

GUIDANCE ON COMPLETING AN EQUALITY IMPACT ANALYSIS (EIA)

WHAT IS THE PURPOSE OF EIAs?

Equality Impact Analysis (EIA) is a rigorous and systematic tool for checking that policies/projects/practices and services take into account the needs of those groups identified in law as being at risk of discrimination (otherwise known as protected characteristics). This covers both our service users and our employees.

It is important to note that EIAs should be done in a way that is both effective and proportionate to the size and structure of the organisation.

It is also important to note that EIAs are not simply about removing potentially negative impacts, they are also an opportunity to identify ways to promote equality of opportunity and ensure greater access to public services.

EIAs are about considering any negative or adverse impacts that can be removed or mitigated where possible. However, any negative or adverse impacts that amount to unlawful discrimination, must be removed.

In brief, EIAs provide a system of quality assurance and an opportunity to:

1. Eliminate discrimination
2. Tackle inequality
3. Improve access and remove any barriers to opportunities
4. Develop a better understanding of the community we serve by consulting our customers
5. Target resources efficiently
6. Adhere to the transparency and accountability element of the Public Sector Equality Duty
7. Consider the people who are not using our services and the possible reasons for this.
8. Provide evidence that we are advancing equality of opportunity

WHO IS RESPONSIBLE FOR COMPLETING AN EIA?

Ownership and responsibility for an impact assessment lies at Service level. Service Managers and frontline staff are important in the assessment process. They will be involved in implementing actions and changes that the assessment identifies as necessary. It doesn't have to (and shouldn't be) an equalities officer who carries out the EIA.

When considering equalities implications it is necessary to involve others who may offer challenge to views or some evidence of impact.

PROTECTED GROUPS

The protected groups as defined by the Equality Act 2010 are:

- **Age:** Where this is referred to, it refers to a person belonging to a particular age or range of ages (e.g. 18 - 30 year olds).
- **Disability:** A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.
- **Gender Reassignment:** The process of transitioning from one gender to another.
- **Marriage and civil partnership:** Marriage is a union between a man and a woman or between a same sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples (except where permitted by the Equality Act).

- **Pregnancy and maternity:** Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavorably because she is breastfeeding.
- **Race:** This refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
- **Religion and belief:** Religion refers to any religion, including lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition
- **Sex:** A man or a woman.
- **Sexual orientation:** Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

COMPLETING AN EQUALITY IMPACT ASSESSMENT

This guidance is to support the completion of the Equality Impact Assessment.

This form includes a “Relevance Assessment” of the level of impact on each of the groups. Where there is high or medium impact you will continue to do a full impact assessment but only on those areas. For example, if there is high impact on Age but low on Sex, you need only assess the impact for Age.

Before you start:

- Who will you involve in completing this assessment? This may include line managers, staff, members, service users or external groups. Be sure to involve someone who understands equality and inclusion and the potential impacts of your proposal.
- Do you understand the people who use your Service or will be affected by the policies/projects/practices and service? What evidence and data do you hold about them? This may include statistical surveys and consultation exercises.
- The EIA should accompany relevant reports to EMT or Committees and will be published on the Council's external website. Please avoid the use of acronyms and explain all terms in plain English.

What should be assessed?

EIAs are part of our core business and service planning. They need to be completed before a decision relating to substantial changes to policies/projects/practices are made or implemented. EIAs apply to internal policies (relating to people who work for the public body) **and** external policies (relating to those who are or could be served by the public body).

- **EMT & Member decisions** – an EIA should be undertaken by the Service Manager when developing new policies, undertaking reviews or planning significant changes to services or policies. Where the impact on a protected group(s) is shown to be medium or high, the EIA should accompany Committee and EMT report. Please note the EIA will need to inform decision-making so the timeframe should take this into account.

CONSULTATION & INVOLVEMENT

You may find it useful to hold an 'introductory session' with appropriate staff so that everyone feels at a similar level of knowledge at the start of the process. A well-executed EIA is one that has made use of different perspectives, experiences and challenges from inside and outside of the organisation. In practice, at least one member of the team should be the manager responsible for the delivery of the service.

It is also helpful to involve stakeholders who can offer an independent perspective, either as service users or people who can relate to the service in some way. There will be times when involving someone for their technical expertise or someone with specialist knowledge is appropriate. A good practical minimum size for a team is three.

Inviting views on the EIA's findings is also good practice. This should enable an informed view to be given on the actions identified as well as the assessment of impacts. Stakeholders' views on the most effective methods of addressing unwanted impacts should be considered. Following consultation and involvement, it may be necessary for the policymaker to go back to the assessment of impact and identification of options, and revise findings.

