

Equality Impact Assessment Toolkit

What is an Equality Impact Assessment (EqIA)?

The Equality Act 2010 places an 'Equality Duty' on public bodies, to understand the effect of their policies and practices on equality. This involves looking at evidence, engaging with people, staff, service users and others and considering the effect of what they do on the whole community.

An Equality Impact Assessment is tool which helps you to identify how your plans to introduce new, or change existing, policies, procedures or services will affect groups protected under equality legislation (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.)

It **MUST** be completed before the policy, project or service has been set up or changes implemented so that you can make changes if your assessment identifies groups that could be adversely affected by your proposals.

The assessment covers impacts on employees, existing and potential service users, the wider community and contracted out services.

EqIAs aim to

- stop direct and indirect discrimination from happening now and in the future
- highlight diversity as a strength and an integral part of our work, not just an add-on that you feel you must do
- recognise the fact that we don't all have an equal chance in life, and find ways to address this through your work
- ensure that our services are accessible to everyone in the community. The process is not the most important thing - it's the outcomes that matter.

What should an EqIA include?

An Equality Impact Assessment **MUST**:

- contain sufficient information to show the Council has paid "due regard" to equality duties in our decision-making
- identify methods for mitigating or avoiding any adverse impacts identified.

Assessments do not necessarily have to take the form of one document called an Equality Impact Assessment (EqIA) but it is recommended and helps you make sure you cover everything and sets out your rationale and evidence in one place.

What is the Equality Duty?

Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are—

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The Equality Duty explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This

might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) Tackle prejudice, and
- (b) Promote understanding.

Compliance with the Equality Duty may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.

When should I carry out an Equality Impact Assessment?

You **MUST** carry out an assessment as part of your planning process when you are putting together your proposals for new (or changes to existing) policies, procedures and service (including financial changes) before the decision is made **UNLESS** you have good reason to show that it is not relevant.

Making sure your EqlAs are in place in could save you problems, time and even money in the long run. See the example below where not completing an EqlA properly has caused problems.

Example: Southall Black Sisters judgement

The judgement by Lord Justice Moses in the case of Southall Black Sisters and London of Ealing was published on 29 July 2008.

Southall Black Sisters (SBS) successfully challenged Ealing Council’s decision to end funding their services to Asian and Afro-Caribbean women experiencing domestic violence.

Lord Justice Moses’ ruling stresses the need to carry out an equality impact assessment **BEFORE** formulating policies.

Southall Black Sisters won the case and Ealing Council was charged with failing to carry out a proper EqlA and misinterpreting the race equality legislation, subsequently Ealing carried out a full EqlA, including consultation, and had to pay £100,000 because of the case.

Who needs to see my Equality Impact Assessment?

The public equality duty means that equality issues must **consciously** influence the decisions reached by public bodies. Equality Impact Assessments **MUST** be provided for all Committee Reports to enable members to have ‘due regard’ to the equality duty when making decisions. In the Committee Report you **MUST** state whether the duty is relevant to the decision. If it is not relevant you **MUST** state why. If it is, attach the completed EqlA template as an appendix, and summarise its conclusions.

So what do I have to do?

Save this document and follow through the steps on the following pages. You can fill in the details as you go or come back to it as necessary.

For further advice you can contact Clare Muir on 72119 or email clare.muir@reading.gov.uk. You can also get further guidance on Equality and Human Rights Commission Website - www.equalityhumanrights.com.



Provide basic details

Name of proposal/activity/policy to be assessed

Directorate: Economic Growth and Neighbourhood Services

Service: Housing and Neighbourhoods

Name and job title of person doing the assessment

Name: Sarah Tapliss

Job Title: Strategic Housing Finance and Development Manager

Date of assessment: 27/9/19

Scope your proposal

What is the aim of your policy or new service/what changes are you proposing?

Domestic Abuse Strategy 2019-22

Who will benefit from this proposal and how?

Residents at risk of, experiencing or perpetrating domestic abuse

What outcomes does the change aim to achieve and for whom?

The new Domestic Abuse strategy for 2019/22 will encourage those experiencing domestic abuse to come forward early in order to keep themselves and their families safe. And it will ensure that, when they do come forward, staff are equipped with everything they need to support individuals, including perpetrators, to build a more secure future. Actions within this strategy that affect protect groups will be subject to further consultation and equality impact assessment.

Who are the main stakeholders and what do they want?

- Those experiencing or at risk of domestic abuse
- Organisations in the town, statutory and voluntary, supporting residents experiencing domestic abuse or the impact on other family members.
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Assess whether an EqlA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc.)

Yes

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, and feedback.

