

Moray Council Equality Impact Assessment

Service: Education and Social Care

Department: Lifelong Learning, Culture and Sport

Title of activity: Management Rules for Public Libraries

1. What are the aims and objectives of the policy/activity?

The Management Rules aim to regulate the admission and conduct of members of the public and to ensure the safety of those using public libraries under the control and management of The Moray Council.

2. List the evidence that has been used in this assessment

Internal data (customer satisfaction surveys; equality monitoring data; customer complaints)	Previous management rules dated 1 April 1994.
Consultation with officers or partner organisations	Sonia Campbell Solicitor (Litigation and Licensing)
Consultation with community groups	N/A
External data (statistics, census, research)	The Civic Government (Scotland) Act 1982.
Other	N/A

3. Detail any gaps in the information that is currently available?

Objections from members of the public not yet known as the Management Rules are yet to be advertised.

4. What measures will be taken to fill the information gaps before the policy/ activity is implemented? These should be included in the action plan

Measure	Timescale
Advertising notice of management rules in local paper will allow objections to be made.	Advertised for one month and all objections will be considered and

	objectors given the opportunity to be heard prior to the rules being implemented.
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5. Are there potential impacts on protected groups? Tick as appropriate

	Positive	Negative	None	Unknown
Disability			✓	
Race			✓	
Religion or belief			✓	
Sex			✓	
Pregnancy and maternity			✓	
Sexual orientation			✓	
Gender reassignment			✓	
Marriage and civil partnership			✓	

6. What are the potential negative impacts?

The rules provide that males/females over the age of 8 years will not be allowed entrance to changing facilities/toilets which have been reserved for the opposite sex. This has the potential to exclude those undergoing gender reassignment; however, an exception has been applied to the rules which should mitigate the impact and remove the exclusion.

7. Have any of the affected groups been consulted? If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?

No affected groups have been consulted. The Moray Council's Equal Opportunities Officer has been consulted as has the NHS Scotland Gender Reassignment Protocol.

8. What mitigating steps will be taken to remove those impacts? These should be included in the action plan.

Mitigating step	Timescale
An exception to the rule that persons over 8 years old may not enter changing facilities/toilets of the opposite sex has been inserted to the rules. This removes the impact on those undergoing gender reassignment as it will allow the Authorised Officer to make arrangements for them based on medical grounds. The consent therefore will only be required where unisex facilities aren't available.	Ongoing

Library staff, in particular the Authorised Officers, will be made aware that requests for consent may be made on medical grounds and how they should deal with such requests. A guidance note will be prepared for staff.

To be in place when management rules are made.

9. What steps can be taken to promote good relations between various groups? These should be included in the action plan.

Access to public libraries will bring families, children and young people together within their communities. Regulation of admission and conduct within these facilities should promote tolerance and good relations between various groups. Continued monitoring of the established rules will ensure that regulation is effective and tolerance continues to be promoted between groups.

10. How does the policy/activity create opportunities for advancing equality of opportunity?

The management rules aim to ensure:

- All members of the public have the opportunity to access public libraries.
- All members of the public's admission and conduct is equally regulated.

11. What monitoring arrangements will be put in place? These should be included in the action plan.

Continue to monitor the implementation of the management rules and review the impact of the rules.

12. What is the outcome of the assessment? Tick as appropriate.

1	No impacts have been identified	
2	Impacts have been identified, these can be mitigated as outlined in question 8	✓
3	Positive impacts have been identified in relation to the need to:	
	a) Eliminate discrimination, harassment, victimisation and other behaviour prohibited by the Equality Act 2010	
	b) Promote equality of opportunity	
	c) Foster good relations between groups who share a protected characteristic and those who don't.	
4	The activity will have negative impacts which cannot be mitigated fully	

13. Set out the justification that the activity can and should go ahead despite the negative impact?

A negative impact has been identified in this assessment; however, an exception has been applied to the rules which will mitigate this impact. The impact identified will exist only where the public library does not have unisex facilities in place. The inclusion of an exception in the rules, compounded with staff being trained on the issues, will mitigate this impact.

Sign off and authorisation

Department	Lifelong Learning, Culture and Sport
Title of Policy/activity	Management Rules for Public Libraries
We have completed the equality impact assessment for this policy/activity.	Name: Sheila Campbell Position: Principal Librarian Date: 23 August 2018
Authorisation by Director or Head of Service	Name: Graham Jarvis Position: Acting Director, Education and Social Care Date: 23 August 2018

Action plan

Action	Start	Complete	Lead Officer	Expected Outcome	Resource Implications
Notice of management rules advertised in local newspaper for one month prior to management rules being implemented.	TBC (expected to be immediately following approval of draft rules).	One month following date of advert.	Head of Legal and Democratic Services	Where objections are received, these will be considered and objectors will be given the opportunity to be heard.	Officer time
Continue to monitor the implementation of the management rules and review the impact of the rules.	TBC (expected to be immediately following approval of draft rules).	Ongoing	Principal Librarian	Staff will have information to determine the effectiveness of the rules and any impacts they have on service users.	Officer time
Staff and the Authorised Officers to be aware of gender reassignment in general and be aware of the NHS' protocol. All staff to be made aware that exceptions to the general rule will now apply.	TBC (expected to be immediately following the approval of the draft	Ongoing	Equalities Officer/Principal Librarian/Legal Services	Staff will be made aware of gender reassignment, in particular the NHS protocol and the practicalities which will come from consent based on medical grounds. A guidance note will be made available to staff	Officer time

	rules).			members.	
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