

Fairness and Equalities Impact Assessment (FEIA)

This is an integrated Impact Assessment which aims to ensure Newport City Council makes decisions which are fair, take account of relevant evidence, and seek to secure the best outcomes for our communities. An FEIA should be used to inform the first steps of decision-making, at concept stage, not when a decision is already made, or at the point when it cannot be influenced. This impact assessment considers our legislative responsibilities under:

- The Equality Act (2010), including the Socio-economic Duty
- The Wellbeing of Future Generations (Wales) Act (2015)
- The Welsh Language (Wales) Measure (2011)

The FEIA process is not intended to prevent decisions being made, but to ensure we have considered their potential impact. An FEIA also helps us to focus on how we can reduce any negative impacts, and provides us with evidence that we have met our legal duties.

For support to complete your FEIA, please contact the [Equalities Team](#)

What do we mean by Fairness?

The Newport Fairness Commission is an independent body which advises the council on the best use of resources and powers to achieve the fairest outcomes for local people. The Fairness Commission has established four **Principles of Fairness** which should be considered as part of any decisions that the council make – the questions below are useful to reflect on before you start your FEIA.

Equity	Are people being treated in a consistent way, whilst acknowledging their differences (for example, need, barriers to accessing services)?
	Will the gap between those with more, and those with less be reduced?
	Have the interests of different groups affected (including minority or disadvantaged communities) been taken into account?
Priority	Have the needs of the most disadvantaged and vulnerable across the city been given priority?
	Have you considered possible indirect consequences for minority/disadvantaged communities when other priorities are directing decisions?
Inclusion	Will the voices of all those affected by your decision be heard?
	Are people able to participate in and shape a service, as well as receiving it?
	Have you considered the impact of your decision on the relationship between communities, and the spaces they share?
Communication	Are decisions being made transparently and consistently?
	How will decisions be communicated to people who are affected in a clear way, with the opportunity for feedback?

Part 1: Identification

Name of person completing the FEIA	Matt Tribbeck
Role of person completing the FEIA	Regeneration and Place Manager
Date of completion	3rd December 2022
Head of Service who has approved this FEIA	Tracey Brooks

1. What is being assessed? (Please double click on the relevant box(es) (X) and select 'checked' as appropriate)

- New or revised policies, practices or procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals**
- Setting budget allocations for new financial year and strategic financial planning
- Decisions affecting service users, employees or the wider community including (de)commissioning or revising services
- New project proposals affecting staff, communities or access to the built environment
- Public events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other please explain in the box below:

2. Please describe the overall aims, objectives and intended outcomes of your decision

This decision relates to a reduction in the annual management fee paid to Newport Live for the operation of leisure services across the city. Separate payments are made towards energy costs and for repairs and maintenance for each of the sites within their estate. When the trust was incorporated in 2014, a Funding and Management Agreement was put in place to govern the relationship between the Trust and Newport City Council. The Agreement included a commitment to reduce the Management Fee by 2020. This reduction has not been achieved to date, albeit with some justification due to the disruption wrought by the pandemic.

In light of the budgetary challenge presenting across public services, and the efficiencies which will be achieved with the Council's significant investment into the proposed new leisure centre, it is appropriate to seek the reduction in this Management Fee. This new facility is intended to deliver a modern, vibrant offer that requires less intensity of management and will potentially be both far more welcoming and commercially viable for the Trust to operate. Delivering this new offer necessitates the closure of the existing Newport Centre and the management fee reduction is linked to the window within which the Newport Centre is closed and the new leisure centre opens on the Expansion Land. Newport Live have been planning for this event for some time, and recently committed to exploring alternative service delivery in the city centre to reduce any impact on access to services whilst the new, more accessible leisure centre is constructed.

It is not the intention to consider the impact of the actual closure of the Newport Centre further within this document. Significant consideration of the impact of this closure on sport and leisure provision has been carried out, in partnership with Newport Live, as part of the development of the new leisure centre that will replace it and a separate FEIA is in place for that decision. This FEIA only considers the impact of the reduction in the Management Fee.

