

Cardiff Council

Statutory Screening Tool Guidance



If you are developing a strategy, policy or activity that is likely to impact people, communities or land use in any way then there are a number of statutory requirements that apply. Failure to comply with these requirements, or demonstrate due regard, can expose the Council to legal challenge or other forms of reproach.

For instance, this will apply to strategies (i.e. Housing Strategy or Disabled Play Strategy), policies (i.e. Procurement Policy) or activity (i.e. developing new play area).

Completing the Statutory Screening Tool will ensure that all Cardiff Council strategies, policies and activities comply with relevant statutory obligations and responsibilities. Where a more detailed consideration of an issue is required, the Screening Tool will identify if there is a need for a full impact assessment, as relevant.

The main statutory requirements that strategies, policies or activities must reflect include:

- **Equality Act 2010 - Equality Impact Assessment**
- **Welsh Government's Sustainable Development Bill**
- **Welsh Government's Statutory Guidance - Shared Purpose Shared Delivery**
- **United Nations Convention on the Rights of the Child**
- **United Nations Principles for Older Persons**
- **Welsh Language Measure 2011**
- **Health Impact Assessment**
- **Habitats Regulations Assessment**
- **Strategic Environmental Assessment**

This Statutory Screening Tool allows us to meet all the requirements of all these pieces of legislation as part of an integrated screening method that usually taken no longer than an hour.

The Screening Tool can be completed as a self assessment or as part of a facilitated session, should further support be needed. For further information or if you require a facilitated session please contact the Policy, Partnerships and Citizen Focus Team on 02920 72685 e-mail: nwood@cardiff.gov.uk. Please note:

- **The completed Screening Tool must be submitted as an appendix with the Cabinet report.**
- **The completed screening tool will be published on the intranet.**

Statutory Screening Tool

Name of Strategy / Policy / Activity: Implementing Part 2 of the Housing Wales Act 2014	Date of Screening: 16th March 2015
Service Area/Section: Housing & Communities	Lead Officer: Sarah McGill
Attendees:	

What are the objectives of the Policy/Strategy/Project/Procedure/Service/Function	Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]
<p>Part 2 of the Housing Wales Act 2014 comes into force on 27th April 2015 and sets out the duties of local authorities to assist those facing homelessness. This new legislation required local authorities to do more to help households to prevent homelessness and to find alternative accommodation. For the first time the legislation allows local authorities to use the private rented sector to discharge its homeless duties. Funding has been provided to assist with the implementation of the new legislation.</p>	<p>The housing Options Centre sees 100 clients a week. Most of these clients are vulnerable in some way.</p> <p>There were 567 households in temporary accommodation in February 2015. Under the legislation priority is given to certain of the protected groups including:</p> <ul style="list-style-type: none"> • A pregnant woman; • A person with whom a dependent child resides; • A person who is vulnerable as a result of some special reason (for example: old age, physical or mental illness or physical or mental disability); • A person who is homeless as a result of being subject to domestic abuse; • A person who is aged 16 or 17; • A person who has attained the age of 18, but not the age of 21, who is at particular risk of sexual or financial exploitation; • A person who has attained the age of 18, but not the age of 21, who was 'Looked After', accommodated or fostered at any time while under the age of 18; <p>However under the new legislation the duties to the wider population are increased and the council must offer advice and assistance, prevention activity and help to secure accommodation to all.</p> <p>Some persons from abroad do not qualify for any help other than advice, information and assistance. The prevention duty does not apply. There remain homelessness issues around people with no recourse to public funds and in particular an issue with rough sleeping. Information and advice is given to this group with assistance from the Councils partner organisations.</p>

Part 1: Impact on outcomes and due regard to Sustainable Development

Please use the following scale when considering what contribution the activity makes:			
+	Positive	Positive contribution to the outcome	
-	Negative	Negative contribution to the outcome	
ntrl	Neutral	Neutral contribution to the outcome	
Uncertain	Not Sure	Uncertain if any contribution is made to the outcome	

