



Integrated Impact Assessment Form

Promoting Equality, Human Rights, and Sustainability

Title of Policy/ Proposal	<i>Asset Transfer</i>
Completion Date	<i>6 June 2018</i>
Completed by	<i>Stephen Bermingham</i>
Lead officer	<i>John Blair</i>

Type of Initiative:

√ the relevant categories
Policy/Strategy
Programme/Plan
Project
Service
Function √
Statement of Intent

New or Proposed √
Changing/Updated
Review or Existing
Other

1. Briefly describe the policy/proposal you are assessing.

Set out a clear understanding of the purpose of the policy being developed or reviewed (e.g. objectives, aims) including the context within which it will operate.

The Scottish Government moved forward from the voluntary approach to asset transfer with the introduction of the Community Empowerment (Scotland) Act 2015 (“the Act”). Part 5 of the Act came into force on 23 January 2017 and sets out the formal asset transfer process that must be adhered to if a valid request is received under the Act. There is a right for community groups to make requests to all relevant authorities (which includes local authorities) for any land or buildings they feel they could make better use of. The community group can request ownership, lease or other rights and the Act requires those requests to be assessed transparently against a specified list of criteria. The relevant authority must agree to the request unless there are reasonable grounds for refusal.

The Council recognises that asset transfer can empower communities, build the capacity of local citizens and inspire others to create responsive solutions to community needs. The asset transfer process presents local groups and communities with opportunities to get involved in running assets and delivering services; empowering them to help themselves and create a more sustainable future. Community groups wishing to consider the transfer of an asset will be provided with a dedicated member of staff to help build their capacity and to assist with the application process.

The Council will consider, as part of the initial assessment, whether the asset should be retained by the Council or whether a transfer could be possible. Community groups will be encouraged to contact the Council at the earliest possible point to ‘express an interest’. This will help ensure that expectations are managed and community groups do not put resources into developing proposals that are unlikely to result in the outcome they are hoping for.

The decision making and asset transfer process has to be transparent. Decisions need to follow due process and are subject to public and ministerial scrutiny.

What will change as a result of this policy?

- Community groups will be empowered and supported to take control of council assets

2. Do I need to undertake a Combined Impact Assessment?

High Relevance	Yes/no	
The policy/ proposal has consequences for or affects people	Yes	
The policy/proposal has potential to make a significant impact on equality	Yes	
The policy/ proposal has the potential to make a significant impact on the economy and the delivery of economic outcomes	Yes	
The policy/proposal is likely to have a significant environmental impact	No	

Low Relevance	
The policy/proposal has little relevance to equality	No
The policy/proposal has negligible impact on the economy	No
The policy/proposal has no/ minimal impact on the environment	No
<p>If you have identified low relevance, please give a brief description of your reasoning here and send it to your Head of Service to record.</p> <p>If you have answered yes to high relevance above, please proceed to complete the Integrated Impact Assessment.</p>	

3. What information/data/ consultation have you used to inform the policy to date?

Evidence	Comments: what does the evidence tell you?
Data on populations in need	There are approximately 610 voluntary bodies operating in Midlothian, any of whom may seek to operate a council asset under the terms of the Community Empowerment Act.
Data on service uptake/access	To date 8 asset transfer requests have been either formally or informally made known to the Council and are at varying stages of preparation
Data on quality/outcomes	No transfers have yet completed under this legislation so this cannot be assessed yet
Research/literature evidence	The Statutory Guidance for Part 5 of the Community Empowerment Act requires public to follow the guidance that is included in the framework.
Service user experience information	The Framework has been informed by a study visit and approach from East Ayrshire Council, who are considered leaders in the implementation of the Community Empowerment Act.
Consultation and involvement findings	The Act has been the subject of significant public consultation. This report sets out systems required in the Act and as such has been based on experience of working with the 8 potential applicants for asset transfer and developed with their experience and views taken

	into accounts
Good practice guidelines	The Framework has been informed by a study visit and approach from East Ayrshire Council, who are considered leaders in the implementation of the Community Empowerment Act.
Other (please specify)	The Community Empowerment Act requires public bodies to have a coherent and transparent approach for asset transfers.
Is any further information required? How will you gather this?	No

