

CABINET – 22 JANUARY 2019

Item 5 – Reconciling Policy, Performance and Resources

Equality Impact Assessments

Equality Impact Assessment – House adaptations for disabled children and carers homes

Equality Impact Assessment – Housing adaptations

Equality Impact Assessment – Rights of way and countryside management

Equality Impact Assessment – Schools basic need capital programme

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Equality Impact Assessment

Strategy or Policy Template

Name of the strategy or policy
House Adaptations for Disabled Children and carers homes – Capital bid

File ref:	Adaptations – Carers of disabled cyp	Issue No:	
Date of Issue:	17 January 2012	Review date:	31 July 2012

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Part 1 The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 **This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, strategy or policy. The other form looks at services or projects.**

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- eliminate direct and indirect discrimination, harassment and victimisation and other conduct prohibited under the Act,
- advance equality of opportunity and foster good relations between those who share a “protected characteristic” and those who do not share that protected characteristic (see below for “protected characteristics”
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21st Century Families and Communities, 2008]
- Literacy/Numeracy Skills

- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 Some key points to note :

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, strategy or policy

2.1 What is being assessed?

a) Proposal or name of the strategy or policy.

House Adaptations for Disabled children and carers homes

b) What is the main purpose or aims of proposal, strategy or policy?

To present a bid to receive grants from capital strategy which, if successful, are to be used for home adaptations for foster carers that are accepting children “under permanence”. This means the child will remain with them until at least the age of 18 years. The ability to adapt a foster carers home reduces the amount of agency care that has to be purchased by ESCC.

c) Manager(s) and section or service responsible for completing the assessment

Melanie Griffin, Capital Strategy Team

2.2 Who is affected by the proposal, strategy or policy? Who is it intended to benefit and how?

Children and young people who are disabled and need either short break or permanent care support.

2.3 How is, or will, the proposal, strategy or policy be put into practice and who is, or will be, responsible for it?

Melanie Griffin, Capital Strategy Team

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

Foster carers, care homes

2.5 Is this project or procedure affected by legislation, legislative change, service review or strategic planning activity?

Service priority to ensure we are addressing resource implications of agency care, which takes up valuable resources that could be better deployed elsewhere.

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
x	Service User Data		Contract/Supplier Monitoring Data
	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys		Research Findings
	Census Data		East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments	x	Staff intelligence and awareness of local need

3.2 Evidence of complaints against the strategy or policy on grounds of discrimination.

No

3.3 If you carried out any consultation or research on the strategy or policy explain what consultation has been carried out.

n/a

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the strategy or policy?

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

- a) **How is this protected characteristic reflected in the County /District/Borough?**

This policy aims to benefit disabled children and young people who are given a level of carer by the Council.

- b) **How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?**

100% of the population impact are children and young people.

- c) **Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?**

Yes – as above

- d) **What is the proposal, strategy or policy's impact on different ages/age groups?**

Positive as it benefits them

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

n/a

- f) **Provide details of the mitigation.**

- g) **How will any mitigation measures be monitored?**

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

The Fostering Service is currently marketing to target 40 additional foster/short break carers over the next year to bring the total numbers of carers to 300.

b) How is this protected characteristic reflected in the reflected in the population of those impacted by the proposal, strategy or policy?

The estimate is that 11 carers' homes will require adaptations to enable the disabled children to be given care that is not by agency provision. 100% of this policy's target population is disabled.

c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?

Yes

d) What is the proposal, strategy or policy's impact on people who have a disability?

Positive – if disabled children are placed within adapted homes of long term carers, this will create a more stable, physically and emotionally supportive environment for them.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

n/a

f) Provide details of any mitigation.

g) How will any mitigation measures be monitored?

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

Not relevant

b) How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?

c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?

d) What is the proposal, strategy or policy's impact on those who are from different ethnic backgrounds?

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

f) Provide details of any mitigation.

g) How will any mitigation measures be monitored?

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

- a) How is this protected characteristic target group reflected in the County/District/Borough?**

Not relevant

- b) How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?**

- c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?**

- d) What is the proposal, strategy or policy's impact on different genders?**

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

- f) Provide details of any mitigation.**

- g) How will any mitigation measures be monitored?**

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

- a) **How is this protected characteristic target group reflected in the County/District/Borough?**

Not relevant

- b) **How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?**
- c) **Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?**
- d) **What is the proposal, strategy or policy's impact on people who are married or same sex couples who have celebrated a civil partnership?**
- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**
- f) **Provide details of any mitigation.**
- g) **How will any mitigation measures be monitored?**

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

- a) **How is this protected characteristic target group reflected in the County/District/Borough?**

Not relevant

- b) **How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?**

- c) **Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?**

- d) **What is the proposal, strategy or policy's impact on pregnant women and women within the first 26 weeks of maternity leave?**

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

- f) **Provide details of the mitigation**

- g) **How will any mitigation measures be monitored?**

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

Not relevant

b) How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?

c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic.

d) What is the proposal, strategy or policy's impact on the people with different religions and beliefs?

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

f) Provide details of any mitigation.

g) How will any mitigation measures be monitored?

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

- a) How is this protected characteristic reflected in the County/District/Borough?**

Not relevant

- b) How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?**

- c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?**

- d) What is the proposal, strategy or policy's impact on people with differing sexual orientation?**

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

- f) Provide details of the mitigation**

- g) How will any mitigation measures be monitored?**

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

- a) How are these groups/factors reflected in the County/District/Borough?**
- b) How is this group/factor reflected in the population of those impacted by the proposal, strategy or policy?**
- c) Will people within these groups or affected by these factors be more affected by the proposal, policy or strategy than those in the general population who are not in those groups or affected by these factors?**
- d) What is the proposal, strategy or policy's impact on the factor or identified group?**
- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**
- f) Provide details of the mitigation.**
- g) How will any mitigation measures be monitored?**

4.10 Human rights- Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, policy or strategy may potentially interfere with a human right.**

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

This proposal relates to the development of the local community's potential for better care for vulnerable children. The grants are to be used for home adaptations for foster carers who are accepting children 'under permanence' i.e. the child remains with them until at least the age of 18. The priority for the service is to get 'hard to place' children in foster homes. Some of these children may have specific behavioural or other disability issues that have prevented them from being fostered previously. The proposal will impact positively on disability.

5.2 Impact assessment outcome Based on the analysis of the impact in part four please mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
x	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	
	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	
	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	
	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, strategy or policy?

(Give details)

Capital Strategy Team, Joint Deputy Directors meetings every 6 months

5.6 When will the amended proposal, strategy or policy be reviewed?

31 July 2012

Date completed:	16 January 2012	Signed by (person completing)	Melanie Griffin
		Role of person completing	Head of Capital Strategy
Date:	18 January 2012	Signed by (Manager)	Hazel Cunningham

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report. ☐

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

- 1. Lower the negative impact, and/or
- 2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
- 3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
- 4. If no actions fill in separate summary sheet.

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Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)

(a) 6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)

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Equality Impact Assessment

Strategy or Policy Template

Name of the strategy or policy
Capital Funding Adaptation Major Adaptations

File ref:		Issue No:	
Date of Issue:	June 13	Review date:	

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How to use this form

Press F11 to jump from field to field in the form.

There are comments on some questions which you can view by pressing the show/hide pilcrow icon in the tool bar of Word. Some of you may use this to show paragraph and other punctuation marks: ¶

You can delete the comments as you would for normal text, but they will not show up if you print out the form.

Part 1 The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 **This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, strategy or policy. The other form looks at services or projects.**

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- eliminate direct and indirect discrimination, harassment and victimisation and other conduct prohibited under the Act,
- advance equality of opportunity and foster good relations between those who share a “protected characteristic” and those who do not share that protected characteristic (see below for “protected characteristics”
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Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21st Century Families and Communities, 2008]
- Literacy/Numeracy Skills

- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

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1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 Some key points to note :

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, strategy or policy

2.1 What is being assessed?

a) Proposal or name of the strategy or policy.

Adult Social Care (ASC) Capital Funding contribution towards Major Adaptations

b) What is the main purpose or aims of proposal, strategy or policy?

This proposal would adjust the existing policy on allocating Capital Funding for Major Adaptations to an individual home. The aim is to ensure a fair and equitable allocation and commitment of the Capital Adaptations Budget for Major Adaptations, taking into account some of the additional difficulties experienced by disabled and older people with a physical/functional difficulty living in the community.

