

Guidance 2 - Equality Impact Assessment (EIA) Toolkit

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Background

Equality Standard for Local Government

The Council is committed to principles set out in the Equality Standard for Local Government and is currently working towards Level 2.

The Equality Standard consists of five levels as shown below:

Level 1	Commitment to a comprehensive equality policy
Level 2	Assessment and community engagement
Level 3	Setting equality objectives and targets
Level 4	Information systems and monitoring against targets
Level 5	Achieving and reviewing outcomes

At each of the five levels there are four broad areas to consider, as follows:

- Leadership and corporate commitment
- Community engagement and accountability
- Service delivery and customer care
- Employment and training

A key part of the Equality Standard involves carrying out equality impact assessments on all existing, changing, and new policies, services and procedures within a service. This is to ensure that they do not have an adverse impact on a particular group of people due to their gender, sexuality, religion or belief, race, age, gender identity or because they are disabled people. It is also to make sure that opportunities are taken to actively promote equality and diversity, and good community relations, wherever possible. Equality impact assessments also identify any positive impacts for different groups.

The actual term used in the Equality Standard guidance is Impact and Needs/Requirements Assessment (INRA), which goes further than identifying the impact of changes to policies, services and procedures, as it also assesses whether or not people's needs are being met and if the Council and is meeting legislative requirements such as compliance with the Disability Discrimination Act 2005 (DDA), Race Relations (Amendment) Act 2000, and The Equality Act 2006. The process adopted by the Council will be in line with this broader approach

All functions and policies will be subject to an EIA.

Functions include services provided by the Council, plus other duties and powers, such as enforcement, licensing and regulation. Assessing all policies and procedures will therefore include those which are part of a corporate function as well as those which relate to services and employment.

Policies does not mean only formal written policies but includes procedures, codes of practice, strategies, plans, guidelines and even long standing "custom and practice".

Introduction

What is an equality impact assessment?

An equality impact assessment is a tool to identify whether or not policies, services and procedures are having an adverse impact on a particular group of people due to gender, race or disability. In other words, is the policy or procedure being provided in a way that meets the needs of the customer and not in a discriminatory manner? The idea is to examine critically and identify any “institutional” barriers, acts or omissions that detrimentally affect individuals and communities because of factors of race, gender, age, religion or belief, sexuality, gender identity or disability.

For new or changing policies the equality impact assessment helps to identify potential adverse impacts and any unmet needs or requirements for different groups of people in the community.

Additionally the assessment also considers if there will be any potential positive impacts of the policy or service on groups of people in terms of disability, religion or belief, age, sexuality, gender or race equality, or any ways in which the policy will actively promote equality and diversity or good community relations.

Good practice also includes an assessment of needs and impact on other communities of interest, these include: asylum seeker and refugee communities; migrant workers and other new arrivals; lesbian, gay, bisexual and transgender communities; older people; Gypsy and Traveller communities; young people and people with caring responsibilities.

Why carry out equality impact assessments?

- Equality Impact Assessments help to improve the services delivered by identifying where improvements are needed and taking appropriate action.
- Equality Impact Assessments will form part of the business planning process so that it is not perceived as a separate exercise, thus saving time and resources.
- Equality Impact Assessments will enable service providers to engage with service users and stakeholders to identify/measure unequal outcomes or unmet needs, and then to use the results to develop equality objectives and targets that become part of business plans.

- Equality Impact Assessments will help KBC to become a better employer by identifying the needs of its different groups of employees and making changes as appropriate.
- Equality Impact Assessments will enable the Council to fulfil its wider “General Duty” under anti-discriminatory legislation including the Race Relations (Amendment) Act (2000), to promote good community relations and equal opportunities, and combat unlawful discrimination.
- Equality Impact Assessments will assist the Council in meeting its positive duty to eliminate unlawful discrimination and harassment of disabled people and to promote equal opportunities for disabled people, under the extension of the Disability Discrimination Act.
- Equality Impact Assessments will assist KBC in meeting the duty to promote equality between women and men.

