

ANGUS COUNCIL

CIVIC LICENSING COMMITTEE – 18 AUGUST 2022

SAFETY OF SPORTS GROUNDS ACT 1975

REPORT BY THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

The purpose of this report is for Members to consider and agree for responsibility under the Safety of Sports Grounds Act 1975 and Fire Safety and Places of Sport Act 1987, including issuing Safety Certificates etc, to sit with the Service Leader – Planning and Sustainable Growth, reporting to the Civic Licensing Committee.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) notes the terms of the draft document “Safety Advisory Group for Sports Grounds – Terms of Reference” attached as **Appendix 1** to this Report
- (ii) agrees to consult Police Scotland, the Scottish Fire and Rescue Service and the Scottish Ambulance Service in regard to the draft document “Safety Advisory Group for Sports Grounds – Terms of Reference”
- (iii) delegates authority to the Service Leader - Planning and Sustainable Growth, or their nominated representative:
 - (a) to make any non-significant changes to the “Safety Advisory Group for Sports Grounds – Terms of Reference” that are necessary following the consultation referred to in recommendation (ii) above prior to publication of the final version, provided that any significant changes are brought back to Committee for consideration;
 - (b) confirm, amend or replace ‘general safety certificates’ for designated Sports Grounds in accordance with the Safety of Sports Grounds Act 1975 in the case of no conflict of interest and/or objections;
 - (c) to issue ‘special safety certificates’ in respect of the use of designated Sports Grounds for an activity or number of activities specified in the certificate on an occasion or a number of occasions in the case of no conflict of interest and/or objections;
 - (d) to chair the ‘Safety Advisory Group’ for designated Sports Grounds within the Angus Council Local Authority area in accordance with the “Safety Advisory Group for Sports Grounds – Terms of Reference”; and
 - (e) to serve and/or amend a ‘Prohibition Notice’ on any designated Sports Ground (or parts of grounds) where deemed necessary
- (iv) agrees that any necessary changes will be made to the Council’s Scheme of Delegation to take account of any powers delegated to the Service Leader - Planning and Sustainable Growth by Committee as a result of recommendation (iii) above.

2. ALIGNMENT TO THE COUNCIL PLAN

This Report contributes to the achievement of our priority that the council is efficient and effective as detailed in our Council Plan for 2021 – 2024 and contributes to the outcomes contained within the Angus Community Plan and Council Plan, which focus on Economy, People, Place and Our Council:

PLACE • Safe, secure, vibrant and sustainable communities

3. BACKGROUND

- 3.1 The Safety of Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987 sets out functions which sit with local authorities in relation to the certification of “designated sports grounds” and “regulated stands” as to their safety to accommodate spectators. One of the functions under these Acts relates to the issuing of General Safety Certificates. When a General Safety Certificate is issued, it thereafter requires to be confirmed by the Authority on an annual basis. Members recently considered Report 115/22 at its meeting of the Committee on 24 March 2022 dealing with this specific matter.
- 3.2 The functions under the 1975 Act originally sat with the Regional Council before passing to the new Councils in 1996. When these functions sat with the Regional Tayside Council, it discharged these functions largely in liaison with the Tayside Ground Safety Inspection Team (TGSIT). This Inspection Team was a multidisciplinary group of officers comprising technical staff, buildings authority staff, police, fire and ambulance services’ representatives and first aiders. The Legal and Democratic Services department were represented on the group to carry out the secretarial work of the team in relation to Angus.
- 3.3 When the functions were passing from the Regional Council to Angus Council, in 1996, the Council decided, through the Civic Licensing Committee, to continue the practice of discharging the majority of functions in liaison with the TGSIT. These delegations related to powers of the TGSIT to enter sports grounds and inspect them and also in relation to the Director of Legal and Democratic Services to sign prohibition notices under section 10 of the Safety of Sports Ground Act 1975.
- 3.4 The TGSIT have, throughout this time, carried out their duties in terms of the issue of Safety Certificates. On the 8 March 2021, the Council received notification that TGSIT would be disbanding. This Report concludes the work undertaken by Officers to formally establish a new Angus Council Safety Advisory Group as recommended by the Local Government Football Review Working Group and by Sports Ground Safety Authority. An interim SAG comprising technical staff, buildings authority staff, police, fire and ambulance services’ representatives and first aiders undertook these duties for 2021/22.
- 3.5 This Report recommends changes to the Council’s Scheme of Delegation following the disbanding of the TGSIT and the formal setting up of the Angus Council Safety Advisory Group (“SAG”). It is proposed that Building Standards will chair the SAG and a representative from Legal & Democratic Services will sit on the SAG as an advisory member. Other members will consist of Building Standards, Police Scotland, Scottish Fire & Rescue Service and Scottish Ambulance Service. The SAG will provide a forum within which the Council and these other agencies can develop a coordinated approach to spectator safety at sports grounds. This would include such duties as carrying out annual safety inspections, match day inspections, reviewing related health and safety documentations and processes and consideration of changes in legislation along with other duties as outlined in the Terms of Reference in 3.6.
- 3.6 Attached for Members’ information is the draft Safety Advisory Group for Sports Grounds – Terms of Reference. The document has been drafted by Officers. It has not, as yet, been shared with colleagues from Police Scotland, the Scottish Fire and Rescue Service and the Scottish Ambulance Service for their consideration but Committee approval for this is now sought. Thereafter, delegated authority is sought for the Service Leader - Planning and Sustainable Growth, having regard to the feedback from the consultation, to finalise the Terms of Reference. Only if there are any significant changes required will these be brought back to Committee for consideration.