Historically there has been an under spend on the East Sussex Capital Programme allocation from the capital budget which is designated for topping up funding on those adaptations that exceed the £30,000 Disabled Facilities Grant (DFG) available funding. There is an opportunity to look at if the budget could be used differently to mitigate some of the difficulties by assisting:

- Disabled individuals who need major adaptations to their property seem on paper to have sufficient funds to cover a loan for costs above £30,000 but in reality have heavy outgoing that will prevent them from taking out such a loan.
- Where individuals are assessed to contribute towards the cost of the adaptation following the grant final assessment who on paper seem to have sufficient income (assessed by the District and Borough using the national financial assessment for Disabled Facilities Grant) but in reality have heavy outgoing and are unable to get a loan. In these cases ESCC would pay the assessed contribution and require the individual to repay back the amount loan over time based on an amount they could afford.
- Where the disabled person eligible needs exceed the scope for provision by the housing authority i.e. they fall outside the mandatory provisions for a DFG

c) Manager(s) and section or service responsible for completing the assessment

Deborah Winterburn Operational Head of Service Adult Social Care

2.2 Who is affected by the proposal, strategy or policy? Who is it intended to benefit and how?

Adults with a Physical Disability

2.3 How is, or will, the proposal, strategy or policy be put into practice and who is, or will be, responsible for it?

Currently the policy is operational within Adult Social Care. Key practitioners responsible for the assessment of need eligible for funding from the capital budget are Occupational Therapy Staff. The professional staff, following an assessment of need differentiate between what is desirable – what may be a perfectly legitimate aspiration on the part of the individual and what is actually needed for which support from the public purse is justified.

When considering whether works are necessary and appropriate the assessment by the therapist must consider whether the proposed adaptation is needed in order for a care plan to be implemented and/or to enable the disabled occupant to remain in their own home, retaining or regaining a greater degree of independence.

The proposed works would be expected to meet the assessed needs of the individual and take into account both medical and physical needs. There may be also times when the psychological needs of both the disabled person and their carer will need specification consideration, particularly where the proposed works can assist in ensuring the ongoing care being given.

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

District and Borough Housing departments are responsible for the allocation of the Disabled Facilities Budget to which this capital funding relates.

Also these partners are responsible for funding the Adaptation Support Services that support individuals through the adaptation process.

2.5 Is this project or procedure affected by legislation, legislative change, service review or strategic planning activity?

The statutory duties of local authorities in connection with adaptations are laid out below:

- National Assistance Act 1948
- The Chronically Sick and Disabled Person Act 1970
- Health and Social Services Act and Social Security Adjudication Act 1983
- Disabled Person Act 1986
- NHS and Community Care Act 1990
- Housing Construction and Regeneration Act 1996. This act requires the Housing Authorities to consult with Adult Social Care on the adaptations needs of the individual seeking help through the adaptation.
- Adult Social Care may use the principals in Fair Access to Care guidance to guide decisions on eligibility of needs.

- Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
	Service User Data		Contract/Supplier Monitoring Data
	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys		Research Findings
x	Census Data		East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments	x	Any other evidence? Strategic Housing Commissioners

3.2 Evidence of complaints against the strategy or policy on grounds of discrimination.

None reported or collated by ASC Community Relations Team

3.3 If you carried out any consultation or research on the strategy or policy explain what consultation has been carried out.

No consultation has been carried out

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the strategy or policy?

None undertaken

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

The overall population of East Sussex is **527,209** (2011 Census data) and is projected to continue increasing over the next few years. The population by age breakdown for East Sussex is:

Age	Population
15-29	83,791
30-44	90,220
45-64	147,613
65+	120,722

People are living longer and by 2020, it is estimated that around 38% of the UK population will be aged 50 plus and in East Sussex the figure is likely to be as high as 50%.

We know that East Sussex has a higher than average older population with around 23% of people aged over 65, compared to the national average of 16%. There are 228,881 people aged 50+ (43.4%) in East Sussex, and 20,022 (3.8%) of these are aged over 85 – East Sussex has one of the highest populations of people aged 85+ in the UK. (2011 mid-year estimates, based on 2011 Census data). The highest percentage of people over 65 years of age is in Rother, where the figure is 28.6% of the total East Sussex population.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, strategy or policy?

This policy relates to adults with a physical disability including working age and older people

c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?

1. There is a potential for a positive impact on disabled people of a working age who on paper people seem to have sufficient income (assessed by District and Borough using the national financial assessment for Disabled Facilities Grant) but in reality have heavy outgoings that may mean they are unable to get loans to cover the element of the costs of work they would be responsible for.

The proposal is to waive the necessity for individuals to apply for a loan themselves. ESCC would pay peoples assessed contribution upfront; and require weekly re-payments to recoup costs over time based on the amount they can afford to pay.

This is a change since historically the Capital Budget has only been used to fund top-up funding for major adaptations (i.e. those over the £30,000 where the Disabled Facilities Grant does not cover the full cost of works).

d) What is the proposals impact on different ages/age groups?

There will be an overall positive impact helping overcome the barriers to independent living and reduce risks posed by the living environment for older disabled people living in their own home and to support the care provided by paid or unpaid carers.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Requests for top-up funding for major adaptations are made by the person who has carried out the assessment with the individual. This is usually an Occupational Therapist. The request is made when it is known that the proposed adaptation to meet the assessed eligible need will exceed the 30K maximum DFG. This is often after an appointed

Surveyor, Environmental Health Officer or building contractor has priced the value of the works proposed.

The process to access capital funding where adaptations exceed 30K is clearly outlined in the major Adaptation Policy and Operational Instructions.

Practitioners present their case at Housing Solution Forums, held jointly with District and Boroughs to ensure that fair, consistent and cost effective solutions are considered when major adaptations are being proposed.

The allocated practitioner must then present the request at a subsequent panel chaired by the Head of Service who is the allocated budget holder for the Capital Budget in line with the Departments Scheme of Delegation.

Where an individual has been assessed to contribute towards the cost of the adaptation the individual needs to demonstrate that they are unable to afford the contribution. They are asked to provide written evidence e.g. from banks or building societies evidencing that they are unable to raise the capital required to fund their assessed contribution through equity release, re-mortgage or a person loan.

f) Provide details of the mitigation. N/A

g) How will the policy changes be monitored?

The Policy and Operational Instruction are reviewed yearly with yearly update and reminders sent to relevant practitioners.

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

How is this protected characteristic reflected in the County/District/Borough?

Residents(working age only) with limiting long-term illness in 2011 by districts (numbers)

Type	All people	People with long-term health problem or disability	Day-to-day activities limited a little	Day-to-day activities limited a lot	People without long-term health problem or disability
Geography					
England & Wales	56075912	10048441	5278729	4769712	46027471
South East	8634750	1356204	762561	593643	7278546
East Sussex	526671	107145	58902	48243	419526
Eastbourne	99412	20831	11209	9622	78581
Hastings	90254	19956	10375	9581	70298
Lewes	97502	19054	10583	8471	78448
Rother	90588	21242	11591	9651	69346
Wealden	148915	26062	15144	10918	122853

Residents(working age only with limiting long-term illness in 2011 by districts (%))

Type	All people	People with long-term health problem or disability	Day-to-day activities limited a little	Day-to-day activities limited a lot	People without long-term health problem or disability
Geography					
England & Wales	100	17.9	9.4	8.5	82.1
South East	100	15.7	8.8	6.9	84.3
East Sussex	100	20.3	11.2	9.2	79.7
Eastbourne	100	21	11.3	9.7	79
Hastings	100	22.1	11.5	10.6	77.9
Lewes	100	19.5	10.9	8.7	80.5
Rother	100	23.4	12.8	10.7	76.6
Wealden	100	17.5	10.2	7.3	82.5

Disability Living Allowance claimants by age group in February 2012

Time period	Feb-12			
Broad age	Total	Percent aged under 16	Percent aged 16-59	Percent aged 60 and over

Geography				
Great Britain	3,267,910	10.5	50.1	39.4
South East	331,800	14.1	53.5	32.4
East Sussex	25,080	11.2	53.5	35.4

Source: Department for Work and Pensions, Longitudinal Study, NOMIS

Projected limiting long-term illness by age group, 2010-2026

Measure		Number				Percent of total population			
Age group		All people	0-17	18-64	65+	All people	0-17	18-64	65+
Geography	Year								
East Sussex	2010	105,047	4,755	43,646	56,647	20.4	4.6	15.0	46.8
	2026	124,992	4,352	42,392	78,248	23.9	4.7	15.9	47.6

Source: ESCC projections, November 2011

Projected disability by age group, 2010-2026

Measure		Number				Percent of total population			
Age group		All people	10-17	18-64	65+	All people	10-17	18-64	65+
Geography	Year								
East Sussex	2010	85,428	1,952	34,041	49,435	16.6	3.9	11.7	40.9

	2026	103,415	1,826	33,202	68,386	19.7	3.9	12.5	41.6
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Source: ESCC projections, November 2011 Employment and Support Allowance and Incapacity Benefit claimants in February 2011

b) How is this protected characteristic reflected in the population of those impacted by the proposal?

