

## Report of the Chair

### Scrutiny Programme Committee – 14 March 2016

#### OLDER PEOPLE'S COMMISSIONER FOR WALES – GUIDANCE ON EQUALITY & HUMAN RIGHTS IMPACT ASSESSMENTS AND SCRUTINY

<b>Purpose</b>	To inform the committee of guidance from the Older People's Commissioner for Wales which contains implications for local authority scrutiny. The guidance relates to Equality and Human Rights Impact Assessments (EHRIA) and Scrutinising Changes to Community Services in Wales.
<b>Content</b>	The report appends: <ul style="list-style-type: none"><li>• a letter from the Older People's Commissioner for Wales dated 16 February 2016</li><li>• Guidance for Local Authorities – Scrutinising Changes to Community Services</li></ul>
<b>Councillors are being asked to</b>	<ul style="list-style-type: none"><li>• Understand the guidance and note details of workshop taking place on 18 April</li><li>• Consider appropriate action to ensure compliance with the Guidance.</li></ul>
<b>Lead Councillor(s)</b>	Councillor Mary Jones, Chair of the Scrutiny Programme Committee
<b>Lead Officer(s)</b>	Dean Taylor, Director – Corporate Services
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#### 1. Introduction

- 1.1 The Older People's Commissioner for Wales, Sarah Rochira, has published new guidance under Section 12 of the Commissioner for Older People (Wales) Act 2006.
- 1.2 The purpose of the guidance is to ensure that local authorities, and other service providers, carry out thorough and robust impact assessments and scrutiny when changes to community services are proposed, and that every consideration is given to mitigate the impact on older people and propose alternative approaches to service delivery, in order to maintain their health, independence and well-being.

- 1.3 Part 1 of the guidance covers Equality Impact Assessments (EIA), however Part 2 examines the role of scrutiny around changes to community services. The aim is to improve the quality of scrutiny and ensure that the impact of closing down or reducing the provision of a community service on older people is thoroughly and rigorously analysed and considered. The guidance on scrutiny is **appended**, along with a letter from the Older People's Commissioner for Wales.

Both parts of the guidance are available on-line here: [http://www.olderpeoplewales.com/en/Publications/pub-story/16-02-16/Section\\_12\\_Guidance\\_Equality\\_and\\_Human\\_Rights\\_Impact\\_Assessments\\_Scrutiny.aspx](http://www.olderpeoplewales.com/en/Publications/pub-story/16-02-16/Section_12_Guidance_Equality_and_Human_Rights_Impact_Assessments_Scrutiny.aspx)

- 1.4 Community services are identified as those non-statutory services such as day centres, public toilets, libraries and transport that are often described as 'lifelines' by older people. The Commissioner recognises that within a challenging financial climate, community services across Wales are at risk due to reductions in public spending, something of great concern for many older people. Furthermore, the Commissioner points out that older people often feel that they have few opportunities to voice their concerns over changes to community services, or that their needs are not fully considered when decisions are made.
- 1.5 The Commissioner emphasises that protecting and improving community services will lead to cost savings for Local Authorities and other public services providers in the medium to longer term by supporting people to maintain their independence, reducing the need for costly formal support delivered through statutory health and social care services. An innovative approach to service delivery, underpinned by effective Equality and Human Rights Impact Assessments can make a huge difference to our communities and, ultimately, to older people's lives.
- 1.6 There is an expectation that scrutiny councillors will question community service proposals, including asking to see Impact Assessments and check that they are based on strong evidence and engagement. The committee will need to ensure that there is due regard to the guidance and consider how we will ensure compliance.
- 1.7 Following the publication of the new Guidance, the Older People's Commissioner for Wales is arranging for training to be delivered across Wales to upskill councillors and officers on the guidance and how to take forward a rights-based approach to impact assessments and scrutiny around changes to community services.

A councillor and staff workshop is taking place on Monday 18 April at 2.00 pm, in the Council Chamber, Guildhall. The programme will include:

- Introduction to the Guide - what's in it, how it applies to councillors and officers.
- Introduction to the 'Rights Based Approach' – introducing the term EHRIA, how human rights can strengthen the EIA process and scrutiny.
- Top tips and recommendations - how can advisers and officials using the guide in future, important things to consider.
- A Q & A session.
- Conclusions: what are the key messages, how to work together in the future.

## **2. Legal Implications**

2.1 There are no specific legal implications raised by this report.

## **3. Financial Implications**

3.1 There are no specific financial implications raised by this report.

Background Papers: None

Legal Officer: Wendy Parkin

Finance Officer: Carl Billingsley