4. SCHEME OF DELEGATION

The Orders of Reference of Committees within the Angus Council Standing Orders detail that the functions of the Council under the Safety of Sports Ground Act 1975 sit with the Civic Licensing Committee of Angus Council.

The delegated power “to issue prohibition notices in terms of Section 10 of the Safety of Sports Grounds Act 1975” currently sits with the Director of Legal and Democratic Services but it is proposed that this is changed so that the powers listed in recommendation (iii) of this report sit with the Service Leader - Planning and Sustainable Growth. If this is approved, the necessary changes will be made to the Council’s Scheme of Delegation.

5. FINANCIAL IMPLICATIONS

There are no financial implications arising as a result of this report.

6. OTHER IMPLICATIONS (IF APPLICABLE)

There are no human rights or equalities implications attached to this report.

7. EQUALITY IMPACT ASSESSMENT

A screening Equality Impact Assessment has been carried out and is attached at Appendix 2.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 Safety Advisory Group for Sports Grounds – Terms of Reference
Appendix 2 Equality Impact Assessment – Screening



SAFETY ADVISORY GROUP
FOR SPORTS GROUNDS

TERMS OF REFERENCE

AMENDMENT RECORD

Date	Issue No.	Details of Changes/s
8 March 2021	Draft 1	New Document
9 March 2022	Draft 2	Various updates (tracked changes)
22 July 2022	Draft 3	Various minor changes (tracked changes)

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1. INTRODUCTION

In the Final Report of the inquiry into the Hillsborough Stadium Disaster, the then Lord Justice Taylor recommended that:

The Safety Advisory Group *“terms of reference should encompass all matters concerned with crowd safety and should require regular visits to the ground and attendance at matches. The Advisory Group should have a chairman from the local authority, and effective procedures. Its resolutions should be recorded and it should be required to produce regular reports for consideration by the local authority”*.

The Sports Grounds Safety Authority has also recommended, among other matters that Council’s consider written policy statements identifying the specific responsibilities of particular individuals or groups of staff and the Safety Advisory Group should be properly constituted and have written terms of reference with effective procedures.

2. DEFINITIONS

“1975 Act” means the Safety at Sports Grounds Act 1975;

“1987 Act” means Fire Safety and Safety of Places of Sports Act 1987;

“Building Authority” has the meaning given to it in section 17 of the 1975 Act;

“Chair” means the **Council’s Service Leader of Planning & Sustainable Growth** who has authority under the Scheme of Delegation;

“Designated Sports Ground” has the meaning given to it under section 1 of the 1975 Act;

“General Safety Certificate” has the meaning given to it under section 1 of the 1975 Act;

“General safety certificate” has the meaning given to it under section 26 of the 1987 Act;

“Angus Council”, **“the Council”** or **“Local Authority”** means Angus Council, a Local Authority in terms of the Local Government (Scotland) Act 1994 having its principal place of business at Angus House, Orchardbank Business Park, Forfar, DD8 1AN;

“Guide to Safety at Sports Grounds” means the sixth edition of the guide to safety certification of sports grounds or “Green Guide” produced by the Sports Grounds Safety Authority;

