

## 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-users<sup>1</sup>.

EqIAs are used to analyse and assess how the Council's work might impact differently on different groups of people<sup>2</sup>. 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 2010<sup>3</sup>.

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.

<b>Title of Project/Service/Policy<sup>4</sup></b>	BSIP Bus Priority Measures
<b>Team/Department<sup>5</sup></b>	Major Projects & Growth
<b>Directorate</b>	Communities, Economy and Transport
<b>Provide a comprehensive description of your Project (Service/Policy, etc.) including its Purpose and Scope<sup>6</sup></b>	East Sussex County Council submitted its Bus Service Improvement Plan (otherwise known as BSIP) to Government in October 2021. The East Sussex BSIP actively addresses the National Bus Strategy aiming to enhance bus services by collaborating with Local Transport Authorities, bus operators, community and business voices, bus passengers, and the voluntary and health transport sector. The BSIP sets out ambitious plans to improve the bus network across the county and provide a cleaner, reliable alternative to car travel. It focusses on enhancing the bus network within East Sussex to complement and support wider transport investment across the country and encourage a sustainable mode shift towards bus usage.

	<p>The bus priority measures under the capital element of the BSIP funding aim to improve bus reliability, reduce congestion, encourage greater bus use, create safer options for active travel and compliment wider initiatives across the county. ESCC are proposing 7 bus priority measures and taking these to public consultation 31/7/23 – 25/9/23. The 7 bus priority schemes are as follows:</p> <p><u>Eastbourne</u> Scheme 1.1 King's Drive Scheme 2.1 Seaside Roundabout Scheme 2.3 Seaside Corridor Scheme 2.6 Sovereign Harbour</p> <p><u>Newhaven</u> Scheme 3.2 virtual bus priority, Newhaven ring road Scheme 3.4 Drove Road and Denton Corner</p> <p><u>Peacehaven</u> Scheme 3.5 A259 Peacehaven Corridor</p>
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## Initial assessment of whether your project requires an EqIA

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?	Yes		
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?	Yes		
3	Are there any proposed changes in the service/policy that may affect service-users/staff/residents directly?	Yes		
4	Is there potential for, or evidence that, the service/policy may adversely affect inclusiveness or harm good relations between different groups of people?	Yes		
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 ?	Yes		
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?		No	
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?	Yes		

If you have answered “YES” or “DON'T KNOW” to any of the questions above, then the completion of an EqIA 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
	x	

### 1. Update on previous EqlAs and outcomes of previous actions (if applicable)<sup>7</sup>

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)
Not applicable: this is the first plan of this sort.		

## 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 know <sup>8</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>9</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>10</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>11</sup> ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age <sup>12</sup>	<p>East Sussex has a much older age profile compared to England and the South East. 26% of the county's population is aged 65 or over, compared to 19% in England and 20% regionally. <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a></p> <p>In East Sussex 4.3% of people will be aged 85+, a greater proportion than England, 2.7%. Ranked 1st in England for the highest proportion of</p>	Will analyse feedback from consultation.	<p>Passengers on the bus services in the proposed scheme locations are likely to be older, particularly during inter-peak times.</p> <p>Older passengers may find it confusing if bus stops are relocated.</p> <p>Older passengers may be more at risk when using shared pedestrian/cycle ways.</p> <p>Older passengers may have safety concerns when traveling late at night or in winter. There may also be concerns about anti-social behaviour on the busses.</p>	<p>Actively target older population groups during the consultation period. Provide alternative means for older people to engage with the consultation process.</p> <p>Eastbourne Age Concern to host printed brochures and surveys.</p> <p>Maintain clear communication throughout consultation and moving into next design stage – not just relying on online platforms.</p>

