

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-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) 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 needed⁴.

Title of EIA⁵	Pedestrian Crossing Programme 2021/22 – 2022/23	ID No.⁶	EEC29
Team/Department⁷	Transport Projects and Engineering		
Focus of EIA⁸	<p>Pedestrian crossing points are key to helping pedestrians travel safely around the city and the scope of this programme is to improve pedestrian crossing facilities thus improving safety, reducing accidents, improving perception of personal safety for cyclists and pedestrians to reduce car dependency and usage, encouraging more active lifestyles particularly for shorter journeys.</p> <p>Brighton & Hove City Council's (BHCC) Transport Projects & Engineering (TP&E) Team collates and assesses requests received for new or improved pedestrian crossings from both members of the public and local Ward Members each financial year. The top 10 locations are then determined whether they are viable for improvement, subject to the availability of funds. The 'type' of crossing</p>		

facility proposed is considered on a case-by-case basis by Highway Engineers.

This project's deliverables, particularly during construction phase, will likely have an impact on many users of the identified crossing locations. The TP&E team will be investigating design options that mitigate temporary and existing infrastructure and as part of this work engagement with stakeholders including residents, local businesses, transport operators/providers and equality and inclusion groups (representing e.g. disabled people, young, elderly, BAME) will be held.

2. Update on previous EIA and outcomes of previous actions⁹

What actions did you plan last time? (List them from the previous EIA)	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)
n/a (This document is initial EQIA) – 29/10/2021		

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹⁴	<p>Residents of Brighton & Hove: 45,375 (15.6%) 0-15yrs old 206,515 (71.1%) working age 38,505 (13.3%) aged 65+ including around 6% aged over 75</p> <p>The city's population is predicted to get older, with the greatest projected increases in the 60 to 74 years (33%) and 75+ age group (30%,).</p> <p>The number of children in Brighton & Hove will increase slightly. It is predicted there will be 800 more children (6%) aged 0-4, with more than half of the increase (500 people) happening by 2020. The number of 5-14 years old is expected to remain around the same (100 fewer</p>	<p>Numerous requests for pedestrian crossings come from parents/carers who are either attempting to cross the road with children and feel unsafe or requesting safer crossing locations for their children to safely cross independently</p>	<p>Younger people need a safer crossing environment to enable them to walk more easily, safely and independently.</p> <p>Elderly people would also benefit from this as they become less able to drive.</p>	

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	<p>children). There are projected to be 4,800 more young people (a 10% increase) aged 15-24 years by 2030</p> <p>A third of young people (aged 5 to 16) are physically inactive.</p> <p>Around 1 in 3 children are currently driven to their primary school in the city</p>			
Disability¹⁵	<p>51,000 (22%) of adults in the city have two or more long term health conditions</p> <p>19,000 (8%) of adults in the city have mental and physical disabilities</p> <p>There are c.13,500 blue badge holders in the city</p> <p>There are c. 6,900 disabled concessionary bus pass holders in the city</p>	<p>Feedback has been received from partially sighted individuals advising they do not feel safe crossing busy roads</p>	<p>Partially-sighted and blind people will not necessarily be aware of changed road layouts resulting from improvements to the pedestrian crossings</p> <p>Disabled car users may not be able to access areas of the city easily if disabled parking bays are suspended as part of temporary changes</p> <p>Changes to the crossing</p>	<p>Continue to work with representative groups in the city to understand the key crossing issues for disabled people.</p> <p>Consider opportunities to relocate blue badge bays to more convenient locations wherever possible</p> <p>Increase step-free access and avoid or reduce, as far as possible, any physical</p>

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	More than one in 20 residents say their day to day activities are 'limited a lot' due to a long term health problem or being disabled.		locations may exclude disabled people from areas they were previously able to access easily. Obstructions, poor quality footways and crossings, and inaccessible walking infrastructure may discourage disabled people from travelling actively.	barriers as part of crossing improvements that would create accessibility issues for wheelchair users and people with mobility impairments Ensure lighting, signs and other infrastructure do not cause obstructions on the pavement. Share information about changes and works being undertaken at the crossing location with local representative groups for wider dissemination.
Gender reassignment¹⁶	There are at least 2,760 transgender adults living in Brighton & Hove and many more visit, study or work in the city		No specific impacts of the Action Plan identified for this group.	
Pregnancy and maternity¹⁷	• 25% of households in the city have dependent children	Numerous requests for pedestrian crossings come from parents/carers who are either attempting	A significant number of people may need / choose to travel as part of a family unit	Ensure changes are designed with family travel in mind, e.g. space and safety

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		to cross the road with children and feel unsafe or requesting safer crossing locations for their children to safely cross independently		
Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers	52,000 residents were born outside of the UK (18% of the city's population) One in five people (19.5%) are from a Black or Minority Ethnic group For eight per cent of residents (21,833) aged over three years English is not their main or preferred language		People who do not speak / have poor English may struggle to access information about the transport changes that would help keep them safe.	Ensure interpreting services are available to support customers whose first language is not English Share information about the changes with local groups for wider dissemination to different communities
Religion or belief¹⁹	49% of the city's population have a religion or belief.		A significant portion of the population may wish to travel to places of worship and/or to congregate / travel for religious ceremonies	Ensure where crossings are being upgraded near places of worship that there is sufficient pavement space near places of worship for

