

Equality Impact Analysis Template

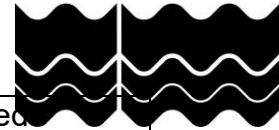
Equality Impact Analysis (EqIA) (or Equality Impact Assessment) aims to make services and public policy better for all service-users and staff and supports value for money by getting council services right first time.

We use EqIAs to enable us to consider all relevant information from an Equality requirements perspective when procuring or restructuring a service or introducing a new policy or strategy. This analysis of impacts is then reflected in the relevant action plan to get the best outcomes for the Council, its staff and service-users¹.

EqIAs are used to analyse and assess how the Council's work might impact differently on different groups of people². EqIAs help the Council to make good decisions for its service-users, staff and residents and provide evidence that those decision conform with the Council's obligations under the Equality Act 2010³.

This template sets out the steps you need to take to complete an EqIA for your project. Guidance for sections is in the end-notes. If you have any questions about your EqIA and/or how to complete this form, please use the contact details at the end of this form.

Title of Project/Service/Policy⁴	Alternative Weed Maintenance Trial
Team/Department⁵	Highways
Directorate	Communities Economies and Transport
Provide a comprehensive description of your Project (Service/Policy, etc.) including its Purpose and Scope⁶	<p>In recent years glyphosate-based herbicides have come under scrutiny and while Glyphosate is a legal weeding practice in the UK, East Sussex County Council have decided to undertake a trial in 2023 to look at alternative weed control techniques.</p> <p>Currently ESCC undertake one weed spray per year, of which the weeds are left on site to break down.</p> <p>The trials are being undertaken as a volunteer and reactive approach on select roads in Lewes, St Leonards and Hastings where considerable interest has been received.</p>



The Volunteer approach gives the agreed volunteer streets the option to 'opt out' of weed spraying. This is carried out with the expectation that a minimum of 60% of the residents on that street agree and that volunteers on the street would in place undertake the weed maintenance.

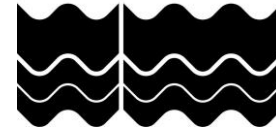
The reactive approach will work on the same principle as other highways reactive services, such as potholes, whereby ESCC would only attend to weed control when areas are identified by a highway steward inspection or by customer report. Weeds would be removed when posing a health and safety risk or potential damage to the infrastructure.

The method of control would vary depending on location but would not include use of Glyphosate.

Feedback from the trials has been generally positive in areas where volunteers are keen to remove the use of glyphosate. However, there has been significant concern raised around the issue of weeds causing trip hazards in the pavement, specifically age related in terms of the elderly and those using prams, where weeds are large and/or restricting pavement width when overgrown. This has mainly been highlighted in areas with slabbed footways.

In instances where weeds have been causing an accessibility issue, action has been taken to either contact the volunteer group or instructing removal.

The results will be presented and considered in December 2023.



Initial assessment of whether your project requires an EqlA

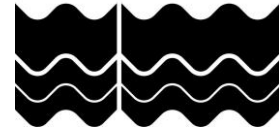
When answering these questions, please keep in mind all legally protected equality characteristics (sex/gender, gender reassignment, religion or belief, age, disability, ethnicity/race, sexual orientation, marriage/civil partnership, pregnancy and maternity) of the people actually or potentially receiving and benefiting from the services or the policy.

In particular consider whether there are any potential equality related barriers that people may experience when getting to know about, accessing or receiving the service or the policy to be introduced or changed.

Discuss the results of your Equality assessment with the Equality Lead for your department and agree whether improvements or changes need to be made to any aspect of your Project.

	Question	Yes	No	Don't Know
1	Is there evidence of different needs, experiences, issues or priorities on the basis of the equality characteristics (listed below) in relation to the service or policy/strategy area?	X		
2	Are there any proposed changes in the service/policy that may affect how services are run and/or used or the ways the policy will impact different groups?	X		
3	Are there any proposed changes in the service/policy that may affect service-users/staff/residents directly?	X		
4	Is there potential for, or evidence that, the service/policy may adversely affect inclusiveness or harm good relations between different groups of people?		X	
5	Is there any potential for, or evidence that any part of the service/aspects of the policy could have a direct or indirect discriminatory effect on service-users /staff/residents ?		X	
6	Is there any stakeholder (Council staff, residents, trade unions, service-users, VCSE organisations) concerned about actual, potential, or perceived discrimination/unequal treatment in the service or the Policy on the basis of the equality characteristics set out above that may lead to taking legal action against the Council?		X	
7	Is there any evidence or indication of higher or lower uptake of the service by, or the impact of the policy on, people who share the equality characteristics set out above?		X	

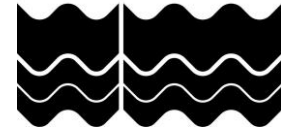
If you have answered "YES" or "DON'T KNOW" to any of the questions above, then the completion of an EqlA is necessary.



