

## Short Equality Impact and Outcome Assessment (EIA) Template **DRAFT FOR DISCUSSION**

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>

They help us make good decisions and evidence how we have reached these decisions.<sup>3</sup>

See end notes for full guidance. For further support or advice please contact the Community Partnerships Team

### Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>

<b>Title</b> <sup>5</sup>	Equality, Diversity and Inclusion Policy 2023-26	<b>ID No</b> <sup>6</sup>	CP004
<b>Team/Service</b> <sup>7</sup>	Strategy and Partnerships		
<b>Focus of EIA</b> <sup>8</sup>	<p>This policy aims to eradicate any form of discrimination, direct or indirect, institutional or other, in employment, procurement and delivery of our services, as required under the Equalities Act 2010.</p> <p><b>The objectives within the policy aim:</b></p> <ul style="list-style-type: none"> <li>• To promote Equality of Opportunity in Employment &amp; Training</li> <li>• To improve equality and access to services for all residents.</li> <li>• To strengthen knowledge and understanding of all Three Rivers communities.</li> <li>• To celebrate diversity, promote inclusion and enhance community life in partnership with communities.</li> </ul> <p>Through this policy the council commits to:</p> <ul style="list-style-type: none"> <li>• Eliminate discrimination on the grounds of protected characteristics;</li> <li>• Promote equality of opportunity and fair treatment for all our communities;</li> <li>• Ensure equitable access to our services by all citizens</li> <li>• Provide services in a manner which is sensitive to needs of individuals;</li> </ul>		

	<ul style="list-style-type: none"> <li>• Consciously consider the impacts (positive and negative) of our decisions and actions on all our communities</li> <li>• Help those who face harassment, taking action against perpetrators where possible</li> <li>• Build a workforce that reflects the diversity of our communities</li> <li>• Promote equality of opportunity and fair treatment in employment</li> <li>• Demonstrate visible community leadership to equality, diversity and inclusion</li> <li>• Work in partnership to ensure effective consultation and engagement</li> <li>• Monitor and evaluate all relevant aspects of service delivery and employment and eliminate differences demonstrated by unfair outcomes;</li> <li>• Publish all relevant equalities information.</li> </ul>
<b>Assessment of overall impacts and any further recommendations</b> <sup>9</sup>	
<p>The aims proposed within the policy should positively impact on those with protected characteristics.</p>	
<b>Potential Issues</b>	<b>Mitigating Actions</b>
<p>No negative impact to people with protected characteristics arising from the proposals within the policy</p>	<p>Tackling inequality is a 'golden thread' running throughout the refreshed Corporate Framework 2023-26. Its objectives seek to address issues of inequality and promote inclusivity.</p>
<b>Actions Planned</b> <sup>10</sup>	
<p>Further EQIAs may be completed as necessary relating to specific work delivered as a result of this policy.</p>	

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Equality Impact Assessment officer:** Shivani Davé

**Date:** 18/08/2023

**Equalities Lead Officer:** Shivani Davé

**Date:** 18/08/2023

## **Guidance end-notes**

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<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- Knowledge: everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- Timeliness: the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- Real Consideration: the duty must be an integral and rigorous part of your decision-making and influence the process. • Sufficient Information: you must assess what information you have and what is needed to give proper consideration.
  - No delegation: the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- Review: the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- Proper Record Keeping: to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

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NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

## **<sup>2</sup> Our duties in the Equality Act 2010**

As a council, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- avoid, reduce or minimise negative impact (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- promote equality of opportunity. This means the need to: – Remove or minimise disadvantages suffered by equality groups – Take steps to meet the needs of equality groups – Encourage equality groups to participate in public life or any other activity where participation is disproportionately low – Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- foster good relations between people who share a protected characteristic and those who do not. This means: – Tackle prejudice – Promote understanding

## **<sup>3</sup> EIAs are always proportionate to:**

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

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The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

#### **4 When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

#### **Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?

How vulnerable are the people (potentially) affected? If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

**5 Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

**6 ID no:** The unique reference for this EIA. This will be added by Community Partnerships

**7 Team/Service:** Main team responsible for the policy, practice, service or function being assessed

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**<sup>8</sup> Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal serviceusers, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be? • What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

**<sup>9</sup> Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

**<sup>10</sup> Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.