
Equality Impact
Assessment

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Guidance

Improvement and HR

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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 helps you to undertake a full 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 help the council to make the most of opportunities to promote good relations between different groups. The EqIA will help to ensure that the council meets the commitments set out in its Equality and Diversity Policy.

The HR &OD team hope you find the EqIA process easy to use. If you have any suggestions for improvement please send them to:

HR&OD Team
Customer Services
Kilmory
Lochgilphead PA31 8RT

Email: HRServiceChoices@argyll-bute.gov.uk

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.

Stage 1 - Rapid Impact Assessment (RIA)

This is a short exercise that involves considering the overall policy or service and deciding if it is relevant to equality. The basic rule is that if people are affected by what we do then we need to carry out an equality impact assessment.

Stage 2 – carrying out a full 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 service
- 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

What is an equality impact assessment and why do we need to do this?

The equality impact assessment (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 removed and that we make the most of any opportunities for promoting equality.

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). The protected characteristics are: race, gender, disability, age, religion or belief, sexual orientation, marriage and civil partnership, gender reassignment and pregnancy and maternity.

To help with the assessment process, 2 models have been developed for EqIA's. There is a Rapid Impact Assessment (RIA) which should be completed for all new and revised policies or changes to service delivery models. The second model is the full impact assessment which should be completed if it becomes apparent through completing a RIA that a protected characteristic or groups are likely to be negatively impacted upon.

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 protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected 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 word policy is used throughout the assessment to include the full range of policies, functions, procedures, strategies, projects, applications for funding and financial decisions.

Assessing the potential impact on people with 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 people with protected characteristics to be negatively affected by budget decisions and service changes.

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 policies and service provision models should go through the EqIA process, particularly if people will be affected e.g. service users, employees.

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.

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 afterwards as part of the review stage. Assessing impact should not be done 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 ask for and take account of the results of completed assessments when considering whether to approve a new policy or service change. This will ensure that the impact assessment influences the decision.

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 impact is monitored and that the assessment is repeated 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.

Use the council's Community Engagement guidance when you are contacting members of the public, community groups and staff.

Stage one: Rapid Impact Assessment

Part 1: Description/Consultation

Date of Assessment: 6 November 2017	
Title of document being assessed: Savings Policy – Transformational Proposals	
<p>1. This is a new policy, procedure, strategy or practice being assessed</p> <p>(If yes please check box) <input type="checkbox"/></p>	TB09
<p>2. Please give a brief description of the policy, procedure, strategy or practice being assessed.</p>	<p>Proposal is to rationalise the council's estate of public conveniences. There is no statutory requirement for local authorities to provide public conveniences and there is no GAE funding specifically for public conveniences. Existing PCs will be available for community groups to acquire and a limited number of facilities to be converted to provide kiosk facilities. Facilities associated with the council's ports and harbours will be retained to ensure a reasonable provision across the council area. The remaining facilities will be closed, the buildings offered to the market and where there is no uptake buildings will be demolished to remove future maintenance, NDR and Utility costs.</p>
<p>3. What is the intended outcome of this policy, procedure, strategy or practice?</p>	<p>Cost reduction to a service which is not a statutory requirement and the council receives no income for. 21 of the existing facilities to remain.</p>
<p>4. Please list any existing documents which have been used to inform this Equality Impact Assessment.</p>	n/a

<p>5. Has any consultation, involvement or research with protected characteristic groups informed this assessment? If yes please give details.</p>	<p>n/a</p>
<p>6. Please give details of council officer involvement in this assessment.</p> <p>(e.g. names of officers consulted, dates of meetings etc)</p>	<p>Tom Murphy/Jim Smith</p>
<p>7. Is there a need to collect further evidence or to involve or consult protected characteristic groups on the impact of the proposed policy?</p> <p>(Example: if the impact on an individual or group is not known what will you do to gather the information needed and when will you do this?)</p>	<p>Yes DDA survey to be completed as part of asset survey for facilities to be retained.</p>

Stage one: Rapid Impact Assessment

Part 2: Protected Characteristics

Which protected characteristics will be positively or negatively affected by this policy, procedure or strategy?

NB Please place an X in the box which best describes the "overall" impact. It is possible for an assessment to identify that a positive policy can have some negative impacts and visa versa. When this is the case please identify both positive and negative impacts in Part 3 of this form.

If the impact on a protected characteristic group is not known please state how you will gather evidence of any potential negative impacts in box Part 1 section 7 above.

If there is a negative impact against a protected characteristic then a full EqIA (Stage 2) should be completed.