How do you carry out an impact assessment?

A simple and user friendly form has been created to enable you to record your findings as a result of carrying out an equality impact assessment. For existing policies or ones which are being revised it will be useful to refer to the form used for the initial screening for relevance to equality when you begin your impact assessment.

Who will be carrying out the impact assessments?

Service/Business managers have the responsibility for carrying out impact assessments. However it is advised that you do not undertake the EIA on your own but set up a group comprising a diverse range of staff responsible for delivering the service. You could also consider stakeholder involvement, such as a service user representative, or a “critical friend” from another service area.

When will you be required to carry out an equality impact assessment?

Equality Impact Assessments are required to be carried out on all policies and procedures (new, changing and existing).

Each service area has screened all its policies and procedures for relevance to disability, gender, age, religion or belief, sexuality, and race equality.

What happens to the information?

The results of the equality impact assessment are used to set equality objectives leading to improvements to services and employment practices. Policies and proposed policies may need amending in the light of the results of the impact assessment, especially if potential adverse impacts are identified. If any negative impact would amount to unlawful discrimination the policy must be changed unless there is an objective, lawful reason to justify this.

As well as using the information to make improvements to services and employment practices, the impact assessments will also be published for information for the public and for audit purposes. All assessments will be published on the Council website together with results of monitoring and consultation.

Guidance notes

Although equality impact assessment is not meant to be a complex process, it frequently requires more than a desk top review or a discussion between the members of the project group: it needs to be based upon both quantitative and qualitative data about service users and non-users. The starting point is to review existing information as it is important to recognise where there are gaps in our knowledge and to develop ways of finding that missing information, which may mean commissioning new data. If you do commission any new research though, beware of drawing any firm conclusions from a very small sample size.

Listed below are some potential sources of information which may help to inform the assessment.

Useful information sources

The following sources of information may be useful in carrying out your equality impact assessment:

- Complaints and comments
- in-house expertise, especially front line employees
- issues raised with or by Elected Members
- Best Value Reviews or other reviews
- customer satisfaction surveys
- results of any previous consultation, focus groups or surveys
- employee opinion surveys
- inspectorate and review reports
- monitoring information, including employment
- local research findings
- service user profiles/statistics – applications for a service, allocations, take up
- other local authorities
- our partner organisations
- library or internet searches

Statistics

There are various useful sources of demographic statistics:

- Equality and Human Rights Commission www.equalityhumanrights.com
- Archive sites from the previous equality commissions:
 - Commission for Racial Equality – analysis by racial group on population, health, housing, criminal justice, education, and the labour market.

<http://83.137.212.42/sitearchive/cre/index.html>

- Disability Rights Commission DRC – labour market.

<http://83.137.212.42/sitearchive/DRC/index.html>

- Equal Opportunities Commission – comparing the lives of women and men, including women and men from different ethnic groups.

<http://83.137.212.42/sitearchive/eoc/index.html>

Consultation

As stated at the beginning of the toolkit, this is one of the key elements to carrying out a meaningful impact assessment. It is imperative to hear the views of all sections of the community who may be affected by the policy, both service users and non-service users. If no recent consultation has taken place, it is important to consult at this stage, especially with any groups for whom you have identified a potential negative impact. This could be a “snapshot” survey or an informal consultation session. For new or revised policies a full community consultation exercise may be appropriate to assess potential impact if your proposals are highly relevant to equality. Different methods of consulting with people are more effective for some groups than others and consideration needs to be given as to when and where consultation will take place.

Monitoring

It is also vital to monitor our policies and procedures continuously to ensure they are not having any adverse impact on people from different groups. This goes beyond merely collecting numbers but to detailed analysis and actions based upon the findings. If detailed monitoring information is not available then as with consultation it might be necessary to carry out some sort of “snapshot” monitoring exercise of the service user profile.

In the case of new or revised policies arrangements for monitoring the actual impact need to be established, as at the moment we are only assessing potential impact.

