

EQUALITY IMPACT ASSESSMENT

<p>STRATEGY/ACTION: Closure of Arts Centre with proposal to develop new Arts Venue in a Town Centre Location</p>	<p>Department: Place</p>
<p>Person responsible for assessment: Mike Crawshaw</p> <p>Person responsible for strategy where different from above:</p>	<p>Date of assessment: 30th January 2012</p>

Brief description of strategy, partners and those who will be affected by its delivery:

Darlington Arts Centre lies within the West End Conservation Area approximately 0.65 km to the west of the Town Centre. The current functions of the building include: Performance venue, Gallery venue, Participatory arts venue , VI Form College annexe Council Offices annexe, Catering and bar function, Neutral space for a variety of creative ideas and uses , Office space, Meetings space , Open / casual space.

The specific arts centre functions are largely based on the ground floor, working around three core spaces (lounge/bar and ancillaries, theatre, studio) and some discrete workshops.

Activities / groups that use facilities at the Arts Centre that are affected by the proposed closure include: Darlington Film club, Darlington Folk Club, Rhythm and Blues Club, Jazz Club, North east Scribes, CAMRA - Real Ale festival, Teesdale Naturalist Field Club, Inkerman Writers, Darlington Media Group, Darlovelo, Green Theatre, Pierremont school of Dance, Darlington weaving group, Karate club and Vane Women.

Theatre Hullabaloo – young people’s theatre, Darlington Community Carnival – use the centre as a base.

The Open Arts Studio – community arts project activities for disabled people, particularly those with learning difficulties and mental health problems.

People who attend performances, exhibitions and use the bar area as a safe and welcoming place, the latter including local groups who use the area as an informal meeting place e.g. Knitting group, Lesbian, gay and transgender community and Queen Elizabeth Sixth Form students. Six tenants are also affected.

Introduction

This is a generic document that will require interpretation in particular circumstances. If, after reading the guidance, you require further information on how to implement the assessment, please contact Peter Roberts, Social Enterprise Development Manager 01325 388713

Q.1 Is your strategy and the actions it proposes accessible to everyone within the community? Bear in mind any economic, social, environmental, physical, intellectual, cultural, linguistic, technological or other barriers.

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Equality Act 2010 Protected characteristics:				
Age	✓		Daytime programming and many of the clubs / societies using the Arts Centre attract people with a particular age range. For example the Folk and Rhythm 'N' Blues attract older people, whereas Theatre Hullabaloo, schools outreach and the Community Carnival workshops are aimed at children and young people.	Officers are working with all groups who use the Arts Centre to try and re-provide a suitable venue.
Disability	✓		The Open Arts Studio provides creative activities and programmes for disabled people, particularly people with learning difficulties and with mental health problems.	Officers are working with the Open Arts Studio to re-accommodate this facility at the former 'Bridge' site on Hundens Lane. This is an accessible building, with good public transport links.
Gender reassignment		✓	There are no specific impacts on this group – other than the Arts Centre is a safe environment for the whole community including this group.	

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Pregnancy and Maternity	✓		The day time mother and toddler group and music with Mummies session will be impacted.	There are plans to re-locate these activities to a suitable venue within the Dolphin Centre. This will provide a safe environment, good toilet and baby changing facilities and is easily accessible by public transport or from nearby car parks.
Race		✓	There are no specific impacts on this group – other than the Arts Centre is a safe environment for the whole community including this group.	
Religion or belief		✓	There are no specific impacts on this group – other than the Arts Centre is a safe environment for the whole community including this group.	
Sex		✓	There are no specific impacts on this group – other than the Arts Centre is a safe environment for the whole community including this group.	
Sexual orientation	✓		The Lesbian, Gay, Bisexual and Transgender community use the Arts Centre as a safe environment to meet.	
Marriage and Civil Partnership		✓	No impacts	
Local Priorities:				

