



**Argyll and Bute Council**

**Equality Impact Assessment  
Guidance and Form**

## **Introduction**

We need to make sure that the way we deliver services does not have an adverse impact on people from different equality groups, both customers and employees.

The Equality Impact Assessment (EqIA) is a process that enables you to undertake a comprehensive and robust assessment of the Council's functions and policies.

The EqIA will help you to assess whether we are likely to have an adverse impact on the diverse groups of people within Argyll and Bute. The EqIA will also enable the Council to maximise opportunities to promote equality and good relations between groups. Further, the EqIA will help to ensure that the Council meets the commitments set out in its Equality and Diversity Policy.

The Improvement and Organisational Development team hope you find the EqIA process useful and easy to use. However, if you have any suggestions for improvement please send them to:

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## **Summary**

An Equality Impact Assessment involves assessing the likely or actual effects of policies or services on people in respect of their race, gender, disability, age, religion or belief, sexual orientation, marriage and civil partnership, gender reassignment and pregnancy and maternity.

There are 2 stages to the Equality Impact Assessment:

### **Stage 1 – deciding if you need to do an equality impact assessment**

This is a short exercise that involves considering the overall policy or service and deciding if it is relevant to equality.

### **Stage 2 – carrying out an equality impact assessment**

Stage 2 examines in detail the proposal to find out what kind of equality impact there might be and which groups of people it will affect most. There are 8 steps in the process:

- Step 1 – identify the purpose of your policy or function
- Step 2 – assess the impact using information and evidence
- Step 3 – remove or reduce a negative impact
- Step 4 – make sure the policy or service promotes equality
- Step 5 – arrange to monitor and evaluate the policy or service
- Step 6 – sign off the equality impact assessment
- Step 7 – arrange to publish the equality impact assessment
- Step 8 – review the policy or service and update the equality impact assessment

## **Stage 1**

### **What is an Equality Impact Assessment and why do we need to do them?**

The EqIA is a process to ensure that the Council does not discriminate and where possible the Council uses opportunities to promote equality and good relations between groups.

An EqIA involves anticipating the consequences of the Council's functions and policies on different people, making sure that, as far as possible, any negative impacts are minimised or eliminated and that opportunities for promoting equality are maximised.

Carrying out an EqIA involves assessing the likely (or actual) effects of policies on people in respect of what are known as protected characteristics (Equality Act 2010). These are: race, gender, disability, age, religion or belief, sexual orientation, marriage and civil partnership, gender reassignment and pregnancy and maternity.

Under the Equality Act 2010 the Council as a public body, is required to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a characteristic and those who do not; and
- Foster good relations between people who share a characteristic and those who do not.

Having "due regard" means giving appropriate weight to equality in proportion to how relevant it is to a particular policy. A robust and detailed EqIA provides the necessary evidence that the Council has given due regard to equality issues before taking a decision.

The term policy is used throughout the assessment to embrace the full range of policies, functions, procedures, strategies, projects, applications for funding and financial decisions.

Assessing the potential impact on the protected characteristics helps us to consider relevant evidence and decide whether particular groups may be disproportionately affected by decisions; or whether more could be done to foster good relations.

The evidence gathered is important, given the potential for protected groups to be negatively affected by budget and service cuts.

Impact assessment is an effective way of improving policy development and service delivery, ensuring that you consider the needs and experiences of customers and of employees.

Impact assessment enables you to:

- Take effective action on equality
- Develop better policies and practices, based on evidence
- Be more transparent and accountable

### **Which policies should be subject to impact assessment?**

All new and reviewed functions should go through the EqIA process, particularly if people are to be affected e.g. service users, customers, members of staff.

The general equality duty applies to a broader range of protected characteristics than before, so services should assess the impact of existing policies across all of the protected characteristics.

If you think that an existing policy may be potentially discriminatory, then prioritise this to be assessed again at this point, in line with the duty to pay due regard to eliminating discrimination.

### **Who should carry out EqIA's?**

The EqIA should be prepared by the lead officer responsible for developing or reviewing the policy, together with an officer who is familiar with the process (although they don't necessarily have to be familiar with the policy being assessed). Involving other officers is vital to ensure the process is carried out in a robust way. It may be that for some assessments a number of key stakeholders are also involved. Further support and information is available from the Improvement and Organisational Development team.

### **When should you assess impact?**

Assessing the impact is an important part of policy and service development and in decision-making as it should lead to improvements in policies and practices.

For this reason, assessing the impact should be carried out as part of the development and planning stage and thereafter as part of the review stage. Assessing impact should not be a retrospective action taken at the end of the process.

Decision makers, such as elected members and senior officers, need to give due regard to equality and diversity. Decision-makers should seek and take account of the results of completed assessments when considering whether to approve a new policy or function. This will ensure that the impact assessment influences the decision reached.

The impact and relevance of a policy does not just depend on the number of people and groups who are affected but also the significance of the effect that may be experienced.

Introducing a level of scrutiny of equality impact assessments in decision making will help the Council to demonstrate to communities that equality is important.

Assessing the impact does not end with the introduction of a new or revised policy. It is vital that the monitoring of the impact is implemented and that the assessment is revisited as part of any review. In conclusion, impact assessment is an ongoing process.

## **Consultation**

The Equality Impact Assessment process should be informed by consultation. Consultation or involvement with different equality groups will help you to understand the impact of proposals on these groups. By undertaking this approach, employees, service users, trade unions and others who may be affected will have an input to improve policy development and service delivery.

When undertaking engagement with members of the public, community groups and staff, reference should be made to the Council's Community Engagement Strategy which also outlines the National Standards for Community Engagement.