Key points the equality impact assessment looks to assess

- **Intended impacts** – the objectives and desired outcomes of your plans and how they will affect different sections of the community.

e.g. the purpose of the Hate Crime Policy and Procedure is to provide a sensitive and supportive service to victims and witnesses of racist harassment and discrimination and to ensure the alleged perpetrators are dealt with appropriately.

- **Unintended impacts** – any “institutional” barriers, acts or omissions that could have a detrimental effect for certain sections of the community.

e.g. barriers to prevent off road motor bike access to green spaces may impede access for some wheelchair or scooter users and people with pushchairs.

e.g. mental health services provide counselling services but have no provision for doing so in community languages

- **Negative impacts** – where you identify any potential for negative impact, you should consider making changes. If the negative impact would amount to unlawful discrimination you **must** make changes to your proposal unless there is an objective, lawful reason to justify it.

e.g. failure to provide information about services in community languages has a negative impact as people cannot access services they do not know about.

- **Positive impacts** – this means positive impacts which could benefit a particular group in terms of equality, rather than any broad positive impacts of the policy overall.

e.g. our recruitment and selection guidance states that we will interview all disabled job applicants who meet the minimum criteria for a job vacancy.

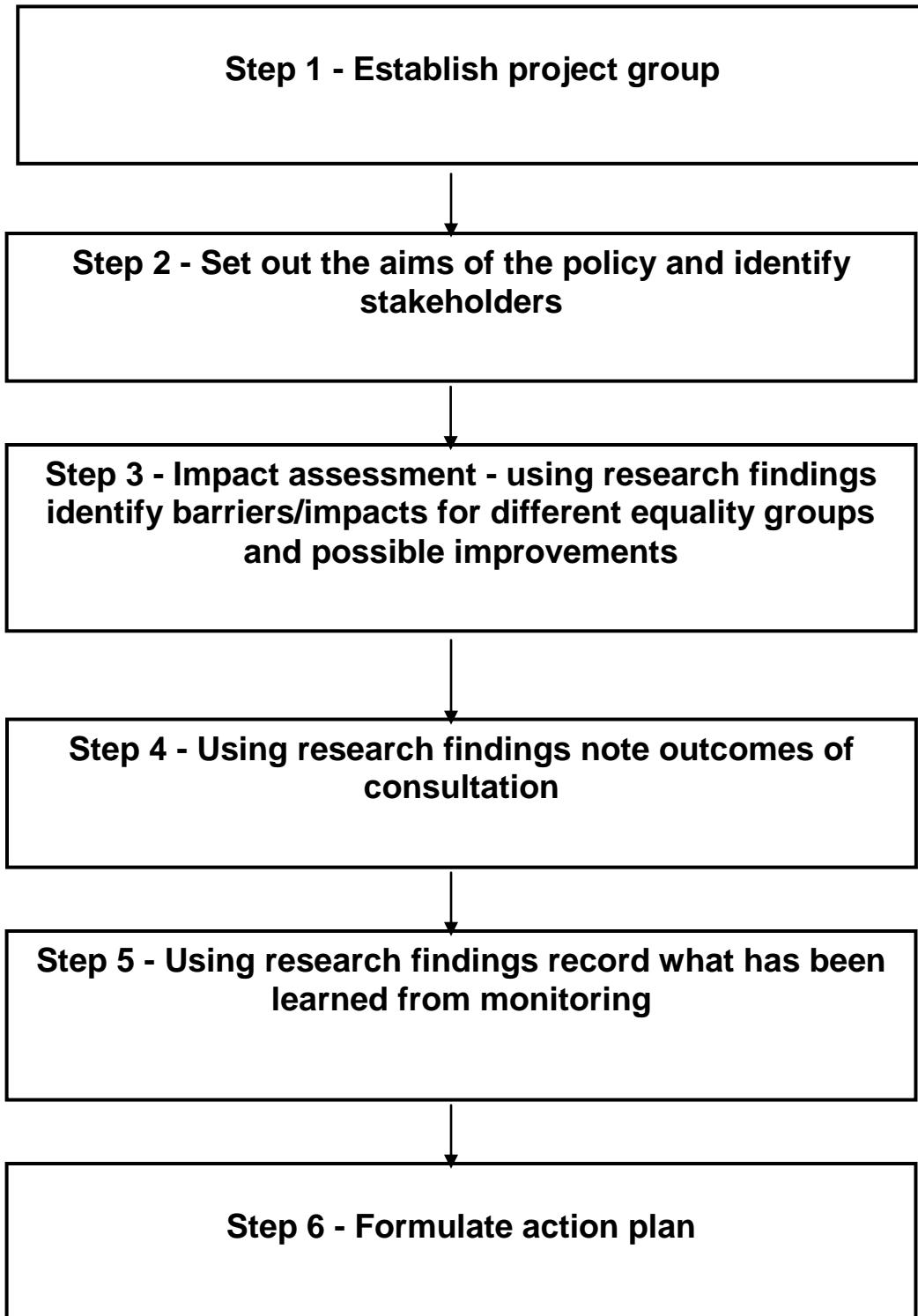
- **Promotion of equality** – doing this will improve both quality and equality of our policies and practice.

