

Equality Impact Assessment

Part 2: Full

When reviewing, planning or providing services NBC needs to assess the impacts on people of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any negative harm it identifies. It has to help people to participate in its services and public life. **“Equality Impact Assessments” (EIAs)** prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

This form is for conducting a more in depth “full” assessment. It builds on the information required at the screening level so if you are completing this form you should start by transferring information from your screening form into this one.

Step 1: What this assessment will address

The assessment looks at actual or possible impacts of a policy or activity in relation to equalities and human rights – to make sure it works fairly for people. The first part of this form is to help understand the extent (or ‘scope’) of what this assessment covers.

1 Name of policy/activity/project/practice	This is: New policy/activity/practice A change to existing policy/activity/practice Existing policy/activity/practice A pilot programme or project
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2. Screening undertaken by: (please complete as appropriate)	
Director or Head of Service	
Lead Officer for developing the policy/activity/practice	
Other people involved in the screening (this may be people who work for NBC or a related service or people outside NBC)	

3.

A: Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes, and how these fit in with the wider aims of the organisation.

For example, does it have relevance to:

NBC's Corporate Values?

NBC's Corporate Plan?

Service Plan?

Other?

Please explain:

B: List the main activities relating to the policy or activity and identify who is likely to benefit from it

4 What do you already know about the relevance of the policy? What are the main issues you need to consider?

A: Relevance to Equality and Diversity Duties

Does the policy have relevance to:

- NBC's Equality Strategy ("Our approach to equalities")?
- NBC's Public Sector Duties?
- Equality Framework for Local Government Criteria?
- Service or departmental equality priorities?
- the scores and findings from any relevance assessment done by your service area?

Please explain:

How will the aims affect our duty to:

Promote equality of opportunity?

Eliminate discrimination, harassment and victimisation?

Promote good community relations?

Promote positive attitudes towards people with protected characteristics?

Encourage participation of people with protected characteristics?

Protect and promote Human Rights?

For example, think about the policy from the perspectives of different groups in society. Will the

policy affect, positively or negatively, any group(s) differently to others? Will it differentially affect:

Black, Asian or other ethnic minority and/or cultural groups?

Disabled People? And their carers?

Transgender people? (from pre-operation, through transition, to post-operation)

Men and Women?

Lesbians, gay men and/or bisexual people?

Different religious communities/groups?

People of a particular age e.g. older people or children and young people?

Any other groups?

For policies affecting staff, those with flexible or agreed working patterns?

Are there any aspects of the policy/activity/practice, including how it is delivered, or accessed, that could contribute to inequalities? (This should relate to all areas including Human Rights.)

Findings from any consultation already done (by your service area or any other service) which is relevant to the development of this policy.

Yes

No

Please explain:

If you have indicated there is a negative impact on any group, is that impact:

Legal?

Yes

No

Please explain:

Intended?

Yes

No

Please explain:

B: Are there any examples of existing good practice in this area – such as measures to improve access to the policy among particular groups? If so please say what they are.

5 Evidence Base for Screening

A: Please use the table below to outline what information or evidence you have in relation to each equality group.

List the evidence sources used to make the screening assessment (i.e. the *known evidence*) (e.g. Index of Multiple Deprivation, Workforce data, Population statistics, any relevant Reports, customer surveys, equality monitoring data for the service area.)

Equality Group	
Age	
Disability	
Carers (for elderly, disabled or minors)	
Sex	
Gender Reassignment	
Pregnancy and Maternity (incl. breastfeeding)	
Race	
Religion or Belief	
Sexual Orientation	
Human Rights	
Marriage and Civil Partnership	

B: What further data or information do you need to carry out the assessment?

Consider whether there are any significant gaps in the known evidence base and list here your recommendations for how and by when those gaps will be filled.