There is a potential for a positive impact on disabled people of a working age who through waiving the financial contribution in circumstances where on paper people have sufficient income (assessed by District and Borough using the national financial assessment for Disabled Facilities Grant) but in reality have heavy outgoings that may mean they are unable to get loans to cover the element of the costs of work they would be responsible for. One proposal is to waiver the necessity for individuals to apply for a loan themselves; ESCC to pay peoples assessed contribution upfront; and require weekly re-payments to recoup costs over time based on the amount they can afford to pay.

c) Will people with the protected characteristic be more affected by the proposal, policy or strategy than those in the general population who do not share that protected characteristic?

Yes – see above

d) What is the proposal, strategy or policy's impact on people who have a disability?

The proposal will have a positive impact on disabled people helping overcome the barriers to independent living and reduce risks posed by the living environment for disabled people living in their own home.

d) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Request for top-up funding for major adaptations are made by the allocated practitioner when it appears that an adaptation will exceed the 30K maximum DFG funding. The process to access capital funding where adaptations exceed 30K is clearly outlined in the major Adaptation Policy and Operational Instructions, Practitioners present their case at Housing Solution Forums, held jointly with District and Boroughs to ensure that fair, consistent and cost effective solutions are considered when major adaptations are being proposed. A subsequent panel is then held with the Head of Service where a discretionary top-up funding is requested.

f) Provide details of any mitigation. N/A

g) How will policy changes be monitored?

The Policy and Operational Instruction are reviewed yearly with yearly update and reminders sent to relevant practitioners & through the panel process

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.

Not applicable- Neutral impact

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

a) How is this protected characteristic target group reflected in the County/District/Borough?

Not applicable- neutral impact

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

Not applicable

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

Not applicable

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

Not applicable

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

Not applicable

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

- **Carers**

a) **How are these groups/factors reflected in the County/District/Borough?**

Carers

Table 2.4: Carers as a percentage of the total caring population by gender, health and Black and Ethnic Minority

	Total number of carers	total number of carers providing 20-49 hours of caring per week	Number of carers providing 50+ hours of caring per week	% of carers providing 50+ hours of caring	Total number of female carers	Total number of male carers	Total number of carers from black and ethnic minority groups	% of carers in poor health	% of carers providing 50+ hours of caring per week and also in poor health
East Sussex County	50,648	4,633	9,803	19.35%	29,643	21,005	2,094	10.22%	18.77%
Eastbourne	8,512	911	1,837	20.95%	5,143	3,514	471	11.27%	19.91%
Hastings	8,471	896	1,987	23.01%	4,991	3,635	429	12.67%	21.58%
Lewes	9,510	862	1,682	17.34%	5,607	4,053	395	9.70%	18.22%
Rother	9,324	861	1,869	19.56%	5,566	3,892	393	10.62%	18.18%
Wealden	14,040	1,103	2,428	16.92%	8,336	5,911	506	8.19%	16.32%

b) **How is this group/factor reflected in the population of those impacted by the proposal, strategy or policy?**

c) **Will people within these groups or affected by these factors be more affected by the proposal, policy or strategy than those in the general population who are not in those groups or affected by these factors?**

This proposal will help overcome the barriers to independent living and reduce risks posed by the living environment for older and physical disabled people living in their own home. This will support the care provided by paid or unpaid carers and will be likely to contribute to reducing risk and have an overall positive impact on the health of carers in those households

d) **What is the proposal, strategy or policy's impact on the factor or identified group?**

There will be a positive impact on carers as above.

e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

Request for top-up funding for major adaptations are made by the allocated practitioner when it appears that an adaptation will exceed the 30K maximum DFG

funding. The process to access capital funding where adaptations exceed 30K is clearly outlined in the major Adaptation Policy and Operational Instructions, Practitioners present their case at Housing Solution Forums, held jointly with District and Boroughs to ensure that fair, consistent and cost effective solutions are considered when major adaptations are being proposed. A subsequent panel is then held with the Head of Service where a discretionary top-up funding is requested

f) Provide details of the mitigation.

Not applicable- positive impact

g) How will any mitigation measures be monitored?

The Policy and Operational Instruction are reviewed yearly with yearly update and reminders sent to relevant practitioners

4.10 Human rights- Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, policy or strategy may potentially interfere with a human right.**

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups

The policy changes will support independent living for disabled and older people, helping to prevent delays in necessary adaptations and essential equipment.

- Foster good relations between people from different groups

5.2 Impact assessment outcome Based on the analysis of the impact in part four please mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	The Policy will update to reflect the changes proposed.
x	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	
	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	
	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, strategy or policy?

The Policy and Operational Instruction are reviewed yearly with yearly update and reminders sent to relevant practitioners 'About you' information is also recorded on all ASC clients and will be used to identify any trends in allocation of funds by protected characteristics. This will be overseen by the Operational Head of Service Adult Social Care.

5.6 When will the amended proposal, strategy or policy be reviewed?

April 2015

Date completed:	June 2013	Signed by (person completing)	Deborah Winterburn
		Role of person completing	Operational Head of Service Adult Social Care
Date:	June 2013	Signed by (Manager)	

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

☐

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)
Cascade of the revised Major Adaptation Process updating staff on the changes	ASC funding of assessed contribution	D Winterburn	October 2013	None	DMT
Monitoring trends in allocation by protected characteristics	Oversight of About You information	D Winterburn	Annual with review of policy operation	None	DMT

Update guidance to staff and public on the changes to assessed contribution	Guidance and Public Information	D Winterburn	October 2013	None	DMT
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From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)

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Equality Impact Assessment

Countryside & Rights of Way

Name of the project or service
Rights of Way & Countryside Management

File ref:		Issue No:	1
Date of Issue:	September 2010	Review date:	September 2013

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Part 1 Aims and implementation of the project or service

1.1 What is being assessed?

a) Name of the project or service.

Rights of Way & Countryside Management Service

b) Is this new or existing?

New ☐ - Review ☒

c) What is the main purpose or aims of the project or service?

To enable the safe and informed enjoyment of the East Sussex landscape by residents and visitors, through ensuring that the land and rights of way for which East Sussex County Council is responsible are accessible, maintained, enhanced and promoted

d) Manager(s) and section or service responsible for completing the assessment.

Steve Diserens, Team Manager, Countryside Central

1.2 Who is affected by the project or service? Who is it intended to benefit and how?

Our external customers potentially encompass everyone that lives in East Sussex as well as people visiting the county on day-trips or longer breaks/holidays. Amongst various objectives we seek to enable and encourage people to access the countryside, and to provide a range of volunteering opportunities. Walking in the countryside [which is the main activity type] is traditionally dominated by middle-aged middle-class people, but it is believed that our service is good at enabling and encouraging participation in this and other activities by all groups

1.3 Does the subject of this assessment impact positively or negatively on any of the following areas of people's lives (human rights)? For more information - [see Paper 1](#)

	Positive	Neutral	Negative
Life (capability to be alive)	<input type="checkbox"/>	x	<input type="checkbox"/>
Physical Security (e.g. free from violence/fear)	x	<input type="checkbox"/>	<input type="checkbox"/>
Health	x	<input type="checkbox"/>	<input type="checkbox"/>
Education (learning and skills etc.)	x	<input type="checkbox"/>	<input type="checkbox"/>
Standard of Living (independence, dignity and respect)	x	<input type="checkbox"/>	<input type="checkbox"/>
Productive and valued activities (work, care and leisure)	x	<input type="checkbox"/>	<input type="checkbox"/>
Individual, family and social life (right to marry, have children)	<input type="checkbox"/>	x	<input type="checkbox"/>
Participation, influence and voice (decision making)	x	<input type="checkbox"/>	<input type="checkbox"/>
Identity, expression and self-respect (For example, religion)	x	<input type="checkbox"/>	<input type="checkbox"/>
Legal Security	x	<input type="checkbox"/>	<input type="checkbox"/>

1.4 How does the project or service contribute to better community cohesion?

Local communities are encouraged to participate in the management of countryside sites and rights of way, which can help to bring them together. This works particularly well for countryside sites close to a town or village, for example at Chailey Common Nature Reserve and Shinewater (Eastbourne), where the communities are strengthened by the shared interest in their local 'greenspace'. This is also the case where there is a volunteer group for a patch of rights of way which is centred on a particular settlement, as in Danehill and Iden.

Volunteer programmes generally are good at mixing people of different ages and backgrounds, and working together on practical projects is an excellent way of developing this contact into new friendships

1.5 What is the relevance of the aims of the project or service, to the equality target groups and the County Council's duty to eliminate unlawful racial, disability and gender discrimination; and promote equality of opportunity?

A number of equality target groups benefit from the service. At the present time increasing effort is being put into facilitating access for all, so disabled people are currently seeing greatest improvements in opportunity. Older people and women [particularly lone women] seem to particularly benefit from the guided walks programme which we run, children are targeted through a range of initiatives, and efforts are made to give opportunities for people from urban environments to be involved. In the past we have set up a couple of tailor-made guided walks for a BME group, but this ceased when the

partner organisation [Sompriti] were unable to find time to continue their involvement. Occasional walks are still run by the ranger at Chailey Common for disabled children who live locally.

