



Equalities Impact Assessment (“EIA”) relating to:

Customer Service Facilities (CSF) Review

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Background

Purpose of EIA

We are undertaking an EIA to help understand the possible impact of the proposed changes on our customers with additional needs (primarily those from equalities groups). This assessment will help us to identify any potential measures that might mitigate the negative impacts on equalities groups from the proposals and ensure that we do not discriminate against any protected group.

Our Public Sector Equality Duty

The Canal & River Trust (“the Trust”) has undertaken this EIA to assess each proposal’s potential impact on people with ‘protected characteristics’ under the Equality Act 2010 (“the Act”).

Whilst the Trust is not a ‘public authority’ named in Schedule 19 to the Act, for the purposes of the Act and the Specific Duties Regulations which flow from it, the Trust recognises that it does exercise some public functions as a statutory navigation authority including in respect of boating and, when exercising those functions, the Trust is subject to the general Public Sector Equality Duty (“PSED”) under s.149(1). The Trust understands it must therefore have ‘due regard’ to the following objectives when exercising those public functions:

- The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (s.149(1)(a));
- The need to advance equality or opportunity between persons who share a relevant protected characteristic and persons who do not share it (s.149(1)(b)). This involves having due regard to the needs to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it (s.149(1)(c)). This includes having due regard to the need to tackle prejudice and promote understanding (s.149(5)).

The EIA is intended to demonstrate how the Trust has had due regard to its PSED objectives above in responding to the TMP. Specifically, this EIA has been prepared to reflect the Trust's consideration of possible impacts on equalities groups arising from its proposed actions in response to the TMP and the mitigation of those impacts.

Policy aims:

The relevant charitable objects of the Trust in relation to this policy are as follows:

To preserve, protect, operate and manage Inland Waterways for public benefit

- i) For navigation;
- ii) For walking on towpaths; and
- iii) For recreation or other leisure-time pursuits of the public in the interest of their health and social welfare

The Trust's stated aims for the review of CSF review are,

- To agree a minimum standard of CSF that boaters should expect
- Agree the maximum cruising distance between CSF
- To ensure that the Trust can provide CSF in a financially sustainable way

Available evidence:

The March 2022 national boat count identified there were 32,470 boats on the Trust's waterway network, of these 27,356 were boats with a home mooring, and 7296 were boats without a home mooring (continuous cruisers).

The 2022 boater census indicated that 23.4% of boaters with a home mooring were permanently living aboard and 79.9% of boaters without a home mooring were permanently living aboard.

The [CSF review consultation](#) asked which of the following facilities did boaters have access to these on their boat.

2022 CSF consolation Toilet 98%, Showers 90%, washing machines 43%.

For disabled boaters

2022 CSF consolation Toilet 97%, Showers 85%, washing machines 47%.

The 2022 boater census asked what type of toilet boaters had on their boats. 57% said cassette (Eland use), 34% said pump out, and 9% said separator toilet (composting).

The 2022 Boater census identified that 33.7% of respondents stated that their day to day activities were affected by a disability or a long-term health condition (10.1% a lot, 23.6% a little). 17.5% of respondents to the boater census said that they faced challenges living on a boat due to a disability or a long-term health condition.

The 2022 boater census indicates that 74% of all boat licence holders are aged over 55 (43% over 65) and 19% of boaters without a home mooring were aged over 55 (8% over 65).

5.2% of boaters responding to the boater census stated that they had children living aboard.

The Trust's existing equality adjustment (EA) process provides longer term reasonable adjustments for boaters without a home mooring (continuous cruisers) who are disabled or have other protected characteristics (for example pregnancy). As of March 2023 nationally there were 679 open EA cases (397 approved / 279 in process), 258 of the EA cases are for boaters in London and South East (121 approved and 136 in process). 11% of CC boats in L&SE have an EA case. 36% of all EA cases are in L&SE, although this is a high proportion of cases, it is important to note that nearly a third of all CC boaters on the Trust's waterways are in L&SE.