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Geographical impacts	✓		The Arts Centre provides a social / meeting venue West of the Town Centre, a part of the town that otherwise lacks provision of this type of a community meeting venue.	Plans to re-provide an arts venue are focused on a town centre location more accessible from all areas of Darlington and beyond. Transitional arrangements for the re-provision of activities / re-location of groups account for both the suitability of the venue and accessibility (by public transport and car) to current and future users.
Carers	✓		The young carers respite programme – a partnership between social services, Mental health Trust and the Open Arts Studio.	Officers are working with the Open Arts Studio to re-accommodate this facility at the former 'Bridge' site on Hundens Lane. This is an accessible building, with good public transport links.
Young People leaving care		✓	There are no specific impacts on this group – other than the Arts Centre is a safe environment for the whole community including this group.	
Gypsies & Travellers	✓		Some nominal use of Open Arts Studio by Gypsies & Travellers	Officers are working with the Open Arts Studio to re-accommodate this facility at the former 'Bridge' site on Hundens Lane. This is an accessible building, with good public transport links.
Refugees & Asylum Seekers		✓	Some use of Open Arts Studio by Refugees & Asylum Seekers	As above
Unemployed or low income		✓	There are no specific impacts on this group – other than the Arts Centre is a safe environment for the whole community including this group.	
People with spent criminal convictions		✓	As above	

Q.2 (a) For whatever reason, does your strategy and the actions it proposes treat any group differently from others?

Yes	
No	✓

If you have answered 'yes', please specify those individuals or groups affected and whether the impact has the potential to be adverse.

(b) What needs to be done to prevent any potentially adverse impact?

Q.3 (a) Does your strategy promote equality? (e.g. does it contain actions that demonstrate a consideration of community cohesion and the needs of the members of Darlington's diverse communities)

Yes	✓
No	

If you have answered 'yes', please give examples of how equality is promoted.

As previously described closure of the Arts Centre will impact on a wide range of people who use this facility. Plans to relocate activities are being developed in partnership with groups who use the Arts Centre, taking into account the diverse needs of the impacted groups. For example considering the types of venue that meet the needs of the group (in some cases new venues better meet the needs of the group / activity than the Arts Centre), considering location and access requirements and accounting for times of day when facilities are required.

Q.4 In the past three years, have you consulted with any of the following groups regarding the development of your strategy?

Group	Yes	No	If yes, please summarise evidence (Who? When? What were the outcomes?)	If no, are you satisfied that the strategy has no impact on this group?
			<p>Consultation events have been held as part of the 2012/13 Talking Together MTFP Consultation, these included: Public consultation events open to all of the Darlington community Public consultation events specifically targeted at disabled, young people and older people Town Crier Publications On Line Forums Attendance at local community Groups and Action Groups In addition to the open meetings to consult on the proposed policy Officers have met with all groups using the Arts Centre to discuss the potential impact of proposals and establish a clear picture of requirements for relocation should the Arts Centre close. Officers have then listened to the diverse needs of these organisations and developed options within other venues in Darlington. This has included Forum Music Centre, Hummersknott School, Lingfield point, the Dolphin Centre and St Augustine's Church Hall. Officers have committed to further meetings with all of these organisations following Council decisions on the future of the Arts Centre to facilitate future venue provision. Arts Centre users have been invited to make comments on the impact of the proposed closure through a questionnaire survey completed with support from staff at the Arts Centre.</p> <p>All comments and potential impacts have been recorded and analysed.</p>	
Age	✓		Impact on Children attending school holiday activities. Impact on pensioners attending day time activities / arts programmes.	
Disability	✓		Impacts on people using the Studio facility. -	
Gender reassignment		✓		No specific impact
Pregnancy and Maternity	✓		Impacts on mothers attending mothers and toddler group and music with mummies.	