“Safety Advisory Group” or **“Group”** is a multi-agency advisory group consisting of the appropriate members of Council staff, representatives of Police Scotland, Scottish Fire and Rescue Service, Scottish Ambulance Service and where appropriate, the certificate holder or event organiser;

“Safety certificate” means any of the following Special Safety Certificate, General Safety Certificate, special safety certificate or general safety certificate as the context requires;

“Scheme of Delegation” means the relevant scheme of delegation prepared by the Council under section 50(G)(2) of the Local Government (Scotland) Act 1993;

“Scottish Ambulance Service” means statutory ambulance service having its national headquarters at Gyle Square, 1 South Gyle Crescent, Edinburgh. EH12 9EB;

“Scottish Fire and Rescue Service” is a body corporate established under the Police and Fire Reform (Scotland) Act 2012 and having its registered headquarters at Westburn Drive, Cambuslang, G72 7NA;

“Special Safety Certificate” has the meaning given to it under section 1 of the 1975 Act;

“**Special safety certificate**” has the meaning given to it under section 26 of the 1987 Act;

“**sports grounds**” means any place where sports or other competitive activities take place in the open air, where accommodation has been provided for spectators, consisting of artificial structures or natural structures artificially modified for the purpose, as defined in section 17 of the 1975 Act.

“**Sports Grounds Safety Authority**” means the sports ground safety authority, a not for profit organisation, having its registered office at East Wing, First Floor, Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX;

“**Regulated Stand**” means each stand capable of providing covered accommodation for 500 or more spectators to view activities at the ground, as defined by section 26 of the 1987 Act; and

“**Police Scotland**” is the police service of Scotland having its headquarters at Tulliallan Castle, Kincardine.

3. RELEVANT LEGISLATION

The legislation relevant to the area of work that the Safety Advisory Group gives advice on is identified below:

Sports Grounds Legislation

The Council will exercise its powers under the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987 in respect of the safety certification of the following sports grounds:

Designated Sports Grounds

- Gayfield Park, Arbroath, Angus, DD11 1QB

Regulated Stands

- Glebe Park, Brechin, DD9 6BG
- Links Park Stadium, Wellington Street, Montrose, DD10 8QD
- Station Park, Forfar, DD8 3BT

Safety of Sports Grounds Act 1975 (as amended)

The Council has a statutory duty under the above legislation to –

(a) Issue General and Special Safety Certificates for designated sports grounds in Angus, containing “*such terms and conditions as the Council consider necessary or expedient to secure reasonable safety at the sports grounds*”; and

(b) If necessary, serve a prohibition notice in respect of a sports ground if the Council are of the opinion that - “*the admission of spectators to a sports ground or any part of a sports ground involves or will involve a risk to them so serious that, until steps have been taken to reduce it to a reasonable level, admission of spectators to the ground to that part of the ground ought to be prohibited to restricted*”. (Section 10 is applicable to Designated and non-Designated Sports Grounds).

Fire Safety and Places of Sport Act 1987 Part III

The Council has a statutory duty under the 1987 Act to –
Issue general and special safety certificates for Regulated Stands in Angus, containing
“such terms and conditions as the Council consider necessary or expedient to secure reasonable safety in the Stand when it is in use for viewing the specified activity or activities at the ground”.

4. TERMS OF REFERENCE FOR THE SAFETY ADVISORY GROUP

The role of the Safety Advisory Group is defined below:

- To advise the Council in the exercise of its powers under the Safety of Sports Grounds Act 1975 (as amended) and the Fire Safety and Safety of Places of Sport Act 1987 in respect of the safety certification;
- To provide advice and assistance to certificate holders and event organisers on public safety related issues at sports grounds;
- To provide a forum within which the Council and other agencies may develop a coordinated approach to spectator safety at sports grounds;
- Consider aspects of and possible changes to the terms and conditions in safety certificates;
- To consider, continually review and react to the advice published in legislation and all available guidance documents;
- To receive any relevant reports in relation to matters found during inspections of sports grounds by Safety Advisory Group members;
- To ensure that any matters raised by the Safety Advisory Group have been reported to the Council, certificate holders or, event organisers and that these matters are reported back to the Safety Advisory Group;
- To discuss any significant incident with potential safety implications or “near miss” at a sports grounds; and
- Consider aspects of and possible changes to the terms and conditions in the safety certificate.