The need for an EqIA will depend on:

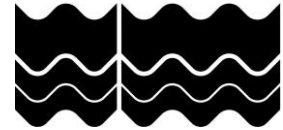
- How many questions you have answered “yes”, or “don’t know” to;
- The likelihood of the Council facing legal action in relation to the effects of service or the policy may have on groups sharing protected characteristics; and
- The likelihood of adverse publicity and reputational damage for the Council.

Low risk	Medium risk	High risk
	<p>The project has a medium risk due to the area the trial covers, its significance and the potential numbers of people affected.</p> <p>There is a risk that some of those with protected characteristics may not be able to access the highway network as safely as those without protected characteristics.</p> <p>There is also the potential that those with protected characteristics may not be able to take part in the volunteering option due to the expectation of what is required.</p> <p>Some people with protected characteristics may be adversely affected in terms of safety or ability to access the highway before we are able to rectify the issue that has arisen. (e.g. only able to remove a weed once it has been reported or steward has a planned safety inspection)</p>	



1. Update on previous EqlAs and outcomes of previous actions (if applicable)⁷

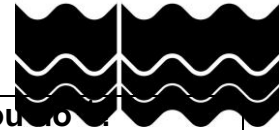
What actions did you plan last time? (List them from the previous EqlA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action Plan below)
More information on effects of the alternate weed maintenance techniques from feedback form and customer correspondence.	No direct comments were received in response to the trials in 2022 around this. The ESH website has been updated to allow open descriptions to any issues.	Review EqlA following the weed maintenance season to see if changes have had a significant impact on those with protected characteristics.



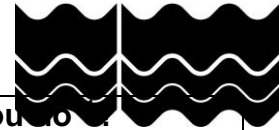
2. Review of information, equality analysis and potential actions

Consider the actual or potential impact of your project (service, or policy) against each of the equality characteristics.

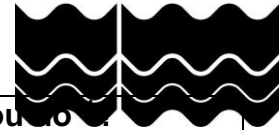
Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do¹¹? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age¹²	The highways service covers the entire county of East Sussex. East Sussex has a higher population (6.3% higher) of people aged over 65 than the average for England and Wales. But below average in age groups 0-44.	<ul style="list-style-type: none"> • Weeds creating trip hazards for elderly & children walking to school. • Can look unsightly/messy 	<ul style="list-style-type: none"> • As areas will not be sprayed as standard this may mean there are times where weeds remain in place until reported or inspected causing a potential trip hazard. • It may mean children on foot and elderly who may be more likely to be using wheelchairs/mobility scooters etc. may find it more difficult to use the footway. • Potentially if pavement is left long enough with an increased level of weeds it may mean pedestrians have to walk in the carriageway, this will have a negative impact on their safety (real and perceived) and could reduce their ability/confidence to access the highway network and consequently the surrounding area. 	To minimise impact on customers with protected characteristics, we will ensure an efficient process whereby we can respond to issues in appropriate timescales. Throughout the trial, safety issues will remain our priority, with any reports of trip hazards being picked up and rectified through inspections and customer reports.. East Sussex Highways can be contacted 24 hrs a day, 7 days a week via phone, email and post and is readily



