £20k of grant to undertake four customer engagement workshops to inform a home energy retrofit toolkit and to provide quality assurance on advice packs.

35. The LEAD project scheme is specifically focussed on providing advice to owners, landlords and tenants of EPC D-G rated properties. These properties must be within a conservation area, be Grade 2 listed or above, or house members of the Gypsy and Traveller community.

#### Retrofit One Stop Shop York (ROSSY)

36. The Retrofit One Stop Shop (ROSSY) project application was submitted to, and approved, by Innovate UK at the end of 2023. Since then, mobilisation has commenced, and grant agreements are currently being drawn-up.
37. ROSSY is a combined project with 7 other partners, these are: BrightSparks Agency, University of York, York Community Energy, Energy Systems Catapult, Wrapt Homes, York and North Yorkshire Combined Authority, Abundance Finance.
38. The partnership has been created with the aim of resourcing and creating an end-to-end, home energy-efficiency retrofit, online platform that will take York residents through the entire retrofit journey, ultimately providing them with retrofit installs to meet their priorities and budgets.
39. The partnership will work together to ensure maximum resident engagement, thorough monitoring and evaluation and the use of innovative technologies to record the benefits of retrofit. The scheme also seeks to create Community Champions, provide thorough training to installers, create a robust and accredited supplier marketplace and create new finance opportunities, external to those via central government funding.
40. In addition to the platform, two CYC properties will be upgraded through a deep retrofit as 'Demonstrator Homes' for potential customers to visit or view before being re-used as council homes

with significantly reduced fuel bills and a warmer home for future residents. This work is grant funded.

### Home Upgrade Grant 2 (HUG2)

41. Following the successful HUG2 application in early 2023, a Memorandum of Understanding was signed by City of York Council to secure £1,242k of grant funding, which included capital funding to deliver the works and revenue funding to provide staffing resource to enable the project delivery.
42. The funding obtained allows City of York Council to target energy efficiency and retrofit measures to a mix of properties and include:
  - Fabric measures and heating upgrades to off-gas rural properties;
  - Heating upgrades to apartments in blocks with all electric heating, these are likely to be predominantly in the city centre; and
  - Fabric measures and heating upgrades to properties with old non-gas heating (e.g. storage heaters) these could be distributed throughout the city.
43. HUG2 is aimed at off gas properties with an energy performance certificate (EPC) rating of D, E, F or G, and where the household income is £36,000 a year or less.
44. Since the successful grant application, a report was taken to the Decision Session of the Executive Member for Housing and Safety Neighbourhood on 16 March 2023, where it was resolved:
  - (iii) That prior to the signing of a delivery contract following a procurement exercise, a report will be provided to Executive seeking approval to sign the delivery contract and commence works.
45. Since then, the Healthy and Sustainable Homes team, in conjunction with procurement and legal services, have procured a delivery partner, Clear Climate, to deliver the HUG2 project works. This will enable up to 60 off-gas properties in York to receive retrofit works.

### **Current Council Property Retrofit Projects**

Social Housing Decarbonisation Fund Wave 2 (SHDF2)

46. This project follows the successful bidding of grant funding for £1,033k from BEIS, with some matched funding from the HRA of £1,104k to deliver measures to 113 Council properties, including the installation of 40 'pods' at Bell Farm with house retrofit works, and works to 95 solid wall ginnel properties to improve insulation.
47. The installation of solid wall ginnel insulation works is progressing well and the first 45 will be completed in the coming weeks, with a further 50 next year. A construction contract will be signed in the coming weeks to deliver the renovation works at Bell Farm.