It will be within the remit of the Safety Advisory Group for sports grounds to constitute smaller working parties to address specific issues relating to a particular sports ground and any subsequent development. These groups may have the full authority of the Chair to enable decisions to be made on behalf of the Safety Advisory Group for sports grounds, dependent upon circumstances and with full knowledge of the Chair. The outcome of any such groups will be conveyed to all interested parties and reported at the next Safety Advisory Group for sports grounds meeting.

5. DECISIONS OF THE COUNCIL

The Safety Advisory Group as such cannot take any decisions on behalf of the Council. The Council's decision-making power is delegated to the Chair of the Safety Advisory Group who holds the power of approval on any recommendations made by the Safety Advisory Group. In the case of any conflict of interest/objections, the Chair of the Safety Advisory Group will refer the matter for a decision to Members of Angus Council's Civic Licensing Committee.

The Council's core members of the Safety Advisory Group must declare any material conflict of interest in relation to any item put before the Safety Advisory Group, prior to any discussion on that matter. If the interest could be considered prejudicial, then that person should consider if they should withdraw and be replaced by an appropriate party agreed with the Safety Advisory Group.

6. COMPOSITION OF THE SAFETY ADVISORY GROUP

The Safety Advisory Group consists of the following core members:

- Chair (appointed by the Council);
- Building Authority;
- Legal & Democratic Services;
- Police Scotland;
- Scottish Fire and Rescue Service;
- Scottish Ambulance Service;

Below are individuals that should be invited to all Safety Advisory Group meetings:

- Safety certificate holder;
- The sports ground safety officer; and
- In the case of a special safety certificate the person responsible for organising the event.

The above lists are not exhaustive. The Chair of the Safety Advisory Group has authority to invite any additional representatives or specialists from organisations not referred to above, as the Chair feels appropriate to assist the Safety Advisory Group to fully consider any issue.

7. FREQUENCY OF MEETINGS OF SAFETY ADVISORY GROUP

The number of Safety Advisory Group meetings in any year will be flexible and responsive to particular circumstances. There will, however, be a minimum of three meetings scheduled and spread throughout the year.

The Safety Advisory Group may request an inspection/s of the sports ground for a sporting event as determined by the Chair of the Safety Advisory Group in consultation with the sports ground event management. Such members as the

Safety Advisory Group considers appropriate will be requested to attend the inspection and will be provided with a pro forma sheet from the Chair for completion at the inspection. The completed pro forma must be returned to the Chair no later than two weeks after an inspection has taken place. The completed pro forma will be circulated to Safety Advisory Group members for discussion at the next Safety Advisory Group meeting.

8. FORM OF MINUTES OF THE SAFETY ADVISORY GROUP

Each meeting of the Safety Advisory Group will be prearranged by the Chair to an agenda published in advance of the meeting with minutes recorded in accordance with the Council's procedures. The Safety Advisory Group's agendas and minutes of any meetings will be circulated by the Chair to all Group members.

9. ROLES AND RESPONSIBILITIES OF MEMBERS OF THE SAFETY ADVISORY GROUP

The Chairperson

The Chair of the Safety Advisory Group for sports grounds will be a senior officer of the Council who has authority under the Council's Scheme of Delegation to hold this position and issue, renew, transfer and amend safety certificates under the Safety of Sports Grounds Act 1975 and Fire Safety and Safety of Places of Sports Act 1987.

Role of the Chairperson:

- To enforce on behalf of the Council all matters relating to safety of sports grounds as required under the Safety of Sports Grounds Act 1975, Fire Safety and Safety of Places of Sports Act 1987 and all associated legislation and guidance;
- To arrange general meetings of the Safety Advisory Group throughout the year;
- To arrange a specific meeting/inspection of the sports ground in relation to the issuing of a Special/special Safety Certificates;
- To issue to officers of the Safety Advisory Group an agenda of discussion for the meeting and minutes from the previous meeting, in advance of any Safety Advisory Group meeting;
- To arrange a special meeting of the Safety Advisory Group where any matter is brought to the attention of the Chair by an officer of the Safety Advisory Group or other relevant party in relation to matters relating to an amendment, addition, deletion or breach of any conditions contained within the safety certificate;
- To act in a co-ordinating role to the Safety Advisory Group on all matters relating to spectator safety and liaise with Safety Advisory Group members in the production of any items or reports to be placed on the agenda for the meetings;