No

If the answer is **Yes** to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

Think about who does and doesn't use the service? Is the take up representative of the community? What do different minority groups think? (You might think your policy, project or service is accessible and addressing the needs of these groups, but asking them might give you a totally different view). Does it really meet their varied needs? Are some groups less likely to get a good service?

How do your proposals relate to other services - will your proposals have knock on effects on other services elsewhere? Are there proposals being made for other services that relate to yours and could lead to a cumulative impact?

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel.

Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable.

This combined impact would not be apparent if decisions are considered in isolation.

Consultation

How have you consulted with or do you plan to consult with relevant groups and experts. If you haven't already completed a Consultation form do it now. The checklist helps you make sure you follow good consultation practice.

[My Home > Info Pods > Community Involvement Pod - Inside Reading Borough Council](#)

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
<p>Agencies supporting those who experience domestic abuse or their household, statutory or voluntary.</p> <p>Safeguarding Boards</p> <p>Service Users</p> <p>Domestic Abuse Strategy Group Partners</p> <p>Community Safety Partnership members</p> <p>Reading MARAC</p> <p>Member of Reading Voluntary Action</p>	<p>The consultation adopted a number of different approaches reflective of the stakeholders whose views are sought.</p> <p>Discussions and meetings with colleagues</p> <p>Targeted emails</p> <p>Attendance and discussion at relevant internal and partner meetings</p> <p>Online survey and information</p>	<p>A period of public consultation was completed between 19th August and 13th September 2019.</p>

Collect and Assess your Data

Using information from Census, residents survey data, service monitoring data, satisfaction or complaints, feedback, consultation, research, your knowledge and the knowledge of people in your team, staff groups etc. describe how the proposal could impact on each group. Include both positive and negative impacts.

(Please delete relevant ticks)

Describe how this proposal could impact on Racial groups

The strategy outlines the intention to work with the Thames Valley wide BAMER project. This project should enable the Council to plan more effective interventions - any change of policy or activity would involve further consultation with affected groups.

Is there a negative impact? No

Describe how this proposal could impact on Gender/transgender (cover pregnancy and maternity, marriage)

An improved preventative approach and coordinated response to domestic abuse would reduce the impact on all those experience it. Statistics indicate that domestic abuse affects women more than men and that abuse often escalates during pregnancy.

It has been identified in the strategy that men experiencing abuse are not being referred to support services at a level expected. It is a priority to understand if this is a recording issue and that male victims of abuse are being adequately support, or if there are barriers to accessing services. This will improve the support and interventions available men experiencing domestic abuse in Reading. With this information we can plan more affective interventions if required - any change of policy or activity would involve further consultation with affected groups.

Is there a negative impact? No

Describe how this proposal could impact on Disability

It has been identified in the previous strategy that adults with a disability are not being referred to support services at a level expected. Due to actions in the last strategy this has improved but it remains a focus to ensure that adults with a disability are being adequately support, or if there are barriers to accessing services.

Is there a negative impact? No

Describe how this proposal could impact on Sexual orientation (cover civil partnership)

It has been identified in the strategy that adults that define as LGBTQ+ are not being referred to support services at a level expected. It is a priority to understand if this is a recording issue and that LGBTQ+ victims of abuse are being adequately support, or if there are barriers to accessing services. This will improve the support and interventions available to adults that define as LGBTQ+ experiencing domestic abuse in Reading. With this information we can plan more affective interventions if required - any change of policy or activity would involve further consultation with affected groups.

Is there a negative impact? No

Describe how this proposal could impact on Age

No disproportionate impact has been identified.

Is there a negative impact? No

Describe how this proposal could impact on Religious belief?

AN element of the Thames Valley wide BAMER project is to further understand the prevalence and impact of Harmful Cultural Practices in Reading such as forced marriage and honour based violence, practices that are more prevalent in certain religious communities than others. With this information we can plan more affective interventions if required - any change of policy or activity would involve further consultation with affected groups. With this information we can plan more affective interventions if required - any change of policy or activity would involve further consultation with affected groups.

Is there a negative impact? No - but may be perceived differently.

Make a Decision

If the impact is negative then you must consider whether you can legally justify it. If not you must set out how you will reduce or eliminate the impact. If you are not sure what the impact will be you **MUST** assume that there could be a negative impact. You may have to do further consultation or test out your proposal and monitor the impact before full implementation.

Tick which applies (Please delete relevant ticks)

1. No negative impact identified Go to sign off

How will you monitor for adverse impact in the future?

Any change in practice or policy will be subjected to further specific consultation and equality impact assessment.

Signed (completing officer) Sarah Tapliss Date 27/9/19

Signed (Lead Officer) Zelda Wolfle Date 27/9/19