In summary, reduction to the Management Fee is a long-standing and inherent obligation set forth within the Funding and Management Agreement, and a known requirement from the outset of the relationship between the Council and Newport Live. The closure of the Newport Centre, in itself a long-standing strategic objective, allows the required reduction to be implemented at a point where an inefficient and already largely inoperable site, is to be closed as a stepping stone to a replacement, high quality centre. The impact on the delivery of leisure services as a result of the decision is considered to be minimal.

Newport Live should consider any residual impact of this decision as part of their ongoing business planning process, with further consultation and engagement undertaken by the Trust as appropriate.

3. Who are the main stakeholders who may be impacted by your decision and what data do you hold on them? Consider communities of place (people who live in the same geographic area) and communities of interest (people who share particular characteristics but may live in different geographic areas). Stakeholders may include residents, local businesses, community groups, staff or partners.

The reduction in the management fee, as described above, is a core requirement of the Funding and Management Agreement between Newport City Council and Newport Live. Implementation at this point, when the Newport Centre is required to close, is considered to mitigate the impact of the reduction on stakeholders and the ability of Newport Live to continue with delivery of their services. No specific groups of residents are considered to be affected as a result.

There may be an impact on Newport Live staff to consider, however the current partial closure of the Newport Centre and the imminent full closure presents significant mitigation. The Newport Centre has not offered a full suite of activities for some time due to the closure of the pool, and the number of staff required at the facility can reasonably be expected to have reduced accordingly. In addition, as the Newport Live board has recently taken the decision to explore interim temporary provision in the City Centre whilst the new leisure centre is constructed, this offers an immediate opportunity to redeploy any staff members affected as a result of this decision.

If the reduction in Management Fee results in further adjustments to staff and structures, this should again be considered in the future business plans produced by Newport Live.

Part 2: Engagement

When completing this section, you need to consider whether you have sufficient information about the views and experiences of people who your decision will impact upon. If you don't, you may need to undertake a period of engagement/consultation before continuing. An FEIA is a live document, so can be updated with consultation findings, and amended as needed during the decision-making process.

The council has a duty to consult and engage with people who may experience inequalities as a result of your decision. This includes people **who share Protected Characteristics** (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who **have lived experience of socio-economic disadvantage**. The council's Youth Promise also requires us to ensure **all young people in Newport are listened to and included in decisions affecting them**.

The council also has a duty to ensure that any consultation is available bilingually (in Welsh as well as English), and you may like to consider any other community languages that are spoken by people who may be impacted by your decision. Below are some questions that should be included in any public consultation relating to a decision which may impact on the use of Welsh language in Newport:

1. Do you believe that the proposed decision/policy will have a positive or negative effect on opportunities to use the Welsh language?
2. If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?
3. Do you believe that the proposed decision/policy will treat the Welsh language less favourably than the English language?

1. How have you engaged with people who may be affected by your decision (the stakeholders you have identified)?

No specific engagement has taken place around the impact of a reduction to the Management Fee but the commitment to reduce the fee has been part of the Agreement since 2014. There is widespread support for the investment being made into the new leisure centre, and the Council has undertaken significant consultation in terms of the demolition of the existing Newport Centre and development of an alternative facility. 85% of residents indicated support for the demolition and replacement of the current centre, and staff members at Newport Live are fully aware of the decision to close the centre.

2. What do you know about the views or experiences of people who may be affected by your decision?

Not applicable at this stage. People may be identified as impacted by this decision at a later stage, with appropriate action taken at that time to understand their views and experiences, via Newport Live's business planning process.

Part 3: Assessment

This section requires you to assess the potential impact of your decision on a range of groups who may experience specific disadvantages. Your assessment should be supported by evidence – either from your own engagement/consultation, similar or previous engagement, what you already know about the people who access your service, or from local and national sources of information.

