

Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Procurement of Integrated Recycling, Waste Collection & Street Cleansing Contract
Lead officer:	Mel Gadd, Public Realm
Approved by:	Imran Kazalbash, Assistant Director of Public Realm, Neighbourhoods
Date completed:	19/10/2022
Scheduled date for review:	19/10/2023

Did you seek advice from the Corporate Policy & Diversity team?	No
Did you seek advice from the Public Health team?	No
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact EqHIA@havering.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to the Guidance in Appendix 1 on how to complete this form.

About your activity

1	Title of activity	Procurement of Integrated Recycling, Waste Collection & Street Cleansing Contract		
2	Type of activity	Procurement of services under one integrated contract. Change in service delivery		
3	Scope of activity	<p>To award the new Integrated Recycling, Waste Collection and Street Cleansing contract to the preferred bidder with a service commencement date of July 2023</p> <p>The new contract comprises of the recycling and waste collections, street cleansing services including market cleansing, and weed control-</p> <p>72 employees within the Market Cleansing & Street Cleansing team in the Public Realm service are in scope to be TUPE'd across to the preferred bidder</p>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	<p>If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.</p>	<p>If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.</p>
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:			

Completed by:	Mel Gadd, Public Realm
Date:	19/10/2022

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:
<p>The purpose of this Equalities Impact Assessment (EIA) is to:</p> <ul style="list-style-type: none"> • Undertake a thorough and systematic analysis of the effect of implementation of the new contract on the employees in the Street Cleansing & Markets service; • Determine the impact and what extent the new contract has on particular groups of staff; • Assess the impact that will occur to minority groups or individuals when the contract is implemented; • Propose measures to mitigate, eliminate or counterbalance that impact; • Promote equality of opportunity. <p>Reference will be made to the following nine protected characteristics</p> <ul style="list-style-type: none"> • Age • Disability • Sex/Gender • Ethnicity/Race • Religion/Faith • Sexual Orientation • Gender Reassignment • Marriage/Civil Partnership • Pregnancy, Maternity and Paternity <p>Regular meetings have taken place with staff and Trade Unions to keep them updated about the contract. Meetings will continue to take place throughout the process with all parties. If Cabinet agree the decision to award the contract to the preferred bidder up to 72 staff will be subject to TUPE. This number may decrease as the service commencement date is not until July 2023 as there may be staff reductions prior to that date. The Council will ensure due diligence throughout the process.</p> <p>There should be no negative impact to any of the above groups as all staff within these services will be subject to transfer to the contractor regardless profile. All affected staff will be transferred, and TUPE applies.</p>

The Council employees will TUPE to the contractor on their existing terms and conditions. Transferring employees' pensions will be safeguarded. The preferred bidder has indicated that they will be seeking admission to the Local Government Pension Scheme (Admitted Body Status (ABS)). The Pensions Service has indicated that if the correct conditions are met, this is the likely outcome.

It is unlikely that ABS will not be granted where sought. However, if admission is not sought by the contractor, then in this instance all Council employees would be offered a comparable pension offering the same/very similar benefits in line with the "New Fair Deal". The Council will not be seeking to harmonise terms and conditions with any prospective contractor prior to transfer. Therefore, staff transferred to a contractor should continue to have the same benefits with a contractor that they currently have with the Council.

The Council has provided anonymised TUPE data to support its procurement activities. The broader mechanism for the transfer of staff will be contained within the Mobilisation Plan. Where the information is not confidential, this information will be shared with staff and Trade Unions.

The Council will continuously monitor and oversee the transfer of staff from the Council to the contractor throughout the mobilisation period.

**Expand box as required*

Who will be affected by the activity?

All affected staff within the Market Cleansing & Street Cleansing service are within scope to be transferred

Reference is made to the following nine protected characteristics:

- Age
- Disability
- Sex/Gender
- Ethnicity/Race
- Religion/Faith
- Sexual Orientation
- Gender Reassignment
- Marriage/Civil Partnership
- Pregnancy, Maternity and Paternity

The tables below show the proportion of employees currently employed in the affected staff group and how this relates to the overall composition of the Council workforce.