- To invite additional attendees to a Safety Advisory Group meeting where the Group are of the view it would be beneficial for an additional attendee to be invited in relation to a particular issue;
- To ensure all meetings of the Safety Advisory Group are conducted in a fair and open manner;
- To request, where appropriate, that any member of the Safety Advisory Group attends meetings or carries out additional duties to achieve the aim and objectives of the Safety Advisory Group for sports grounds;
- To prepare, monitor, enforce, review and amend as necessary the safety certificate for sports grounds on a regular basis following consultation with members of the Safety Advisory Group;
- To ensure the Safety Advisory Group for sports grounds properly discharges the responsibilities in relation to sports grounds, delegated to it by the Council;
- To instruct inspections of the sports grounds detailed in section 7 by representatives of the Building Authority, Police Scotland, Scottish Fire and Rescue Service and Scottish Ambulance Service;
- To issue pro forma annual and match day inspection sheets for completion to the Building Authority, Police Scotland, Scottish Fire and Rescue Service and Scottish Ambulance Services representatives on the Safety Advisory Group prior to any pre-arranged inspections of the sports grounds;
- To ensure that decisions taken by the Safety Advisory Group for sports grounds are implemented as soon as reasonably practical;
- To act as liaison officer to the Civic Licensing Committee on behalf of the Safety Advisory Group for sports grounds;
- To report to the Civic Licensing Committee on a regular basis and advise of any changes or other matters such as changes in legislation that require their attention;
- To act on behalf of the Council's Civic Licensing Committee with full authority in cases of urgency in connection with any Safety Advisory Group issues regarding spectator safety;
- To ensure that the Safety Advisory Group for sports grounds may not make any decisions on behalf of the Council's Civic Licensing Committee except within its own remit or where there is a specific delegation given in terms of the Council's Scheme of Delegations;
- To serve prohibition/enforcement notices on behalf of the Council to sports grounds that place spectators at serious risk; and
- To take appropriate action in respect of any breach of the safety certificate.

The Building Authority

The service will be represented by a senior officer and/or his/her appointed deputy who will attend meetings of the Safety Advisory Group for sports grounds, where a building standards officer's presence is expected to be relevant and necessary.

Role of the Building Authority:

- To be the lead officer within the Safety Advisory Group for sports grounds on buildings and barriers;
- To provide technical support to the Safety Advisory Group for sports grounds in relation to all matters concerning Building Regulations and associated legislation;
- To contribute to the preparation, monitoring and amending as necessary of the safety certificates in consultation with other officers of the Safety Advisory Group for sports grounds;
- To identify and take appropriate action in respect of any breach of Building Regulations or any structural or safety matters which present a danger to spectators at any of the sports grounds;
- To advise the Safety Advisory Group for sports grounds on any structural dangers or any breaches of the safety certificates within the sports ground which relate to Building Regulations;
- To make recommendations to the Safety Advisory Group on sports grounds on ground and stand capacities;
- To conduct annual, match day and any other inspections of the sports grounds detailed in section 7 above; and
- To provide a completed annual and match day pro forma inspection sheet (issued by the Chair) to the Chair within two weeks of the inspection being undertaken.

Police Scotland

The service will be represented by a senior officer and/or his/her appointed deputy who will attend meetings of the Safety Advisory Group for sports grounds, where a police presence is expected to be relevant and necessary.

Role of Police Scotland:

- To report on all technical/legal aspects of legislation within the remit of Police Scotland;
- Policing, public safety and crowd management matters referred to in the Guide to Safety at Sports Grounds and other relevant publications;

- Matters relating to the issue of the safety certificates in relation to the Police role and relevant issues;
- Identify any breaches of any safety certificate that is brought to their attention in relation to the Police role, public order and other relevant issues affecting spectator safety;
- Contribute to the preparation, monitoring and amending as necessary of the safety certificate in consultation with members of the Safety Advisory Group for sports grounds;
- To conduct annual, match day and any other inspections of the sports grounds detailed in section 7 above; and
- To provide a completed annual and match day pro forma inspection sheet (issued by the Chair) to the Chair within two weeks on the inspection being undertaken.

Scottish Fire and Rescue Service

The service will be represented by a senior officer and/or his/her appointed deputy who will attend meetings of the Safety Advisory Group for sports grounds, where a Fire officer's presence is expected to be relevant and necessary.