## Stage two

### 1: Policy or function details

<p>Name of policy or function</p> <p><i>(Insert the name of the policy, strategy, project, funding application, initiative or financial decision)</i></p>	
<p>Lead officer/person</p> <p><i>(The name of the officer who is responsible for developing the policy)</i></p>	
<p>Supporting team (names/job titles)</p> <p><i>(This should list all members of the team who are providing support to the lead officer in carrying out the EqIA.</i></p> <p><i>This should include:</i></p> <ul style="list-style-type: none"><li><i>• At least one person involved in developing the new policy</i></li><li><i>• One person from another service who has not been involved in developing the policy</i></li></ul> <p><i>If wider expertise is required then it may be helpful to consider inviting one or two others to join the assessment process including representatives from outwith the Council if appropriate</i></p>	

<p>What are the main aims of the policy?</p> <p><i>(bullet points describing the aims of the policy).</i></p> <p><i>(Should also include reference to other relevant Council documents such as the Corporate Plan and Service Plans)</i></p>	
<p>Who will benefit?</p> <p><i>(A summary of the equality groups that are likely to benefit from the policy)</i></p>	
<p>Is the policy intended to increase equality of opportunity by permitting positive action or action to redress disadvantage?</p> <p><i>(You should outline if your policy or function has been <b>specifically</b> developed to increase equality of opportunity by having a positive differential impact on any of the protected characteristics)</i></p>	



## 2: What are the likely impacts of the policy?

For each protected characteristic you should identify any particular impact that the policy may have for the group. Impacts could be positive or negative and both should be described.

If there are no impacts on a particular protected characteristic then state your reasons for this within the response box. This demonstrates that you have considered the impact on each characteristic.

<p>Will the policy impact on the whole population of Argyll and Bute?</p> <p>Will the policy impact on and or/ particular groups within the population of Argyll and Bute?</p> <p><i>(Specify whether the policy will impact upon the whole community or will there be particular emphasis on one or more groups)</i></p>	
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Consider the following protected characteristics, What are the likely impacts for the group or community?

List any positive and/or negative impacts

Protected characteristic	Positive and/or negative impacts
Race: relating to people from different racial groups, ethnic or national origins, ethnic minorities, including gypsy travellers and migrant workers	
Gender: specific to women and/or men	
Disability: relating to people with either mental or physical disability	
Age: relating to different age groups e.g. older people or children and young people	

Religion or Belief: relating to a person's religion or belief (including non-belief)	
Sexual orientation: relating to a person's sexual orientation i.e. lesbian, gay, bi-sexual, heterosexual	
Marriage and civil partnership: Issues relating to people who are married or are in a civil partnership	
Gender reassignment: relating to people who have proposed, started or completed a process to change his or her sex	
Pregnancy and maternity: issues relating to the condition of being pregnant or expecting a baby and the period after the birth	

### 3: Evidence used in developing the policy

Set out the evidence on impacts that you have collected in the development of the policy.

<p><b>Involvement and consultation</b></p> <p>In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? Who was involved, when and how?</p> <p><i>Both equalities legislation and the duty to achieve best value demand effective consultation and engagement.</i></p> <p><i>Therefore, we need evidence of engagement with those groups that are targeted by the introduction of a new policy.</i></p>	
<p><b>Data and research</b></p> <p>Please specify what research was carried out or data collected, when and how this was done, <b>and what other available research or data did you use.</b></p> <p><i>Set out any local or national data that has been used, in the impact assessment including any relevant guidance that has influenced the development of the policy.</i></p>	

<p><b>Partners' data and research</b></p> <p>What evidence has been provided by partners? Please specify partners.</p> <p><i>Data and information from partner organisations can help to evidence impacts rather than duplicate efforts to consult and involve relevant groups.</i></p>	
<p><b>Gaps and uncertainties</b></p> <p>Have any gaps or uncertainties been identified in your understanding of the issues or impacts that need to be further explored?</p> <p><i>Few policies are developed in the context of perfect information and understanding of all the issues. This part of the assessment offers an opportunity to highlight these gaps and uncertainties.</i></p>	

#### 4: Detailed Action Plan to address identified gaps in evidence and to mitigate negative impacts

No	Action	Responsible Officer(s)	Timescale
1			
2			
3			
4			

Note: Please add extra rows as required.

#### 5: Performance monitoring and reporting

Please describe how the policy will be taken forward. This will act as a record for future reviews and the monitoring of the policy.

When is the policy intended to come into effect?  <i>Insert the date and name of the Committee meeting that will approve the policy.</i>	
When will the policy be reviewed?  <i>Insert the dates for the planned review of the policy.</i>	

## 6: Summary

Name of policy: .....

This policy will help the council to meet the general equality duty to eliminate discrimination; advance equality of opportunity; and foster good relations as follows:

### Eliminate discrimination

In determining how the policy will eliminate discrimination there is NO evidence to indicate that:

- the policy will result in less favourable treatment for particular groups;
- the policy may give rise to indirect discrimination;
- the policy is more likely to impede you in making reasonable adjustments

### Advance equality of opportunity

In determining how the policy will advance equality of opportunity there is evidence that:

- actions have been taken to remove or minimise disadvantage
- the policy meet the needs of different groups; and
- the policy encourages increased participation of particular groups

### Foster good relations

In determining how the policy will affect good relations, you should record whether it will help you to:

- tackle prejudice
- promote understanding

Please state how the information from the EqIA has been used to make decisions about future service.

When completed, the assessment must be signed off by the lead officer and by the relevant Head of Service:

**Signed**

**Date**

Lead officer:	
Head of Service:	

Completed assessments must be sent to: Stephen Colligan / Jennifer Swanson, Improvement and Organisational Development, for quality control, recording and publishing on the council's website.