Equality Group	
Age	
Disability	
Carers (for elderly, disabled or minors)	
Sex	
Gender Reassignment	
Pregnancy and Maternity (incl. breastfeeding)	
Race	
Religion or Belief	
Sexual Orientation	
Human Rights	
Marriage and Civil Partnership	

Step 2: Involvement and Consultation

You need to think about people inside the council, contractors, partners and the wider community

6

A: Please use the table below to outline any previous involvement or consultation which is relevant to this policy

Equality Group	Briefly describe what you did, with whom, when and where. Please outline a brief summary of the responses gained and links to relevant documents, as well as any actions
Age	
Disability	
Carers (for elderly, disabled or minors)	
Sex	
Gender Reassignment	
Pregnancy and Maternal (incl. breastfeeding)	
Race	
Religion or Belief	
Sexual Orientation	
Human Rights	
Marriage and Civil Partnership	

What do previous consultations show about the potential take-up of any resulting activities or services?

Step 3: Data Collection and Evidence

What evidence or information do you have already about how this policy might affect equality and/or the elimination of discrimination for each of the equality groups? What does this tell you?

Please cite any quantitative (for example, statistical or research) and qualitative (for example, monitoring data, complaints, surveys, focus groups, questionnaires, meetings or interviews) evidence relating to groups having different needs, experiences or attitudes in relation to this project. Describe briefly what evidence you have used.

What does available data tell you about the potential take-up of any resulting activities or services?

What additional research or data is required to fill any gaps in your understanding of the potential or known effects of the policy? Have you considered commissioning new data or research?

Have you got a 'baseline' position understanding? How well does what you know about who gave you views in consultations match with the profile for Northampton and your particular service?

Step 4: Assessing impact and strengthening the policy

What evidence do you have about how the policy will affect different groups and communities in relation to equality and human rights?

How does/will the policy/activity and resulting activities affect different communities and groups?

Some things to consider:

- Are proposed actions necessary and proportionate to the desired outcomes?
- What barriers are known to exist for each of the equality groups?
- Where appropriate, will there be scope for prompt, independent reviews and appeals against decisions arising from the proposed policy/activity?
- Does the proposed policy/activity have the ability to be tailored to fit different individual circumstances?
- Is there any potential for, or are there known, adverse or positive impacts of the policy?
- You should consider how the policy might impact on people affected by discrimination, specific interest groups such as small businesses, voluntary sector agencies and other service providers
- Are there examples of good practice that can be built on?
- You may wish to consider how the policy will be delivered or communicated.

Equality Group	Risks (Negative)	Opportunities (Positive)
Age		
Disability		
Carers (for elderly, disabled or minors)		
Sex		
Gender Reassignment		
Pregnancy and Maternal (incl. breastfeeding)		
Race		
Religion or Belief		
Sexual Orientation		
Human Rights		
Marriage and Civil Partnership		

7 Proportionality

Describe the scale and likelihood of these risks and opportunities

8. What measures does, or could, the policy include to help promote equality of opportunity?

For example, positive measures designed to address disadvantage and reach different communities or groups?

What measures does, or could, the policy include to address existing patterns of discrimination, harassment or disproportionality?

What impact will the policy have on promoting good relations and wider community cohesion?

If the policy is likely to have a negative effect ('adverse impact'), what are the reasons for this?

Including direct or indirect discrimination

What practical changes will help reduce any adverse impact on particular groups?

Consider changes in communication methods, providing language support, collecting data, revising programmes or involvement activities.

Have you considered including treating disabled people more favourably where necessary?

What evidence is there that actions to address any negative effects on one area of equality may affect other areas of equality or human rights?

What will be done to improve access to, and take-up of, services or understandings of the policy?

Some things to consider:

- Increasing awareness of the policy among all staff and/or councillors and/or the community
- Encouraging wider public involvement in our work or communications activities
- Encourage different groups, including disabled people, to get involved in what we do

Please note that you may need to revisit this section once you have completed the policy development process

Step 5: Procurement and partnerships

Consideration of external contractor obligations and partnership working

Is this project due to be carried out wholly or partly by contractors? If yes, have you done any work to include equality and human rights considerations into the contract already?