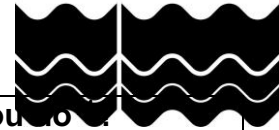
Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			<ul style="list-style-type: none"> • Older people with reduced mobility or in wheelchairs/mobility scooters etc. may be more affected by the narrowing of footpaths and roads due to weeds. 	accessible for people with all protected characteristics. We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqIA's.
Disability¹³	East Sussex has a higher population of people with a disability than the average for England and Wales, with 20.3% in comparison to 17.9% with a long-term health problem or disability.	<ul style="list-style-type: none"> • Narrowed footway by large weeds creating trip hazards for blind/disabled. • Requests to maintain weeds to ensure path widths for accessibility. 	As per Age.	As per Age.
Gender reassignment¹⁴	The government tentatively estimate there to be approximately 200,000-500,000 trans people in the UK.	We have received no specific comments.	We follow the County Councils equality commitments.	This protected characteristic is not affected by the highways services and there will be no different treatment for this group. We will monitor and take into consideration any feedback



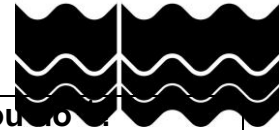
Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				received specific to the trial and use it to support future reviews and EqIA's.
Pregnancy and maternity¹⁵	East Sussex Statistics generally follow the national average.	<ul style="list-style-type: none"> • Narrowed footway by large weeds creating trip hazards for prams. • Access for prams, condition of pavements, trips. 	Those carrying children or pushing prams, buggies etc. may be affected by weeds in the footway. Which may affect the mobility of the wheels. As per age.	As per age.
Race/ethnicity¹⁶ Including migrants, refugees and asylum seekers	East Sussex's population is largely made up of White British and Northern Irish.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	Possible impact that someone may not be able to access or understand the trial as written on the ESH website.	Refer to the ESH accessibility statement which advises on how to read website in alternative language. We can also be contacted directly for alternative translations. We will monitor and take into consideration any feedback received specific to the trial



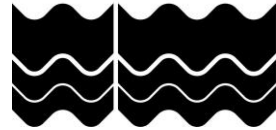
Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				and use it to support future reviews and EqIA's.
Religion or belief¹⁷	East Sussex follows the national average of more than 50% of resident of Christian belief and more than 25% of residents with no religion.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqIA's.
Sex/Gender¹⁸	East Sussex has a larger population of females than males, as per the 2011 census.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.



Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Sexual orientation¹⁹	Government estimates that 5-7% of the population is Lesbian, Gay and Bisexual.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback.	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.
Marriage and civil partnership²⁰	East Sussex reflects the same as nationally.	We have received no specific comments, other than questions around why we would need to collect this information. Of which it is not mandatory on consultations or scheme feedback	No adverse effect on this group.	We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqIA's.
Impacts on community cohesion²¹	This project covers the whole of East Sussex which includes all Parish, Town, District, Borough Councils and various local	<ul style="list-style-type: none"> • Some groups and residences have a perception that some areas have more money spent on them. 	Ability/confidence to use the highway and access the community may be affected if footways are overgrown. Negative perception of ESH.	Trial areas were agreed with residents and the relevant County Councillor. The highways service has a good track record in engaging with parish



Protected characteristics groups under the Equality Act 2010	What do you know⁸? Summary of data about your service-users and/or staff	What do people tell you⁹? Summary of service-user and/or staff feedback	What does this mean¹⁰? Impacts identified from data and feedback (actual and potential)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	community associations, volunteer groups and communities.	<ul style="list-style-type: none"> • Or more affluent areas have more money spent on them. • Or areas are forgotten and left to look messy. • Restricted footway access due to overgrown weeds. 	Positive of communities working together on a project.	councils, as well as town councils in smaller towns, on a wide range of issue through the Strengthening Local Relations (SLR) and the Community Highways Initiatives.



Additional categories

(identified locally as potentially causing / worsening inequality)

Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
<p>Rurality²⁶</p>	<p>The landscape in East Sussex is predominantly rural, however the majority of the population live in urban areas, 58% live in the coastal urban areas and a further 18% live in market towns</p>	<ul style="list-style-type: none"> • Narrowed footway by overgrown weeds creating trip hazards. • Residents have a perception that rural lanes can be forgotten in terms of maintenance. • Resident perception that rural areas are forgotten. 	<p>Lack of footways is more common in rural areas than urban areas. Therefore, trip hazards in footways would be reduced in rural areas.</p> <p>The rural character of the non-urban part of the county is a major attractant to many of those who live there and especially those who visit as tourists. Weeds are part of that natural aesthetic.</p> <p>The maintenance requirements in rural areas are often different to urban areas, because of the environment, how the road network is used and expectations about how the countryside should look.</p>	<p>As per age and community cohesion.</p> <p>This trial is only being undertaken in urban areas and on low-speed and traffic streets such as cul-de-sacs.</p> <p>If rolled out wider consideration would be given to its effect on rural areas, but areas with footpaths on high speed roads would not be able to take part.</p> <p>We will monitor and take into consideration any feedback received specific to the trial and use it to support future reviews and EqlA's.</p>