Group	Yes	No	If yes, please summarise evidence (Who? When? What were the outcomes?)	If no, are you satisfied that the strategy has no impact on this group?
Race		✓		No specific impact
Religion or belief		✓		No specific impact
Sex		✓		No specific impact – other than covered under maternity above.
Sexual orientation	✓		Use of the Arts Centre bar area by LGBT community.	
Marriage and Civil Partnership		✓		No specific impact
Geographical impacts		✓	Removal of a community facility from this area of the town.	
Carers		✓		Yes, impacts on carers using the Open Arts Studio.
Young people leaving care		✓		No specific impact
Gypsies & Travellers		✓		
Refugees & asylum seekers		✓		Some impact as described in point 1.
Unemployed or low waged		✓		No specific impact
People with spent criminal convictions		✓		No specific impact

Guidance and Definitions

The Equality Act 2010 combined over 100 pieces of legislation into one Act and introduces nine protected characteristics for which due regard is required in ensuring discrimination is prevented. These are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership. The Public Sector Equality Duty came into force on April 5th, 2011.

The following definitions and information will be useful in determining impacts of strategies, actions or services on specific groups.

Age:

Having a particular age (e.g. 32 year-olds) or being within an age group (e.g. 18-30 year olds). Discrimination on the grounds of age under the Equality Act 2010 applies from the age of 18 years.

Disability:

Physical or mental impairment and the impairment has a substantial and long-term adverse effect on person's ability to carry out normal day-to-day activities.

Gender Reassignment:

A process which is undertaken under medical supervision for the purposes of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process.

The Sex Discrimination (Gender Reassignment) Regulations 1999 outlaw direct discrimination against transsexuals on the grounds of "gender reassignment".

Transgender: An individual, who appears as, wishes to be considered as or has undergone surgery to become a member of the opposite sex.

Transsexual: An individual who believes that their apparent gender is not their actual gender and may seek gender reassignment surgery to alter their body to meet their belief. Transsexuals may appear similar to transvestites, but have a different intent.

Transvestite: An individual who wears the clothing of the opposite gender to express their feminine/masculine side, or for relaxation. Also known as cross-dressing.

For the purposes of completing the impact assessment, consideration ought to be given, in the first instance for example, to the arrangements made (or which could be made/agreed upon), regarding the use of toilets and any other gender specific facilities.

Pregnancy and Maternity:

Pregnancy is the condition of being pregnant. Maternity is the period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

Race: includes colour, nationality (including citizenship), ethnic origin or national origins.

Religion or Belief:

Religion means any religion including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live it for it to be included.

This area presents, perhaps, the greatest difficulty in terms of providing a definition, not least because of the close links/overlaps in some instances with culture and race/ethnicity.

The Employment Equality (Religion or Belief) Regulations 2003 ban discrimination in employment and vocational training on grounds of religion or belief. Under the regulations, religion is defined as being 'any religion, religious belief, or similar philosophical belief'. This does not include any philosophical or political belief unless that belief is similar to a religious belief. Courts and tribunals may consider a number of factors when deciding what is a 'religion or belief' (e.g. collective worship, clear belief system, profound belief affecting way of life or view of the world)'.

For the purposes of completing the impact assessment, consideration ought to be given to a range of factors, examples of which are set out below. It is recognised, however, that whilst knowledge of the central tenets of those religions most likely to be encountered would help ensure that appropriate provision is made with regard to the delivery of and access to services, such knowledge might not necessarily be held.

- Is provision made, when dealing with customers, for them to be dealt with, if requested, by persons of the same sex?
- Does the way in which your service is delivered restrict access to certain religious groups that have days of religious observance restricting or preventing them accessing services on those days?

- Is your service delivered in locations or environments that might preclude or restrict access to certain religious groups?

Sex: Man or woman.

The Sex Discrimination Act 1975 ensured that no person is treated less favourably because of his or her gender or because he or she is married.

Sexual Orientation: Whether a person's sexual attraction is towards

- Persons of the same sex (lesbians and gay men)
- Persons of the opposite sex (heterosexuals)
- Persons of the same sex and opposite sex (Bisexuals).

It does not cover sexual practices such as sado-masochism and paedophilia.

The Employment Equality (Sexual Orientation) Regulations 2003 ban discrimination in employment and vocational training on grounds of sexual orientation. Sexual orientation is defined as an orientation towards:

Marriage or Civil Partnership: Discrimination on grounds a persons marital status or civil partnership is illegal under the Equality Act 2010.