If you have, please set out what steps you will take to build into all stages of the procurement process the requirement to consider the general equality duties and equality more broadly.

Specifically you should set out how you will make sure that any partner you work with complies with equality and human rights legislation. You will need to think about:

- NBC's Procurement Strategy
- NBC's Commissioning Framework
- Tendering and specifications
- Awards process
- Contract clauses
- Performance measures; and
- Monitoring and performance measures.

Step 6- Making a Decision

Summarise your findings and give an overview of whether the policy will meet the council's responsibilities in relation to equality and human rights

What practical actions do you recommend to reduce, justify or remove any adverse/negative impact?

Please note that these should be reflected in the action plan

A reminder of what the EHRC guidance for financial decision-makers says about EIAs:

- **Outcome 1: No major change required** when the EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.
- **Outcome 2: Adjustments to remove barriers identified by the EIA or to better promote equality.** Are you satisfied that the proposed adjustments will remove the barriers identified?
- **Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunities to promote equality.** In this case, the justification should be included in the EIA and should be in line with the duty to have 'due regard'. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact, as discussed below.
- **Outcome 4: Stop and rethink** when an EIA shows actual or potential unlawful discrimination

Step 7 – Monitoring, evaluating and reviewing

How will you monitor the impact and effectiveness of the policy or activity?

This could include adaptations or extensions to current monitoring systems, relevant timeframes and a commitment to carry out an EIA review once the policy or activity has been in place for a year.

How will the recommendations of this assessment be built into wider planning and review processes?

This may include policy reviews, annual plans and use of performance management systems (for example, project briefs, project initiation documents etc)

Give details of how the results of the impact assessment will be published, including consultation results and monitoring information if applicable.

You should publish an approved copy of this assessment on the NBC internet under the Equalities category. You may also wish to publish it under categories specifically for your service area to help members of the public to find it easily.

Step 8 –Action Plan

Taking into consideration the responses outlined in Steps 1- 7 above, complete the action plan below.

	Actions	Target date	Responsible postholder and Directorate	Monitoring postholder and Directorate
Step 2 Involvement and Consultation				
Step 3 Data collection and evidence				
Step 4 Assessment and analysis				
Step 5 Procurements and partnerships				
Step 7 Monitoring, evaluating and reviewing				
Supplementary steps				

For the record

The equality impact assessment should be signed off at Head of Service level before publication. Signing off means that the Head of Service will need to satisfy themselves that:

- You have consulted and involved stakeholders from each group
- You have gathered all relevant evidence
- You have an action plan

Date of sign off by Head of Service:

Name of Head of Service signing off this EIA:

Equality Duties to be taken into account include:

Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); Indirect discrimination; Pregnancy and maternity discrimination; Harassment; discrimination arising from disability.

Public Sector Duties (Section 149) of the Equality Act 2010 for NBC and services provided on its behalf:

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

Rights apply to people in terms of their "Protected Characteristics":

Age; Gender; Gender Assignment; Sexual Orientation; Disability; Race; Religion and Belief; Pregnancy; Maternity. But Marriage and Civil Partnership do not apply to the public sector duties.

Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life. **Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. NBC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. NBC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

Duty to 'foster good relations between people'

This means having due regard to the need to **tackle prejudice** (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding**.

Lawful Exceptions to general rules: can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

National Adult Autism Strategy (Autism Act 2009; statutory guidelines)

Human Rights – under the Human Rights Act 1998 which gives effect to the European convention: right not to be subjected to degrading treatment; right to a fair trial (**civil and criminal issues**); right to privacy (**subject to certain exceptions e.g. national security/public safety, or certain other specific situations**); freedom of conscience (**including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations**); freedom of expression; freedom of peaceful assembly and to join trade unions; right not to be subject to unlawful discrimination; right to peaceful enjoyment of own possessions (**subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties**); right to an education; right to hold free elections by secret ballot. **The European Convention is given effect in UK law by the Human Rights Act 1998.**