Section 1

This is a summary of the policy/practice/proposal you are impact assessing and what it is aiming to achieve.

- **What is the overall purpose and aim of the policy/practice/proposal or service?**
Keep this brief and focus on the policy/practice/proposal or service area and not the whole service. For example, if you are assessing a funding reduction, focus on the impact of the reduction and not the impact of the service itself. In terms of assessing a service or a policy it may help to ask the following questions:
 - Who benefits from the policy/practice/proposal or service?
 - Who doesn't benefit and why not?
 - Who should be expected to benefit and why don't they?
 - Why is the policy needed?
 - What does the authority hope to achieve by it?
 - How will the authority ensure that it works as intended?
 - What could prevent your communities getting the most out of the policy, service or function?
- **What are the main elements of the policy/practice/proposal or service where consideration of equality impacts and issues need to be incorporated?**

Consider the various elements of your policy/practice/proposal or service where equality issues are likely to be apparent, i.e. which of the processes significantly impact on people; access, understanding, financial impact, etc. It may help to ask your customers, or those the policy/practice/proposal or service affects to answer this question.

Section 2 - Relevance Analysis (Screening)

1. Which groups of people do you think will, or potentially can be, affected by this policy/practice/proposal or service?

The "Relevance Assessment" requires you to consider the 9 protected groups and decide whether your policy/practice/proposal may have an impact on these groups. Where it is concluded that the impact is none or low this should be recorded and you must give your reasons why you have made this assessment.

If the impact is medium or high you will be required to complete the EIA.

This is also an opportunity to consider people disadvantaged by other factors. This is not an exhaustive list and may not always be relevant to you, but it is worth considering. The other groups or factors that may be considered include:

- Rural isolation
- Care leavers

- People with caring responsibilities
- Low or no income
- Offenders

IMPACT LEVELS

No Impact

This indicates that the policy/practice/proposal or service is likely to have little or no impact on staff or service users.

Low Impact

Similar to no impact but requires some thought to be given. The issues are clear, and the impact is likely to be minimal. However, it may be worth seeking advice before making this judgement.

Medium Impact

The issues are clear, and actions are required e.g. to gather more information or to take specific steps to ensure that some groups will not be unfairly discriminated against or disadvantaged.

High Impact

This applies usually to significant changes in frontline policies and procedures as well as staffing restructures. The issues will be clear and the actions to address them need to be specific, time limited and verifiable.

Section 3 – Detailed Analysis

This section will only be completed if you have identified that there is a medium or high impact on any of the protected characteristics. The questions you will need to consider are:

In relation to the protected group(s), what do you know about the people who use your service/s? What evidence do you have and how does this compare to the profile of residents?

You will need to consider what data/research you have looked at and highlight what this has told you. Does the policy affect service users, employees or the wider community?

Remember, this isn't just about numbers. A potential to affect a small number of people in a significant way is as important as a potential to affect many people.

Also, consider those who do not access your service or are under-represented. Do you know why this is?

1. What negative/disproportionate impacts will the policy/practice/proposal or service have on protected group(s)?

List what you consider to be the negative impact and why.

2. In seeking to advance equality and improve access, what positive impacts could this proposal have on the protected group(s)?

List what you consider to be the positive impact and why. This is an opportunity to highlight any initiatives or intended outcomes which may improve access for this group. Consider any ways to improve relationships such as communication channels.

- 3. On the evidence you do have, if there is an adverse impact, what steps will be taken to remove/minimise it? Please complete the Action Plan.**

Please note the action which you recommend being taken in response to any issues which you have identified for the group(s) including mechanisms for improving relationships with a protected group(s). Actions can be anything from staff training to a change to policy or introduction of new processes.

- 4. How will you know if the agreed actions have had the desired results? What monitoring and performance measures/indicators will be reported?**

As with any action plan it must be monitored and reviewed. The action plan should include actions identified as necessary, identification of who is responsible for implementation of actions, the timescale for implementation and review, and details of how the effects of actions will be evaluated.

- 5. Who has been consulted with on this EIA and what were the comments made?**

EIAs where appropriate are passed out to the Equalities Network for comment and feedback prior to being 'signed off'. This is a valuable exercise and provides additional rigour to the process. Any comments and feedback are discussed fuller with person completing the EIA and consideration is then given as to whether any changes are necessary.

Once completed the EIA will be returned to the relevant Service Manager and HR Advisory Team.