There is no indication that the new contract and TUPE implications will adversely affect any strand of equality set out above. The Council will take action to mitigate against any adverse impacts which will include:

- All affected staff will have:
 - Regular updates
 - Access to various meetings including one to one meetings throughout the process with the Council
 - Access to the Employees Assistance Programme
 - Access to various meetings including one to one meetings throughout the mobilisation period with the incoming contractor's managers
- Trade Unions will be consulted and updated as appropriate

**Expand box as required*

Protected Characteristic - Age: Consider the full range of age groups

Please tick (✓) the relevant box:

Positive

Neutral

✓

Overall impact:

Age	Havering directly employed		Selected employees	
	Count	Percentage	Count	Percentage
<20 Years	3	0.13%		0.00%
20-30 Years	219	9.30%	2	2.78%
30-40 Years	449	19.07%	9	12.50%
40-50 Years	592	25.15%	9	12.50%
50-60 Years	753	31.99%	33	45.83%
>=60 Years	338	14.36%	19	26.39%
Grand Total	2354	100.00%	72	100.00%

Negative

The age profiles of the affected groups indicate that over 72% are in the over 50's age profile and above. Of this 26.39% are aged over 60. Although this is an aging workforce (higher percentage than the corporate average) the employees in this category should not be adversely affected as all staff will be transferred on their existing terms and conditions from the Council to a new contractor

**Expand box as required*

Evidence:

The Council employees will TUPE to the contractor on their existing terms and conditions. Transferring employees' pensions will be safeguarded as the preferred bidder has indicated that they will be seeking admission to the Local Government Pension Scheme (Admitted Body Status (ABS)). The Pensions Service has indicated that if the correct conditions are met, this is the likely outcome.

It is unlikely that ABS will not be granted/sought, however, in this instance all employees would be offered a comparable pension offering the same/very similar benefits instead. The Council will not be seeking to harmonise terms and conditions with any prospective contractor prior to transfer. Therefore staff transferred to a contractor should continue to have the same benefits with a contractor that they currently have with the Council.

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

Information supplied by preferred bidder

**Expand box as required*

Protected Characteristic - Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions

Please tick (✓) the relevant box:

Overall impact:

Disability	Havering		Selected employees	
No	815	34.62%	13	18.06%
Prefer not to answer	19	0.81%	3	4.17%
Yes	119	5.06%	3	4.17%
Not Recorded	1401	59.52%	53	73.61%
Grand Total	2354	100.00%	72	100.00%

Positive

Neutral

✓

Negative

Very few staff identify with a disability. Those that do (4.17%) will have these characteristics confidentially made know to the incoming contractor to ensure the right measures are in place for their continued employment with the new contractor. The Council will monitor this.

**Expand box as required*

Evidence:

All employers are obliged to adhere to the Equalities Act 2010.

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Protected Characteristic - Sex/gender: Consider both men and women

Please tick (✓) the relevant box:

Overall impact:

Gender	Havering		Selected employees	
Female	1597	67.84%	1	1.39%
Male	757	32.16%	71	98.61%
Grand Total	2354	100.00%	72	100.00%

Positive

Neutral

✓

Negative	<p>A very high percentage of the workforce, 98.61% identify as male. This is significantly greater than the corporate averages. TUPE applies to all staff regardless of gender and all staff will be transferred in accordance with the legislation.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>
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<p>Evidence:</p> <p>All employers are obliged to adhere to the Equalities Act 2010.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>

<p>Sources used:</p> <p>Data supplied by London Borough of Havering Human Resources Department</p> <p style="text-align: right;"><i>*Expand box as required</i></p>
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Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities

<i>Please tick (✓) the relevant box:</i>	Overall impact:						
Positive		Ethnicity Group		Havering		Selected employees	
Neutral	✓	Black, Asian and other ethnically diverse communities	289	12.28%	4	5.56%	
		White	1416	60.15%	56	77.78%	
		Not Recorded and Prefer not to say	649	27.57%	12	16.67%	
		Grand Total	2354	100.00 %	72	100.00 %	
Negative		<p>Whilst the percentage of Non-BME staff affected is significantly higher, TUPE applies to all staff regardless of ethnicity/race and all staff will be transferred in accordance with the legislation</p> <p style="text-align: right;"><i>*Expand box as required</i></p>					

<p>Evidence:</p> <p>All employers are obliged to adhere to the Equalities Act 2010.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief

Positive		Religion	Havering directly employed		Selected employees	
Neutral	✓					
Negative		Any other religion	19	0.81%		0.00%
		Buddhist	2	0.08%		0.00%
		Christian	485	20.60%	1	1.39%
		Hindu	14	0.59%		0.00%
		Jewish	5	0.21%		0.00%
		Muslim	27	1.15%		0.00%
		No religion	352	14.95%	2	2.78%
		Prefer not to Say	66	2.80%	2	2.78%
		Sikh	12	0.51%		0.00%
		Not Recorded	1372	58.28%	67	93.06%
		Grand Total	2354	100.00%	72	100.00%

Records for this group are sparse with 93.06% of staff not recorded their religion/faith. This percentage is higher than the corporate average. TUPE applies to all staff regardless of ethnicity/race and all staff will be transferred in accordance with the legislation

Evidence:

All employers are obliged to adhere to the Equalities Act 2010

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual

Please tick (✓) the relevant box:

Overall impact:

Positive																																														
Neutral	✓																																													
Negative		<table border="1"> <thead> <tr> <th>Sexual Orientation</th> <th colspan="2">Havering</th> <th colspan="2">Selected employees</th> </tr> </thead> <tbody> <tr> <td>Bisexual</td> <td>9</td> <td>0.38%</td> <td></td> <td>0.00%</td> </tr> <tr> <td>Gay or Lesbian</td> <td>22</td> <td>0.93%</td> <td></td> <td>0.00%</td> </tr> <tr> <td>Other sexual orientation</td> <td>6</td> <td>0.25%</td> <td></td> <td>0.00%</td> </tr> <tr> <td>Prefer not to answer</td> <td>68</td> <td>2.89%</td> <td></td> <td>0.00%</td> </tr> <tr> <td>Straight or Heterosexual</td> <td>877</td> <td>37.26%</td> <td>6</td> <td>8.33%</td> </tr> <tr> <td>Not Recorded</td> <td>1372</td> <td>58.28%</td> <td>66</td> <td>91.67%</td> </tr> <tr> <td>Grand Total</td> <td>2354</td> <td>100.00%</td> <td>72</td> <td>100.00%</td> </tr> </tbody> </table>	Sexual Orientation	Havering		Selected employees		Bisexual	9	0.38%		0.00%	Gay or Lesbian	22	0.93%		0.00%	Other sexual orientation	6	0.25%		0.00%	Prefer not to answer	68	2.89%		0.00%	Straight or Heterosexual	877	37.26%	6	8.33%	Not Recorded	1372	58.28%	66	91.67%	Grand Total	2354	100.00%	72	100.00%				
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<i>*Expand box as required</i>																																														

Evidence:

All employers are obliged to adhere to the Equalities Act 2010

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth

<i>Please tick (✓) the relevant box:</i>		Overall impact:																												
Positive		<table border="1"> <thead> <tr> <th>Gender Identity</th> <th colspan="2">Havering</th> <th colspan="2">Selected employees</th> </tr> </thead> <tbody> <tr> <td>My gender is not the same as at birth</td> <td>14</td> <td>0.59%</td> <td></td> <td>0.00%</td> </tr> <tr> <td>My gender is the same as at birth</td> <td>944</td> <td>40.10%</td> <td>6</td> <td>8.33%</td> </tr> <tr> <td>Prefer not to say</td> <td>29</td> <td>1.23%</td> <td></td> <td>0.00%</td> </tr> <tr> <td>Not Recorded</td> <td>1367</td> <td>58.07%</td> <td>66</td> <td>91.67%</td> </tr> </tbody> </table>	Gender Identity	Havering		Selected employees		My gender is not the same as at birth	14	0.59%		0.00%	My gender is the same as at birth	944	40.10%	6	8.33%	Prefer not to say	29	1.23%		0.00%	Not Recorded	1367	58.07%	66	91.67%			
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Negative																														

		Grand Total	2354	100.00%	72	100.00%
<p>Records for this group are sparse with 91.67% of staff not recorded this information. This percentage is higher than the corporate average. TUPE applies to all staff regardless of sexual orientation and all staff will be transferred in accordance with the legislation</p>						
<i>*Expand box as required</i>						

Evidence:

All employers are obliged to adhere to the Equalities Act 2010

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership

<i>Please tick (✓) the relevant box:</i>		Overall impact:				
Positive		Marital Status	Havering directly employed		Selected employees	
Neutral	✓					
Negative		Civil partnership	11	0.47%		0.00%
		Civil partnership dissolved		0.00%		0.00%
		Common-Law	48	2.04%	1	1.39%
		Divorced	76	3.23%	1	1.39%
		Legally separated	5	0.21%		0.00%
		Married	550	23.36%	2	2.78%
		Other	22	0.93%		0.00%
		Prefer not to say	37	1.57%	1	1.39%
		Registered same sex relationship		0.00%		0.00%
		Single	219	9.30%		0.00%
		Surviving civil partner		0.00%		0.00%
		Widowed	14	0.59%		0.00%
		Not Recorded	1372	58.28%	67	93.06%
	Grand Total	2354	100.00%	72	100.00%	

