

# **Merthyr Tydfil County Borough Council - Integrated Impact Assessment**

(Includes Well-being of Future Generations, Protected Characteristics, Welsh Language, Socio-economic Disadvantage, Sustainability and Biodiversity, Consultation/Engagement and Data/Evidence)



Before completing this Integrated Impact Assessment (IIA), please refer to the corresponding **guidance document**, which provides essential background information.

An IIA MUST be completed for:

- Any Council / Cabinet report.
- Any strategic decisions being taken where due regard is required to reduce inequalities of outcome resulting from socio-economic disadvantage.
- Any project (i.e. something that has a start and end date and is different from day to day business).
- Where you are implementing significant change e.g. service provision.

This IIA helps to support the Council in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation. This IIA must be completed at the start of any project or proposal.

<b>Title of Report / Project:</b>	Regulation of Investigatory Powers Act 2000					
<b>Officer completing IIA:</b>	Simon Jones					
<b>Lead Officer / Project Manager:</b>	Simon Jones					
<b>Service:</b>	Legal					
<b>IIA completion date:</b>	3 <sup>rd</sup> June 2021					
<b>Type of proposal: (please place an X in the relevant box)</b>	<input type="checkbox"/>	Policy	<input type="checkbox"/>	Strategy	<input type="checkbox"/>	Plan
	<input type="checkbox"/>	Practice	<input type="checkbox"/>	Restructure	<input checked="" type="checkbox"/>	Procedure
	<input type="checkbox"/> Other (please identify):					
<b>Give a brief description of the proposal including the aims, and any links to relevant reports or documents:</b>	Information on the use of RIPA by the Council – this is a requirement prescribed by guidance.					

**1. Merthyr Tydfil Well-being Objectives**

**Does your proposal help to deliver any of the Council's Well-being Objectives?**

How does your proposal help to deliver any or all of the Council's Well-being Objectives?

Well-being Objectives	Does your proposal have a positive or negative impact on the Council's Well-being Objectives? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? How will you know when this has been achieved?
	Positive	Negative	Neutral		
<b>Best Start to Life -</b> Children and young people get the best start to life and are equipped with the skills they need to be successful learners and confident individuals.			x		
<b>Working Life -</b> People feel supported to develop the skills required to meet the needs of businesses with a developing, safe infrastructure making Merthyr Tydfil an attractive destination.			x		
<b>Environmental Well-being -</b> Communities protect, enhance and promote our environment and countryside.			x		
<b>Living Well -</b> People are empowered to live independently within their communities, where they feel safe and enjoy good physical and mental health.			x		

**1. Merthyr Tydfil Well-being Objectives**

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How does your proposal help to deliver any or all of the Council's Well-being Objectives?

<b>Well-being Objectives</b>	<b>Does your proposal have a positive or negative impact on the Council's Well-being Objectives? Please place an X in the relevant box.</b>			<b>Why have you come to this decision? Please provide an explanation.</b>	<b>What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? How will you know when this has been achieved?</b>
	<b>Positive</b>	<b>Negative</b>	<b>Neutral</b>		

**Sources of evidence to support the above (please use this information when completing the section 'Data and Evidence'):**

RIPA database, Policy

## 2. Sustainable Development Principles (The Five Ways of Working)

### Does your proposal demonstrate you have met the sustainable development principles (five ways of working)?

The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how any proposals improve the social, economic, environmental and cultural well-being, whilst also looking to the future, planning for the long term and ensuring that we do not compromise the ability of future generations to meet their own needs. Please consider the national well-being goals when completing this section.

Five Ways of Working	How does your proposal demonstrate you have met the five ways of working when developing the proposal?	Are there any additional actions to be taken to better contribute to the five ways of working and/or mitigate any negative impacts? How will you know when this has been achieved?
<b>Long Term</b> - Thinking and planning for the long term, balancing short term and long term needs.	The use of RIPA ties in with other ways of working and supplements the enforcement activities of other departments eg Trading Standards and Public Health	N/A
<b>Prevention</b> - Preventing problems occurring or getting worse.	Carrying out surveillance and using covert human intelligence sources (CHIS) lawfully will ensure that the Human Rights of those under investigation will not be contravened and also it will ensure that such action will not be open to later challenge in the Courts if evidence gathered in this way is used in any prosecution.	
<b>Integration</b> - Impact on our well-being objectives, national well-being goals and the well-being objectives of other public bodies.	No impact	
<b>Collaboration</b> - Acting in collaboration with others inside and outside the Council.	The RIPA policy will bind council employees and agents working for the Council and their use of RIPA surveillance and CHIS	
<b>Involvement</b> - Involving people with an interest in achieving the well-being goals and who reflect the diversity of our communities.	This is linked to prosecution policies adopted by the Council.	

