



## Equality Impact and Outcome Assessment (EIA) Template - 2019

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age<sup>13</sup>) or use the hyperlinks ('Ctrl' key and left click).

**For further support or advice please contact:**

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

### 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	Arrangements for Council Committee Meetings 07 May to 20 July 2021	<b>ID No.<sup>6</sup></b>	SGL06
<b>Team/Department<sup>7</sup></b>	Strategy, Governance & Law		

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**Focus of EIA<sup>8</sup>**

From 07 May 2021, the Council will be required to hold physical rather than virtual committee meetings. Resuming physical meetings presents obvious Covid risks and these will be mitigated through a number of measures: reducing the number of elected members and officers required at meetings to the minimum; asking attendees to take Lateral Flow Tests in advance of meetings; requiring all attendees to wear masks; social distancing at meetings etc. Members of the public wishing to participate in or observe meetings will be asked to do so virtually. The intention is to ask political groups to limit their attendance so as to accord with the minimum requirement for meetings to be quorate: this is 3 members for most committee meetings and 14 members for meetings of Full Council. Different arrangements may be required for Planning Committee and the Health & Wellbeing Board.

These arrangements have potential implications for equalities, both in terms of the members and officers attending meetings, and in terms of public access to meetings.

In terms of public access, these arrangements will be largely similar to the arrangements that have been in place over the past year for observing virtual meetings via webcast and participating in meetings via Microsoft Teams. Observing or participating in meetings digitally poses problems for some members of the public, particularly those who have limited access to or are uncomfortable using digital technologies. However, digital meetings have also made accessing local democracy easier for a range of people who may have struggled to access physical meetings. As we move forward it will be important to recognise and where possible retain features that have improved access for some communities.

## 2. Update on previous EIA and outcomes of previous actions<sup>9</sup>

<b>What actions did you plan last time?</b> (List them from the previous EIA)	<b>What improved as a result?</b> What outcomes have these actions achieved?	<b>What <u>further</u> actions do you need to take?</b> (add these to the Action plan below)

### 3. Review of information, equality analysis and potential actions

Groups to assess	What do you know <sup>10</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>11</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>12</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>13</sup> ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age <sup>14</sup>	<p><b>Member/officer attendance:</b> older people are at greater risk from Covid, but are also more likely to have been vaccinated than younger people. Given that only a proportion of committee members will be asked to attend meetings physically, Groups should be able to manage attendance so members at greater risk of Covid infection are not exposed to unnecessary risk. (However, this is not the case for independent members). Officers should be able to manage attendance in a similar way to minimise age-related risk.</p> <p>Political groups will need to be supported to help elected members understand the risks posed by attending</p>	<p>The Council has been operating virtual meetings since mid-2020 and public participation has been generally effective via Microsoft Teams, including participation by older people.</p>		<ul style="list-style-type: none"> <li>• No specific actions are planned for public access – current arrangements for virtual meetings will continue for members of the public and these have been successful to date.</li> <li>• BHCC will provide support to Political Groups to manage the attendance at physical meetings of elected members.</li> <li>• Attention needs to be given to the risk of Covid infection posed by physical meetings, particularly to those with greater than average vulnerabilities.</li> <li>• Attention should also be given to other potential access issues, given that it is almost</li> </ul>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	<p>physical meetings, and the mitigations that have been employed.</p> <p>Public: members of public will be required to continue to observe meetings via the BHCC webcast and to participate in meetings (public Qs/deputations/petitions) via Microsoft Teams. There is a risk that digital-only access poses disproportionate challenges for older people.</p>			<p>12 months since we last held physical committee meetings: members and/or officers who had no particular access issues a year ago, may now have issues that need to be addressed.</p> <ul style="list-style-type: none"> <li>• Whilst the main Political Groups will have the option of choosing which of their members attends a given meeting in person, this option is not open to Independent members. It is therefore particularly important that Independent members understand the risks of attending meetings in person and are comfortable with the measures being put in place.</li> <li>• Officer attendance will be kept to the minimum: e.g. the</li> </ul>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				<p>relevant Director(s) or their representatives; the committee legal adviser; the committee clerk. Managers in the relevant BHCC departments will need to work with individual staff members to ensure that officers attending meetings are aware of the risks posed and that managers are aware of any vulnerabilities officers may have and have put additional mitigatory measures in place where appropriate.</p>
<b>Disability<sup>15</sup></b>	<p>Disabled people may be at greater risk of mortality/morbidity from Covid.</p> <p>Committee meetings will take place in Hove Town Hall Council Chamber, which has disabled access. Members of the public will continue to</p>			<ul style="list-style-type: none"> <li>• Managers will need to communicate and work with disabled staff who need to physically attend meetings to understand and mitigate any risks arising from impairments or health conditions.</li> </ul>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	<p>observe and participate virtually in committee meetings.</p> <p>However, there is a specific potential impact for D/deaf or Hearing impaired people:</p> <p><b>Members/officers:</b> all people attending committee meetings will be required to use masks at all times. This means that it will not be possible for attendees to lip-read. In addition, the captions option on Microsoft Teams which improves access for people with hearing impairments will not be available for people attending meetings in person.</p> <p><b>Public:</b> similarly members of the public who lip-read will not be able to follow meetings where all attendees are masked.</p>			<ul style="list-style-type: none"> <li>• Managers should not assume that they are already aware of staff vulnerabilities and must engage individually with staff to assess and meet additional needs.</li> <li>• Managers will need to work with any disabled elected members who need to physically attend meetings to understand and mitigate any risks arising from impairments of health conditions.</li> <li>• Consideration should be given to using BSL interpreters at meetings to support members/officers who are D/deaf and people with hearing impairments, if they require this access support.</li> <li>• Using BSL interpreters</li> </ul>