1.6 Are there any partners involved? E.g. Primary Care Trusts, NHS Trust, voluntary/community organisations, the private sector?

We have many partners – European [as part of 'Interreg'], national [Environment Agency, Natural England, etc], regional [High Weald AONB Unit, South Downs Joint Committee, etc] and local [District and Parish Councils, Ashdown Forest Conservators, etc]. There are also partnerships with the voluntary sector [Sussex Wildlife Trust, Ramblers Association, etc], the education sector [Plumpton Agricultural College, local schools, etc] and internally within ESCC [with the East Sussex Archaeology & Museums Partnership, Highways teams, etc]

1.7 If yes, how are partners involved?

In many different ways, including provision of grants [by partners], working together to manage countryside sites [including us managing some sites on behalf of our partners in return for a fee], provision of training, setting up tasks for volunteers together, sharing advice and knowledge, etc

1.8 Is this project or procedure affected by joint commissioning or strategic planning activity e.g. Children's Act, Corporate Area Assessment etc?

No

1.9 How is, or will the project or service, be put into practice and who is, or will be responsible for it?

The service is part of Environmental Operations within the Operations Division of T&E Dept. It is a long standing service with objectives and methods of working which have developed over many years, but which have been subject to much review and reshaping over the last 5 years [and this process is continuing]. The service is implemented by 30 – 40 staff, comprising mainly Rangers, Rights of Way Officers and Volunteer Officers who are arranged into four teams. Interface with other bodies is through a variety of means, including partnership meetings with other local authorities, Local Access Forum meetings with representatives of users, working parties with community groups, and site meetings with representatives of other agencies. The ROW&CM Service is usually the lead party in any implementation which it gets involved with, and is therefore able to ensure compliance with the Council's Equality Policy.

How do people access or how are people referred to your project/ service? Please explain fully.

Public service accessible by all, both in terms of use of the rights of way and countryside sites which we manage, and participation in the volunteering and other events which we run.

Volunteers are recruited mainly through leaflet publicity distributed via outlets such as libraries and at events like Woodfair, and through information and links on the ESCC website. Help with recruiting rights of way volunteers also comes from the parish councils, the Ramblers' Association and from existing local groups, while volunteer walks and rides leaders are often participants who have become inspired to train as leaders themselves.

The 'Volunteer Agreement' entered into on recruitment includes an undertaking by ESCC to 'treat you equally whatever your ethnicity, age, gender, sexual orientation or religious belief'.

1.10 If there is a referral method how are people assessed to use the project / service? Please explain fully.

N/A

1.11 How, when and where is your service provided? Please explain fully.

The service is a public one, available across the whole county in the shape of the rights of way network and the countryside sites which we manage

Part 2 Consideration of data and research

2.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Census data: Yes ☐ - No ☒ [Link](#) Staff survey, Yes ☐ No ☒ [Link](#)
Other info

Other quantitative and qualitative data: Records of volunteer profiles, surveys of participants on guided walks, Countryside Peer Review [2009], national studies of visitors to the countryside by DEFRA/Countryside Agency/Natural England,

2.2 Equalities profile of users or those intended to benefit from the project or service.

Census data: Yes ☐ - No ☒ [Link](#) Staff survey, Yes ☐ No ☒ [Link](#)
Other info

Other data: Very little data is available on the profile of users of ESCC's countryside sites and rights of way network – this is common to most counties and reflects the potential cost and difficulties of gathering such data [with users so spread across a large geographical network]. Instead, local authorities tend to rely on statistics and recommendations from national agencies, e.g. research by Natural England, which demonstrates that there are four under-represented groups in terms of accessing the natural environment: disabled people, BME groups, the young and residents of inner cities

2.3 Evidence of complaints against the project or service on grounds of discrimination.

None

2.4 Have you carried out any consultation or research on the project or service?

Yes: ☐ Fill out questions 2.5 and 2.6

No: ☒ [Got to Part 3](#)

2.5 What does the consultation, research and/or data indicate about the negative impact of the project or service?

2.6 What does the consultation, research and/or data indicate about the positive impact of the project or service?

Part 3 Assessment of impact

3.1 Ethnicity: Testing of disproportional, negative, neutral or positive impact

- a) **From the evidence available, does the project or service affect or have the potential to affect ethnic groups differently?**

Yes: ☒ No: ☐ If No [go to 3.2](#)

- b) **Identify the effect of this project or service on different ethnic groups from information available.**

In 2005 and 2006 we organised two tailor-made guided walks for some of the local BME community in partnership with Sompriti – these were well received and illustrated the way in which it is possible for a Service like ours to encourage ethnic minorities to make better recreational use of the countryside if there are the resources available to set up targeted events of this kind

- c) **How is the target group reflected in the take up of the project or service?**

Census data: Yes ☐ - No ☒ [Link](#) Staff survey: Yes ☐ No ☒ [Link](#)
Other info

We know that some people from ethnic groups in East Sussex do use the rights of way network and our countryside sites, especially where these are close to towns. However, no data is available on levels of take-up.

The take-up on the two guided walks for BME groups was 33 participants on the first and 11 on the second

d) If yes, do any of the differences amount to?

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	A questionnaire carried out on one of the BME walks found that of the 33 participants 22 had never previously been out on a walk in the East Sussex countryside – this illustrates both the extent of the current limited participation of this group and the potential to change it through targeted events

e) If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one ethnic group or for another legitimate reason?

N/A

3.2 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

- a) **From the evidence available, does the project or service affect or have the potential to affect men, women or transgender people differently?**

Yes: X No: ☐ If No [go to 3.3](#)

- b) **Identify the effect of this project or service on different gender groups from information available.**

We know that our programme of guided walks is particularly attractive to lone women, many of whom say that they do not feel safe or confident walking alone

- c) **How are men, women and transgender people reflected in the take up of the project or service?**

Census data: Yes ☐ - No X [Link](#) Staff survey: Yes ☐ No X [Link](#)
Other info

The last survey we did of participants on our guided walks programme [in 2003] showed that approximately two thirds were female. This repeats the findings of the previous survey in 1990, when 62% were found to be women.

- d) **If yes, do any of the differences amount to?**

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	The Exploring East Sussex guided walks programme appears to cater for a large number of single/lone women, many of whom might not otherwise feel able to access the countryside

- e) **If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one gender or for another legitimate reason?**

3.3 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) From the evidence available, does the project or service affect or have the potential to affect disabled people differently?

Yes: ☒ No: ☐ If No [go to 3.4](#)

b) Identify the effect of this project or service on disabled people from information available.

In recent years the Service has put increasing effort into 'easier access' initiatives of various kinds, with the specific objective of making the rights of way network and our countryside sites more accessible to all, particularly disabled people. These initiatives include:

- Application of a 'Gaps Gates & Stiles Policy' to public footpaths, which is leading to many step stiles being replaced with gaps, gates & squeeze stiles. To support this the Rangers now have annual targets to achieve minimum numbers of improvements of this kind
- Improvements to surfaces, ramps, gates and other structures at our countryside sites to allow more and easier access. Some sites are now extremely good throughout in this respect [e.g. the Cuckoo Trail and Forest Way], while at others where the natural terrain is more difficult we have constructed selected easy access routes involving stoning or sealing of path surfaces, replacement of steps with ramps and the removal of barriers such as stiles [e.g. at Ditchling Common]
- Creation and promotion of a number of easy access routes based on the public rights of way network [mainly coming out of 'interreg' funded projects], again involving stoning or sealing of path surfaces, etc
- The selection of public rights of way for surface improvement (mainly stoning) now takes into account the potential benefits to all users, including disabled people, who may currently be unaware of a route because of it's condition and are therefore unlikely to be amongst those lobbying for improvements
- Engagement with disabled people through the Local Access Forum, the East Sussex Reference Group and through discussions with individual members. This has helped to guide our work on improving access [and how it is best promoted]

- Setting up guided walks specifically tailored for disabled people, organised in partnership with ESDA [the East Sussex Disabled Association]
- Running regular guided walks on Chailey Common for Chailey Heritage school pupils (severely disabled children)
- Many staff have recently been trained [by the Fieldfare Trust] to carry out disability audits, and this knowledge will be used to carry out audits at our sites, to plan further access improvements and to provide information to allow individuals to decide if they can access specific sites/routes.
- We regularly set up volunteer tasks for groups of adults with learning disabilities at a number of our sites. We also have a number of regular Countryside Volunteers with declared mental health issues and learning disabilities, and have had several individuals with mental health issues on our Trainee Ranger Scheme.
- Our leaflets are made available in large print or different languages on request (although this rarely taken up).
- The brochure promoting our Exploring East Sussex programme of guided walks includes information to help disabled people decide whether or not a walk might be suitable for them.

