

Chapter Ten

How an Equality Impact Assessment is carried out within Wealden

What is an Equality Impact Assessment?

An equality assessment is a way of finding out whether an existing or proposed policy or service affects different groups of people in different ways. It aims to identify if our activities discriminate in any way or lead to inequitable treatment or outcomes.

An equality assessment can also be used to assess the extent to which positive outcomes and improved relations with equality groups arise from a policy or service.

Why are we doing Equality Impact Assessments?

It is a method to ensure that all of our services and employment opportunities are provided with equity and fairness to all. The process will support us in meeting our Corporate values, relevant equality duties, and improve the quality of the services we provide.

The assessments will determine how our existing and proposed functions or policies affect different people because of their: race, gender, disability, sexual orientation, age, religion or belief, or caring responsibilities.

Who needs to do an Equality Impact Assessment?

Relevant service managers should undertake the assessments but with help available from service area equality representatives and/or the Policy and Review Team.

Which policies/ services need to be assessed?

All new and existing policies and services need to be monitored for any adverse impact. The timetable for equality assessments for is attached at Appendix 6.

- **Proposed policies:**

You should work on the assumption that all proposed policies are relevant to the equality duties, until you have had a chance to screen them. This should be done at the beginning of the policy development, to ensure that a proposed policy with a potentially adverse impact can be revised prior to implementation.

The standard committee report template will have a section titled 'Equality and Diversity implications' which will record the results of the assessment.

- **Existing policies:**

This is an opportunity to monitor the effects of our policies and practices on different groups and monitor if we are operating within the law.

How do we do an Equality Impact Assessment?

The aim is to establish the relevance of equality issues to the area being assessed, and to ensure an appropriate and proportionate response to them.

The assessment will determine the extent of any differential impact upon the relevant groups and whether that impact is adverse, that is, whether it has a negative impact on the groups or individuals. If it is decided that the area being assessed has an adverse impact, we must either consider adopting an alternative one which more effectively achieves the promotion of equality of opportunity or measures which might be employed to mitigate the adverse impact.

What sort of assessment should I carry out?

The assessment of a proposed policy and the monitoring of an existing policy or service will follow the same procedure, which has three parts. Part 1 and 2 can be completed using the 'Equality Impact Assessment pro-forma'. If a Full Equality Impact Assessment (Part 3) is necessary then this will be completed in a report format, guidance is found at Appendix 5.

Part 1 Screening: This is a screening process to see if the service or proposed policy presents issues for any group of people. The process is outlined briefly below.

Identify main aims of the policy:

- What is the aim/ objective or purpose of the strategy/policy/service/procedure?
- Who is intended to benefit from the policy, and how?

Collect information:

It is important to have as much up-to-date and reliable information as possible about the different groups the policy is likely to affect.

The information you will need will depend on the nature of the proposed policy, but it will probably include many of the items listed below:

- Demographic data and other statistics (Census 2001 data can be found in Appendix 2 of the Wealden Equality Scheme).
- Recent research findings
- The results of consultations or recent surveys
- The results of equality monitoring data.
- Information from groups and agencies directly in touch with particular groups.
- Comparisons between your policies and similar policies in other departments, or authorities.
- Analysis of records of public enquiries about your services or policies, or complaints about them .
- Recommendations of inspector and audit reports and reviews.

Is the policy relevant to the Council's equality duties?

- Could the consequences, of the area being assessed, differ according to people's racial group, gender, religion, belief, sexual orientation or disability, because they have particular needs, experiences or priorities.?
- Is there any evidence that any part of the policy could discriminate unlawfully, directly or indirectly, against people because of their racial group, gender, religion, belief, sexual orientation or disability?
- Is there any evidence that people from different groups may have different expectations of the area being assessed?
- Is the policy likely to affect relations between certain groups, for example because it is seen as favouring a particular group or denying opportunities to another?

- Is the policy likely to damage relations between any particular group (or groups) and the Council?

Please provide as much as information as possible to help determine whether your service is directly or indirectly discriminating.

When assessing the answers to Part 1, the following key factors will help you decide whether to move on to Part 2:

- Are the benefits of the area being assessed outweighed by the extent of the risk of differential impact?

OR

- Part 1 has not provided you with enough information to consider the differential impact.

Part 2- Initial Consultation and Risk Assessment

Part 2 will be undertaken if Part 1 points to the possibility of unjustifiable differential impact on relevant groups. It will build on Part 1 and explore the risks and benefits of the area being assessed, taking into account the advice of experts or interested groups.

Part 2 will have to clearly state the risks associated with the area being assessed in relation to differential impact and weigh these against the benefits that the strategy/policy/service/procedure may have.

If the outcome of Part 2 of the assessment points to a real concern about the area being assessed in terms of differential impact, which is echoed by the views of the experts/relevant groups, then it will be necessary to undertake a Full Equality Assessment.

On completion of Part 2, you will have an idea of the risks associated with the area being assessed in relation to differential impact. You will need to progress to a Full Assessment depending on one or more of the following:

- The views of experts or interested groups indicate a concern
- The strategy/policy service/procedure is corporate and far-reaching
- The number of people affected or impacted upon by the implementation of the strategy/policy/service/procedure.

Part 3 Full assessment:

A full assessment involves interrogating all aspects of your policy/ proposed policy and forecasting its likely effects on different groups.

A full assessment should be carried out in eight stages:

1. Identify all aims of the policy
2. Consider the evidence
3. Assess likely impact
4. Consider alternatives
5. Consult formally
6. Decide whether to adopt the policy
7. Make monitoring arrangements
8. Publish assessment results.

Further detail on how to complete a full impact assessment can be found at Appendix 5 to the Wealden Equality Scheme.

Peer review

Everyone who completes an assessment will also be asked to glance a critical eye over a completed form from another service area. Equalities issues are often taken for granted – we can assume we know all our customers needs and may take a ‘one size fits all’ approach. The peer review will help to challenge this as well as improving knowledge of other services across directorates.

What happens to the results of the assessments?

The results will provide a baseline from which we can monitor our work on equalities. It may also help to identify areas where improved relations with equality groups can be achieved. The Council has a specific duty to publish the results of the assessments and these will be reported through an annual equality progress report and the full assessment report will be made available upon request. The results will also be discussed by the Internal Equality Group and shared across services to disseminate best practice.