

# EQUALITY IMPACT ASSESSMENT (EQIA) GUIDELINES

## 1. Background

The Council values diversity and believes in equality as it relates to its employees, customers and stakeholders.

Legislation provides General Duties, which require the Council as a public authority to have due regard to the need to;

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

**Protected Characteristics;** Age, Sex, Disability, Race, Religion and Belief, Marriage and Civil Partnership, Pregnancy and Maternity, Sexual Orientation and Gender Reassignment.

The purpose therefore of the Equality Impact Assessment is to work out whether a group or individual will be adversely impacted on by a Council policy or procedure. An EQIA should be considered for the full range of Council activities, strategies, functions, policies and processes. The term 'Policy' will be used throughout this document to mean all of the above.

This document provides a step-by-step guide to carrying out an impact assessment and will cover the following areas:

- what is an equality impact assessment?
- why should it be done?
- who should do it?
- how should it be done?

## 2. Equality Impact assessment

### What is an impact assessment?

An equality impact assessment is a way of systematically and thoroughly assessing and consulting on the effects that a proposed policy or function could have on some groups or individuals depending on their group. This then enables the Council to pre-empt the possibility that the proposal could affect some groups unfavourably.

The assessment extends to monitoring the effects of the policy/functions and being alert to any concerns about the way it is functioning.

## Who should carry out the assessment?

An assessment should be carried out by whoever is responsible for developing the policy. Completed assessments then require to be approved and signed off by the relevant Head of Service.

An equality impact assessment has two key stages:

### **Stage 1: Deciding if you need to do a full assessment (use the EQIA Stage 1 Screening Template)**

This involves screening policies or to see if they are relevant to equality:

- identify the main aims of the policy
- collect information
- decide if the policy is relevant to equality issues

The general question to be addressed is:

*"Is there a differential impact on any group within the Protected Characteristics as a result of implementing the strategy or policy?"*

If it is identified through Stage 1 that there may be an adverse impact on an area of equality, a more detailed assessment needs to be undertaken.

### **Stage 2: Full Impact Assessment (use the Stage 2 Full Assessment Template)**

Involves fully assessing policies identified as being relevant to make sure they do not have an adverse effects on any groups. This process will:

- Identify all the aims of the policy
- assess the likely impact – is this consistent with the objective of the policy?
- assess alternatives or amendments to the policy which will not have a negative impact.
- consult formally with representative groups and individuals.
- decide whether to adopt the policy
- make arrangements to monitor the effect of the policy
- publish the assessment

If an adverse impact is found during the Impact Assessment process, services need to consider what action requires to be taken. Actions taken and reasons for the decision will be documented as part of the Assessment process. Actions may include:

- changing the proposed policy
- considering ways it could be introduced that will remove or reduce the adverse impact
- finding an alternative way to achieve the aim of the policy

There may be situations, however, due to the policy's importance or to meet the needs of particular groups, that there is no other way of achieving the policy. Services may then be able

to justify the policy as it was originally proposed. This process and the decision taken in respect of the policy must be clearly documented as part of the assessment process.

***If you do need to carry out an EQIA this is the process:***

<b>Step 1</b>	Define the aims of your policy
<b>Step 2</b>	What does the information you have tell you about how this policy might impact positively or negatively on the different groups within the target audience?
<b>Step 3</b>	Rate the level of relevance to your policy – <b>High, Medium, Low or Unknown</b>
<b>Step 4</b>	Will you be making any changes to your policy?
<b>Step 5</b>	Does your policy provide the opportunity to promote equality of opportunity or good relations?
<b>Step 6</b>	Outline how you will monitor and evaluate this policy to measure progress
<b>Step 7</b>	Sign off and forward to the Strategy and Quality Development Team Leader for publication.

***Step 1 - Define the Aims of the Policy ( Table 1)***

The first step of the Impact Assessment process is to identify what the policy is designed to achieve. This helps you to think about how the needs of different groups of people are integrated into the policy aims and objectives.

***Step 2 - How will this policy impact on people included in the Protected Characteristics. (Table 2)***

To understand the different needs and experiences of the people you are making policy for, you will need to gather the information about the differential impact for your policy. It is important to know **who** will be affected by the proposed changes and **how**.

The information you require may be statistical information, research projects which have collected information through discussions, focus groups and interviews with a range of people including those from recognised equality groups. It is also important to identify any information or evidence gaps you may have and which may need to be addressed in order to successfully complete the assessment process.

Evidence may include data (facts, figures, research findings etc) from our own information management systems or research surveys and consultation exercises.

In the absence of research there may be anecdotal evidence, feedback from service users and affected groups which may indicate positive or negative impact.

**Points to remember:**

- Evidence may indicate that there may or may not be an equality impact associated with a policy.
- The absence of evidence or indicators does not necessarily mean that there is no impact on equality.
- Arrangements should be made to obtain the relevant information ( i.e. there is a need for us to conduct our own survey) to help in the process of deciding whether or not a policy

has a differential adverse impact or whether the policy requires further, in-depth equality impact assessment.