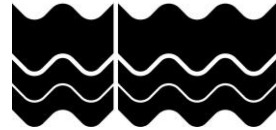
Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
Carers	East Sussex has an aging population. Therefore, it could be inferred that carers will align with this aspect.	<ul style="list-style-type: none"> • Ensuring access to property. • Trip Hazards. • Reporting issues for disabled / elderly. 	As per age.	<p>As per age.</p> <p>We will monitor and take into consideration any feedback received specific to the trial, and use it to support future reviews and EqlA's.</p> <p>We would continue to follow relevant ESCC policies.</p>
Poor Literacy/Numeracy	22.6% of people in East Sussex do not hold a qualification, which is comparable to national levels (22.7%) but not as low as the South East 19.1%). However it is difficult to quantify the level of literacy and numeracy because the lack of a formal qualification does not mean a person has poor literacy or numeracy	Reports of difficulty completing forms	People with poor literacy and numeracy skills may struggle when contacting the service, particularly if they are required to complete a form or are issued with a written notice.	<p>ESH aim to communicate with service users in an accessible, easy to understand manner.</p> <p>There is always an option to phone the service and the form be completed by a customer service advisor instead.</p> <p>We will monitor and take into consideration any</p>



Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
	skills, although it does makes it more likely.			feedback received specific to the trial, and use it to support future reviews and EqlA's. As per race/ethnicity.
Other groups that may be differently affected (including but not only: homeless people, substance users, care leavers – see end note) ²⁷				
Assessment of overall impacts and any further recommendations²⁸ - include assessment of cumulative impacts (where a change in one service/policy/project may have an impact on another)				
<p>East Sussex County Council, as the Highway Authority, has a statutory duty to maintain the highway (Highways Act, 1980) which includes footways.</p> <p>Over time, local authorities including East Sussex County Council, have developed standards in line with national codes of practice and local policy requirements to ensure safety, serviceability and sustainability needs are met. The safety of highway users and the effect of weeds on highway drainage and footways are the main reasons for controlling weeds.</p> <p>There is a statutory duty on service providers under the Equality Act 2010 to take reasonable steps to remove or alter physical features to improve access for people with disabilities or provide an alternative method of making services available.</p>				

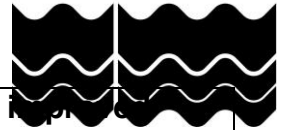


Characteristic	What do you know ²² ?	What do people tell you ²³ ?	What does this mean ²⁴ ?	What can you do ²⁵ ?
<p>All local authorities have a duty towards biodiversity under the Natural Environment and Rural Communities Act 2006. Recent guidance also recommends that vegetation on the highway network should be managed with regard to their value for nature conservation and biodiversity to encourage more wildlife e.g. in meadow verges. With the effect of Glyphosate on nature in question, the local authority needs to consider alternative options to weed maintenance. Unfortunately at this stage there are no alternatives which are as efficient and cost effective as glyphosate.</p> <p>We cannot fully understand the impact of this change until the trial is complete. Therefore, it was decided to undertake a trial rather than go to a fully policy change immediately. This allows feedback from those with protected characteristics to be evaluated within the overall review of the trial and consideration given to any issues raised.</p> <p>Whilst the trial is ongoing any safety issues will be picked up through the standard channels of inspections and customer reports and rectified either through the volunteer groups or our staff.</p> <p>Note: in standard weed maintenance weeds are sprayed once a year. If weeds are reported to be causing a trip hazard a steward makes an assessment. If they agree that it is a hazard then removal or further spraying is arranged, usually within 28 days (or sooner depending on the risk).</p> <p>In volunteer weed maintenance, volunteers have a responsibility to ensure their street is clear from trip hazards. If weeds are reported as a trip hazard, we would contact the lead volunteer and give them the opportunity to rectify it. Depending on their timeframe/ability to resolve the issue, the council may decide to make the decision to remove the street from the volunteer list and to undertake our own maintenance.</p> <p>In reactive weed maintenance, the council only attends to weed control when areas are identified by a highway steward inspection or by customer report. Weeds would be removed when posing a health and safety risk or potential damage to the infrastructure. This is usually completed within 28 days.</p> <p>Thus far there have been no occasions where this has been an issue in a volunteer weed maintenance street.</p>				