Not all EAs will be linked to restricted mobility, but a high portion of them will be related to mobility so the adjustment may include being able to moor for longer than the advertised time on short-stay visitor moorings. This may be to enable boaters to have closer access to CSF,

Evidence gaps:

The Trust has not carried out systematic collation and analysis of the information relating to the protected characteristics of all boaters and other stakeholders who may be affected by the proposed increase in boat licence fees. However, data from the 2022 boater census provides a reliable indication of the number of boaters who experience disabilities.

The current CSF do not enable the Trust to identify how often and by who the CSF are used by. However, when considering any specific proposals for a CSF, we can use boat sighting data to understand how many boats and what type of boats (e.g. CC, boats with home moorings or hire boats) there are in an area (or have boated in an area over a 12 month period) to estimate the likely demand/usage for CSF in that location.

The Trust has estimated the likely impact on boaters and other stakeholders for the purpose of this EIA, however a CSF matrix will be used when proposals for any specific

facilities are being considered to access the impact on customers and the Trust from those proposals.

The Trust will keep its actions under review, as described below.

Any feedback will be considered by the Trust and used to determine relevant actions required in order to meet its PSED objectives.

Involvement and consultation:

The Trust's Navigation Advisory Group has been consulted on the options open for consultation and we have also sought feedback from the elected boater reps.

Between 29th November and 21st September 2022 we consulted with boaters to help decide what the Trust's essential CSF provision should be. There were 904 responses to the consultation survey. 42% of response were from liveaboard boaters (27% CC/ 15% HM). 52% of responses were from leisure boaters (47% HM / 5% CC).

We have not consulted on the EIA ahead of publishing the Trust's CSF policy.

The actual / likely impact:

The Trust has reviewed its proposals and considered the likely impacts on people with each of those "protected characteristics" identified in the Act (as indicated low=little or no impact/medium=some moderate impact /high=will unfairly impede on ability to boat/moor):

- age (low – medium)
- gender reassignment (low)
- married or civil partnership (low)
- being pregnant or having a child (medium)
- disability (medium)
- race including colour, nationality, ethnic or national origin (low)
- religion, belief or no religion or belief (low)
- sex (med)
- sexual orientation (low)

The impact of the proposals on those with protected characteristics have been considered using a matrix where the likelihood and consequence of the proposals have been scored to reach a decision as to whether there will be a low, medium or high impact on these groups.

We do not believe that the changes will have a high impact on any group with protected characteristic. We believe there could be a medium impact on boaters who have the following protected characteristics, age, disabled, being pregnant or having a child, or sex, but that these impacts can be mitigated.

significant impact on this groups ability to boat with a home mooring.									
G) Removal of shower provision will have a significant impact on this groups ability to continue to continuously cruise.	Low	Low	Low	Low	Med	Low	Low	Low	Low

The Trust has identified the following specific potential impacts on those with protected characteristics:

A) The proposed essential provision essential CSF will have a significant impact on this groups ability to continue to boat with a HM.

We believe that the proposed provision of essential CSF (water, waste/recycling, Elsan and pump out) will not have any significant negatively impact on any boater with a home moorings ability to boat.

B) The proposed essential provision essential CSF will have a significant impact on this groups ability to continue to continuously cruise.

Boaters who CC are more reliant on the availability of CSF provided by the Trust to meet their needs as they do not have facilities provided on site as many of those with a permanent mooring would. While most CC boaters will be able to access CSF as part of their general navigation, for those who are disabled, their movement pattern may be limited so access to service their on-board facilities (e.g. filling up water or emptying cassettes or tanks) could be affected if CSF are reduced in frequency.

C) Removal of public toilets provision will have a significant impact on this groups ability to boat with a HM.

We believe that the proposed provision of essential CSF (water, waste/recycling, Elsan and pump out) will not have any significant negatively impact on any boater with a home moorings ability to boat.

D) Removal of public toilets provision will have a significant impact on this groups ability to continue to continuously cruise.

Boaters who CC are more reliant on the availability of CSF provided by the Trust to meet their needs as they do not have facilities provided on site as many of those with a permanent mooring would. Although most disabled boaters have access to a toilet on their boat (97%), some will still access public toilets on the bank if they are more convenient if they are off their boat when they need to use them. It may also be the case that some equality adjustments take into account that a customer may need to be close to a toilet facility on the bank.