- That an issue may only impact on small numbers of people from the different equality groups does not mean that there is not an issue or a problem. For example, it may be necessary to consider the needs of minority ethnic communities in rural areas, or lesbian, gay bisexual or transgendered people who may choose not to identify themselves as such due to fear of abuse or discrimination.
- You have a statutory duty to involve the community and you should keep a record of how you have done this.

Consultation is a key part of the process. The public sector equality duties require us to involve, consult and engage with our communities as widely as possible.

There are a variety of ways you can consult with people but it is important that you take account of the different needs of people from different communities.

In this section you should be looking at the information you have collected to assess what it is telling you about the needs of different groups of people.

Key Questions:

- Will the impact of the proposed policy/function be the same or different for each group
- Is there any indication or evidence of higher or lower participation or uptake of services by different groups?
- Are there any groups of people who are not taking up services?

You should now have enough information to decide whether or not there is an impact for any or all of the equality groups and whether the level of impact is in proportion to the policy. You will now have to decide whether the impact is high, medium or low for any of the strands.

### **Step 3: Based on the work you have done rate the impact of your policy on equality groups (Table 3):**

#### **High**

There is substantial evidence that people from different communities or groups are or could be differently affected by the policy.

There is substantial public concern about the policy or concerns have been raised about the policy's potential impact by relevant bodies.

This policy is relevant to all or part of the respective duty in the case of race, disability or gender

#### **Medium**

There is some evidence that people from different groups or communities are or could be differently affected.

There is some public concern about the policy. The policy is relevant to parts of the respective general duty

#### **Low**

- There is little or no evidence that some people from different groups or communities are or could be differently affected.

- There is little or no public concern about the policy.
- The policy has little or no relevance to the respective general duty.
- There is little or no evidence that some people from different groups or communities are or could be differently affected.
- There is little or no public concern about the policy.
- The policy has little or no relevance to the respective general duty.

## Unknown

- No evidence or data has been collected therefore an assessment cannot be made.

If you haven't got enough information gather more and go through the process again. A further assessment should be undertaken if more detailed investigation is required. There will be some policies where, as a result of undertaking this EQIA, you may decide a further impact assessment is required although it may not be necessary for all equality groups depending on the nature and the focus of the policy in question.

Further impact assessment could include:

- collecting further data, commissioning research and analysis
- considering alternative ways to collect information
- consulting further with people affected by the policy

Having undertaken further work, you should then revisit the impact assessment toolkit as you should now be in a position to complete the EQIA more fully.

## ***Step 4- Does the policy need to be changed? (Table 4)***

If the policy is likely to have an adverse impact on a group of people, the presumption should be that the policy will be changed or amended to lessen or remove this adverse impact. However, when considering making changes to our policies the actions we take should be proportionate.

It may be possible to make a change that may remove a barrier or have a lasting effect on one or all of the equality groups this will also be essential to avoid illegal discrimination. The EQIA process is a policy making tool which allows us to identify ways in which we can improve our policies and make them better suited for their purpose. You should also consider the resource implications of any changes you make i.e. will it cost more or should your resources be focussed on ensuring that your policy delivers effectively across different groups?

Please Identify:

- what action you will take
- who will take that action
- when that action will be taken

## ***Step 5 - Does your policy provide the opportunity to promote equality of opportunity or good relations?***

The main purpose of the EQIA is to identify any potential adverse impact, it also offers the opportunity to consider how your work can better promote equality of opportunity and good relations.

The public sector equality duties require that the Council, in carrying out its functions, has due regard to the need to promote equality of opportunity and /or outcomes.

The public sector equality duties and the Council's own policies require that the Council, in carrying out its functions, has due regard to the need to promote equality of opportunity between:

- persons of a different race
- men and women
- persons with a disability and without
- persons of a different religion or belief
- persons of different ages
- persons of different sexual orientation

The public sector duties also require the Council to:

- promote good relations between people of different racial groups
- promote positive attitudes towards people with disabilities
  
- encourage participation by people with disabilities in public life

It must not be assumed that areas which have been immune to challenge or question in the past, do not have implications for equality of opportunity. All existing areas of policy must be looked at with a fresh eye.

Key Questions:

- How does this policy promote equality of opportunity?
- what is being done to ensure equal outcomes for people from different groups or communities?
- How can this policy encourage participation in public life?
- How does this promote good relations?

## ***Step 6 – Monitoring and Evaluating the Policy to Measure Progress***

To ensure that the policy remains focused and is not affected by changing circumstances, it is important to keep it under review against its original aims. Monitoring and evaluation processes should be established to periodically assess the impact of the policy on the diverse needs of the target audience. This should reveal any unexpected adverse effect or unintentional discrimination.

The key to evaluating policy is good management information which may be collected as part of the ongoing monitoring process or conducted as a separate exercise.

## ***Step 7 – Signing off***

The Equality impact assessment requires to be approved by the relevant Head of Service. It should then be forwarded to the Strategy and Quality Development Team Leader for publication and inclusion in the Equality Impact Assessments folder in the J:drive.