	Records for this group are sparse with 93.06% of staff not recorded this information. This percentage is higher than the corporate average. TUPE applies to all staff regardless of marital status and all staff will be transferred in accordance with the legislation <i>*Expand box as required</i>
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Evidence:

All employers are obliged to adhere to the Equalities Act 2010

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave

<i>Please tick (✓) the relevant box:</i>		Overall impact: There is no indication that the new contract will adversely affect this characteristic. TUPE applies to all staff and all staff will be transferred in accordance with the legislation. All staff in this category will be transferred on their existing terms and conditions from the Council to the new contractor
Positive		
Neutral	✓	
Negative		

**Expand box as required*

Evidence:

All employers are obliged to adhere to the Equalities Act 2010

The Council employees will TUPE to the contractor on their existing terms and conditions. Transferring employees' pensions will be safeguarded as the preferred bidder has indicated that they will be seeking admission to the Local Government Pension Scheme (Admitted Body Status (ABS)). The Pensions Service has indicated that if the correct conditions are met, this is the likely outcome.

It is unlikely that ABS will not be granted/sought, however, in this instance all employees would be offered a comparable pension offering the same/very similar benefits instead. The Council will not be seeking to harmonise terms and conditions with any prospective

contractor prior to transfer. Therefore staff transferred to a contractor should continue to have the same benefits with a contractor that they currently have with the Council

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

Please tick (✓) the relevant box:

Positive	<input type="checkbox"/>
Neutral	<input checked="" type="checkbox"/>
Negative	<input type="checkbox"/>

Overall impact:

There is no indication that the new contract will adversely affect this characteristic. TUPE applies to all staff and all staff will be transferred in accordance with the legislation. All staff in this category will be transferred on their existing terms and conditions from the Council to the new contractor

**Expand box as required*

Evidence:

All employers are obliged to adhere to the Equalities Act 2010

The Council employees will TUPE to the contractor on their existing terms and conditions. Transferring employees' pensions will be safeguarded as the preferred bidder has indicated that they will be seeking admission to the Local Government Pension Scheme (Admitted Body Status (ABS)). The Pensions Service has indicated that if the correct conditions are met, this is the likely outcome.

It is unlikely that ABS will not be granted/sought, however, in this instance all employees would be offered a comparable pension offering the same/very similar benefits instead. The Council will not be seeking to harmonise terms and conditions with any prospective contractor prior to transfer. Therefore staff transferred to a contractor should continue to have the same benefits with a contractor that they currently have with the Council

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.

Please tick (✓) all the relevant boxes that apply:

Positive

Overall impact:

There is no indication that the new contract will adversely affect this characteristic.

Neutral

✓

This may be an unsettling time for staff. Managers have kept staff and Trade Unions updated, and will continue to keep them informed as the mobilisation progresses. Support will continue to be offered to all staff through the Employee Assistance Programme.

Negative

All standard HR processes will be followed in order to minimise any impact on staff health and wellbeing.

The new Contract has the potential to lead to the development and retention of a multi skilled workforce, as the integrated solution may present more opportunities for staff that wish to develop their professional career.

**Expand box as required*

Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box

No

Evidence:

All employers are obliged to adhere to the Equalities Act 2010

**Expand box as required*

Sources used:

Data supplied by London Borough of Havering Human Resources Department

**Expand box as required*

3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

✓	1. The EqHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u>	➔	Proceed with implementation of your activity
	2. The EqHIA identified some <u>negative impact</u> which still needs to be <u>addressed</u>	➔	COMPLETE SECTION 4: Complete action plan and finalise the EqHIA
	3. The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	➔	Stop and remove the activity or revise the activity thoroughly . Complete an EqHIA on the revised proposal.

4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

5. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review: To be reviewed annually

Scheduled date of review: November 2023

Lead Officer conducting the review: Jacki Ager

**Expand box as required*

Please submit the completed form via e-mail to EqHIA@havering.gov.uk thank you.