This could include positive action either to encourage underrepresented groups to use services such as women only swimming sessions, or to assist underrepresented groups to gain access to employment opportunities.

Promotion of good community relations and community cohesion – for example, if your proposals are aimed at addressing unmet needs in one community of interest, this could lead to resentment in the wider community and

damage community relations, if you do not let everyone in the area know your plans and aims. This would mean explaining that the action is not about preferential treatment for some groups but to address imbalances in service provision.

Flowchart giving overview of completing EIA form



Pro-forma Equality Impact Assessments

Step 1 – Responsibility and involvement

This is a new and important process that will require different perspectives to be considered and, in some (hopefully a very few) cases, difficult decisions may need to be made about policy and service delivery.

Whilst it is necessary to identify a lead officer, it is advised that they do not undertake the impact assessment on their own, but set up a group comprising a diverse range of staff responsible for delivering the service.

Policy/procedure: Local Council Tax Support Scheme Review

Name of Lead Officer (service/business manager) completing the assessment:

Rob Thompson

Job Title and Ext. No: Benefits Manager - 2449

Service area: Customer Services (Benefits)..... **Date:** September 2017

Directorate:

List others involved in the assessment:

.....
.....

Step 2 – Identify aims/objectives of policy/procedure

No.	Question
1	<p>What are the aims/objectives of the policy/procedure and the intended outcomes?</p> <p>The intention of the policy is to provide a revised scheme to deliver a Localised Council Tax Support including the elements prescribed by government and to meet the financial burdens imposed by the new grant funding stream. The options looked at are those agreed for the purpose of public consultation by the Executive committee on the 20/09/2017 full details of which are available at http://www.kettering.gov.uk/meetings/meeting/1576/executive_committee</p>
2	<p>Are there any associated services, policies or procedures? Yes</p> <p>If 'Yes' please list below</p> <p>Prescribed national scheme for pensioners</p>
3	<p>Are any other organisations involved in the delivery of the service?</p> <p>Software supplier – Academy (Capita) Information held by stakeholders such as the DWP will be required to ensure smooth delivery of the service.</p>
4	<p>How and where will information about the service, policy or procedure be publicised? Is this information available in other languages and formats if requested?</p>

No.	Question
	<p>A full 8 week consultation will be carried out from the 22nd September 2017 – 20th November 2017. Following this the approval of any revisions will be made at the Executive Committee on the 6th December 2017 and ratified by Full Council in January 2018, the full scheme and revisions will be made available on our website and in hard copy by request. A full publicity campaign will be instituted to ensure details of the revised scheme are distributed across the borough.</p> <p>The information will be available in hard copy format and downloadable from the Kettering Borough Council's Website. The information is not available in any other format or languages. However, a large format hard copy is available on request and translated versions may be made available on request. There may be a waiting period for the availability of the translated version, due to it being sent for translation.</p>
5	<p>List the main people, or groups of people, that this policy or procedure was designed to reach or benefit, and any other stakeholders.</p> <p>Working age Council Tax Support recipients both current and future</p> <p>Voluntary Sector</p> <p>Council Tax payers</p>