Role of Scottish Fire and Rescue Service:

- Report on all technical/legal aspects of legislation within the remit of Scottish Fire and Rescue Services which relates to sports grounds;
- Report on fire safety matters referred to in the Guide to Safety at Sports Grounds and other relevant publications;
- Report on fire safety matters in relation to the issuing of safety certificates;
- Report on any breaches of the safety certificate and/or fire risk assessment in relation to the Scottish Fire and Rescue Service's role and other relevant fire safety issues;
- To contribute to the preparation, monitoring and amending as necessary of the safety certificates in consultation with members of the Safety Advisory Group for sports grounds;
- To conduct annual, match day and any other inspections of the sports grounds detailed in section 7 above; and
- To provide a completed annual and match day pro forma inspection sheet (issued by the Chair) to the Chair within two weeks on the inspection being undertaken.

Scottish Ambulance Service

The service will be represented by a senior officer and/or his/her appointed deputy who will attend meetings of the Safety Advisory Group for sports grounds in their

respective area within Angus, where a Scottish Ambulance Service presence is expected to be relevant and necessary.

The role of the Scottish Ambulance Service:

- Provide general advice to the Safety Advisory Group. It should however, be noted that the Scottish Ambulance Service is unable to endorse or approve any private ambulance or event medical provider as there is currently no regulation or inspection standards pertaining to the private ambulance or event medical sector in Scotland. Therefore, the Scottish Ambulance Service is unable to verify the clinical, medical equipment, personnel, training, insurance, financial, operational or fleet management standards employed by any independent provider.
- To report on all technical/legal aspects of legislation within the remit of the Scottish Ambulance Service which relates to sports grounds;
- To report on the medical provision and risk assessment referred to in the Guide to Safety at Sports Grounds and other relevant publications;
- To report on matters relating to the issue of safety certificates in relation to the Ambulance Service role and relevant issues;
- To report any breaches of the safety certificate and/or medical risk assessment in relation to the Ambulance Service role and other relevant medical issues;
- Contribute to the preparation, monitoring and amending as necessary of safety certificate in consultation with members of the Safety Advisory Group for sports grounds;
- Identify and make recommendations in respect of any breach of medical safety matters which present a danger to spectators at sports grounds;
- To conduct annual, match day and any other inspections of the sports grounds detailed in section 7 above as requested by the Chair; and
- To provide a completed annual and match day pro forma inspection sheet (issued by the Chair) to the Chair within two weeks on the inspection being undertaken.



Equality Impact/Fairer Scotland Duty Assessment Form

(To be completed with reference to Guidance Notes)

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions):

The purpose of this report is for Members to consider and agree for responsibility under the Safety of Sports Grounds Act 1975 and Fire Safety and Places of Sport Act 1987, including issuing Safety Certificates etc, to sit with the Service Leader – Planning and Sustainable Growth, reporting to the Civic Licensing Committee.

Step 2

Is this only a **screening** Equality Impact Assessment

Yes

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

- | | |
|--|-----|
| (i) It does not impact on people | No |
| (ii) It is a percentage increase in fees which has no differential impact on protected characteristics | No |
| (iii) It is for information only | No |
| (iv) It is reflective e.g. of budget spend over a financial year | No |
| (v) It is technical | Yes |

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment	Yes/No
Is this a Fairer Scotland Duty Assessment	Yes/No

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i)Lead Directorate/Service:

(ii)Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

(iii)What is the aim of the proposal? Please give full details.

(iv)Is it a new proposal? Yes/No Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? Yes/No Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees Yes/No

Job Applicants Yes/No

Service users Yes/No

Members of the public Yes/No

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Internal consultation (e.g. with staff, trade unions and any other services affected).

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? Yes/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Age

Impact

Disability

Impact

Gender reassignment

Impact

Marriage and Civil Partnership

Impact

Pregnancy/Maternity

Impact

Race - (includes Gypsy Travellers)

Impact

Religion or Belief

Impact

Sex

Impact

Sexual orientation

Impact

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

Step 10: If a potentially negative impact has been identified, please state below the justification.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

Step 13: FAIRER SCOTLAND DUTY

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future).

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport)).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: Tina Magson, Team Leader – Legal Services on 8 August 2022

Reviewed by: Doreen Phillips, Snr Practitioner (Equalities) on 10 August 2022

Approved by: Alison Watson, Service Leader – Legal 8 August 2022

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.