	<p>population 85+, (ONS estimate 2019) <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a></p> <p>In Lewes District The number of people aged 65 to 74 years rose by just over 2,500 (an increase of 23.0%), while the number of residents between 35 and 49 years fell by around 2,500 (12.7% decrease).</p>		<p>Older passengers will benefit from reduced journey times and greater bus reliability.</p> <p>Older car drivers may be concerned about the reallocation of road space on some of the schemes and what this might mean for them.</p> <p>Young people are more likely to be reliant on public transport, and more likely to have concerns about fares and bus reliability. One of the proposed schemes serves two of the colleges in Eastbourne. Given this, young people will benefit greatly from quicker journeys and improved reliability.</p> <p>Improved bus provision will help support better health outcomes for both older and younger people.</p>	<p>A full safety assessment will be carried out on all proposed routes that are taken through to the next design stage.</p>
<b>Disability</b> <sup>13</sup>	<p>In East Sussex, the number of residents who identify as disabled is 20.3% - <i>Census 2021</i>.</p> <p>In Eastbourne over 20% of residents identify as disabled</p>	<p>Will analyse feedback from consultation.</p>	<p>Collectively the proposed schemes are aimed at reducing congestion on the roads and thus reducing vehicle emissions. This will have great health benefits for all but especially those with long-term respiratory conditions.</p> <p>Those with disabilities (including physical, learning disability and mental health) may have concerns about safety</p>	<p>Actively engage with disability activist groups and representatives during the consultation period to ensure their voices are heard.</p> <p>Ensure that proposed designs are tested for accessibility and safety</p>

	<p><a href="#">How life has changed in Eastbourne: Census 2021 (ons.gov.uk)</a></p> <p>The 2021 Census is the latest comprehensive data we have on the number of people with a disability in the county. Our local projections suggest that by 2032 there will be over 130,000 people with a disability in East Sussex. <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a></p>		<p>travelling to the bus stops, at the bus stops and while on the bus.</p> <p>Improvements to bus stops, including access, signage and live-time bus timetables will benefit those with disabilities to feel more confident and reassured when travelling by bus.</p> <p>Disabled passengers will benefit from reduced journey times and greater bus reliability.</p> <p>Disabled car drivers may be concerned about the reallocation of road space on some of the schemes and what this might mean for them.</p> <p>Those with disabilities may be more at risk when using shared use pedestrian/cycle ways. Signage and access needs to be considered.</p>	<p>as we move through to the next design stage.</p>
<p><b>Gender reassignment<sup>14</sup></b></p>	<p>0.4% of people responding in the Census 2021 indicated that their gender identity was different from their sex registered at birth.</p>	<p>Will analyse feedback from consultation.</p>	<p>Transgender people will benefit from greater bus reliability and improvements to bus stop infrastructure. This will improve perceived and actual safety when using buses.</p>	<p>Make the safety benefits clear when communicating about the bus stop proposals.</p>

<p><b>Pregnancy and maternity</b><sup>15</sup></p>	<p>Lack of data.</p>	<p>Will analyse feedback from consultation.</p>	<p>Pregnant people and those on maternity will greatly benefit from reduced bus journey times and improved bus reliability – making journeys by bus easier may in turn reduce isolation of new parents.</p> <p>Improvements to bus stops and pedestrian crossings will make it safer for those with pushchairs and small children.</p>	<p>Make the social benefits clear when communicating about the bus stop proposals.</p>
<p><b>Race (ethnicity)</b><sup>16</sup> Including migrants, refugees and asylum seekers</p>	<p>In the Census 2021, 88.3% identified as 'White British'.</p>	<p>No feedback received currently.</p> <p>Will analyse feedback from consultation.</p>	<p>Safety for those who identify as black and ethnic minority may have perceived risks and actual when travelling on public transport – including waiting for busses and on the bus itself.</p> <p>Also, possibly some issues for people with English as an additional language, or new arrivals to the UK (although these numbers are relatively small - but growing) when navigating public transport.</p>	<p>Make the safety benefits clear when communicating about the bus stop proposals</p>
<p><b>Religion or belief</b><sup>17</sup></p>	<p>For the 2021 Census 60% of the population in East Sussex stated their religion was Christian. 0.8% of the population stated their religion was Islam, 0.4% Buddhism and 0.3% Hinduism. 30%</p>	<p>No feedback received currently.</p> <p>Will analyse feedback from consultation.</p>	<p>Safety concerns perceived and actual risks of hate crime especially for more 'visible' religious minority groups (such as Muslims and Sikhs).</p>	<p>Make the safety benefits clear when communicating about the bus stop proposals</p> <p>Actively engage with religious groups especially those who have places of worship</p>