4. How does the policy meet the different needs of and impact on groups in the community?

Equality Groups	Comments – positive/ negative impact
Older people, people in the middle years,	Positive - Actions will include targeting specific groups and using a range of methods to promote the availability of council assets.
Young people and children	Positive Actions will include targeting specific groups that address the needs of children and young people and using a range of methods to promote the availability of council assets
Women, men and transgender people (includes issues relating to pregnancy and maternity)	Positive- increasing the availability of community managed spaces will enable community groups to meet and create solutions to local need
Disabled people (included physical disability; learning disability; sensory Impairment; long term medical conditions; mental health problem)	Positive -increasing the availability of community managed spaces will enable community groups to meet and create solutions to local need
Minority ethnic people (includes Gypsy/Travellers migrant workers non-English)	Positive increasing the availability of community managed spaces will enable community groups to meet and create solutions to local need
Refugees and asylum seekers	Positive having community controlled social space can assist inclusion of refugees and asylum seekers in wider

	community activities , and can act as a hub for information about the neighbourhood in which they now live as well as bringing them into contact with a resident community in a positive way
People with different religions or beliefs (included people with no religion or belief.	Positive- having community controlled social space can assist interfaith and faith communities to non-religious community interaction
Lesbian; gay bisexual and heterosexual people	Positive- community controlled social spaces can offer a place to meet socially and in terms of campaigning , may offer a setting in which collective action can be planned whether within the LGBT communities or in interaction with other communities
People who are unmarried; married or in a civil partnership	Neither positive nor negative impacts are considered likely beyond the types of positives referred to above
Those vulnerable to falling into poverty	
Unemployed	Positive-community controlled spaces can and do offer social support to combat the isolation and mental health impacts of unemployment. the lower costs of non-Council operated spaces will improve access
People on Benefits	Positive- community controlled spaces can and do offer job clubs , venues for welfare rights and advice work and the chance for people to develop collective approaches to dealing with the benefits system
Single Parents and vulnerable families	Positive- community controlled spaces can and do offer groups and activities that support both single parents and vulnerable families - for example , the Midlothian Surestart community managed agency manages a set of properties delivering this kind of support
Pensioners	Positive - the Grassy Riggs Centre in Dalkeith , Broomhill Day centre in Penicuik, the Dalkeith Welfare Hall and St David's centre in Gorebridge are all examples of community managed spaces in which significant support is offered to older people
Looked after Children	Positive- community controlled spaces allow for innovative forms of social educational and recreational support to be developed in local settings that are easily accessible to children and young people
Those leaving care settings (including children and young	Positive- access to local facilities managed by the community means links to local volunteers providing a

people and those with illness)	range of support such as foodbanks , clothes libraries , recycled furniture e.g. MARC recycling, the Button Box , the Penicuik clothes library, the Gorebridge , Dalkeith and Penicuik foodbanks
Homeless People	Positive as above
Carers (including young carers)	Positive community controlled spaces allow for innovative forms of social educational and personal support to be developed in local settings that are easily accessible
Those involved in the criminal justice system	Positive community controlled spaces allow for innovative forms of social educational and personal support to be developed in local settings that are easily accessible and in multi-use local community spaces can reduce the stigmatisation affecting this group
Those living in the most deprived communities (bottom 20% SIMD areas)	Positive – giving control of assets is most important in communities where control is normally located outside the community itself, supporting a sense of capacity and ability to manage and deliver without external direction.
People misusing services	Positive - Community control tends to reduce misuse as accountability is located locally amongst neighbours and volunteers rather than a public agency that may seem more abusable
People with low literacy/numeracy	Positive- locally accessible low cost locations for delivery of literacy and numeracy support is essential to allow people to feel more comfortable and have better access , again the multi – use nature of most such buildings will reduce stigmatisation
Others e.g. veterans, students	Positive examples of local community controlled spaces include the Lothian Veteran Centre supporting ex armed forces personnel, Its community managed nature has contributed greatly to the confidence shown in it by its users
Geographical Communities	
Rural/ semi-rural Communities	Groups in this category are able to apply for an asset transfer, and rural communities often make greater use of the community facilities they have due to lack of access to public transport and distances from services
Urban Communities	Groups in this category are able to apply for an asset transfer

Coastal Communities	Not applicable to this council area
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5. Are there any other factors that will affect the way this policy impacts on the community or staff groups?