Step 3 – Impact assessment

Although this form is set out under the broad equality strands consider any impacts/barriers that might cross over between different groups e.g. race/gender, disability/gender, etc. Use the boxes on the next few pages to indicate where the policy could have a positive or a negative impact for different groups with your reasons. You will need to transfer this information to the action plan later.

Key questions to consider are:

Is there equal access to services for all groups?

Is there equal quality of service or employment experience for all groups?

Are there any significant differences in outcomes between groups?

Is there over- or under-representation of some groups for certain services or in facing enforcement?

You should bear in mind the following when completing this form.

Race: When looking at race consider different ethnic groups within the five broad census headings, and groups not listed as separate census categories, for example Middle Eastern, North African, European, Gypsies and Travellers, Asylum Seekers and Refugees.

Gender: Remember that women and men may have different priorities in relation to what services they want and different needs for how these are provided. Men-only or women-only delivery for some services could be an option.

Disability: All service providers have a duty to make reasonable adjustments for disabled people, including physical features of premises, so it is advisable to anticipate any adjustments that may be required. Consider the barriers faced by different groups of disabled people as listed below. Note also that changes to legislation mean that conditions such as MS, HIV and cancer are now covered from the time of diagnosis.

- Physical impairment -such as people who have difficulty in using their arms or who have mobility issues which mean using a wheelchair or crutches
- Sensory impairment - such as being blind / having a serious visual impairment or being deaf / having a serious hearing impairment
- Mental health condition - such as depression or schizophrenia
- Learning disability/difficulty - such as Down's syndrome or dyslexia or a cognitive impairment such as autistic spectrum disorder
- Long-standing illness or health condition such as cancer, HIV, diabetes, chronic heart disease, or epilepsy

Lesbian / Gay Transgender: Key areas of concern include 'hate crime' and a lack of social facilities. Remember that this type of information is very personal and although people may be willing to declare their sexual orientation on surveys to aid improvement of services they may prefer it to not otherwise be known.

Religion/ Also includes people who do not follow and religion or have any particular belief system. Because 'hate crime'

- Belief:** is a concern for many people from different faith communities this may be a factor in low responses to surveys, so imaginative ways of gathering this information could be considered and good practice established to highlight the benefits of accurate data.
- Older people:** Older people have different needs so we need to ensure the views of older people are heard and increased participation is encouraged. Communication, mobility and transport are areas we need to consider to aid this involvement, also access to learning opportunities to develop skills.
- Young people:** Younger people have different needs and we need to ensure their views are heard and increased participation is encouraged along with opportunities to help develop services. Consider using technology, youth services, or School councils to encourage involvement should be considered.
- Carer's:** A carer is someone who looks after a partner, relative or friend who has a disability, is an older person, or has a long term condition. Carer's are not paid, can often be isolated and are of every age group and ethnic origin. We may therefore need to use more diverse approaches to delivering services and ways to consult with this group; consider using radio, internet, library services or other imaginative ways of consultation. Carers (Equal Opportunities) Act 2004
- Other Groups:** It is good practice to consider the profile of all our communities e.g. Lone parents, people on low incomes, homeless people, EU Migrant Workers, and to note anything of which you are already aware or that results from your research.