**Sources of evidence to support the above (please use this information when completing the section 'Data and Evidence'):**

### 3. Protected Characteristics (including Welsh Language)

**Does your proposal directly impact on service users, employees and/or the wider community, including the nine protected characteristic groups and Welsh language as identified below?**

The Public Sector Equality Duty requires the Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups. Please note that an individual may have more than one protected characteristic.

Protected Characteristics	Does your proposal have a positive or negative impact on service users, employees and/or the wider community, including the nine protected characteristic groups and Welsh language? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? How will you know when this has been achieved?
	Positive	Negative	Neutral		
<b>Age</b> - People of all ages.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Disability</b> - People with disabilities/long term conditions.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Gender Reassignment</b> - People whose gender identity or gender expression is different to the sex they were assigned at birth.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Marriage and Civil Partnership</b> - People who are married or in a civil partnership.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Pregnancy and Maternity</b> - Women who are pregnant and/or on maternity leave.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	

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Protected Characteristics	Does your proposal have a positive or negative impact on service users, employees and/or the wider community, including the nine protected characteristic groups and Welsh language? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? How will you know when this has been achieved?
	Positive	Negative	Neutral		
<b>Race</b> - People from black, Asian and minority ethnic communities and different racial backgrounds.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Religion or Belief</b> - People with different religions and beliefs including people with no beliefs.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Sex (Gender)</b> - Women and men, girls and boys and those who self-identify their gender.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Sexual Orientation</b> - Lesbian, gay, bisexual, heterosexual.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Welsh Language</b>					
The Welsh Language Wales Measure 2011 and the Welsh Language Standards require the Council to have 'due regard' for the positive or negative impact a proposal may have on opportunities to use the Welsh language and ensuring the Welsh language is treated no less favourably than the English language.					
<b>Welsh Language</b> - Opportunities for people to use and promote the Welsh language, treating the Welsh			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone	

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The Public Sector Equality Duty requires the Council to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups. Please note that an individual may have more than one protected characteristic.

Protected Characteristics	Does your proposal have a positive or negative impact on service users, employees and/or the wider community, including the nine protected characteristic groups and Welsh language? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? How will you know when this has been achieved?
	Positive	Negative	Neutral		
language no less favourably than the English language, compliance with Welsh Language Standards, links with internal and external Welsh Language strategies.					

**Sources of evidence to support the above (please use this information when completing the section 'Data and Evidence'):**

Council's bespoke database and the Council's policy

#### 4. Socio-economic Disadvantage (Strategic Decisions)

##### Does your proposal impact/deliver better outcomes for those who are experiencing socio-economic disadvantage?

The Socio-economic Duty places a responsibility on the Council to have 'due regard' to how we can reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions. This duty gives us an opportunity to do things differently and put tackling inequality at the heart of key decision-making. Socio-economic disadvantage means living on a low income compared to others in Wales, with little or no accumulated wealth, leading to greater material deprivation, restricting the ability to access basic goods and services.

Please consider: Single parents and vulnerable families, pensioners, carers, looked after children, single adult households, armed forces community, people with low literacy/numeracy, people who are homeless, people who have experienced the asylum system, students, people of all ages leaving a care setting, people living in the most deprived areas of Wales, people misusing substances, people involved in the criminal justice system, people who are not in education, employment or training. Please see the guidance document for more information.

Socio-economic Disadvantage	Does your proposal have a positive or negative impact on socio-economic disadvantage for service users, employees and/or the wider community? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? What steps will be taken to reduce inequalities of outcome? How will you know when this has been achieved?
	Positive	Negative	Neutral		
<b>Low Income/Income Poverty</b> - Unable to afford to maintain regular payments such as bills, food, clothing, transport, other essential items etc.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Low and/or No Wealth</b> - Enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	



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Please consider: Single parents and vulnerable families, pensioners, carers, looked after children, single adult households, armed forces community, people with low literacy/numeracy, people who are homeless, people who have experienced the asylum system, students, people of all ages leaving a care setting, people living in the most deprived areas of Wales, people misusing substances, people involved in the criminal justice system, people who are not in education, employment or training. Please see the guidance document for more information.