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			(e.g. burials) / events / festivals in the city.	pedestrians when they gather.
Sex/Gender²⁰	<p>The gender split of Brighton & Hove's population is even (50/50)</p> <p>Women tend to be the primary carer at home and are less likely to be in full time employment</p> <p>In the city, 58% of carers are women rising to 62% of those providing care for 50 hours or more a week. The majority of caregivers, at home and in our communities, are also women.</p>	<p>Numerous requests for pedestrian crossings come from women who are parents/carers are either attempting to cross the road with children and feel unsafe or requesting safer crossing locations for their children to safely cross independently</p>	<p>Women are more likely to be travelling on the network with family members, as primary carers</p>	<p>Consider the needs of key workers (e.g. care workers) when making changes / upgrades to the crossing (e.g. removing parking spaces, ensure width for buggies or wheelchairs are considered).</p>
Sexual orientation²¹	<p>11-15% of the city's population (aged 16+) is estimated to be lesbian, gay or bisexual.</p> <p>The city is known for being a welcoming place for LGBTQ+ people and hosts large-scale annual events such as Pride</p>		<p>No specific impacts of the Action Plan identified for this group.</p>	

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Marriage and civil partnership²²			No specific impacts of the Action Plan identified for this group.	
Community Cohesion²³	The council has a responsibility to promote good relations between people of different protected characteristic groups under the Equalities Act			Share information about changes and works being undertaken at the crossing location with local representative groups for wider dissemination.
Other relevant groups²⁴	There are 8,635 lone parent families in the city – lone parents, in particular, experience problems coordinating work time with childcare and education			Ensure changes are designed with family travel in mind, e.g. space and safety
Cumulative impact²⁵	<p>Around 3 people are killed and 158 seriously injured on the city's roads each year.</p> <p>More than half of the people killed or seriously injured on the city's roads are pedestrians or pedal cyclists</p> <p>38.2% of households in</p>			

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	the city don't own a car (or have one available). This increases to over 60% in more central areas of the city.			
Assessment of overall impacts and any further recommendations²⁶				
<p><i>Brighton & Hove's transport network can be used by everyone and therefore any implementation or upgrades of pedestrian crossings have the potential to impact on all groups of people with protected characteristics under the Equality Act.</i></p> <p><i>As the implementation or upgrades of pedestrian crossings identified in the Pedestrian Crossing Priority List are made the groups most at risk of being disproportionately affected are disabled people, young and old people, those from BAME groups and women. It is important that any changes</i></p> <ul style="list-style-type: none"> <i>• meet physical accessibility standards, so as not to negatively impact disabled people</i> <i>• take into account the requirements for space needed for journeys made by young and old people and parents/carers</i> <i>• take into account the requirement for translation services/signage required for people where English is not their first language</i> 				

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

Title (of data, research or engagement)	Date	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)
BHCC Corporate Plan 2020-2023	2020	None identified	
UK Population Census	2011	None identified	
BHCC Covid-19 Urgent Response Transport Action Plan	June 2020	None identified	
Customer contact via transport.projects inbox	From April 2020	Largely reflects views of people who are against changes / wish to complain	Engage with representative groups to understand key challenges faced by protected characteristics groups

5. Prioritised Action Plan²⁷

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.				
All	Ensure detail of changes/upgrades to crossing locations are published publicly	More people aware of what the council is doing and can plan their journeys accordingly	Fewer public enquiries about the changes	As and when TRO's are advertised
All	Share information about changes with local community / representative groups to disseminate widely	Wider groups are aware of changes and can plan accordingly	Fewer negative impacts / complaints about the measures from specific groups	Pre implementation
Parents, Disabled People Age	Ensure measures that are in place for temporary works meet accessibility standards	Disabled users of the crossing and families are able to utilise the new measures safely and without obstruction	No complaints from these groups about the changes	Pre and during implementation
BAME groups – people whose first language is not English	Ensure information is shared about changes with local community / representative groups to disseminate widely	Greater awareness of the changes among minority groups	Information is shared and there are no complaints from these groups about the changes	Pre and during implementation
All (particularly people who have a religion/belief, and specific community groups)	Ensure all works take into account people gathering near places of worship, community hubs and shops	People are still able to gather and that works don't obstruct this gathering	No complaints about physical space from communities / residents wanting to gather	Pre and during implementation

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:

Jacindy Cartland

Date: 24/01/2022

CCG or BHCC Equality lead:

Janice Markey

Date: 24/01/2222

Guidance end-notes

¹ 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.

² 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

³ 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.

⁴ **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.

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

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

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

⁸ **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)'

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.

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

¹⁰ **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?¹⁰
- 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.

¹¹ **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.

¹² 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?

¹³ 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.

¹⁴ **Age:** People of all ages

¹⁵ **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.

¹⁶ **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

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

¹⁸ **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.

¹⁹ **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.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

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

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

²⁴ **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

²⁵ **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

²⁶ **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?

²⁷ **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.