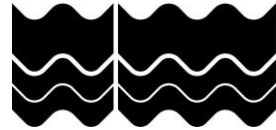


3. List detailed data and/or community feedback that informed your EqIA

Source and type of data (e.g. research, or direct engagement (interviews), responses to questionnaires, etc.)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Salesforce – customer phone calls, emails, web reports and letters logged on this system.	Ongoing	Possible gap if the Customer Service Advisor has not logged the information properly. Possible gap with the new contractor bringing in a new system, however ensuring data transfer is efficient.	Action: going forward remind the team of the importance of capturing information relevant to those with protected characteristics.
Public Consultations	Various	Not all those effected will respond to consultations.	Action: ensure public consultations are as easy as possible to complete and are widely published. Ensure a variety of groups are engaged with.
Customer queries and complaints received by CMG and departmental officers.	Ongoing	Possible gap if not all information has been logged properly. In relation to Highways, people tend to report complaints over compliments. Therefore, we are not informed what is working well and what we can do more of.	Action: increased engagement with stakeholders and customers.
SLR meetings	Twice Yearly	Not all Parish and Town Councils take up the offer to have an SLR meeting.	Action: remind Parish and Town Councils of the option.



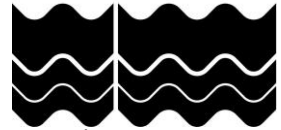
Customer Surveys e.g. smiley face / NHT.	Various	Not everyone will respond. Unhappy residents are more likely to respond.	Action: increased and improved engagement with stakeholders and customers. Engagement of contractors measured within the contract.
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4. Prioritised Action Plan²⁹

NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
<p>Trip hazards, narrow & inaccessible footpaths. Age, disability, pregnancy and maternity, rural, community cohesion.</p>	<p>More information on effects of the alternate weed maintenance techniques from feedback form and customer correspondence.</p> <p>Review EqIA following the weed maintenance season to see if changes have had a significant impact on those with protected characteristics.</p>	<p>Increase in reports of issues from those with protected characteristics.</p> <p>Over time, it will be possible to identify hotspots that routinely cause problems and a more proactive approach can be taken in these areas subject to funds being available.</p>	<p>No negative feedback or complaints.</p>	<p>Duration of Trial.</p>
<p>(Add more rows as needed)</p>				



EqIA sign-off: (for the EqIA to be final an email must be sent from the relevant people agreeing it, or this section must be signed)

Staff member competing Equality Impact Analysis: Fenella Lillywhite

Date: 27/10/2023

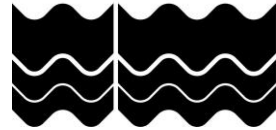
Directorate Management Team rep or Head of Service: Pippa Mabey

Date: 27/10/2023

Equality lead:

Sarah Tighe-Ford

Date: 27/10/2023



Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the Council must be aware of the Council's duties under the Equality Act 2010 and ensure they comply with them appropriately in their daily work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral, rigorous part of your decision-making process and influence the process.
- **Sufficient Information:** you must assess what information you have and what is further needed to give proper consideration.
- **No delegation:** the Council is responsible for ensuring that any contracted services, which are provided on its behalf need also to comply with the same legal obligations under the Equality Act of 2010. You need, therefore, to ensure that the relevant contracts make these obligations clear to the supplier. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy or service is developed/agreed, and when it is implemented and reviewed.
- **Proper Record Keeping:** to prove that the Council has fulfilled its legal obligations under the Equality Act you must keep records of the process you follow and the impacts identified.

NB: Filling out this EqIA in itself does not meet the requirements of the Council's equality duty. All the requirements above must be fulfilled, or the EqIA (and any decision based on it) may be open to challenge. An EqIA therefore can provide evidence that the Council has taken practical steps comply with its equality duty and provide a record that to demonstrate that it has done so.