E) Removal of public toilets provision will have a significant impact on this groups ability to visit the towpaths.

The Trust's towpaths are open for a wide range of different users including walkers, cyclists and anglers. Although there is not universal provision of toilets across our 2000 mile network, in some locations, the provision of facilities will aid the accessibility of waterways for certain groups, particularly those who are older or parents/carers with young children who may need access to a toilet more frequently than other groups.

F) Removal of shower provision will have a significant impact on this groups ability to boat with a home mooring.

We believe that the proposed removal or reduction of shower provision will not have any significant negatively impact on any boater with a home moorings ability to boat. 90% of boaters have access to showers on their boats. There are no plans to remove facilities that are provided as part of a permanent mooring site.

G) Removal of shower provision will have a significant impact on this groups ability to continue to continuously cruise.

Although most boaters (90%) and most disabled boaters (85%) have access to a shower on their boat, continuous cruisers are likely to use shower facilities where they are available to preserve water and fuel use on their boats. However, it is important to note that showers are not provided universally across the Trust's waterways. Removal of such provision could have a moderate impact on continuous cruisers, this will have more impact in regions where most showers are provided (xx).

Addressing the potential impacts

A) The proposed essential provision essential CSF will have a significant impact on this groups ability to continue to boat with a HM.

No mitigation required. We believe that the proposed provision of essential CSF (water, waste/recycling, Elsan and pump out) will not have any significant negative impact on any boater with a home moorings ability to boat.

B) The proposed provision essential CSF will have a significant impact on this groups ability to continue to continuously cruise.

Mitigation: The proposed provision of essential CSF will not have a significant impact on most continuous cruisers. However, there could be a moderate impact on those who are disabled and may not be able to navigate as far. The Trust is able to mitigate this impact through the provision of equality adjustments that could be agreed to reduce the distance a disabled boater may have to travel.

C) Removal of public toilets provision will have a significant impact on this groups ability to boat with a HM.

No mitigation required. We believe that the proposed removal or reduction in provision of public toilets will not have any significant negative impact on any boater with a home moorings ability to boat.

D) Removal of public toilets provision will have a significant impact on this groups ability to continue to continuously cruise.

Mitigation: The proposed removal or reduction in provision of public toilets will not have a significant impact on most continuous cruisers. However, there could be a moderate impact on those who are disabled and may be more reliant on public toilets when away from their boats. This could be mitigated where toilets are retained for staff and volunteers being open for disabled boaters, either with a Radar key (or another form of special key) or by permitted access (by staff or volunteers on site opening the toilet). The Trust could also promote nearby registered 'changing place' toilet facilities on the online maps.

E) Removal of public toilets provision will have a significant impact on this groups ability to visit the towpaths.

Mitigation: For certain groups, particularly those who are older or parents/carers with young children who may need access to a toilet more frequently than other groups, the removal or reduction of public toilets may limit their ability to visit and use the waterway towpaths. This could be mitigated where toilets are retained for staff and volunteers being open for others by permitted access (by staff or volunteers on site opening the toilet). The Trust could also promote nearby registered 'changing place' toilet facilities on the online maps.

F) Removal of shower provision will have a significant impact on this groups ability to boat with a home mooring.

No mitigation required. We believe that the proposed removal or reduction of shower provision will not have any significant negatively impact on any boater with a home moorings ability to boat.

G) Removal of shower provision will have a significant impact on this groups ability to continue to continuously cruise.

Mitigation: Removal of such provision could have a moderate impact on continuous cruisers, this will have more impact in regions where most showers are provided (North West, Yorkshire and North East, and West Midlands). Where alternative facilities exist (for example at private marinas where access is permitted, at mainline railway stations or leisure centres) could help mitigate the impact of closing shower facilities.

Monitoring and review:

We will monitor to see if changes to boat licence pricing result in any significant increases in licence evasion or reduction in overall boat numbers. If there are any significant impact we may review the timetable for implementing any further increases in boat licensing due as a result of the review.

We will monitor and review the number of requests for welfare support related to financial difficulties where people are stating they are struggling to pay for their licence.

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