Useful documents which set out information about how communities are impacted by inequalities include [EHRC – Is Wales Fairer?](#) and the council's [COVID-19 Community Impact Assessment](#). Your decision may have both positive and negative impacts – if this is the case, please place a cross in both boxes.

1. Impact on people that share Protected Characteristics

[Protected Characteristics](#) are defined under the Equality Act 2010, and describe groups of people who are protected from discrimination, either in the workplace, or through the provision of goods and services. The council must consider how decisions may impact on people differently because of a protected characteristic, and how any negative impact could be reduced. National guidance on assessing equality impacts and the Public Sector Equality Duty can be found [here](#). You can also access further advice and examples of positive and negative impacts [here](#).

Protected characteristic	Impact:			Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:
	Positive	Negative	Neither	
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:
	Positive	Negative	Neither	
Gender Reassignment/ Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Religion or Belief or non-belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget proposal will positively or negatively impact people who share this protected characteristic.

2. Impact on Welsh Language

The Welsh Language (Wales) Measure specifies that for all policy decisions, the council must consider the effects (both positive and negative) on the Welsh language. For further guidance on Welsh language considerations see [here](#).

	Impact:			
	Positive	Negative	Neither	
Welsh Language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence to suggest that the proposed budget savings will positively or negatively impact the Welsh Language or compliance to Welsh Language Standards

1. Please describe how you have ensured your engagement has considered the view of Welsh speakers in Newport.

Not applicable at this stage.

3. The Sustainable Development Principle

The Well-being of Future Generations Act puts in place a sustainable development principle which helps organisations consider the impact they could have on people living in Wales in the future, and ensure they are focused on tackling long-term challenges. Below, consider how your decision promotes, advances, or contradicts the [5 ways of working](#) which underpin the sustainable development principle. You can access further guidance on considering the sustainable development principle [here](#).

Long term		<i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i>	The closure of the leisure centre is necessary to deliver much-needed investment into the leisure estate, and also mitigates the immediate impact of the reduction of the fee paid to Newport Live.
Prevention		<i>Putting resources into preventing problems occurring or getting worse</i>	The Funding and Management Agreement, and Management Fee reduction, was intended to be implemented as the Trust reached maturity in order to prevent any disproportionate impact on local activity as a result of the change.
Integration		<i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i>	<p>The decision is relevant to the following Wellbeing of Future Generations/Wellbeing Goals:</p> <p>A Prosperous Wales: the current downgraded status of the Newport Centre, and the decision by Newport Live to explore alternative provision whilst the new leisure centre is constructed, means there should be no loss of employment opportunities</p> <p>A Resilient Wales: the implementation of the required reduction in Management Fee at a time where the cost of delivering the service will reduce due to the closure of the Newport Centre improves the resilience of the Trust to the reduction.</p> <p>A Healthier Wales: the reduction in management fee has been postponed until the Trust reached maturity as an organisation, to prevent impact on the delivery of services that contribute to local health and wellbeing.</p>

		<p>A More Equal Wales: Implementing the reduction at a time when services are already reduced due to the current status of the Newport Centre reduces the likelihood of specific groups being affected by the decision.</p> <p>A Wales of Cohesive Communities: Similarly, the impact on community cohesion is considered to be mitigated by the fact the Newport Centre is due to close imminently in any case. Community support for this closure is broadly established.</p>
Collaboration		<p><i>Working together to deliver objectives.</i></p> <p>The Funding and Management Agreement is a collaborative arrangement between Newport City Council and Newport Live. The delivery of leisure services is reflective of a partnership approach.</p>
Involvement		<p><i>Involving those with an interest and seeking their view - ensuring that those people reflect the diversity of the area.</i></p> <p>Community support for the development of the new leisure centre, which enables this required reduction in the Management Fee to be implemented in a way that mitigates the impact on Newport Live, has majority support from the local community.</p>

4. Socio-economic Duty

The [Socio-economic Duty](#) is set out in the Equality Act 2010, and requires the council, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. Inequalities of outcome are felt most acutely in areas such as health, education, work, living standards, justice and personal security, and participation.