No.		Question		
1	<u>Adjustment to current scheme</u>	Actual or potential negative impact, unmet needs or barriers	Actual or potential positive impact or ways in which the policy promotes equality	Actual or potential impact of the policy on community cohesion and community relations

	<p>Women or men</p>	<p>A – Maintaining support at 55% for 1 year This proposed change will continue to protect recipients on the basis of their gender by extending the current income disregards – some of which favour women as the majority of “main carers” of child benefit are female.</p> <p>B - Maintaining support at 55% for 2 years This proposed change will continue to protect recipients on the basis of their gender by extending the current income disregards – some of which favour women as the majority of “main carers” of child benefit are female.</p> <p>All options will potentially impact on the ability of customers to pay regardless of gender.</p>	<p>A - Maintaining support at 55% for 1 year This proposed change will continue to protect recipients on the basis of their gender by extending the current income disregards – some of which favour women as the majority of “main carers” of child benefit are female.</p> <p>B - Maintaining support at 55% for 2 years This proposed change will continue to protect recipients on the basis of their gender by extending the current income disregards – some of which favour women as the majority of “main carers” of child benefit are female.</p>	<p>Maintenance at current level of support in percentage terms to all customers of working age</p>
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People from different ethnic groups	Though we do not keep case level data on race as it is not relevant to the calculation of Council Tax Support changes that impact on larger families may negatively impact certain ethnic groupings, however neither of the proposed changes affect larger families disproportionately to smaller families	We do not keep case level data on race as it is not relevant to the calculation of Council Tax Support.	Maintenance at current level of support in percentage terms to all customers of working age
Disabled People	The options include all current favourable treatment of income of disabled people. Benefits such as disability living allowance, attendance allowance etc will continue to be disregarded in full and recipients will continue to benefit from the enhanced premiums and personal allowances which favour people with disabilities.	This option includes all current favourable treatment of income of disabled people. Benefits such as disability living allowance, attendance allowance etc will continue to be disregarded in full and recipients will continue to benefit from the enhanced premiums and personal allowances which favour people with disabilities.	Maintenance at current level of support in percentage terms to all customers of working age
Lesbian, gay or bisexual people	We do not keep case level data on a person's sexual orientation as it would not be relevant to the calculation of Council Tax Support.	We do not keep case level data on a person's sexual orientation as it would not be relevant to the calculation of Council Tax Support.	Maintenance at current level of support in percentage terms to all customers of working age

Older people	The proposals are subject to some national prescription relating to protecting pensioners' entitlements. Therefore we have no discretion about whether or not to follow this principle.	The proposals are subject to some national prescription relating to protecting pensioners' entitlements. Therefore we have no discretion about whether or not to follow this principle.	
Young People	<p>All customers under pension age will be affected by this change and will receive the protection offered by the current scheme in proportion to their current needs.</p> <p>Legislation prescribes that we must protect pensioners from the changes</p> <p>Both options will potentially impact on the ability of customers to pay regardless of age</p>	<p>All customers under pension age will be affected by this change and will receive the protection offered by the current scheme in proportion to their current needs.</p> <p>Legislation prescribes that we must protect pensioners from the changes</p>	Maintenance at current level of support in percentage terms to all customers of working age
People from different faith groups	We do not keep case level data on a person's religion or belief. As it would not be relevant to the calculation of Council Tax Support.	We do not keep case level data on a person's religion or belief. As it would not be relevant to the calculation of Council Tax Support.	Maintenance at current level of support in percentage terms to all customers of working age
Transgender people	If someone currently undergoes a gender reassignment then it currently only affects what they are referred to as on official documents/systems. It does not affect any part of the calculation. This will continue in the local CTS scheme.	If someone currently undergoes a gender reassignment then it currently only affects what they are referred to as on official documents/systems. It does not affect any part of the calculation. This will continue in the local CTS scheme.	Maintenance at current level of support in percentage terms to all customers of working age

<p>Any other group (e.g. carers, rural communities, socially excluded)</p>	<p>These options include all current favourable treatment of income of groups such as carers; take up would continue to combat social exclusion.</p>	<p>These options include all current favourable treatment of income of groups such as carers; take up would continue to combat social exclusion.</p>	<p>Maintenance at current level of support in percentage terms to all customers of working age</p>
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Step 4 – Consultation

For this step it is important to refer to any consultation exercises which have been undertaken and/or any complaints received.