Net Zero Fund grant for Alex Lyon House and Honeysuckle House renewable heating upgrades

48. As part of the HRA Asset Management Plan and the Retrofit Action Plan, it is identified that electric storage heaters and immersion hot water tanks result in high costs for residents and it is an aim to phase these out through component upgrades over time.
49. Replacement of these systems is a complex, particularly when carried out at larger apartment schemes such as Alex Lyon House and Honeysuckle House. Due to the need for a whole-building system, and a lack of individual apartment-based solutions, a whole system design will be procured. The 62 flats plus communal areas constitute a significant proportion of the total storage heater systems currently installed across the council's flats.
50. The proposed grant funding of £1,895k is constituted of £1,051k for Alex Lyon House and £844 for Honeysuckle House. These are expected to provide for 100% of project costs including council project management, design and consultancy services, project evaluation with a specialist partner, and the construction works.
51. The costs have been assessed by a Quantity Surveyor and include an appropriate contingency element.
52. Funded works include Solar Photovoltaic panels as part of the renewable heat pump based heating system with an associated energy storage element. This comprehensive energy upgrade is planned to bring significant cost reductions for residents, predicted at 50% alongside achieving a high level of thermal comfort



throughout the winter.

53. The communal heat pump based system is an approach that has been successfully taken across the social housing sector for apartment blocks of this scale and larger, including in other Yorkshire Local Authorities.
54. If sized appropriately, the communal heat-pump system could be expanded to surrounding buildings, forming a district heat network. This could provide some future proofing of the installation and enable surrounding community based buildings to benefit. This will be investigated in more detail once a design team have been procured for this work.
55. The Net Zero Fund represents a significant opportunity to improve the council's homes for residents who face financial challenges and to increase investment in the city and council housing stock.

## **Consultation Analysis**

56. Consultation has been undertaken with external stakeholders, Council Members and officers at various stages of each project and on key priorities identified within the draft Retrofit Action Plan. It is considered that the recommendations of this report are well aligned with the approved Retrofit Action Plan.
57. Consultation with residents has been carried out at Alex Lyon House. Briefings have been held with Ward Councillors for both schemes, and internally with Housing Management teams to identify tenant needs through the projects. Further consultation is planned with tenants and partners as design work is carried out. A city-wide consultation was undertaken when creating the Retrofit Action Plan which sets the priority actions which form the basis of the recommendations within this report.

## **Options Analysis and Evidential Basis**

58. The four options the Executive could consider in respect of this report are below:

- a) **Option 1** – agree to the signing of a contract with Climate Clear to commence delivery of the HUG2 energy efficiency and retrofit scheme and to the Net Zero Fund Grant Funding Agreements.
- b) **Option 2** – not to agree to the signing of a contract with Climate Clear to commence delivery of the HUG2 energy efficiency and retrofit scheme or to the Net Zero Fund Grant Funding Agreements.
- c) **Option 3** – agree to the signing of a contract with Climate Clear to commence delivery of the HUG2 energy efficiency and retrofit scheme but not to the Net Zero Fund Grant Funding Agreements.
- d) **Option 4** – not agree to the signing of a contract with Climate Clear to commence delivery of the HUG2 energy efficiency and retrofit scheme but agree to the Net Zero Fund Grant Funding Agreements.

## Analysis

- 59. It is recommended that the Executive approves Option 1 and the recommendations outlined in paragraph 14. This provides the most comprehensive response to the ambitions of improving the energy efficiency of homes in the city, which will maximise the reduction in carbon emissions and maximise the benefits for residents through warmer homes which are more energy efficient and more affordable to heat.
- 60. Option 2, if taken, would result in a significant reduction in grant funded retrofit activity and would fail to meet outlined ambitions around reducing both fuel poverty and the city's contribution to climate change.
- 61. Options 3 and 4, if taken, would result in a reduced opportunity to deliver retrofit works and the handing back of grant funding.

## Organisational Impact and Implications

### 62. *Financial*

The HUG2 grant is for properties in the private sector, 30% of funds would be awarded as an upfront payment, split between a

20% mobilisation payment and a 10% deposit payment at the start of each financial year and the remainder of the grant awarded as part of a batch application process.

Administration and ancillary costs can be claimed by CYC and the contractor up to a maximum combined value of £186K. CYC internal resources costs are to be contained within this value.