Socio-economic Disadvantage	Does your proposal have a positive or negative impact on socio-economic disadvantage for service users, employees and/or the wider community? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? What steps will be taken to reduce inequalities of outcome? How will you know when this has been achieved?
	Positive	Negative	Neutral		
<b>Material Deprivation</b> - Unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies etc.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Area Deprivation</b> - Where you live e.g. rural areas, and where you work e.g. accessibility of public transport.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	
<b>Socio-economic Background</b> - Social class i.e. parents' education, employment and income.			x	The Council's proper use of RIPA surveillance & Chis will apply equally to everyone.	

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Please consider: Single parents and vulnerable families, pensioners, carers, looked after children, single adult households, armed forces community, people with low literacy/numeracy, people who are homeless, people who have experienced the asylum system, students, people of all ages leaving a care setting, people living in the most deprived areas of Wales, people misusing substances, people involved in the criminal justice system, people who are not in education, employment or training. Please see the guidance document for more information.

Socio-economic Disadvantage	Does your proposal have a positive or negative impact on socio-economic disadvantage for service users, employees and/or the wider community? Please place an X in the relevant box.			Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to positive impacts and/or mitigate any negative impacts? What steps will be taken to reduce inequalities of outcome? How will you know when this has been achieved?
	Positive	Negative	Neutral		
Socio-economic Disadvantage - What cumulative impact will the proposal have on people or groups because of their protected characteristic(s) or vulnerability or because they are already disadvantaged?			x	The Council’s proper use of RIPA surveillance & Chis will apply equally to everyone.	

**Sources of evidence to support the above (please use this information when completing the section ‘Data and Evidence’):**

Database and Policy

## 5. Consultation and Engagement

### What consultation and/or engagement has been undertaken to inform the development of the proposal?

There may be a legal requirement to consult in some instances, or a legitimate expectation that consultation will take place. Where it has been determined that consultation is required, the Gunning Principles must be adhered to.

- The proposals are still at a formative stage.
- There is sufficient information to give 'intelligent consideration'.
- There is adequate time for consideration and response.
- 'Conscientious consideration' must be given to the consultation responses before a decision is made.

Please consider: Protected Characteristic groups, those who are experiencing socio-economic disadvantage, communities and places of interest, other stakeholders, forums, community groups and community councils. Please see the guidance document for more information.

Consultation and Engagement	Has consultation and/or engagement been undertaken on the proposal? Please place an X in the relevant box.			Briefly describe any recent or planned consultation and/or engagement exercises, paying particular attention to evidencing the Gunning Principles. Please identify when the consultation and/or engagement took place or will take place, or why it is not required.	Who was consulted/engaged with? Was sufficient information provided to allow an informed decision on the proposal to be made? What were the key findings of the consultation and/or engagement? Have these findings been taken into account? Is further consultation and/or engagement required?
	Undertaken	Due to be undertaken	Not required		
Requirement for consultation and/or engagement to be undertaken, or a legitimate expectation that it will take place.			X		

### Sources of evidence to support the above (please use this information when completing the section 'Data and Evidence'):

This is a statutory requirement placed upon councils who use surveillance

**6. Data and Evidence**

**What data or other evidence has been used to inform the development of the proposal?**

Evidence may include the outcome of previous consultation or engagement exercises, existing databases, pilot projects, review of customer complaints and compliments and other service user feedback, national and regional data, academic publications and reports, future trends, horizon scanning, business plans etc. Consider the sources of evidence from all of the sections in your explanation.

Data and Evidence	Has data and evidence been used in order to inform the proposal? Please place an X in the relevant box.		What data or other evidence has been used to inform the development of the proposal? What have been the key findings of this data and evidence? Has this data and evidence helped to inform the proposal?	How has the data and evidence helped to inform the proposal? If the data and evidence did not support the proposal, why was this? Have there been any gaps identified? If so, what steps will be taken to cover the identified gaps?
	Yes	No		
Data and evidence used in order to inform the proposal.	x		This is a report to inform the Council of the Council's use of RIPA surveillance and CHIS. The data used for the report is stored in the Council's database.	

**Sources of evidence to support the above:**

**7. Biodiversity and resilience of Ecosystems**

**How does your proposal impact on Biodiversity and therefore the resilience of Ecosystems?**

Under Section 6 of the Environment (Wales) Act 2016 we must seek to maintain and enhance Biodiversity within the proper exercise of our functions. In doing so, we must also seek to promote the resilience of Ecosystems.