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.1	<p>People in Cardiff are healthy; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the promotion of good health, prevention of damaging behaviour, promote healthy eating/active lifestyles etc,</i> <i>vulnerable citizens and areas of multiple deprivation</i> <i>Addressing instances of inequality in health</i> 	✓				Good housing is key to Health. The new duties to help more people with homeless will improve outcomes.
1.2	<p>People in Cardiff have a clean, attractive and sustainable environment; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>the causes and consequences of Climate Change and creating a carbon lite city</i> <i>encouraging walking, cycling, and use of public transport and improving access to countryside and open space</i> <i>reducing environmental pollution (land, air, noise and water)</i> <i>reducing consumption and encouraging waste reduction, reuse, recycling and recovery</i> <i>encouraging biodiversity</i> 			✓		Any private sector accommodation used for homelessness will be checked by a Housing Solutins Officer
				✓		
				✓		
				✓		
1.3	<p>People in Cardiff are safe and feel safe; <i>Consider the potential impact on</i></p> <ul style="list-style-type: none"> <i>reducing crime, fear of crime and increasing safety of individuals</i> <i>addressing anti-social behaviour</i> 			✓		

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
	<ul style="list-style-type: none"> protecting vulnerable adults and children in Cardiff from harm or abuse 					
1.4	<p>Cardiff has a thriving and prosperous economy; Consider the potential impact on</p> <ul style="list-style-type: none"> economic competitiveness (enterprise activity, social enterprises, average earnings, improve productivity) Assisting those Not in Education, Employment or Training attracting and retaining workers (new employment and training opportunities, increase the value of employment,) promoting local procurement opportunities or enhancing the capacity of local companies to compete 			✓		
1.5	<p>People in Cardiff achieve their full potential; Consider the potential impact on</p> <ul style="list-style-type: none"> promoting and improving access to life-long learning in Cardiff raising levels of skills and qualifications giving children the best start improving the understanding of sustainability addressing child poverty (financial poverty, access poverty, participation poverty) the United Nations Convention on the Rights of a Child and Principles for Older persons 	✓				Good housing is key to achieving potential. The new duties to help more people with homeless will improve outcomes.
1.6	<p>Cardiff is a Great Place to Live, Work and Play Consider the potential impact on</p> <ul style="list-style-type: none"> promoting the cultural diversity of Cardiff encouraging participation and access for all to physical activity, leisure & culture play opportunities for Children and Young People protecting and enhancing the landscape and historic heritage of Cardiff promoting the City's international links 			✓		

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
1.7	Cardiff is a fair, just and inclusive society. Consider the potential impact on	✓				The wider provision of advice and assistance will improve outcomes
	<ul style="list-style-type: none"> the elimination of discrimination, harassment or victimisation for equality groups 					
	<ul style="list-style-type: none"> has the community or stakeholders been engaged in developing the strategy/policy/activity? how will citizen participation be encouraged (encouraging actions that consider different forms of consultation, through more in depth engagement to full participation in service development and delivery)? 			✓		Feedback will be sought from service users as part of the Accommodation an Support Review Programme
	Will this Policy/Strategy/Project have a differential impact on any of the following:					Please give details/consequences of the differential impact (positive and negative), and what action(s) can you take to address any negative implications?
	<ul style="list-style-type: none"> Age (including children and young people aged 0-25 and older people over 65 in line with the United Nations Conventions) 	✓				See EIA
	<ul style="list-style-type: none"> Disability 	✓				See EIA
	<ul style="list-style-type: none"> Gender Reassignment 			✓		See EIA
	<ul style="list-style-type: none"> Marriage & Civil Partnership 			✓		See EIA
	<ul style="list-style-type: none"> Pregnancy & Maternity 	✓				See EIA.
	<ul style="list-style-type: none"> Race 			✓		See EIA
<ul style="list-style-type: none"> Religion/Belief 			✓		See EIA	
<ul style="list-style-type: none"> Sex 			✓		See EIA	
<ul style="list-style-type: none"> Sexual Orientation 			✓		See EIA	
<ul style="list-style-type: none"> Welsh Language 			✓		See EIA	

