

Equality Impact and Outcome Assessment (EIA) Template - 2015

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 the Communities, Equality and Third Sector Team on ext 2301.

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	Allocation of temporary accommodation out of area	ID No.⁶	H61
Team/Department⁷	Housing Options Team/Emergency Placement Team		
Focus of EIA⁸	<p>The purpose of this EIA is to examine whether the council's use of temporary accommodation located outside of the city impacts disproportionately on households who have any identified 'protected characteristics' as defined by the Equality Act 2010.</p> <p>There is a legal requirement for councils to have an 'allocation of temporary accommodation' policy (referred to as 'the policy' in this document). The council has a legal duty to provide accommodation for certain groups of households who become homeless. This means that homeless households considered to be in 'priority need', such as those with dependent children or persons who are vulnerable as a result of a mental health problem or physical disability will be provided with emergency accommodation while enquiries are made into the homeless application in order to assess whether the council has a duty to provide accommodation on a long term basis.</p> <p>To fulfil this duty the council has a contract with a number of accommodation providers who provide 'block-booked' accommodation which is mainly located within the city.</p> <p>Due to the very high demand on the council's homeless service it is commonly the case that this contracted block-booked accommodation is full. This means that the council has to book 'spot purchase' accommodation with providers with whom the council does not have a contract with. This type of accommodation is more likely to be located outside of the city .</p> <p>The policy requires that all households that the council has a duty to accommodate are assigned with a banding which</p>		

reflects the priority of the household being accommodated within the city.
In the event that a household is placed into the priority banding but has still had to be placed outside of the city on the day that the accommodation is required then the emergency placement team will move the household back into the city as soon as a suitable property becomes available. A list of those households requiring to be moved back into the city is maintained by the team and updated daily. Because of the high demand on the service it is still the case that households who are prioritised for a move back into the city may have to wait some time before this can happen.

Concerns have been raised that being accommodated outside of the city adversely affects some households. A range of both internal and external departments and agencies, including Adult Social Care, Children's services, Just Life, mental health team for homeless people, St. Mungo's, the Temporary Accommodation Action Group and others who provide support for particular client groups have raised concerns about individuals and households being placed outside of the city due to the difficulties that may be experienced regarding such matters as access to schools, medical services etc Most of the support groups that provide help for those in emergency accommodation are not able to effectively offer help for those placed outside the city. This is because their services are restricted or commissioned to work with households only within the city limits.

This EIA is for the purpose of identifying whether it is the case that certain households are adversely affected by being placed into accommodation outside of the city and how this can be mitigated.

2. Update on previous EIA and outcomes of previous actions

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 further actions do you need to take? (add these to the Action plan below)
N/A		

3. Review of information, equality analysis and potential actions

Protected characteristics groups from the Equality Act 2010	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations 																																	
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		<p>these matters directly with parents of children placed out of area the same concerns weren't generally raised and most stated that it was straightforward to move their child's school or if deciding to keep their children at the same school in the city that travelling to do this was not overly expensive or difficult.</p>	<p>family/friends and other support networks are part of plans. A change of health visitors may impact on isolation and in some case on parental mental health, substance misuse issues and social work time. Social Workers are required to do CP visits every ten working days and if a social worker is having to use public transport to get to Eastbourne such a visit can take the best part of a day.</p>	<ul style="list-style-type: none"> • Advice and information on how to change schools, GPs etc. • Signpost to money advice agencies to assist with h any additional travel costs incurred. • Ensure that all households are referred for support to relevant agencies who work outside of the city (e.g.'Homework's) • ensure that existing support providers in the city are advised if their clients have been placed outside of the city. <p>The council has a 'Temporary Accommodation reduction plan' that will reduce the use of out of area placements to the extent that we should only have to use out of area placements in very rare circumstances- normally if the person has been evicted from block booked</p>

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Age	Number	% age of placements into all temporary accommodation which are out of area								
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		It is reported by some agencies such as St Mungos who	Some very vulnerable persons are at risk of rough sleeping instead of							