The proposed £1,895k Net Zero Fund grant funding to upgrade is intended to resource 100% of the project costs including the council's own project management costs. This would represent a capital investment in Housing Revenue Account (HRA) assets and would reduce expected future costs of delivering the Housing Asset Management Plan and the HRA Business Plan.

LEAD project is 100% externally funded from Dept of Energy Security and Net Zero, of which £96k has been ringfenced for internal resources to carry out the scheme. Internal resources costs are to be contained within the funding amount and the project is to be monitored on a periodic basis to ensure that the internal costs do not exceed these amounts unless it can be funded from other areas of the grant awarded allowed within the grant conditions.

The Retro Fit One Stop York Project (ROSSY) has been awarded £147k to administer the scheme with an additional £188k to complete retrofit works. The scheme will need to be monitored to ensure that the costs incurred by the council do not exceed the grant awarded. It is also noted that the grant income will be paid on a monthly basis rather than in a lump sum, this will also need to be monitored to ensure that the grant is received.

SHDF2 partly funded via The Dept for Business, Energy and Industrial Strategy (BEIS) and HRA to a total of £2,137k. The aim of this scheme is to improve the energy performance of the councils housing stock. This will contribute to the Council's commitment to become a net zero council and contribute to the reduction of future social housing costs to the Council and its residents. The scheme will need to be monitored to ensure that expenditure including internal staffing resource does not exceed the total budget for this scheme.

63. ***Human Resources (HR)***

The additional resource noted in paragraph 12 required to administer the HUG2 scheme will be administered using existing resources. There are no other HR implications contained in the attached report.”

64. **Legal**

**HUG2** – A review of the proposed grant funding arrangements in respect of the Subsidy Control Act 2022 (previously State aid) was carried out to confirm whether any mitigating actions need to be taken prior to entering into those arrangements. In summary, whilst part of the funding could amount to a subsidy to private landlords, the Minimum Financial Assistance (MFA) exemption should apply to such awards. MFA is capped at a threshold of £315k meaning that no individual recipient can receive more than this amount over the applicable period (3 financial years under s36 of the Act). It will therefore be necessary, and is also a requirement of BEIS, to obtain declarations from such landlords that they have not received subsidy over the MFA threshold across three financial years from all public sources. In addition, where the grant funding is to be awarded to a third party to carry out the HUG2 works, any such transactions should be evidenced as being on market terms, most clearly through the use of competitive processes compliant with the Public Contracts Regulations 2015, to ensure compliance with the Subsidy Control Act.

The HUG2 tender process was conducted in accordance with the requirements of the Council’s Contract Procedure Rules and Public Contracts Regulations 2015. As noted at paragraph 3, the Executive Member decision of 16.03.2023 requires Executive approval to enter into the HUG2 contract. As required, this report seeks that approval to enter into a contract with the successful provider, Clear Climate. If approved, legal services shall coordinate sealing and signing accordingly.

**NET ZERO Grant Funding Agreements for Alex Lyon House and Honeysuckle House**

A review of the proposed grant funding arrangements in respect of the Subsidy Control Act 2022 (previously State aid) has been carried out to confirm whether any mitigating actions need to be taken prior to entering into the arrangements. Legal advice has been obtained which has confirmed that where there is a risk that

part of the funding could be a subsidy it could be allowable as either:

- a) a subsidy in accordance with services of public economic interest principles; or
- b) a subsidy which in any event complies with the subsidy control regime as it complies with the relevant principles under the Act.

In the case of the Council's engagement of external contractors, consultants or other experts, the recommendation is that all transactions should be evidenced as being on market terms – most clearly through the use of competitive processes compliant with the Public Contracts Regulations 2015.

Legal Services have reviewed and provided advice to officers on the proposed Grant Funding Agreements.