	Has the Strategy/Policy/Activity considered how it will impact one or more of Cardiff's 7 Citizen focused Outcomes?	Please Tick				Evidence or suggestion for improvement/mitigation
		+	-	Ntrl	Un-Crtn	
			Yes	No		
	Is a Full Equality Impact Assessment Required?	✓				
	Is a Full Child Rights Impact Assessment Required			✓		
1.8	The Council delivers positive outcomes for the city and its citizens through strong partnerships <i>Consider the potential impact on</i> <ul style="list-style-type: none"> <i>strengthening partnerships with business and voluntary sectors</i> <i>the collaboration agenda and the potential for shared services, cross-boundary working and efficiency savings</i> 	✓				Partnership working is key to provision of homeless services Supported Accommodation is overseen by the Regional Collaborative Committee

SUMMARY OF APPRAISAL (highlight positive and negative effects of the policy / plan / project being assessed, demonstrating how it contributes to the economic, social and environmental sustainability of the city):

The wider duties under the act will have a positive impact on homelessness and this in turn should improve outcomes across a range of indicators.

WHAT ACTIONS HAVE BEEN IDENTIFIED OR CHANGES BEEN MADE TO THE POLICY / PLAN / PROJECT AS A RESULT OF THIS APPRAISAL:

None however see EIA

Part 2: Strategic Environmental Assessment Screening

		Yes	No
2.1	Does the plan or programme set the framework for future development consent?		✓
2.2	Is the plan or programme likely to have significant, positive or negative, environmental effects?		✓

Is a Full Strategic Environmental Assessment Screening Needed?	Yes	No
<ul style="list-style-type: none"> ▪ If yes has been ticked to both questions 2.1 and 2.2 then the answer is yes ▪ If a full SEA Screening is required then please contact the Sustainable Development Unit to arrange (details below) 		✓

If you have any doubt on your answers to the above questions regarding SEA then please consult with the Sustainable Development Unit on 2087 3228
sustainabledevelopment@cardiff.gov.uk

Part 3: Habitat Regulation Assessment (HRA)

		Yes	No	Unsure
3.1	Will the plan, project or programme results in an activity which is known to affect a European site, such as the Severn Estuary or the Cardiff Beech Woods?		✓	
3.2	Will the plan, project or programme which steers development towards an area that includes a European site, such as the Severn Estuary or the Cardiff Beech Woods or may indirectly affect a European site?		✓	
3.3	Is a full HRA needed?		✓	

Details of the strategy will be sent to the County Ecologist on completion of the process to determine if a Habitat Regulation Assessment is needed. For further information please phone 2087 3215 or email biodiversity@cardiff.gov.uk

Appendix 1 – Statutory Requirements

It is possible that the Impact Screening Tool will identify the need to undertake specific statutory assessments:

- **Equality Impact Assessment:** *This assessment is required by the Equality Act 2010 and Welsh Government’s Equality Regulations 2011.*
- **Sustainable Development Bill:** *The Bill, when it comes into effect, will require sustainable development (SD) to be a central organising principle for the organisation. This means that there is a duty to consider SD in the strategic decision making processes.*
- **Shared Purpose Shared Delivery-** *The Welsh Government requires local authorities to produce a single integrated plan to meet statutory requirements under a range of legislation. Cardiff Council must therefore demonstrate its contribution towards Cardiff’s own integrated plan; “What Matters”.*
- **United Nations Convention on the Rights of the Child:** *The Children Act 2004 guidance for Wales requires local authorities and their partners to have regard to the United Nations Convention on the Rights of a Child.*
- **United Nations Principles for Older Persons:** *The principles require a consideration of independence, participation, care, self-fulfillment and dignity.*
- **The Welsh Language Measure 2011:** *The measure sets out official status for the Welsh language, a Welsh language Commissioner, and the freedom to speak Welsh.*
- **Health Impact Assessment:** *(HIA) considers policies, programmes or projects for their potential effects on the health of a population*
- **Strategic Environmental Impact Assessment:** *A Strategic Environmental Assessment (SEA) is an European Directive for plans, programmes and policies with land use implications and significant environmental effects.*
- **Habitats Regulations Assessment:** *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 provides a requirement to undertake Habitats Regulations Assessment (HRA) of land use plans.*