No.	Question
7	<p>What have service users/non-users or other stakeholders (including employees) already told you about the policy and any negative impacts? Who has been consulted and what methods were used?</p> <p>A statutory public consultation has been carried out on the changes to the Local Council tax scheme running from 22nd September 2017 – 20th November 2017</p>
	<p>If you need to carry out further consultation, who will you be consulting with and by what methods?</p>

Step 5 – Monitoring and Research

For this step it is important to refer to any monitoring information which is already held. As stated in the guidance notes arrangements need to be set up for effective monitoring if this is not already taking place.

No.	Question
8	<p>How do we know whether our service is accessible all groups?</p> <p>High level data is obtained from customer of ethnic background and an ongoing social inclusion and take up program ensures we actively promote the service. No case level information is held in certain areas such as trans gender and faith as these are not relevant to the award of support</p> <p>.....</p>

No.

Question

If there is a lack of information, what research will be carried out, and for which groups?

Social Inclusion and take up will continue under Local Council Tax Support

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If this is a new policy, or one that is not currently monitored, what are the arrangements to begin monitoring the actual impacts of the policy? (To go in action plan)

Financial impact of policy will be monitored on at least a monthly basis

Caseload impact will be monitored on a monthly basis

New burdens impact will be monitored via customer feedback

Possible financial hardship impacts will be monitored through recovery data and the work of the budget support and social inclusion team.....

Step 6 – Complete the equality action plan

Equality Action Plan

Using the information already gathered, summarise your findings in the table on the next page in relation to potential or actual impacts for different groups. If you have identified that any group is experiencing, or is likely to experience, a negative impact, particularly if this could be unlawful discrimination or if it is unintentional, then action must be taken to address this.

Remember that any policy which could unlawfully discriminate must be changed, unless it can be objectively justified.

Even if you found negative impacts that would not amount to unlawful discrimination, you still need to identify ways to remove or reduce these. For example:

- change the policy or procedure
- change how the policy or procedure is put into practice
- find alternative ways of achieving the aims of the policy
- introduce additional measures

If no actions are taken to change the policy or procedure when adverse impacts for some groups have been identified, or where an adverse impact for some groups is unavoidable, you should double check that this could be justified legally. Major changes would need a report to your Directorate highlighting the findings of the equality impact assessment and setting out recommendations such as actions to change the policy, or whether or not to adopt a proposed or revised policy in the light of the findings.

Even if you found no evidence of potential negative impacts, you should consider how to improve any positive impacts or how your policy could be adapted to promote equality and/or good community relations and community cohesion. This should also form part of the action plan.

If you lack sufficient information to answer all the questions at this point, or are unaware what the impact is/will be, further research, monitoring data and/or consultation will be needed and objectives to obtain this information should be included in your action plan.

You should also set out the arrangements for monitoring the impact of the policy in your action plan.

These are suggested headings for the action plan but may be changed if you prefer to use your own directorate or departmental standard action plan format for consistency.

Problem/barriers identified	Aim/objective	Actions to achieve aim/objective	Resources required	Target date
Options to be decided	Re-evaluate impact assessment	Once the details of the review are known a further impact assessment will be undertaken if appropriate and if needed an action plan formulated.		

Ways to promote equality or good community relations identified	Aim/objective	Actions to achieve aim/objective	Resources required	Target date
Set out your arrangements below for monitoring the policy		Set out your arrangements below for reporting back on actions		
Ongoing monitoring of the financial impact of the scheme	To evaluate the financial impact on the Council and on the customer	Feedback to SMT and members as appropriate	Work with Budget Support & Social Inclusion team to alleviate financial impact	

Website Summary – Please complete for publishing on our website

Completed equality impact assessments	Key findings	Future actions
<p>Directorate: Customer Services (benefits)</p> <p>Function or policy name: Local Council Tax Support scheme.....</p> <p>.....</p> <p>Function or policy status: Changing</p> <p>(new, changing or existing)</p> <p>Name of lead officer completing the assessment:</p> <p>Rob Thompson</p> <p>Date of assessment: September 2017</p>		