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<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				<p>will not improve access for members of the public observing meetings via webcast.</p> <ul style="list-style-type: none"> <li>• Consideration should be given to permitting members of the public who register an interest to join the Microsoft Teams meeting call for a committee meeting, so they can use the captions facility on Teams.</li> <li>• BHCC should explore the potential to introduce a captioning facility to webcasts.</li> </ul>
<b>Gender reassignment<sup>16</sup></b>	No risks have been identified here.			
<b>Pregnancy and maternity<sup>17</sup></b>	Members/officers: pregnant woman are at greater than average risk from Covid infection as they are not eligible for vaccination. It is envisaged that this can			<ul style="list-style-type: none"> <li>• Managers will need to work with officers/elected members planning to attend meetings in person to identify those at greater infection risk</li> </ul>



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	be managed by Groups/directorates given that only a proportion of a committee's membership are required at any meeting.			due to pregnancy/maternity and to provide additional protection where appropriate.
<b>Race/ethnicity<sup>18</sup></b> Including migrants, refugees and asylum seekers	People from Black and Minority Ethnic backgrounds have experienced disproportionate mortality and morbidity from Covid.			<ul style="list-style-type: none"> <li>• Managers will need to work with officers/elected members identifying as Black and Minority Ethnic to ensure that any additional needs are identified and met.</li> <li>• Officer attendance will be kept to the minimum: e.g. the relevant Director(s) or their representatives; the committee legal adviser; the committee clerk. Managers in the relevant BHCC departments will need to work with individual staff members to ensure that officers attending meetings are aware of the risks posed and that</li> </ul>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				managers are aware of any vulnerabilities officers may have and have put additional mitigatory measures in place where appropriate.
<b>Religion or belief<sup>19</sup></b>	No risks have been identified			
<b>Sex/Gender<sup>20</sup></b>	No risks have been identified			
<b>Sexual orientation<sup>21</sup></b>	No risks have been identified			
<b>Marriage and civil partnership<sup>22</sup></b>	No risks have been identified			
<b>Community Cohesion<sup>23</sup></b>				
<b>Other relevant groups<sup>24</sup></b>	Managers will need to work with individual officers/elected members who need to attend meetings in person to identify and meet any			<ul style="list-style-type: none"> <li>• Managers will need to work with individual officers/elected members who need to attend meetings in person to identify and</li> </ul>

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	additional needs.			meet any additional needs.
<b>Cumulative impact<sup>25</sup></b>				

**Assessment of overall impacts and any further recommendations<sup>26</sup>**

Moving back to physical BHCC meetings is unlikely to have a significant impact on equalities generally. For members of the public, committee meetings will continue to be accessed by digital means – e.g. webcast or Microsoft Teams for people directly participating in meetings. For elected members and officers, physical attendance at committee meetings will need to be managed to minimise risks to people at greater vulnerability to Covid infection, either because of their age, ethnicity, disability, health or vaccination status. Given that only a proportion of members will be asked to attend any committee meeting in person, it should be possible for Political Groups supported by BHCC HR to manage attendance accordingly. However, this will not be possible for Independent members. BHCC Departments will need to work with BHCC officers who will need to attend meetings in person to identify any vulnerabilities and put appropriate measures in place. This may include not requiring vulnerable staff members to attend meetings in person.

As we move to a hybrid physical/digital model it is important that the benefits that digital access has presented to many people are recognised and preserved.

There is a specific potential impact in relation to access for people who are D/deaf or have a hearing impairment, as the requirement for people participating physically in meetings to wear masks at all times will mean that lip-reading is not possible. The obvious mitigation for this is to commission BSL-interpreters for meetings. For public access, consideration needs to be given to allowing members of the public who have registered a need to join the Microsoft Teams call for a meeting (permitting them to use the captioning facility on Teams). In addition, the feasibility of introducing captioning for webcasts needs to be explored.