In addition to these initiatives, a number of organisations use our rights of way network for 'health walks', in line with the growing evidence that access to the natural environment improves health, mental health and general well being. Although we do not lead specific 'health walks' ourselves, these are sometimes promoted through Exploring East Sussex.

c) How are disabled people reflected in the take up of the project or service?

Census data: Yes ☐ - No x [Link](#) Staff survey: Yes ☐ No x [Link](#)
Other info

We know that many people with disabilities do use both the rights of way network and our countryside sites. Those people in wheelchairs and mobility scooters are the most obvious, and they are frequent visitors to the Cuckoo Trail and Forest Way in particular. However, no data is available on levels of take-up.

As far as our volunteer schemes are concerned, out of 320 Countryside Volunteers currently on our books around 15 have declared mental health issues and/or learning disabilities. Of the 71 people who have come through our Trainee Ranger scheme since March 2000, 4 had declared mental health issues and/or learning disabilities.

d) If yes, do any of the differences amount to?

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	There are still many physical barriers limiting use of rights of way and countryside sites by disabled people. Most of these are lawful, in the shape of steep terrain, stiles, flights of steps, etc, but we are working to gradually modify some of these where we can [and in places where the benefits will be greatest]
Neutral Impact	
Positive impact	<p>We believe that numbers of disabled people using the rights of way network and our countryside sites have increased in recent years, but there is no data to back this up.</p> <p>Likewise, we believe that we are providing volunteering opportunities for a wide spectrum of people, some of whom might not otherwise get involved with the volunteer sector, but this is not really measurable.</p>

e) If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for disabled people or for another legitimate reason?

N/A

3.4 Age: Testing of disproportionate, negative, neutral or positive impact

a) From the evidence available, does the project or service affect or have the potential to affect age groups differently?

Yes: X No: ☐ If No [go to 3.5](#)

b) Identify the effect of this project or service on different age groups from information available.

Our service is particularly good at providing opportunities for older people, many of whom are keen to walk in the countryside. Our programme of guided walks is particularly popular with older people.

Part of the work of our service is aimed at enabling and encouraging participation by younger age groups, notably through:

- Running a summer programme of Children's Activities at our countryside sites
- Working with schools, particularly those close to our countryside sites
- Running a programme of guided cycle rides, which tend to appeal to a wide age range
- Setting up and running events which are aimed at families [again, mainly based at our countryside sites]
- Taking work experience placements from schools, during which the children work with the Countryside Rangers for a week

c) How are the different age groups reflected in the take up of the project or service?

Census data: Yes ☐ - No X [Link](#) Staff survey: Yes ☐ No X [Link](#)
Other info

More than 60% of the participants in the Exploring East Sussex programme of guided walks are over 50 [and around 80% are 45 or over]

The annual programme of Children's Activities attracts around 250 attendances per annum

d) If yes, do any of the differences amount to?

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	More people of all ages access and enjoy the countryside as a result of our work, but we particularly facilitate participation by more older people and [to a lesser extent, children]

e) If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one age group or for another legitimate reason?

3.5 Gay, Lesbian, Bisexual and Heterosexual : Testing of disproportionate, negative, neutral or positive impact

- a) From the evidence available, does the project or service affect or have the potential to affect gay, lesbian, bisexual and heterosexual people differently?

Yes: ☐ No: X If No [go to 3.6](#)

- b) Identify the effect of this project or service on gay, lesbian, bisexual and heterosexual groups from information available.

- c) How is sexual orientation reflected in the take up of the project or service?

Census data: Yes ☐ - No ☐ [Link](#) Staff survey: Yes ☐ No ☐ [Link](#)
Other info

- d) If yes, do any of the differences amount to?

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	

- e) If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for gay, lesbian, bisexual and heterosexual people or for another legitimate reason?

3.6 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact

- a) From the evidence available, does the project or service affect or have the potential to affect religious, belief groups differently?

Yes: ☐ No: X If No [go to 3.7](#)

- b) Identify the effect of this project or service on different religious, belief groups from information available

- c) How are religious and belief groups reflected in the take up of the project or service?

Census data: Yes ☐ - No ☐ [Link](#) Staff survey: Yes ☐ No ☐ [Link](#)
Other info

- d) If yes, do any of the differences amount to?

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	

- e) If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for one religious, belief or for another legitimate reason?

3.7 Carers: Testing of disproportionate, negative, neutral or positive impact

- a) **From the evidence available, does the project or service affect or have the potential to affect carers differently?**

Yes: ☐ No: ☒ If No go to 3.8

- b) **Identify the effect of this project or service on carers from information available**

- c) **How are carers reflected in the take up of the project or service?**

Census data: Yes ☐ - No ☐ [Link](#) Staff survey: Yes ☐ No ☐ [Link](#)
Other info

- d) **If yes, do any of the differences amount to?**

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	

- e) **If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for another legitimate reason?**

3.8 Other: Additional groups that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

- a) **From the evidence available, does the project or service affect or have the potential to affect other groups differently?**

Yes: X No: ☐ If No [go to Part 4](#)

- b) **Identify the effect of this project or service on different other groups from information available**

Research by Natural England has shown that under-represented groups in terms of accessing the natural environment include residents of inner cities. While there are no cities in East Sussex, it is likely that this also applies to poorer parts of the larger towns, notably Hastings.

Our work with volunteers, particularly the Trainee Ranger scheme and countryside volunteers, attracts a lot of people from urban areas, particularly Brighton. Many of these people are unemployed, and the funding for the trainee scheme encourages those who are under 25 or lone parents

Our programme of guided walks is aimed in part at people who do not currently have the confidence to access the countryside, and we also make efforts to arrange as many walks and events as possible to link with public transport. Self-guided walks, promoted by leaflets, on the ESCC website, etc, are mostly also linked to public transport.

A new system of workflow on rights of way is currently being programmed, and this involves prioritising maintenance on those parts of the network which are close to urban centres.

We hope that through these efforts we are catering for at least some of those from the hard-to-reach poorer urban communities.

- c) **How are other groups reflected in the take up of the project or service?**

Census data: Yes ☐ - No X [Link](#) Staff survey: Yes ☐ No X [Link](#)
Other info

No data available

- d) **If yes, do any of the differences amount to?**

	Reason, evidence, comment
Barriers, negative impact or unlawful discrimination	
Neutral Impact	
Positive impact	We hope that there is a positive impact but measuring this would be very difficult

- e) **If there is a negative impact, can it be justified on the grounds of promoting equality of opportunity for other group or for another legitimate reason?**

Part 4 Measures to mitigate disproportionate or negative impact or improve on neutral or positive impacts.

3.9 If there is any negative impact on any target equality group identified in Section 3, is the impact intended or legal?

N/A

3.10 Specify measures that can be taken to remove or minimise the disproportionate or negative effect identified in Section 3. If none were identified in Section 3; identify how disproportionate impact or adverse effect could be avoided in future.

Need to attempt to maintain the resources necessary to continue this part of our work

3.11 If there is no evidence that the project or service, promotes equality, equal opportunities or improves relations within equality target groups, what amendments could be made to achieve this?

N/A

**3.12 If a neutral or positive impact has been identified, can that impact be improved upon (continuous improvement)?
What are the improvements that can be made?
Can they be applied elsewhere in the ESCC?**

Additional resources would allow more of a positive impact to be made, e.g. more gates to be provided to replace stiles [improving the opportunities for disabled people to access the countryside]; more targeted activities [e.g. tailored guided walks] with BME and disabled groups

3.13 How will any amended project or service be implemented, including any necessary training?

N/A

Part 5 Conclusions and recommendations

3.14 Does the project or service comply with equalities legislation, including the duty to promote race, disability and gender equality?

Yes: X No: ☐

3.15 What are the main areas requiring further attention?

None [unless additional resources are made available]

3.16 Summary of recommendations for improvement

In future, whenever the opportunity arises, consideration should be given to collecting data [for the first time] on levels of involvement by equality target groups. Likely opportunities include:

- Whenever visitor surveys are set up at any of the countryside sites which we manage
- When we carry out surveys of participants on our guided walks and cycle rides
- Recruitment information gathered on Volunteers

3.17 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the project or service?

(Give details)

Monitoring of numbers of stiles replaced with gates and gaps.

In one instance we are using a people counter to measure the number of users before and after a stile was replaced by a gate. Data is still awaited, but it will of course only tell us whether the number of users has increased, not how many of them are disabled people.