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		<p>who are most likely to find it difficult to relocate outside of the city because they find it harder to cope with change, lose contact with support networks and find it harder to transfer support packages.</p> <p>Discussions held with a number of persons who are vulnerable as a result of a mental illness and/or substance misuse issues who have been placed outside of the city did not on the whole cite the same problems- most stated that it was quick and easy to register with a different GP and transfer other services. Some stated that being moved out of the city had been beneficial because it was 'quieter' and removed them from former associates who may have had a bad influence on</p>	<p>something their clients do not have</p> <p>Clients need money to travel to Brighton, often something they do not have</p> <p>There is a reported significant drug dealing issue at Kendal Court, Newhaven – leading to incidences of relapse as a consequence.</p>	<p>. Meetings have been held with the main out of area support group 'Homeworks' as well as SCDA to improve information giving and referral routes to increase support for those placed outside of the city.</p> <p>Adult Social Care state this is being looked at by the Commissioner to have some sort of Pan Sussex agreement as in some areas they may say they do not have a problem therefore do not require to</p>

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		<p>them.</p> <p>Adult Social Care state that substance misuse services outside of the city are 'patchy' and that this is why some substance misusers come to Brighton in the first place.</p>		<p>commission service but we know they is a problem as people come to Brighton for the Services!</p>

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<p>Gender reassignment¹³</p>	<p>During the time period in which the information for this EIA was gathered, 01/04/17-12/07/17 no one identifying as transgender was placed out of area</p>			<p>It is anecdotally reported by persons identifying as transgender that they need to be near support services in the city which are well developed and which are not available outside of the city.</p> <p>The Trans Scrutiny work undertaken by the council and partners identified that Trans people are more likely to be face discrimination and therefore likely to find it difficult to find appropriate housing.</p>	<p>If placed out of area some individuals may choose not to go because of concerns over transphobia thereby placing the individual at risk if choosing to remain in the city even if street homeless.</p>	<p>Provide info on where to access support around transgender issues, groups etc</p>										
<p>Pregnancy and maternity</p>		<table border="1"> <tr> <td>Pregnant no other child</td> <td></td> <td>%age of placements into all temporary accommodation which are out of area</td> </tr> <tr> <td></td> <td>Numbers</td> <td></td> </tr> <tr> <td></td> <td>17</td> <td>10.8%</td> </tr> </table>	Pregnant no other child		%age of placements into all temporary accommodation which are out of area		Numbers			17	10.8%			<p>Following discussions with a number of households with children placed out of area it was generally reported that it had been straightforward in</p>	<p>There is the potential for there to be disruption to pregnancy and maternity care leading to anxiety to parents.</p> <p>There is the potential for disruption to support provided from family / friends and other support</p>	<p>Notifications are made to health visitors based outside of the city when placing pregnant women out of area.</p> <p>A meeting has been held with the 'Healthy Futures' team regarding this.</p>
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	<p>We are only able to report on households with a pregnant member. We are not able to produce a report which shows us households up until the age of 1.</p>	<p>transferring maternity and health visitor support. The health visitor service have similarly stated that they don't consider this to be a particular problem as the local health visitor service will be contacted if accommodated outside of the city and are generally linked in without too much delay.</p>	<p>networks. Those with substance misuse problems who may find it difficult to find similar services out of the city may disengage leading to potential harm to both mother and pregnancy.</p>	<p>Provide information sheets to households about how to transfer support services.</p>