	<p>of the population stated they had no religion. <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a></p> <p>In 2021, 48.2% of Lewes residents reported having "No religion" <a href="#">How life has changed in Lewes: Census 2021 (ons.gov.uk)</a></p>			<p>adjacent to proposed bus priority schemes (such as the mosque on the A259 Peacehaven Corridor) to ensure their voices are heard.</p>
<b>Sex<sup>18</sup></b>	<p>52% of the county's population was estimated to be female and 48% male, similar to the national split. However, for those aged 65 and over it was estimated that 55% of the population was female and 45% male. <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a></p> <p>In 2018 across England men made slightly more journeys by rail than women, but women made over</p>	<p>Will analyse feedback from consultation.</p>	<p>Women are more likely to have caring responsibilities that may require them to make multiple short journeys or 'chain-journeys' during a day, (for example to drop children off at school, visit an elderly parent and shop for food). This can bounce them out of 'usual' commuting routes.</p> <p>Women are most likely to be the victims of sexual harassment and sexual abuse on public transport. Safety when travelling on public transport is a key concern.</p>	<p>Seek opportunities for women to feedback on the proposed schemes consultation. Offer alternative options for providing feedback and be mindful of certain times (e.g. school pick up time) where women are more likely to have caring responsibilities.</p> <p>Make the safety benefits clear when communicating about the bus stop proposals.</p>

	a third more journeys by bus than men. <a href="https://www.gov.uk">Mode of travel - GOV.UK (www.gov.uk)</a>			
<b>Sexual orientation<sup>19</sup></b>	15,200 residents (3.3% of residents aged 16 years and over) identified with an LGB+ sexual orientation. Within this group, 8,260 (1.8% of all residents aged 16 years and over) described themselves as gay or lesbian, 5,590 (1.2%) described themselves as bisexual, and 1,360 (0.3%) identified with a different sexual orientation. (Census 2021)	No feedback received currently.  Will analyse feedback from consultation.	Safety concerns perceived and actual risks of hate crime especially for those identifying as LGBTQ+ while travelling on public transport.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.
<b>Marriage and civil partnership<sup>20</sup></b>	The latest data for marital status is from the 2021 Census. 29.1% of respondents were single, 48.7% were married or in a civil partnership. 2.7% of respondents were separated from their partners, 10.7% were	No feedback received currently.  Will analyse feedback from consultation.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.

	divorced or had been in a civil partnership which was dissolved. The remaining 8.7% of respondents were widowed. <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a>			
<b>Armed Forces<sup>21</sup></b>	In 2021, 21,173 people in East Sussex reported that they had previously served in the UK armed forces (4.6% of usual residents aged 16 years and over).	No feedback received currently.  Will analyse feedback from consultation.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.
<b>Impacts on community cohesion<sup>22</sup></b>		No feedback received.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.	It is not considered that this protected characteristic will experience disproportionate, negative, neutral or positive impact by the report.

### Additional categories

(identified locally as potentially causing / worsening inequality)

Characteristic	What do you know <sup>23</sup> ?	What do people tell you <sup>24</sup> ?	What does this mean <sup>25</sup> ?	What can you do <sup>26</sup> ?
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<b>Rurality<sup>27</sup></b>	The proposed bus priority schemes are located in Eastbourne, Newhaven and Peacehaven, therefore this characteristic is not relevant.			
<b>Carers</b>	<p>In the Census 2021, Eastbourne saw the South East's second-largest percentage-point rise in the proportion of people who were economically inactive because they were looking after their family or home (from 3.2% in 2011 to 4.3% in 2021).</p> <p>Furthermore, Eastbourne saw the South East's joint largest percentage-point rise in the proportion of people (aged five years and over) providing between 20 and 49 hours of weekly unpaid care (from 1.4% in 2011 to 2.1% in 2021). <a href="#">How life has changed in Eastbourne: Census 2021 (ons.gov.uk)</a></p>	<p>No feedback received currently.</p> <p>Will analyse feedback from consultation.</p>	<p>Carers have responsibilities that may require them to make multiple short journeys or 'chain-journeys' during a day. This can bounce them out of 'usual' commuting routes.</p> <p>Carers may also be reliant on car travel and be concerned about road space allocation in the proposals.</p>	<p>Actively engage with carer groups and representatives during the consultation period to ensure their voices are heard.</p>

	<p>Note: Census 2021 was undertaken during the coronavirus (COVID-19) pandemic. This may have influenced how people perceived and managed their provision of unpaid care, and therefore may have affected how people chose to respond. Caution should also be taken when making comparisons between 2011 and 2021 because of changes in question wording and response options.</p>			
<p><b>Other groups that may be differently affected</b> (including but not only: homeless people, substance users, care leavers – see end note)<sup>28</sup></p>				

**Assessment of overall impacts and any further recommendations<sup>29</sup>** - include assessment of cumulative impacts (where a change in one service/policy/project may have an impact on another)

The public consultation period between 31<sup>st</sup> July-25<sup>th</sup> September 2023 will be key in better understanding the needs, concerns and preferences on people living and working in Eastbourne, Newhaven and Peacehaven. At the start of the consultation survey, we have asked people to answer a question on the mode and frequency of the transport they use each week – these responses, when brought together with the Equality and Diversity Answers and the responses given on the proposed schemes will give us a much fuller picture of the impact and benefits these proposals will bring. Technical consultants WSP will be using software to analyse the data and a report will be available from Autumn 2023.