Protected Characteristic	Positively	Negatively	No Impact	Not Known
Age				X
Disability		X		
Ethnicity			X	
Gender			X	
Gender reassignment			X	
Marriage and Civil Partnership			X	
Pregnancy & Maternity		X		
Religion			X	
Sexual Orientation			X	

Stage one: Rapid Impact Assessment

Part 3: Impacts/Monitoring

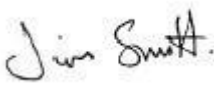
<p>1. Have any positive impacts been identified?</p> <p>(We must ensure at this stage that we are not achieving equality for one strand of equality at the expense of another)</p>	<p>No</p>
<p>2. Have any negative impacts been identified?</p> <p>(Based on direct knowledge, published research, community involvement, customer feedback etc.)</p>	<p>Yes, less public conveniences available will have an impact on people with disabilities and pregnancy/maternity.</p>
<p>3. What action is proposed to overcome any negative impacts?</p> <p>(e.g. involving community groups in the development or delivery of the policy or practice, providing information in community languages etc.)</p>	<p>Businesses are encouraged to make their toilets available to the public. Community asset transfers are supported where interest is shown.</p>
<p>4. Is there a justification for continuing with this policy even if it cannot be amended or changed to end or reduce inequality without compromising its intended outcome?</p> <p>(If the policy that shows actual or potential unlawful discrimination you must stop and seek legal advice)</p>	<p>Public conveniences are not a statutory duty of the council. The council does not receive any GAE or other funding for public conveniences</p>
<p>5. Has a 'Full' Equality Impact Assessment been recommended?</p> <p>(If the policy is a major one or is likely to have a major impact on protected characteristics communities a Full</p>	<p>Yes</p>

Equality Impact Assessment may be required.)	
6. How will the policy be monitored? (How will you know it is doing what it is intended to do? e.g. data collection, customer survey etc.)	On an ongoing basis through the Roads and Amenity Services Project Board/Management Team

Part 4: Contact Information

Name of Department : Roads and Amenity Services

Manager Responsible
Name: Tom Murphy
Designation: Operations Manager
Telephone: 014368658908
Email: Tom.Murphy@argyll-bute.gov.uk

Signature Lead Officer: Mark Calder	Date: 6/2/18
Signature of Director/Head of Service: 	Date: 07/11/2017
Name of Director/Head of Service: Jim Smith	
Date of Next Policy Review:	

Stage two: form for carrying out a full equality impact assessment

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>TB09 Public conveniences</p>
<p>Lead officer/person</p> <p><i>(The name of the officer who is responsible for developing the policy)</i></p>	<p>Tom Murphy</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 at least:</i></p> <ul style="list-style-type: none"> • <i>one person involved in developing the new policy</i> • <i>one person from another service who has not been involved in developing the policy</i> <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>Mark Calder Stuart McCracken Allan MacDonald</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>	<ul style="list-style-type: none"> • reduction in public convenience estate to make savings against ongoing budget pressures • opportunities for community groups to work with the council and develop positive relationships and robust partnerships • opportunities to develop sites/assets for the most economically advantageous purpose <p>It should be noted that a significant number of PCs will remain open on the basis that they either 1) are self-sufficient through income generation; or 2) they form part of the overall ferry waiting infrastructure at piers and harbours</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>No particular protected groups will benefit, however, communities could benefit from development opportunities</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 specifically developed to increase equality of opportunity by having a positive differential impact on people with any of the protected characteristics)</i></p>	<p>No</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.

Will the policy impact on the whole population of Argyll and Bute? Will the policy impact on particular groups within the population of Argyll and Bute? <i>(Specify whether the policy will impact upon the whole community or will there be particular emphasis on one or more groups)</i>	No Yes, as identified in rapid assessment
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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	Less access to public convenience facilities
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 whether a person is lesbian, gay, bi-sexual, heterosexual	
Marriage and civil partnership: 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: relating to the condition of being pregnant or expecting a baby and the period after the birth	Less access to public convenience facilities

3: Evidence used in developing the policy

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

<p>Involvement and consultation 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>Public and staff consultation exercises</p>
<p>Data and research Please specify what research was carried out or data collected, when and how this was done, and what other available research or data did you use?</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>This policy has been developed as a direct result of the council's budget position.</p> <p>We have researched comfort partnership schemes and hybrid management arrangements which could mitigate the impact of the proposed closures.</p> <p>We have also researched best practice in relation to community asset transfer and opportunities for communities to take ownership of these facilities</p>

<p>Partners' data and research</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>None</p>
<p>Gaps and uncertainties</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 is an opportunity to highlight these gaps and uncertainties.</i></p>	<p>No</p>

4: Detailed Action Plan to address gaps in evidence and to reduce 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>	September 2018 Decision at Argyll and Bute Council's budget setting meeting in February 2018
When will the policy be reviewed? <i>Insert the dates for the planned review of the policy.</i>	On an ongoing basis via the Roads and Amenity Services Project Board/Management Team
Who is responsible for reviewing the policy? <i>Insert the job title of the person responsible for reviewing.</i>	Tom Murphy, Operations Manager

6: Summary

Name of policy: TB09 Public Conveniences

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

Eliminate discrimination n/a
Advance equality of opportunity n/a
Foster good relations n/a

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

Signed: Tom Murphy
Lead Officer

Date: 6/2/18

Signed: 
Head of Service

Date: 09/02/18

Completed assessments must be sent to: equality@argyll-bute.gov.uk for quality control, recording and publishing on the council's website.