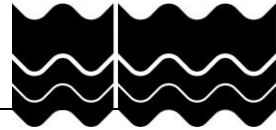
² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the actual and potential impact of our activities on people who share any of the legally 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on the nature of your project, who it might affect, those groups' vulnerability, and the seriousness of any potential impacts it might have. We use this EqIA template to gather information and assess the impact of our project in these areas.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce, minimise or eliminate any negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).



- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ **EqIAs are always proportionate** to:

- The nature of the service, or scope of the policy/strategy
- The resources involved
- The number of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed service or policy on a protected group (e.g. disabled people), the more thorough and demanding our process must be so that we comply with the Equality Act of 2010.

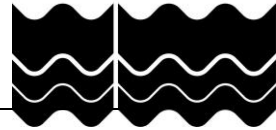
⁴ **Title of EqIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁵ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁶ **Focus of EqIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Analysis (EqIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the service, policy, strategy, practice, or function?
- Who implements, carries out or delivers the service, policy, strategy, practice, or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?



- Who is affected by the service, policy, strategy, practice, or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes, or improvements, are required and what should the benefits be?
- What do existing or previous reviews of the service, policy, strategy, practice, or function indicate to you?
- What is the reason for the proposal, or change (financial, service scope, legal requirements, etc)? The Equality Act requires us to make these clear.

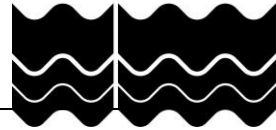
⁷ **Previous actions:** If there is no previous EqIA, or this assessment is for a new service, then simply write 'not applicable'.

⁸ **Data:** Make sure you have enough information to inform your EqIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?⁸
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups / communities?

⁹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the Council's duties under the Equality Act.

- What do people tell you about the services, the policy or the strategy?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all different perspectives can be captured and considered.
- Identify any gaps in who has been consulted and identify ways to address this.



¹⁰ Your EqlA must get to grips fully and properly with actual and potential impacts.

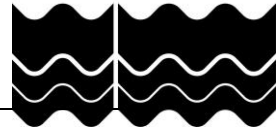
- The Council’s obligations under the Equality Act of 2010 do not stop you taking decisions, or introducing well needed changes; however, they require that you take decisions and make changes conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don’t exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of “the policy is likely to disadvantage older women”, say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so, the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹¹ Consider all three aims of the Act: removing barriers, and also identifying positive actions to be taken.

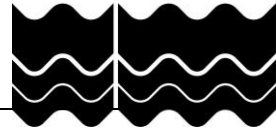
- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to address the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EqlA which has attempted to airbrush the facts is an EqlA that is vulnerable to challenge.

¹² **Age:** People of all ages

¹³ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis. Carers of disabled people are protected within the Act by association.



- ¹⁴ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected
- ¹⁵ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.
- ¹⁶ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.
- ¹⁷ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.
- ¹⁸ **Sex/Gender:** Both men and women are covered under the Act.
- ¹⁹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people
- ²⁰ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.
- ²¹ **Community Cohesion:** potential impacts on how well people from different communities get on together. The council has a legal duty to foster good relations between groups of people who share different protected characteristics. Some actions or policies may have impacts – or perceived impacts – on how groups see one another or in terms of how the council’s resources are seen to be allocated. There may also be opportunities to positively impact on good relations between groups.
- ²² **Data:** Make sure you have enough information to inform your EqIA.
- What data relevant to the impact on protected groups of the policy/decision/service is available?²²
 - What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
 - What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn’t and why? Are there differences in outcomes? Why?
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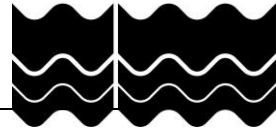
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²⁶ **Rurality:** deprivation is experienced differently between people living in rural and urban areas. In rural areas issues can include isolation, access to services (eg: GPs, pharmacies, libraries, schools), low income / part-time work, infrequent public transport, high transport costs, lack of affordable housing and higher fuel costs. Deprivation can also be more dispersed and less visible.

²⁷ **Other groups that may be differently affected:** this may vary by services, but examples include: homeless people, substance misusers, people experiencing domestic/sexual violence, looked after children or care leavers, current or former armed forces personnel (or their families), people on the Autistic spectrum etc.

²⁸ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁹ **Action Planning:** The Council's obligation under the Equality Act of 2010 is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.