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Sexual orientation ¹⁷	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Sexual orientation</th> <th style="width: 25%;">Numbers</th> <th style="width: 50%;">%age of placements into all temporary accommodation which are out of area</th> </tr> </thead> <tbody> <tr> <td>Bisexual</td> <td style="text-align: center;">4</td> <td style="text-align: center;">16.0%</td> </tr> <tr> <td>Gay</td> <td style="text-align: center;">4</td> <td style="text-align: center;">17.4%</td> </tr> <tr> <td>Heterosexual</td> <td style="text-align: center;">137</td> <td style="text-align: center;">20.2%</td> </tr> <tr> <td>Lesbian</td> <td style="text-align: center;">4</td> <td style="text-align: center;">44.4%</td> </tr> <tr> <td>Other</td> <td style="text-align: center;">4</td> <td style="text-align: center;">22.2%</td> </tr> <tr> <td>Prefer not to say</td> <td style="text-align: center;">6</td> <td style="text-align: center;">24.0%</td> </tr> </tbody> </table>	Sexual orientation	Numbers	%age of placements into all temporary accommodation which are out of area	Bisexual	4	16.0%	Gay	4	17.4%	Heterosexual	137	20.2%	Lesbian	4	44.4%	Other	4	22.2%	Prefer not to say	6	24.0%	Some persons who identify as LGBT have stated that they feel safer in the city as it is more diverse with a larger proportion of persons identifying as LGBT..	There is the potential for some persons making the decision to remain homeless rather than move outside of the city thereby placing themselves at risk.	Provide advice and information on advice and support services for those placed outside of the city.
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Marriage and civil partnership ¹⁸	We do not hold data for this characteristic	No specific issues have been identified or raised by the community.																							
Community Cohesion ¹⁹	We do not hold data for this characteristic	No specific issues have been identified or raised by the community.																							
Other relevant groups ²⁰	Carers: we do not hold data for this characteristic.	It has been reported that carers who have been accommodated outside of the city that they find it problematic to meet their caring responsibilities for family members still living in Brighton & Hove.	Potential for increased isolation for those being provided with care, negative impact on health and wellbeing. Greater travel costs and time for carers, emotional impact of less ability to provide care. The council can also incur additional costs if care packages have to	The Temporary Accommodation Allocation Policy prioritises this group for transfer back into the city : someone who is officially caring for another person in the city as part of a care plan agreed with the relevant social care department.																					

Protected characteristics groups from the Equality Act 2010	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			be provided outside of the city.	
Cumulative impact ²¹	Need advice on this			
Assessment of overall impacts and any further recommendations²²				
<p>It is acknowledged that certain groups of persons are likely to be more adversely affected than others by the location of the temporary accommodation that they are provided with for various reasons. To mitigate this the council prioritises the allocation of emergency accommodation in the city for them and this is written into the Allocation of Temporary Accommodation ' policy .</p> <p>Various measures have been put into place to support households including ensuring that all those households who are willing to be are referred to a support agency appropriate to their support needs. This is the case whether the accommodation is in the city itself or outside of the city.</p> <p>The council has also employed two 'Temporary Accommodation Welfare Officers' whose primary remit is to ensure that vulnerable households are linked in with the support that they need.</p> <p>Further work needs to be done on improving the information that is provided to households being accommodated about the services available in the area that they have been placed. This work is being developed by the welfare officers as well as discussions being held with the accommodation providers.</p> <p>Despite the council doing all that it can to accommodate households in the city it is the case that because of the very limited supply of affordable housing in the city the council will probably never be able to do this.</p> <p>It is further noted that the homeless 'code of guidance' and relevant case-law states that although local authorities should make every reasonable effort to accommodate households in its own area it acknowledges that this is not always possible and that it may be necessary to accommodate households outside of its own boundaries.</p> <p>The outcome of the 'Temporary Accommodation Reduction Plan' is that the council will no longer have to rely so heavily on accommodation which is located outside of the city</p>				

4. List detailed data and/or community feedback which 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)
Emailed response to our request for information from Just Life (support service for homeless persons placed into emergency accommodation)	20/07/17		
Emailed response to our request for information from YMCA Downslink (commissioned young persons' support and mediation services)	18/07/17		
Emailed response to our request for information from Mental Health Team for homeless people	06/07/17		
Emailed response to our request for information from Adult Social Care (social services)	06/07/17		
Emailed response to our request for information from MASH (children's social services)	27/07/17		
Meeting with 'Fulfilling Lives' (working with adults with complex and multiple support needs)			
Telephone calls to households placed into accommodation outside of the city, feedback given by 18 households	4/7/17 5/7/17	Its noted that this is a small representative sample of total numbers of households placed out of area	The recently formulated 'Temporary Accommodation Action Group' which includes service users, accommodation providers, support agencies and others is currently looking at ways of getting feedback from households in emergency accommodation generally. Ensuring that households placed out of area are included will be part of that work.