#### 65. ***Procurement***

The proposed works and services for the HUG2 project have been commissioned via a compliant procurement process under the Public Contract Regulations 2015 and the council's Contract Procedure Rules. The Commercial Procurement team have been consulted alongside Legal Services throughout the process to ensure the council is achieving value for money whilst delivering the contract.

The Commercial Procurement team are also supporting the Net Zero Fund projects alongside Legal Services to ensure the council is achieving value for money alongside compliance with all necessary procurement requirement whilst delivering the required works.

#### 66. ***Health and Wellbeing***

Climate change is one of the biggest public health issues of our time. NICE estimate that older adults living in 'hard to heat' homes contribute to 28,000 additional deaths each year and is a major contributor to avoidable hospital admissions. This project seeks to put in more affordable and lower carbon heating solutions to housing that is designed for older adults. As well as contributing to achieving the cities 'net zero' pledge, a project like this supports the delivery of the health and wellbeing strategy ambition to be an

'age friendly city'.

**67. *Environment and Climate action***

The proposed approach for HUG2 and the Net Zero Fund projects aligns with the ambitions of the Climate Change Strategy.

Supporting off-gas-grid properties with fabric and heating improvements is a cost-effective approach to decarbonising homes and reducing energy costs.

The Net Zero Funding will enable the decarbonisation of housing blocks and reduced energy costs for tenants. Best practice guidance should be used to assist the design, build and operation of the communal heating system.

The communal heat-pump could provide a future expansion opportunity into a district heating system, connecting other nearby buildings.

The communal heating systems would be required to comply with the Heat Network Regulations.

**68. *Affordability***

In addition to providing warmer homes with reduced costs for those residents on low incomes this work will provide skilled employment opportunities in the city.

**69. *Equalities and Human Rights***

The Council recognises, and needs to take into account its Public Sector Equality Duty under Section 149 of the Equality Act 2010 (to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it in the exercise of a public authority's functions).

This report highlights the positive impact that such schemes will have on older residents, disabled residents and those facing

financial difficulties, both in terms of health and wellbeing and affordability.

70. ***Data Protection and Privacy***

As there is no personal data, special categories of personal data or criminal offence data being processed for the purposes of this report, there is no requirement to complete a DPIA. This is evidenced by completion of DPIA screening questions AD-04377.

In addition to this, all of the relevant data protection requirements have been carried out for this project previously and they are regularly reviewed.

71. ***Communications***

Communications implications will involve announcing the various planned projects and communicating with households which will benefit from having these energy efficiency measures installed in their homes. This includes the ongoing campaign to promote the LEAD projects and will include a new phase of campaigning to take up HUG2 home improvements.

72. ***Economy***

The work covered by this report aligns well with the Economic Strategy and Skills Plan and demonstrates the benefits of aligning UKSPF skills funding on supporting retrofit training as outlined above. There are significant potential economic benefits for York in accelerating our work on retrofit and preparing our workforce through skills development.

## **Risks and Mitigations**

73. Retrofit works are complex. They require careful design and implementation in order to ensure home improvements in the long term. Detailed engagement took place at all stages of the development of the Retrofit Action Plan which informs these programmes alongside consideration of emerging good practice and the experience of other authorities.

74. All risks are monitored through project risk registers for each

programme of works with governance in place to ensure these risks are continually reviewed and appropriate decisions are made in response.

75. Executive need to be aware that should the council under deliver on the works described in the funding agreements, the council may be asked to return any unspent funds. This would mean both a reduced delivery of retrofit works and it could place some pressures on revenue budgets for staffing costs which would have been expended but could not be covered by the grant funding.

## Wards Impacted

76. All

## Contact details

For further information please contact the authors of this Decision Report.

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## Background papers

- Decision Session of the Executive Member for Housing and Safety Neighbourhood on 16 March 2023.

<https://democracy.york.gov.uk/documents/g13544/Decisions%20Thursday%2016-Mar-2023%2010.00%20Decision%20Session%20-%20Executive%20Member%20for%20Housing%20and%20Safer%20Ne.pdf?T=2>

## Annexes

None

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