

## Short Equality Impact and Outcome Assessment (EIA)

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 Strategy and Partnerships Team

### Equality Impact and Outcomes Assessment (EIA)

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>	Adaptation and Resilience Risk Register	<b>ID No</b> <sup>6</sup>	<b>2022.CP001</b>
<b>Team/Service</b> <sup>7</sup>	Strategy and Partnerships		
<b>Focus of EIA</b> <sup>8</sup>	A core objective of the new Corporate Framework is to achieve carbon net zero and be climate resilient. This Adaptation and Resilience Risk Register sets out how the council will achieve this overarching objective. It will be delivered by all service areas across the council. It will involve partnership working for example with the Community Safety Partnership on wildfire prevention. Everyone in the district will have a role in adapting and becoming resilient to the impacts of climate change. It sets out how the council will prepare its services, take active interventions, raise awareness of the steps that can be taken to reduce impacts, and encouragement of Sustainable Urban Drainage (SUDS) in areas which are vulnerable to flooding.		
<b>Assessment of overall impacts and any further recommendations</b> <sup>9</sup>			
The risk assessment and further mitigations span all service areas of the council and all households and residents in the district. However, the impacts of extreme weather events will be felt more keenly by residents living in higher density and deprived areas with less access to gardens and parkland. This assessment will provide more resilience to those groups.			
<b>Potential Issues</b>		<b>Mitigating Actions</b>	

<p>Deprived and densely populated areas are more vulnerable to extreme weather impacts. There are no negative impacts identified as arising from the proposals within the risk assessment</p>	<p>The grant funded retrofit projects naturally select deprived areas, and these help homes be more resilient to extreme weather without inducing higher fuel bills. The SUDS project planned in south Oxhey will help prevent floods. Work with the housing associations will give residents increase awareness of the issues and how to cope.</p>
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<p><b>Actions Planned</b> <sup>10</sup></p> <p>The Risk Assessment will enable council services and residents to improve their resilience to extreme weather events. . We will ensure that due regard is given to any potential impact of specific proposals on protected characteristics by conducting Equality Impact Assessments for specific actions and proposals as required. This process is designed to help maximise positive impacts and ensure we are thoughtful and intentional about designing inclusivity and equity into our work. It also helps us identify potential negative impacts and how we can eliminate, minimise or mitigate these.</p>
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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:** Rebecca Young

**Date:** 11<sup>th</sup> October 2023

**Equalities Lead Officer:** Rebecca Young

**Date:** 11<sup>th</sup> October 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.

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- 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.

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

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- The size of the likely impact
  - The vulnerability of the people affected

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.

#### **<sup>4</sup> 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.

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

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

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

**<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 service users, 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.