Biodiversity and resilience of Ecosystems	What is the expected impact on Biodiversity? Please place an X in the relevant box.				Why have you come to this decision? Please provide an explanation.	What actions have been/will be taken to better contribute to the maintenance and enhancement of Biodiversity? How do you know when this has been achieved?
	Maintained	Enhanced	Reduced	Neutral		
To maintain and enhance Biodiversity (and therefore promote the resilience of Ecosystems).				x	This is about surveillance safeguards it does not impact on biodiversity	

**Sources of evidence to support the above (please use this information when completing the section 'Data and Evidence'):**

## 8. Summary

As a result of completing this IIA, please identify below;

- The number of positive, negative or neutral scores for the Council's Well-being objectives, the sustainable development principles, protected characteristics including Welsh Language and Socio-economic disadvantage.
- If consultation and/or engagement has been undertaken, is due to take place or is not required.
- If data and evidence has been used in order to inform the proposal.
- If the proposal maintains, enhances or reduces the resilience of ecosystems.

The table below should then be included in the related Council/Cabinet report.

	Positive Impacts	Negative Impacts	Neutral/Not Applicable
<b>1. Merthyr Tydfil Well-being Objectives</b>	0 of 4	0 of 4	4 of 4
<b>2. Sustainable Development Principles - How have you considered the five ways of working?</b> <ul style="list-style-type: none"> <li>• Long term</li> <li>• Prevention</li> <li>• Integration</li> <li>• Collaboration</li> <li>• Involvement</li> </ul>	4 of 5	of 5	1 of 5
<b>3. Protected Characteristics</b> (including Welsh Language)	0 of 10	0 of 10	10 of 10
<b>4. Socio-economic Disadvantage</b>	0 of 6	0 of 6	6 of 6
<b>5. Consultation and Engagement</b>	<b>Undertaken</b>	<b>Due to be Undertaken</b>	<b>Not Required</b>
	0 of 1	0 of 1	1 of 1
<b>6. Data and Evidence to inform the proposal</b>	<b>Yes</b>		<b>No</b>
	1 of 1		0 of 1
<b>7. Biodiversity and the resilience of Ecosystems</b>	<b>Maintained</b>	<b>Enhanced</b>	<b>Reduced</b>
	0 of 1	0 of 1	0 of 1
<b>Summary</b>			
<b>The main positive impacts are:</b>	The report demonstrates use of RIPA which is a consistent and legal and benefits the whole community.		
<b>The main negative impacts are:</b>	None		

**9. Actions**

**Based on the summary of your positive and negative impacts identified in the Summary section above, will you need to make changes to your proposal to better contribute to positive impacts and/or mitigate any negative impacts?**  
Please identify any further actions you will need to undertake to better inform this proposal e.g. whether further consultation is required or more data and evidence is required to better inform the proposal.

<b>What are you going to do?</b>	<b>Estimated completion date</b>	<b>Who will be responsible?</b>	<b>Timelines/Milestones e.g. 6 months/over a year, etc.</b>	<b>Progress</b>
N/A				

**10. Version Control**

**The IIA should be used at the earliest stages of the development of the proposal and decision making process, and then honed and refined throughout to strengthen and shape the proposal. This section will act as an audit trail to evidence how the IIA has been developed over time.**  
Please use the table below to keep a record of this process so that we can demonstrate how we have delivered the sustainable development principles.

<b>Version No.</b>	<b>Decision making stage</b>	<b>Date considered</b>	<b>Brief description of any amendments made following consideration</b>

**11. Monitoring and Review**

**The implementation and the impact of the proposal should be monitored and reviewed throughout the development of the proposal.**

Please identify how the proposal will be monitored and reviewed as it progresses, including the implementation of any amendments identified.

<b>How will the implementation and the impact of the proposal and any amendments be monitored?</b>	It is monitored by the senior solicitor and by the surveillance commissioner through yearly reports and from 3 or 4 yearly audits.
<b>When will the proposal be reviewed? How frequently will this take place?</b>	In 2022
<b>Who is responsible for monitoring and reviewing the proposal?</b>	The senior solicitor

**12. IIA Approval**

<b>IIA Approved by:</b>	Carys Kennedy	<b>Job Title:</b>	Monitoring Officer	<b>IIA Approval date:</b>	3/6/21
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