3.18 When will the amended project or service be reviewed?

September 2013

Date completed:	September 2010	Signed by (person completing)	Steve Diserens
		Role of person completing	Team Manager, Countryside Central
Date:		Signed by (Manager)	

Part 6 Equality impact assessment improvement plan

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. If no actions [go to Part 7](#)

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)
Equalities monitoring of volunteers	Record equalities information for volunteers/trainees		Trainees in next recruitment (January 11) Volunteers at next survey	negligible	
Equalities monitoring of site users	Record equalities information when doing user surveys		Next survey (none currently planned)	negligible	
Equalities monitoring of guided walks/rides	Record equalities information when doing surveys of participants		Next survey (none currently planned)	negligible	

6.1 Residual Risk

Please identify any areas from the above improvement plan that will not be completed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)
Surveys of site users and participants on guided walks and rides may not be carried out in foreseeable future	Financial	Maybe	N/A		

Part 7 Equality impact assessment summary report

The results of equality impact assessments must be published. Please complete this summary, which will be used to publish the results of your impact assessment on the County Council's website.

Date of assessment:

Manager(s) name: Steve Diserens **Role:** Team Manager,
Countryside Central

Project or service, project or service, that was impact assessed:

Rights of Way & Countryside Management

Summary of findings:

1. The service benefits several equality target groups:

- Disabled people are enjoying gradual improvements in the opportunities available to access the rights of way network and the countryside sites which the County Council manages. This is the result of various initiatives, including the replacement of many stiles with gates and gaps, improvements to surfaces and ramps, more consultation and work with disabled groups, and better training of staff [e.g. in carrying out disability audits]
- Older people and women [particularly lone women] seem to particularly benefit from the guided walks programme which we organise
- Children are encouraged to participate through a number of initiatives, including the summer programme of Children's Activities, work with schools and work experience placements with the Rangers
- In the past we have set up a couple of tailor-made guided walks for a BME group

2. The data available to measure the extent of the impact is very limited and would be expensive to gather, related to the fact that we never meet most of our customers, the majority of whom are spread thinly over a large network of rights of way and countryside sites.

3. There is no evidence of any negative impact on any equality target group.

4. More resources would allow even more of a positive impact to be made. For example, more gates could be provided to replace stiles

[improving the opportunities for disabled people to access the countryside], and we could run more targeted activities [e.g. tailored guided walks] with BME and disabled groups.

5. The immediate challenge in the prevailing economic climate is to try to continue with as many as possible of those areas of work which are currently benefiting equality target groups.

Summary of recommendations and key points of action plan:

1. As and when opportunities arise [e.g. when carrying out visitor surveys at any of the countryside sites which we manage], gather more data to measure the extent of our impact on equality target groups.

2. Seek to continue with those areas of work which currently benefit equality target groups, in particular:

- The Exploring East Sussex programme of guided walks and events
- Application of the 'Gaps Gates and Stiles Policy'
- Countryside Rangers working with local schools
- The summer programme of Children's Activities
- Our work with a diverse range of volunteers and local communities

3. If additional resources become available in the future, consider extending current programmes to include some or all of the following:

- Provision of more gates to replace stiles on the rights of way network[improving the opportunities for disabled people to access the countryside]
- Setting up more targeted activities [e.g. tailored guided walks] with BME and disabled groups
- A project set up to work with community groups in poorer urban areas [e.g. parts of Hastings] to encourage more people from those environments to access and enjoy the countryside
- More promotion locally of the health benefits of accessing the countryside, walking, cycling, etc

Groups that this project or service will impact upon															
Race		Gender		Sexual Orientation		Age		Disability		Religion/ Belief		Other		All	
+	-	+	-	+	-	+	-	+	-	+	-	+	-	+	-
x	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>	x	<input type="checkbox"/>



Equality Impact Assessment

Project or Service Template

Name of the proposal, project or service
Schools Basic Need Capital Programme

File ref:	Schools Basic Need Capital Programme 2018/19 to 2022/23	Issue No:	1.0
Date of Issue:	January 2019	Review date:	

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Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”)

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21st Century Families and Communities, 2008]
- Literacy/Numeracy Skills
- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic

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- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.
- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, project or service

2.1 What is being assessed?

a) Proposal or name of the project or service.

Schools basic need capital programme 2018/19 to 2022/23

b) What is the main purpose or aims of proposal, project or service?

Over the period to 2022/23 the Local Authority is predicting that the number of children attending state-funded primary schools in East Sussex will be approximately 38,100 (a decrease of 1% on 2017/18 figures). Despite the predicted small decline in overall primary pupil numbers, numbers in specific areas, notably where there are significant volumes of planned new housing, are forecast to continue to rise.

The Local Authority expects the number of young people attending state-funded secondary schools in East Sussex to rise to approximately 28,700 by 2022/23 (an increase of 11% on 2017/18 figures). Numbers will then continue to grow, reflecting the higher intakes coming through from the primary phase.

The latest SEND Forecasts show the total number of East Sussex resident children and young people aged 4-18 with Statements or Education Health and Care Plans rising to around 3,900 (an increase of 28% on 2017/18 numbers). These forecasts have informed the need for 131 additional special school places (80 for children with Social, Emotional and Mental Health needs and 51 for children with Profound and Multiple Learning Difficulties) to be funded through the capital programme. These places are in addition to those agreed in Wave 12 of the Government's centrally funded Free School programme.

The Local Authority has a statutory duty to ensure there are sufficient, high quality education places in the county to meet present and future demand across all phases of education. The schools basic need capital programme enables the Local Authority to deliver new places in the areas of greatest demand.

c) Manager(s) and section or service responsible for completing the assessment

Gary Langford, Place Planning Manager, Standards and Learning Effectiveness Services, Children's Services Department

2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

Local children and their families

The Local Authority

2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?

The Local Authority will work in partnership with schools, academy trusts, dioceses, project teams and other key partners to deliver the programme. The programme is overseen by the Schools sub Capital Board which reports to the Capital and Asset Strategy Board. Where applicable, the Lead Member for Education and Inclusion,

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Special Educational Needs and Disability will make final decisions on individual proposals following consultation with key stakeholders.

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

The Local Authority engages with groups of schools, academy trusts, dioceses and district councils in drawing up proposals for school expansions and/or the establishment of new schools.

2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?

Local authorities are under a statutory duty to ensure the sufficiency of school places in their area.

Where a Local Authority identifies the need for a new school, to meet basic need, section 6A of EIA 2006 places the Local Authority under a duty to seek proposals to establish an academy (free school) via the 'free school presumption'. The Local Authority is responsible for providing the site for the new school and meeting all associated capital and pre-/post-opening revenue costs. All new free school presumption proposals require the Regional Schools Commissioner's approval (on behalf of the Secretary of State) as it is the Secretary of State who will enter into a funding agreement with the academy trust/sponsor.

If the free school presumption does not result in a suitable proposal, a statutory competition can be held under 'section 7' of EIA 2006. This will not require a separate application for approval, since the Secretary of State will inform the Local Authority that approval to hold a competition is given at the same time as informing the Local Authority that no suitable free school was identified.

Free school presumption proposals and proposals for foundation, foundation special and voluntary schools can be submitted into the competition. However the Regional Schools Commissioner will consider any free school proposals first when making a decision on the case.

Any persons ('proposer') e.g. Local Authority or diocese may publish a proposal, at any time, for a new school outside of the free school presumption and competitions process under section 11 of EIA 2006. The Secretary of State's consent is not required in the case of proposals for:

- a new community or foundation primary school to replace a maintained infant and a maintained junior school;
- a new voluntary-aided school in order to meet demand for a specific type of place e.g. places to meet demand from those of a particular faith;
- a new foundation or voluntary school resulting from the reorganisation of existing faith schools in an area, including an existing faith school losing or changing its religious designation;
- a new foundation or community school, where there were no suitable free school proposals and a competition has been held but did not identify a suitable provider;
- a former independent school wishing to join the maintained sector; and
- a new Local Authority maintained nursery school.

The proposer should be able to demonstrate to the decision-maker a clear demand for the places the new school will provide.

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Local authorities wishing to propose expansion of a community, foundation or voluntary school can do so by following a statutory process set out in the School Organisation (Prescribed Alterations to Maintained School) (England) Regulations 2013.

Academies wishing to expand must follow a separate process. Decisions on academy expansions are taken by the Regional Schools Commissioner or the Secretary of State as appropriate.

The Education Commissioning Plan (ECP) 2015 to 2019 sets out how the Local Authority, as a strategic commissioner of education, seeks to meet the challenge of ensuring there are sufficient education places for all children from two to 19 years of age. The plan is produced by the Standards and Learning Effectiveness Service in the Children's Services Department and was approved for publication by the Lead Member for Learning and School Effectiveness on 21 December 2015.

Proposals for new schools and school expansions will be based on information contained in the ECP which is updated every two years. The ECP is informed by the Local Authority's pupil forecasting model which is revised annually taking account of the following factors:

- existing and planned capacities of school places as well as published intake numbers
- existing numbers of pupils in schools (from pupil census data)
- future births and resulting primary reception numbers
- parental preference for primary and infant reception year, junior year 3 and secondary year 7 places as expressed through the school admission system
- transfer (cohort survival) rates between school year groups
- transfers and transfer rates between infant and junior and primary and secondary schools
- staying-on rates into sixth forms
- additional pupils arising from new housing development in each area.