This will have a positive impact on a wide range of factors by providing settings managed by the community, often operated with a high level of volunteer support that can be flexible, multi- use, very local and lower cost than Council buildings by for example using key-holders rather than paid janitors, by using volunteers to take bookings rather than administrative staff, by trading in community cafes/recycling or other social enterprise models. These shared settings can bring people together from across a range of protected characteristics groups either for purposes associated with their characteristics or as simply participants in wider community activities. the social cohesion impact of such facilities is significant

6. Is any part of this policy/ service to be carried out wholly or partly by contractors?
If yes, how have you included equality and human rights considerations into the contract?

No

7. Have you considered how you will communicate information about this policy or policy change to those affected e.g. to those with hearing loss, speech impairment or English as a second language?

We will work with groups, including Community Councils, Midlothian Voluntary Association (MVA) and other umbrella organisations to promote the to promote asset transfers Community Officers will have a role in supporting groups throughout the funding application process. Where appropriate the Communities Officers will seek support for people with additional communication requirements so they can access the processes in an equitable way.

Further, information published by Midlothian Council can be provided on request in many of the community languages and in large print, Braille, audio tape or BSL. For more information, please contact the Equality, Diversity & Human Rights Officer on 0131 271 3658 or equalities@midlothian.gov.uk

8. Please consider how your policy will impact on each of the following?

Objectives Equality and Human Rights	Comments
Promotes / advances equality of opportunity e.g. improves access to and quality of services, status	<p>Bespoke support will be provided by Communities Officers to ensure equality of access to the opportunities that the asset transfer framework presents. Any group seeking to take over an asset will be offered support to meet the terms of the legislation , including assistance with business case development ,</p> <p>Communities of interest and place will have more capacity to act for the benefit of their community as set out in section 7 above</p> <p>Communities of interest and place will be more resilient, cohesive and safer as sharing use of an asset , and having control of the programming of this brings people together in common cause and provides a focus for mutual support</p> <p>Local communities will be better enabled to thrive through community action, the development of social enterprise and community assets.</p> <p>Anchor organisations (e.g. community councils, development trusts) will have improved ability to represent their local communities and deliver services.</p> <p>The third sector will be supported to grow and able to influence the community planning process through the control of public assets.</p>
Promotes good relations within and between people with protected characteristics and tackles harassment	<p>Local communities will be better enabled to thrive through community action, the development of social enterprise and community assets.</p> <p>Partnership work is a component of the assessment criteria. It is hoped that this will promote good relationship between people with protected characteristics and those without protected characteristics,</p>
Promotes participation, inclusion, dignity and self- control over decisions	<p>Communities of interest and place will have more capacity to act for the benefit of their community.</p> <p>Communities of interest and place will be more resilient, cohesive and safer. Research both nationally and internationally into community development has demonstrated that control of space owned or operated by communities has these impacts for example : https://www.powertochange.org.uk/blog/learning-let-go-case-community-control/ https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/2050-public-space-</p>