**4. List detailed data and/or community feedback that informed your EIA**

<b>Title</b> (of data, research or engagement)	<b>Date</b>	<b>Gaps in data</b>	<b>Actions to fill these gaps: who else do you need to engage with?</b> (add these to the Action Plan below, with a timeframe)

## 5. Prioritised Action Plan<sup>27</sup>

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
<p>Age (older people at greater risk of Covid infection/younger people less likely to be vaccinated)</p>	<p><b>General measures:</b></p> <p><b>Limit member and officer attendance to minimum required to run meetings properly and in accordance with law. (This will allow political groups and BHCC departments to shield particularly vulnerable people.)</b></p> <p><b>Require all those attending meetings to have a negative Covid test.</b></p> <p><b>Require all those attending meetings to wear appropriate masks at all times.</b></p> <p><b>Thorough cleansing of Council Chamber in advance of meetings.</b></p> <p><b>Social distancing at all meetings.</b></p>	<p><b>Minimise risk of Covid infection from resuming physical committee meetings</b></p>	<p><b>Zero Covid infections linked to meetings</b></p>	<p><b>May to July 2021</b></p>

	<p><b>Managers to work with individual officers/elected members (specifically including Independent members) who need to attend meetings in person to understand any additional vulnerabilities and put additional mitigatory measures in place</b></p>			
Disability	<p><b>General measures:</b></p> <p><b>Limit member and officer attendance to minimum required to run meetings properly and in accordance with law. (This will allow political groups and BHCC departments to shield particularly vulnerable people.)</b></p> <p><b>Require all those attending meetings to have a negative Covid test.</b></p> <p><b>Require all those attending meetings to wear appropriate masks at all times.</b></p> <p><b>Thorough cleansing of Council Chamber in advance of meetings.</b></p>	<p><b>Minimise risk of Covid infection from resuming physical committee meetings</b></p>	<p><b>Zero Covid infections linked to committee meetings</b></p>	<p><b>May to July 2021</b></p>

	<p><b>Social distancing at all meetings.</b></p> <p><b>Managers to work with individual officers/elected members who need to attend meetings in person to understand any additional vulnerabilities and put additional mitigatory measures in place</b></p> <p><b>Consider using BSL interpreters to support people attending meetings in person who are D/deaf and people with hearing impairments.</b></p> <p><b>Consider allowing members of the public who are D/deaf and people with hearing impairments to join teams call for meetings (and thereby access captioning function)</b></p> <p><b>Explore feasibility of introducing captioning function to BHCC webcasts</b></p>			
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<p>ethnicity</p>	<p><b>General measures:</b></p> <p><b>Limit member and officer attendance to minimum required to run meetings properly and in accordance with law. (This will allow political groups and BHCC departments to shield particularly vulnerable people.)</b></p> <p><b>Require all those attending meetings to have a negative Covid test.</b></p> <p><b>Require all those attending meetings to wear appropriate masks at all times.</b></p> <p><b>Thorough cleansing of Council Chamber in advance of meetings.</b></p> <p><b>Social distancing at all meetings.</b></p> <p><b>Managers to work with individual officers/elected members who need to attend meetings in person to understand any additional vulnerabilities and put</b></p>	<p><b>Minimise risk of Covid infection from resuming physical committee meetings</b></p>	<p><b>Zero Covid infections linked to committee meetings</b></p>	<p><b>May to July 2021</b></p>
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	<b>additional mitigatory measures in place</b>			

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

**Staff member completing Equality Impact Assessment: Giles Rossington**

**Date: 06/04/21**

**Directorate Management Team rep or Head of Service/Commissioning:**

**Date:**

**CCG or BHCC Equality lead:**

**Anna Spragg**

**Date: 6 April 2021**

## Guidance end-notes

<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 our equality duties and apply them appropriately in their 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 and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have 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 impact and potential impact of our activities on all people in relation to their '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 what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

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

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by people due to their protected characteristics
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
  - Encouraging people from protected groups to participate in public life or in other activities where their 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

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<sup>3</sup> EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

<sup>4</sup> **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

**Do you need to complete an EIA? Consider:**

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

<sup>7</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** 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 Assessment (EIA)'

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This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service 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 policy, practice, service 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, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

<sup>10</sup> **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?<sup>10</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 groups identified above 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?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#> ) and national ones where they are relevant.

<sup>11</sup> **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- 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.

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- Try to consult in ways that ensure all perspectives can be considered.
  - Identify any gaps in who has been consulted and identify ways to address this.

<sup>12</sup> Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must 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 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>13</sup> Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- 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 improve 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 EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

<sup>14</sup> **Age:** People of all ages

<sup>15</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.

<sup>16</sup> **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

<sup>17</sup> **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

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<sup>18</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>19</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>20</sup> **Sex/Gender:** Both men and women are covered under the Act.

<sup>21</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

<sup>22</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

<sup>23</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

<sup>24</sup> **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

<sup>25</sup> **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

<sup>26</sup> **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?

<sup>27</sup> **Action Planning:** The Equality Duty 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.