2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.

The ECP is available on the East Sussex County Council website at:

https://www.eastsussex.gov.uk/media/10955/educationcommissioningplan2017-21_final.pdf

2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.

n/a

2.8 How, when and where is your proposal, project or service provided? Please explain fully.

The following areas of basic need have been identified during the capital programme period to 2022/23.

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Primary places

- Hailsham – 420 places
- Polegate / Willingdon – 210 places
- Uckfield – 210 places

Secondary places

- Newhaven/Peacehaven – 420 places
- Willingdon – 200 places
- Hailsham – 150 places

Special school places

- Eastbourne – 51 additional PMLD places
- Hailsham – 80 additional SEMH places

In addition to the provision of permanent places, where pupil growth is identified as a short term issue, a 'bulge' in pupil numbers, the Local Authority will use temporary accommodation to ensure it can react quickly to provide additional places in areas of pressure. Using temporary accommodation is a recognised way of providing additional places in the short term and it provides a valuable and flexible resource to enable the Local Authority to fulfil its obligations.

An annual programme of Temporary Accommodation will be funded from the schools basic need capital programme in the period to 2022/23 to facilitate this.

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
	Service User Data		Contract/Supplier Monitoring Data
X	Recent Local Consultations	X	Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys		Research Findings
X	Census Data	X	East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments		Any other evidence?

3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination. None received to date.

3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

Consultations on individual proposals will be undertaken where appropriate before final decisions are taken on which projects should be taken forward in each area of basic need.

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?

Separate EQIAs will be carried out as part of the consultation for each individual proposal. At this stage the Local Authority believes each proposal will have a positive impact for local children, including those with SEND, as the expansion of existing schools / provision of new schools will allow more families to access a school place in their local area. Extended or new provision will also be compliant with DDA regulations and the Equality Act 2010 for disabled pupils.

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

There are 63,556 children and young people aged 4-16 attending primary, secondary and special schools in East Sussex as per the January 2018 school census. Pupil numbers by Key Stage are:

Mainstream schools:

Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
5,476	11,325	21,809	14,660	9,350	62,620

Special schools:

Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
34	89	252	326	235	936

Source: School Census January 2018

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The proposals will affect children and young people of primary school and secondary school age both in mainstream and special schools:

Number of children in each Basic Need Planning Area¹:

	Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
Hailsham	255	514	938	642	373	2,722
Newhaven	143	307	551	389	218	1,608
Peacehaven	206	425	821	500	350	2,302
Polegate / Willingdon	149	302	485	600	397	1,933
Uckfield	133	324	654	806	530	2,447

¹ Includes special schools

Source: School Census January 2018

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Children and young people of school age in areas of basic need will be more affected by the proposals than children and young people in other areas of the county where there is not predicted to be pressure on school places.

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d) What is the proposal, project or service's impact on different ages/age groups?

Each proposal will have a positive impact on local school age children and young people and their families as it will enable more children and young people to access a school place in their local area.

The Council is very experienced in construction projects at schools and the health and safety of children is paramount when any building project takes place. Build programmes would be developed to minimise disruption to teaching and learning during this time.

e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?

The Local Authority does not believe the proposals will have a negative impact.

f) Provide details of the mitigation.

N/A

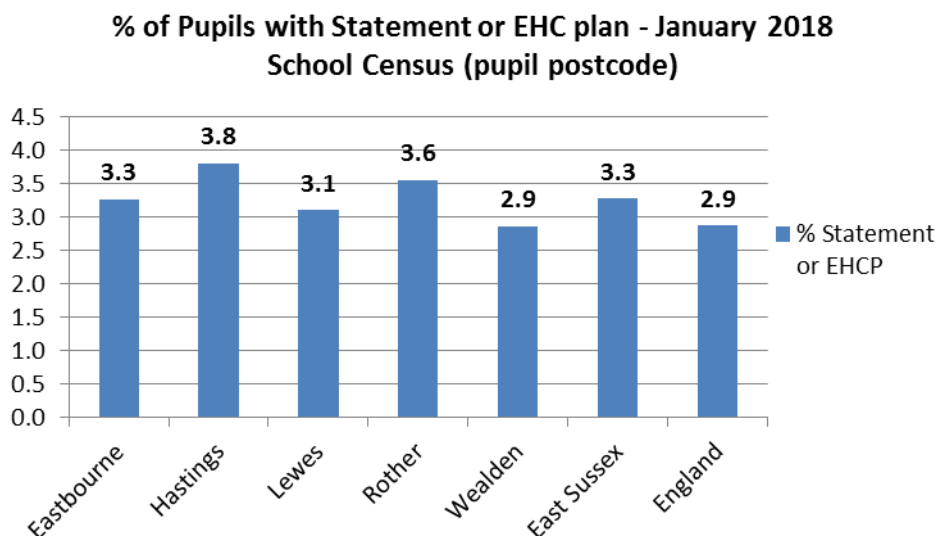
g) How will any mitigation measures be monitored?

N/A

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

The following chart shows the percentage of children recorded as having Statement or Educational Health Care Plan in the January 2018 school census (children attending East Sussex maintained schools and academies). District/ Borough information relates to the pupil's home address as reported in the January 2018 school census.



Note: The chart is based on the 2150 East Sussex resident children attending state-funded mainstream or special schools in East Sussex with Statements/Plans. It excludes those attending provision out of County, FE colleges and independent special schools.

In East Sussex there were 2,150 children attending state-funded mainstream or special schools who are recorded in the January 2018 school census as having a Statement or Educational Health Care. This is broken down by Borough / District as follows:

Eastbourne	425
Hastings	487
Lewes	368
Rother	349
Wealden	521

Disability projections published on East Sussex in Figures (ESiF) in 2016 put the total number of people with a disability in East Sussex at 94,227 for 2018. The figures for each Borough / District are:

Eastbourne	18,345
Hastings	17,055
Lewes	16,801
Rother	17,823
Wealden	25,204

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Dataset: Disability projections (dwelling-led), 2016-2031 - districts

ESCC Projections June 2018

Geography: Mixed Year Age group: All Ages Category: Overall disability Measure: Number of people with disability

Year	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Geography																
East Sussex	92,187	93,127	94,227	95,461	96,992	98,496	100,025	101,715	103,399	105,078	106,713	108,375	109,972	111,621	113,245	114,890
Eastbourne	18,117	18,218	18,345	18,510	18,713	18,899	19,116	19,344	19,563	19,789	20,009	20,241	20,475	20,716	20,955	21,196
Hastings	16,746	16,876	17,055	17,257	17,514	17,740	17,945	18,194	18,415	18,636	18,869	19,092	19,279	19,518	19,755	19,985
Lewes	16,375	16,563	16,801	17,048	17,371	17,690	18,024	18,391	18,709	19,004	19,280	19,566	19,858	20,140	20,419	20,730
Rother	17,469	17,646	17,823	18,001	18,234	18,479	18,708	18,975	19,306	19,641	19,962	20,272	20,558	20,849	21,135	21,422
Wealden	23,481	23,825	24,204	24,645	25,159	25,688	26,232	26,811	27,406	28,008	28,594	29,205	29,801	30,398	30,981	31,557

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The proposals will affect all children and young people attending schools in areas of basic need including those with a statement or Educational Health Care Plan at mainstream and special schools:

Number of pupils with a Statement or EHC Plan in each basic need planning area¹:

	Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
Hailsham	3	3	16	23	9	54
Newhaven	0	5	12	14	8	39
Peacehaven	1	6	8	27	17	59
Polegate / Willingdon	3	5	20	12	8	48
Uckfield	2	8	18	16	22	66

¹ Includes special schools

Source: Schools Census January 2018

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Children and young people of school age with a Statement or EHC Plan in areas of basic need will be more affected by the proposals than children and young people with a Statement or EHC Plan in other areas of the county where there is not predicted to be pressure on school places.

d) What is the proposal, project or service's impact on people who have a disability?

Each proposal will have a positive impact on local school age children and young people with a Statement or EHC Plan and their families as it will enable more children and young people to access a school place in their local area. New special schools will have a positive impact on children from a wider area who will be able to travel to the new provision rather than attend expensive independent provision sometimes out of county.

The Council is very experienced in construction projects at schools and the health and safety of children is paramount when any building project takes place. Build

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programmes would be developed to minimise disruption to teaching and learning during this time.

Each proposal will have a positive impact as all new and extended provision will be compliant with DDA regulations and the Equality Act 2010 for disabled pupils.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

The Local Authority does not believe the proposals will have a negative impact.

f) Provide details of any mitigation.

N/A

g) How will any mitigation measures be monitored?