### 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 Accessed	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)
State of the County 2021 Focus on East Sussex: Appendix 1 <a href="#">Item 5 - Appendix 1 - Focus on East Sussex.pdf</a>	7/7/23	No data on sexuality	Have sourced data elsewhere
Ons Census 2021: East Sussex: <a href="#">East Sussex facts and figures - E10000011 - ONS</a>	7/7/23		
DfT Statistical data set: Mode of travel <a href="#">Mode of travel - GOV.UK (www.gov.uk)</a>	7/7/23		
Chartered Institution of Highways and Transportation: <a href="#">How can we make public transport safe for women and girls?   CIHT</a>	7/7/23		

#### 4. Prioritised Action Plan<sup>30</sup>

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
<b>Age</b>	<p>Actively target older population groups during the consultation period. Provide alternative means for older people to engage with the consultation process.</p> <p>Actively target younger population groups during the consultation period.</p>		<p>A high return of completed consultation surveys from those aged 65 and over.</p> <p>A return of completed consultation surveys from those aged 30 and under.</p>	31 July – 25 September 2023
<b>Disability</b>	Actively engage with disability activist groups and representatives during the consultation period to ensure their voices are heard.		A good return of completed consultation surveys from those identifying as being disabled	31 July – 25 September 2023
<b>Carers</b>	Actively target carer groups during the consultation period.		A good return of completed consultation surveys from those identifying as carers.	31 July – 25 September 2023



<b>Sex</b>	<p>Seek opportunities for women to feedback on the proposed schemes consultation. Offer alternative options for providing feedback and be mindful of certain times (e.g. school pick up time) where women are more likely to have caring responsibilities.</p> <p>Look more strategically within ESCC at the representation of women's needs within transport planning and infrastructure.</p>		At least a 50% return of completed consultation surveys from women.	31 July – 25 September 2023
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**(Add more rows as needed)**

**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:**  
**Directorate Management Team rep or Head of Service:**  
**Equality lead:**

**Indi Hicks**  
**Richard Dawson**  
**Sarah Tighe-Ford**

**Date: 7/7/23**  
**Date: 21/8/23**  
**Date: 7/7/23**

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<sup>1</sup> 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.

## <sup>2</sup> **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:**

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- **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

<sup>3</sup> **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.

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

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

<sup>6</sup> **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?

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- 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.

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

<sup>8</sup> **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?<sup>8</sup>
- 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?

<sup>9</sup> **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;

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- (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.

<sup>10</sup> Your EqIA 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?

<sup>11</sup> 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 EqIA which has attempted to airbrush the facts is an EqIA that is vulnerable to challenge.

<sup>12</sup> **Age:** People of all ages

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<sup>13</sup> **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.

<sup>14</sup> **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

<sup>15</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

<sup>16</sup> **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.

<sup>17</sup> **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.

<sup>18</sup> **Sex:** Both men and women are covered under the Act.

<sup>19</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

<sup>20</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>21</sup> **Armed Forces:** The Armed Forces Act 2021 aims to help prevent service personnel, veterans and their families being disadvantaged when accessing public services. The new duty applies to certain housing, education or healthcare functions, but it is good practice to ensure consideration of impacts on current or former members of the armed forces, as well as their families.

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<sup>22</sup> **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.

<sup>23</sup> **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?<sup>23</sup>
- 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 or communities?

<sup>24</sup> **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.

<sup>25</sup> Your EqIA must get to grips fully and properly with actual and potential impacts.

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- 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 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?

<sup>26</sup> 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 EqIA which has attempted to airbrush the facts is an EqIA that is vulnerable to challenge.

<sup>27</sup> **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.

<sup>28</sup> **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.

<sup>29</sup> **Assessment of overall impacts and any further recommendations**



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- 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?

<sup>30</sup> **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.