A ‘strategic decision’ is defined by Welsh Government as a decision **which affects how the council fulfils its statutory purpose over a significant period of time and does not include routine ‘day to day’ decisions**. Strategic decisions include:

- Corporate plans
- Setting wellbeing, equality and other strategic objectives
- Changes to, or development of public services
- Strategic financial planning
- Strategic policy development

If you do not think your decision meets this definition, and you do not plan on carrying out a Socio-economic Duty Assessment in this section, please provide your rationale below. Any decision which is presented to a Cabinet Member, at Cabinet or Council will be viewed as a strategic decision.

Whilst this decision is at the level of the Cabinet, no socio-economic duty assessment has been carried out due to the reasons noted above:

- The reduction in fee is a requirement of the Funding and Management Agreement between the Council and Newport Live, and has been known from the inception of the independent leisure trust
- The impact of the decision is mitigated by the current operational status of the Newport Centre, its imminent closure and demolition, and the potential for interim provision to be maintained elsewhere in the city centre.

If your decision does meet the definition, please consider the impact of your decision on the socio-economically disadvantaged groups, and areas of inequality that may arise from socio-economic disadvantage contained in the matrix below. The groups listed are not exhaustive and you should consider any additional groups relevant to your decision who may experience socio-economic disadvantage in the following ways:

- **Low Income/Income Poverty** - cannot afford to maintain regular payments such as bills, food, clothing, transport etc.
- **Low and/or no Wealth** - enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future
- **Material Deprivation** - unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)
- **Area Deprivation** - where you live (rural areas), where you work (accessibility of public transport)
- Socio-economic Background – for example, parents' education, employment and income

Indicate a positive or negative impact, or both where they apply, and the severity of this impact by coding the sections of the grid based on the below. *If there is no/neutral impact, please leave blank.*

Negative Impact		Positive Impact	
N1	Negative impact – mild	P1	Positive impact – mild
N2	Negative impact – moderate	P2	Positive impact – moderate
N3	Negative impact – significant	P3	Positive impact – significant
N4	Potential for negative impact (but unsure)	P4	Potential for positive impact (but unsure)

Areas of inequality that may arise from socio-economic disadvantage – definitions

Education: The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society

Work: The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation

Living Standards: The capability to enjoy a comfortable standard of living, in appropriate housing, with independence and security, and to be cared for and supported when necessary.

Justice, Personal Security and Community Safety: The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law

Health: The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life

Participation: The capability to participate in decision making and in communities, access services, know your privacy will be respected, and express yourself

Groups	Areas of inequality						
	Living Standards	Work	Health	Education	Justice and community safety	Participation	Physical Environment
Children living in poverty							
Low income households without dependent children							
Unemployed young people							
Long term unemployed							
Homeless households							
Refugees, migrants and asylum seekers							
Deprived neighbourhoods - WIMD rank in 10% most deprived LSOA							
People on Universal Credit / income related benefits							
Adults with no qualifications or low qualifications							

People living in low quality housing or in Houses of Multiple Occupation							
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1. What evidence do you have about socioeconomic disadvantage and inequalities of outcome in relation to this decision?

2. Please describe how you have ensured your engagement has considered the views of people living in Newport who are affected by socio-economic disadvantage.

3. Does this decision contribute to a cumulative impact?

Part 3: Actions and Outcomes

Considering any negative impacts that you have identified, indicate below how you will reduce these, and how you will monitor potential impact. Further guidance on how to complete your action plan can be found [here](#).

IMPACT ON PEOPLE THAT SHARE PROTECTED CHARACTERISTICS			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
IMPACT ON WELSH LANGUAGE			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
SOCIO-ECONOMIC IMPACTS			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner
SUSTAINABLE DEVELOPMENT PRINCIPLE			
Summary of impact	Action to reduce negative impact	How this impact will be monitored	Owner

Once your FEIA is complete, please forward to nccequality@newport.gov.uk