Visit to emergency accommodation in Eastbourne. 14 households gave feedback on their experiences of being placed out of area	25/7/17	Its noted that this is a small representative sample of total numbers of households placed out of area	See above
Visit to emergency accommodation in Newhaven. 11 households gave feedback on their experience of being placed out of area	29/8/17	Its noted that this is a small representative sample of total numbers of households placed out of area	See above
Emailed response from 'Health Futures' team(health visitors)	18/10/17		

5. **Prioritised Action Plan**²³

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.				
PUT INFO FROM 'WHAT YOU CAN DO' INTO THIS SECTION				
Households with children attending school.	<p>The policy acknowledges the potential impact that being placed outside of the city may have on those households containing children with special needs and states that any household containing the following are to be prioritised to be moved back into the city as soon as possible:</p> <ul style="list-style-type: none"> • a child in secondary school within the city in their final year of key stage 4 (generally year 11) • a child who has a Statement of Special Educational Needs and or an Educational health Care Plan and is at school in the city • a child who is the subject of Child Protection Order 	Those households who are identified as requiring accommodation within the city as a priority are either placed straight into accommodation in the city if it is available or will be prioritised for a move back into the city if accommodated outside of the city.	A reduction in the numbers of households with children who fall into this category placed into accommodation outside of the city. A reduction in the overall amount of accommodation outside of the city that is used by the council.	Ongoing.

	<p align="center">Plan from BHCC</p> <p>Whenever a placement is made into emergency accommodation the household is assessed in accordance with the policy and is assigned a banding which reflects the need and priority for the household to be accommodated within the city. This is recorded and the team responsible for the allocation of temporary accommodation monitors the list to ensure that those household who have been identified as needing to be transferred back into the city are prioritised for the next available accommodation in the city.</p> <p>To overall reduce the amount of accommodation used outside of the city in accordance with our 'Reduction of Temporary Accommodation Action Plan'</p>			
<p>All households who are not prioritised within the terms of the policy for a move back into the city.</p>	<ul style="list-style-type: none"> • Advice and information to be provided on location of schools, GPs etc in areas outside of the city. • Ensure that all households are referred for support 	<p>Households placed into accommodation outside of the city will be better informed about available services and there will be greater continuity of support for those who may have to change their support provider.</p>	<p>Fewer concerns raised from support providers about their clients not receiving the support that they require.</p>	<p>Ongoing .</p>

	<p>to relevant agencies who operate outside of the city (e.g. 'Homeworks')</p> <ul style="list-style-type: none"> ensure that any existing support providers in the city are advised when their clients have been placed outside of the city. 			
Households requiring specific medical treatment that is only available within the city.	<p>The policy makes allowance for those who: are receiving medical treatment that can only be provided by a specific medical facility within the city and that treatment requires a high volume of attendance at that medical facility (a minimum of 2 – 3 times per week). Those persons falling into this category will be placed in the priority banding to be placed/moved back to accommodation in the city</p> <p>Comprehensive information sheets need to be provided regarding how to register with GPs and how to access support services out of area. Ensure liaison with existing support to transfer support.</p>			
Pregnancy and Maternity	To continue to notify health visitors when placing pregnant women out of area.	Continuity of pregnancy and maternity services whether accommodated within or outside the city.		

	<p>A meeting has been held with the 'Healthy Futures' team regarding this</p> <p>Provide information sheets to households about how to transfer support services if required.</p>			
<p>Those households who are vulnerable as a result of disability, mental health or for some other reason- particularly those with 'multiple and complex needs'.</p>	<p>As above, those that are covered by the policy are either accommodated within the city when placed or are prioritised for a move back which mitigates against problems arising as there should be a continuity of support from existing support agencies.</p> <p>Those households who are not prioritised within the terms of the policy are linked in with agencies that operate outside of the city and existing support providers are advised of their clients' address in order that they can help facilitate a transfer of support from one area to another if necessary.</p>	<p>Vulnerable persons will be able to sustain their accommodation due to the support being provided, there will be fewer reports of applicants not coping in their accommodation.</p>	<p>Fewer evictions or persons voluntarily leaving accommodation as a result of the person not coping.</p>	<p>ongoing</p>

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)

Lead Equality Impact Assessment officer:

Date:

Directorate Management Team rep or Head of Service:

Date:

Communities, Equality Team and Third Sector officer:

Date:

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 council, 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 with '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).
- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where 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

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, 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 any people because of their protected characteristics?
- 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 Clair ext: 1343

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 **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?⁹
- 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 protected characteristics 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.

¹⁰ **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.
- 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.

¹¹ 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 protected 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?

¹² 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.

¹³ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

¹⁴ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers

¹⁵ **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.

¹⁶ **Sex/Gender:** Both men and women are covered under the Act.

¹⁷ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

¹⁸ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

¹⁹ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁰ **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

²¹ **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

²² **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?

²³ **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.