N/A

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact. Race categories are: Colour. E.g. being black or white, Nationality e.g. being a British, Australian or Swiss citizen, Ethnic or national origins e.g. being from a Roma background or of Chinese Heritage

a) How is this protected characteristic reflected in the County /District/Borough?

At the January 2018 census 86.8% of the school age population (Year R – 11) in East Sussex are of White British Heritage. This is below the figure for the whole of East Sussex which stands at 91.7% of the population (taken from the 2011 census). Where ethnicity is known 13.4% of the school age population in East Sussex are from ethnic minority backgrounds compared to 8.3% for the population as a whole in East Sussex (2011 census).

Mainstream schools:

Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
746	1,511	3,089	1,809	1,077	8,249

Special schools:

Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
8	17	45	47	20	137

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The proposals will affect all children and young people attending schools in areas of basic need including those with the protected characteristic:

Number of BME pupils in each basic need planning area¹:

	Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
Hailsham	22	47	97	58	34	258
Newhaven	19	34	70	45	19	187
Peacehaven	33	54	122	43	35	287
Polegate / Willingdon	14	30	52	54	29	179
Uckfield	5	20	44	57	34	160

¹ Includes special schools

Source: School Census January 2018

- c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

We do not believe that people with the protected characteristic will be more affected by the proposal than those in the general population who do not share that protected characteristic as new places will be provided for everyone.

- d) What is the proposal, project or service's impact on those who are from different ethnic backgrounds?**

Each proposal will have a positive impact on local school age children and young people and their families, including those from different ethnic backgrounds, as it will enable more children and young people to access a school place in their local area.

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

The Local Authority does not believe the proposals will have a negative impact.

The Council is very experienced in construction projects at schools and the health and safety of children is paramount when any building project takes place. Build programmes would be developed to minimise disruption to teaching and learning during this time.

- f) Provide details of any mitigation.**

N/A

- g) How will any mitigation measures be monitored?**

N/A

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

- a) How is this protected characteristic target group reflected in the County/District/Borough?**

Of the 63,556 children and young people aged 4-16 attending primary, secondary and special schools in East Sussex, 30,659 (48.2%) are female and 32,897 (51.8%)

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are male. This compares to the East Sussex figures of 51.8% for females and 48.2% for males (2011 census).

Mainstream schools:

	Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total %
Male	2,824	5,811	11,266	7,507	4,770	50.6 (32,178)
Female	2,652	5,514	10,543	7,153	4,580	47.9 (30,442)

Special schools:

	Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total %
Male	28	69	199	249	174	1.1 (719)
Female	6	20	53	77	61	0.3 (217)

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The data above shows that girls attending school in East Sussex are under-represented when compared to the figure for the county as a whole, whereas boys attending school in East Sussex are over-represented.

Gender split in each Basic Need Planning Area¹:

		Foundation Stage:	KS1:	KS2:	KS3:	KS4:	Total
Hailsham	M	135	268	466	334	180	1,383
	F	120	246	472	308	193	1,339
Newhaven	M	69	146	221	208	127	771
	F	47	110	206	181	91	635
Peacehaven	M	100	213	405	273	184	1,175
	F	106	212	416	227	166	1,127
Polegate / Willingdon	M	70	174	252	319	205	1,020
	F	79	128	233	281	192	913
Uckfield	M	71	176	353	421	280	1,301
	F	62	148	301	385	250	1,146

¹ Includes special schools

Source: School Census January 2018

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- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The Local Authority does not believe that any one gender will be more affected by the proposals than the other as the vast majority of schools in East Sussex are co-educational. Only two schools (both secondary academies) in the county are single-sex (they share a sixth form), but there are proposals to merge the two schools from September 2019.

- d) **What is the proposal, project or service's impact on different genders?**

The Local Authority does not believe there will be an impact on different genders as places will be provided for everyone.

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

The Local Authority does not believe the proposals will have a negative impact.

The Council is very experienced in construction projects at schools and the health and safety of children is paramount when any building project takes place. Build programmes would be developed to minimise disruption to teaching and learning during this time.

- f) **Provide details of any mitigation.**

N/A

- g) **How will any mitigation measures be monitored?**

N/A

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

- a) **How is this protected characteristic target group reflected in the County/District/Borough?**

We do not consider marital status/civil partnership characteristics to be relevant to the proposal.

- b) **How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

- d) **What is the proposal, project or service's impact on people who are married or same sex couples who have celebrated a civil partnership?**

N/A

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- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

- f) **Provide details of any mitigation.**

N/A

- g) **How will any mitigation measures be monitored?**

N/A

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

- a) **How is this protected characteristic target group reflected in the County/District/Borough?**

We do not consider pregnancy and maternity characteristics to be relevant to the proposal.

- b) **How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

- d) **What is the proposal, project or service's impact on pregnant women and women within the first 26 weeks of maternity leave?**

N/A

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

- f) **Provide details of the mitigation**

N/A

- g) **How will any mitigation measures be monitored?**

N/A

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

- a) **How is this protected characteristic reflected in the County/District/Borough?**

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There is a broad and diverse range of provision across East Sussex for children and young people in East Sussex:

Of the 188 schools in East Sussex at the start of the 2018/19 academic year:

54 were community

45 were voluntary controlled (VC)

24 were voluntary aided (VA)

61 were academies (including free schools and university technical colleges)

4 were foundation

b) At the January 2018 census 12,894 children and young people aged 4-16 attended VC or VA schools in East Sussex. This equates to 20.3% of the school age population in the county (state funded schools only).

c) **How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

Percentage total of pupils attending either a VA or VC school in each of the planning areas:

(* this includes Church schools which have converted to academy and special schools)

Planning Area	Number and % of VA and VC schools in each planning area	Number and % of pupils attending a VA or VC school in each planning area
Hailsham	0 of 7 (0%)	0 of 2,722 (0%)
Newhaven	0 of 6 (0%)	0 of 1,406 (0%)
Peacehaven	0 of 4 (0%)	0 of 2,302 (0%)
Polegate/Willingdon	0 of 3 (0%)	0 of 1,930 (0%)
Uckfield	2 of 6 (33%)	302 of 2,447 (12.3%)

Source: School Census January 2018

d) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The majority of VA schools are also community schools in that they accept pupils of different faiths or no faith. It is possible that some school expansion proposals which come forward might be for VC or VA schools if that is considered the most appropriate solution for an area and there is sufficient demand for faith places to justify expansion.

e) **What is the proposal, project or service's impact on the people with different religions and beliefs?**

The Local Authority does not believe there will be an impact on people with different religions and beliefs as there will continue to be a diverse range of provision across the county for children and young people.

What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

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The Local Authority does not believe the proposals will have a negative impact.

f) Provide details of any mitigation.

N/A

g) How will any mitigation measures be monitored?

N/A

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

We do not consider sexual orientation characteristics to be relevant to the proposal.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

N/A

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

N/A

d) What is the proposal, project or service's impact on people with differing sexual orientation?

N/A

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

N/A

f) Provide details of the mitigation

N/A

g) How will any mitigation measures be monitored?

N/A

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

a) How are these groups/factors reflected in the County/District/ Borough?

We do not consider other groups/factors to be relevant to the proposal.

Places will be available regardless of background, gender, deprivation etc in line with the Admissions Code.

b) How is this group/factor reflected in the population of those impacted by the proposal, project or service?

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N/A

- c) Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?

N/A

- d) What is the proposal, project or service's impact on the factor or identified group?

N/A

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

N/A

- f) Provide details of the mitigation.

N/A

- g) How will any mitigation measures be monitored?

N/A

4.10 Human rights - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.**

No human rights implications have been identified.

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade

	unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

Each project will deliver more school places in areas where demand for places currently outstrips provision.

By providing additional places in these areas, more local children will be able to access a place at their local school.

Each project will have a positive impact as all new provision will be compliant with DDA regulations.

5.2 Impact assessment outcome Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
x	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	<p>The proposals will have a positive impact on mainstream and special school children and young people as each project will deliver more school places in areas where demand for places currently outstrips provision as a result of a rising birth rate and/or housing development.</p> <p>By providing additional places in these areas, more local children will be able to access a place at their local school.</p> <p>All new and extended provision will be compliant with DDA regulations and the Equality Act 2010 for disabled pupils.</p>
	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	
	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	

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	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	The Local Authority will be able to discharge its statutory duty to ensure a sufficient supply of school places for everyone, regardless of their background, gender, deprivation etc in line with the Admissions Code.
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5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?

Where appropriate a separate EqIA will be undertaken for each proposal within the programme before a final decision is taken on whether to proceed with a project to provide more places.

5.4 When will the amended proposal, proposal, project or service be reviewed?

See 5.3 above

Date completed:	January 2019	Signed by (person completing)	Gary Langford
Role of person completing			Place Planning Manager
Date:	January 2019	Signed by (Manager)	Jessica Stubbings

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

☐

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

- 1. Lower the negative impact, and/or
- 2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
- 3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
- 4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)

6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)