

Equality Impact Assessment (EIA) Form

NAME OF COUNCIL	Staffs Moorlands DC
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SECTION 1: Initial Screening

Name of policy ¹ or function ² being assessed	Policy / Function Status	
Risk Management Strategy		Revised
Responsible Service Area	Date Form Completed	
OD & Transformation	30.1.19	
Lead Officer for this Assessment	Contact Number	
Information Business Partner	4057	

Does the policy or function have any implication or relationship to the Council’s equality duties? (See summary on back page) No

Does/Will the policy or function have an impact on the availability, eligibility, quality or cost of a service to individuals, households, communities or specific groups of people? No

Does/Will the policy or function have an impact on the quality of life of individuals, households, communities or specific groups of people? No

Does/Will the policy or function have an impact on the opportunities for individuals, households, communities or specific groups of people to improve their lives in some specific way? No

If yes/possibly to any of the above questions then please complete section 2.

If No to all the above questions then please provide a brief summary explanation of why the policy/function requires no further consideration with respect to the Council’s equality duties.

The Risk Management Strategy does not impact on equalities duties as it does not dictate direct service delivery decisions or policy initiatives. It exists to ensure risk is considered within decision-making, project management and service delivery.

¹ Definition of policy = This can include policies, procedures, guidance, strategies and/or plans

² Definition of function = Broad areas of activity, duties or powers – usually a service or set of services, including services which are provided internally

SECTION 2:

2.1: Identifying the aims of the policy or function

Summarise: the main aims, objectives and/or purpose and scope of the policy, practice, service or function.

Who is/are the intended customer or beneficiary of this policy or function?

2.2: Evidence of Impact

What evidence or data is being used to inform the Council's understanding of the impact of the decision about this policy or function on equality target groups? (Please list and note where the evidence/data is held.)

Note: Evidence from consultation/ engagement is particularly powerful and Appendix 1 includes guidance.

Are there gaps/weaknesses in the available evidence/data which limit our understanding of the impact?

Yes/No	Detail:

If yes: How significant are these gaps?

Not Significant – can proceed to decision		Justification:
Significant but can proceed to decision		Justification & action to be taken:
Significant and requires further investigation prior to a decision being made.		Summarise the plan of action:

2.3: Assessment of impact

Taking into account all the evidence available to you indicate where you think that the policy/function could have an intended or unintended **negative impact** on a particular group: i.e. it could cause some disadvantage. Potential discrimination may be direct - i.e. treating someone less favourably because of certain attributes of who they are or indirect i.e. when the proposed practice, policy or procedure may have the effect of disadvantaging people who share certain protected characteristics. Indicate where you think the policy/function could have an intended or unintended **positive impact** on any of the groups to promoting diversity and equality. Where the policy/function is not relevant to a particular group or has no potential impact indicate as neutral. Please give reasons for each outcome:

Protected Groups	Negative Impact	Positive Impact	Neutral Impact	Explain impact & state what action can be taken (either to mitigate negative impacts or enhance positive impacts) .
People of a particular age such as children, young people, older people				
People with disabilities including physical disabilities, sensory impairments, limiting long-term illnesses, learning disabilities or mental health difficulties				
Racial / minority ethnic groups?				
Women or men including those living in particular communities				
Pregnant women or people on maternity or paternity leave or breastfeeding mothers.				
A person's marital status including civil partnership				
People with a particular sexual orientation				
People with particular religion or belief				
Trans people or people planning to or going through gender reassignment				

If there is potential for significant negative impacts on groups with protected characteristics which either cannot be mitigated or where there is uncertainty about the efficacy of measures, consideration should be given to consultation/engagement (or further consultation and engagement) with those groups of people who may/will be impacted. (See appendix for advice and guidance). If further consultation takes place then the Assessment of Impact above (2.3) should be done again taking into account the additional evidence.

If an adverse negative impact has been identified and cannot be fully mitigated then does the officer consider that it can be justified on grounds of promoting equality of opportunity for one group or any other reason? I.e. is it a proportionate response to achieve a legitimate and justified aim. Please explain.

2.4 Assessing relevance to the public sector Equality Duty

Standing back from the assessment of impact in relation to specific protected groups: are there any broader issues which you can identify either negative or positive opportunities for the Council to advance equality and foster good relations?

2.5 Summary

Summarise what actions if any are being recommended or will be taken in order to address negative impacts?

Signed (lead officer): _____

Date: _____

I confirm that the completed Equality Impact Assessment will be published on the Council's website.

I am satisfied that feedback has been given to anyone who was consulted in order for this assessment to have been made.

I confirm that the matters set out in the Assessment will be put before Members before any decision is made in relation to the subject matter of the Assessment.

Signed (Manager): _____

Date: _____

Appendix: Consultation/Engagement

If properly conducted consultation or direct engagement with groups of people who will or may be impacted by a service or a decision can provide vital evidence which the Council can use to inform its decisions.

It is critical that consultation is carried out well otherwise the results will be of limited value, misleading and could even leave the Council open to legal challenge. You must inform and clear your consultation plans with the Democratic and Community Service Team (contact Kerry Towers, Assistant Policy officer - Consultation) and, if required complete a Privacy Impact Assessment in accord with the Council's Data Protection Policy.

Planning Consultation

Begin by recalling:

- your function or policy purpose and scope
- who will benefit or be affected by the policy or function (the target population)?
- who might be the excluded or marginalised groups within the target population?

Who is the Council targeting for engagement or consultation?

What impact has the Council already identified or assumed? (You can copy and use section 2.3 of the equality Impact assessment to help you clarify what you think the impact will be for particular groups – this will either be based on current evidence and/or your assumptions)

What potential mitigating measures are proposed or could be explored?

Consultation

- Carryout a consultation, that reaches the identified excluded or marginalised groups.
- Ensure all relevant employees and staff support groups are consulted.
- Review the consultation in terms of inclusivity and equality by asking:
 - What are the views of those consulted on the contribution that the function or policy makes to equal opportunities and inclusion?
 - Are there any differences in responses between different groups?
 - Have any new insights been gained about the impact of the policy/function?
 - Have any new ideas emerged about effective measure to mitigate any negative effects of the policy/function?
 - Have any new ideas emerged that could provide the Council with a positive opportunity to progress the aims of the General Equality Duty?
- Keep a record of those consulted, together with the responses, any additional evidence and your conclusions (above).

The Equality Duty – a Summary

The equality duty was developed in order to harmonise the equality duties and to extend it across the protected characteristics. It consists of a general equality duty, supported by specific duties which are imposed by secondary legislation. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

The equality duty covers the nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first aim of the duty applies to this characteristic but that the other aims (advancing equality and fostering good relations) do not apply.

For more information about the Council's Equality Duty visit the Equality and Human Rights Commission website on <http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty/what-equality-duty> or ask legal services to assist you.