	<p>community.pdf https://www.designcouncil.org.uk/sites/default/files/asset/document/community-led-spaces_1.pdf http://localtrust.org.uk/assets/downloads/documents/Communities%20in%20control%20-%20What%20are%20we%20learning%20final.pdf</p> <p>Central to asset transfer is an increase in participation over public resources. This will promote inclusion and community control over decisions.</p>
Builds family support networks, resilience and community capacity	Community capacity will be encouraged and improved through asset transfers.
Reduces crime and fear of crime	Communities of interest and place may be more resilient, cohesive, and safer if they gain control of public assets. Evidence shows that criminal activity against assets is reduced when the community have a sense of ownership of the asset.
Promotes healthier lifestyles including: Diet and nutrition Sexual Health Substance Misuse Exercise and physical activity Life Skills	Individuals in Midlothian may have improved health and wellbeing through participating in the activities provided from community controlled assets. Individuals in Midlothian will have an increased number of affordable and accessible opportunities to engage in more healthy lifestyles through community controlled assets Joseph Rowntree Foundation research in the UK listed above states : “ Benefits of community-controlled assets The study confirmed many of the benefits claimed for community control of assets over the years: a sense of community identity and pride; increased confidence, skills and aspirations; improved access to services and activities; jobs, training and business opportunities; and physical improvements to the area. Assets could help organisations to achieve greater financial viability and more credibility with the local authority and other outside agencies, including leveraging additional investment. By enhancing local environments, successful community assets could help to stem decline and regenerate an area, making it more attractive to existing and prospective residents”.
Environmental	
Reduce greenhouse gas (GHG) emissions in	Local communities may be better enabled to thrive through community action, the development of social enterprise and environmentally sustainable community assets. Communities of interest and place may have more capacity to act for the benefit of their

Midlothian (including carbon management)	community.
Plan for future climate change	N/A
Pollution: air/ water/ soil/ noise	N/A
Protect coastal and inland waters	N/A
Enhance biodiversity	Use of community controlled assets such as community managed land (community gardens, greenspace, paths, woodlands) could enhance biodiversity. The following research supports this assertion : https://mycommunity.org.uk/wp-content/uploads/2016/09/COMA-parks-and-green-spaces.pdf https://www.banc.org.uk/wp-content/uploads/2015/05/ECOS-36-1-44-Community-management-of-public-land.pdf
Public Safety: Minimise waste generation/ infection control/ accidental injury /fire risk	N/A
Reduce need to travel / promote sustainable forms or transport	Use of community controlled assets could enhance sustainable forms of transport, and/or reduce the need to travel to access community based services.
Improves the physical environment e.g. housing quality, public and green space	Community controlled assets has the potential to enhance the physical environment.
Economic	
Maximises income and /or reduces income inequality	Community controlled assets could improve income inequality. Community economic development, of which community asset control is a part encourages using local resources in a way that enhances economic opportunities while improving social conditions in a sustainable way. Often CED initiatives are implemented to overcome crises, and increase opportunities for communities who are disadvantaged.

Helps young people into positive destinations	Community controlled assets could improve the destinations of young people by offering local informal setting in which lifelong learning and employability activities can take place
Supports local business	Community controlled assets could support local businesses. An aspect of “localising economics,” Community development, of which community asset management is an aspect is a community-centered process that blends social and economic development to foster the economic, social, ecological and cultural well-being of communities. Community economic development is an alternative to conventional economic development. Its central tenet is that: “... problems facing communities—unemployment, poverty, job loss, environmental degradation and loss of community control—need to be addressed in a holistic and participatory way.”
Helps people to access jobs (both paid and unpaid)	Community controlled assets could help people access jobs. They offer opportunities to volunteers , develop self-esteem and confidence o in a local setting and to make links to the social capital of an area- for example others who have work, who employ or know of employment options . 40 % of UK job vacancies are never advertised but filled through contacts
Improving literacy and numeracy	Community controlled assets could improve literacy and numeracy. As stated above they can offer locally accessible multi use spaces in which such activities can take place
Improves working conditions, including equal pay	Community controlled assets could improve residents working conditions by offering alternative social enterprise or sheltered work forms of employment , or operating as cooperatives
Improves local employment opportunities	Community controlled assets will improve local employment opportunities.

9. Is the policy a qualifying Policy, Programme, or Strategy as defined by The Environmental Impact Assessment (Scotland) Act 2005?

No

10. Action Plan Revisit this section when you have revisited each section.

Identified negative impact	Mitigating circumstances	Mitigating actions	Timeline	Responsible person
It is possible that equality groups will find		Bespoke support will	Ongoing	Stephen

it hard to access the opportunities presented by the statutory requirements of asset transfers.		be provided by officers to ensure equality of access.		Birmingham
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11. Sign off by Head of Service/ NHS Project Lead

Signature:

Name

Date