

# Harrow Council

## Equality Impact Assessment Guidance

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## Introduction

This guidance has been produced to assist officers in completing Equality Impact Assessments (EqIAs). It explains what EqIAs are, why we need to do them, when to do them, and how to do them. It is designed to help you carry out EqIAs efficiently and effectively.

It also supports our commitment to ensure our policies and services are fair and equitable for all our communities, service users and staff.

The aim of the guidance is to simplify the assessment process as far as possible, whilst increasing the overall effectiveness of an Equality Impact Assessment. The assessment itself is not a means to an end and emphasis should be given thinking about the outcomes the assessment can bring.

### We want our Equality Impact Assessments to be:

- An **integral** part of our decision making process;
- **Proportionate** to the level of impact and risk; and
- Focused on **improvements** for our residents, service users and staff

# 1. What is an Equality Impact Assessment?

An Equality Impact Assessment is a service improvement toolkit which should help you to:

## Don't leave it till the end!

Whether you are developing a new policy or revising an existing one, completing a formal service review, making significant decisions including budget changes, or planning a project, the EqIA should not be left till the end of the process. Instead, the thinking behind it needs to be built-in at the outset and then double-checked. In this way it becomes part and parcel of the process in hand and has the potential to make a real difference.

- determine how the Council's policies, practices or new proposals will impact on or affect different communities – especially those groups or communities who experience inequality, discrimination, social exclusion or disadvantage;
- measure whether policies or proposals will have a disproportionate impact on different communities;
- make decisions about current and future services, and practice with a greater understanding of the possible outcomes for different communities and service users; and
- develop ways of monitoring and reviewing the effects of new or changing policies or proposals if they are introduced.

## 2. Why do we need to do them?

Working in the Public Sector, EqIA's should by now be part and parcel of any planning, review, change and decision making processes. EqIA's DO NOT prevent the Council from making difficult decisions, but HELP to make difficult decisions.

We carry out Equality Impact Assessments because:

- they are helpful in identifying potential improvement to services
- they will help us to make fair and informed decisions
- they will help to identify potential unlawful discrimination

- they will help to ensure we work within the human rights principles of fairness, respect, equity, autonomy and dignity
- they will help you to identify how you can make your services more accessible, relevant and fair; and
- they help the Council to become a better employer and meet the Council's vision and Corporate Equality Objectives.

### 3. What does the law say?

Section 149 of the Equality Act 2010, imposes a 'Duty' on public bodies to consciously and rigorously think about the three aims of the Public Sector Equality Duty (PSED) and in exercising their functions must pay due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups; and
- Foster good relations between people from different groups.

The new Duty applies to the following eight Protected Characteristics:

- Age
- Disability
- Gender Reassignment
- Pregnancy and Maternity
- Race – this includes ethnic or national origins, colour or nationality
- Religion and Belief – this includes lack of belief
- Sex
- Sexual Orientation

### Meeting the requirements of the Public Sector Equality Duty

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic but that the other arms (advancing equality and fostering good relations) do not apply.

Although it is not currently a requirement, it is best practice to take account of other inequalities which will help to develop an improved picture of direct or indirect inequality.

- **Social inclusion and socially excluded communities** – people who are excluded because of education or skill levels, unemployment, reliance on state benefits, residential location or family background.
- **Community cohesion** – the aim of the work around community cohesion is to address any community tension and encourage good relations between and within different communities. This could be achieved by averting disputes, violence or disengagement by any groups of people from mainstream society or within their own communities.
- **People who experience inequalities in health** – due to reasons such as gender, racial or ethnic origin, age, background or economic status.

## 4. Deciding what needs to be assessed and how

You should assess the impact on equalities of any of the following:

Policy	1. New policy development
	2. Substantial revision of an existing policy
	3. Minor policy change which may have a major impact on a particular group(s)
Decision	4. Key Decision
	5. Decision for Management Board or Portfolio Holder
	6. Budget change decision
Service	7. New service
	8. Service review (including decommissioning of services)
	9. Minor service change which may have a major impact on a particular group(s)
Projects and Programmes	10. All – at planning stage
Scheduled EqIA	11. All – unless service or function has substantially changed before scheduled EqIA, in which case one of the above (2, 4, 5, 8, 10) would apply

Don't be put off by the above list. It does not mean that long and detailed assessments are required every time you are engaged in one of the above activities. However, it does mean that you should always consider the equalities implications of your proposals. The first section (initial implications assessment element) of the template will allow you to determine a proportionate level of response.

## 5. Our Equality Impact Assessment Process

The Council has revised and simplified its Equality Impact Assessment process. There is now just one Template. In order to ensure the correct process is followed, please see [Appendix 1](#).

### Overview

This is where you describe what the assessment is about. Whether it is an existing service, a new policy or a budget change decision, you should describe it in a way so it is easily understood by a member of the public who does not have your specialist technical or professional knowledge. You should also indicate the groups of people or communities your proposals are likely to affect and who the responsibility for the service lies with.

**Initial Equality Implications Assessment** – You must complete an Initial Equality Implications Assessment (**stages 1- 3**) of the Template. This will enable us to ensure that equality issues are appropriately considered at all the key points of our decision making and change processes (see point 4 '**Deciding what needs to be assessed and how**'), whilst allowing officers to undertake a brief assessment where the impacts are few, or unlikely to be significant. This stage should support officers and help determine whether a full EqIA is required or not.

Whether carrying out an initial or full assessment, it is important to satisfy both internal and external stakeholders, which it has been sufficiently rigorous and in proportion to the importance of the issue concerned.

**Date collation and Evidence Gathering** – there are many sources of data we can draw on to use as evidence in an EqIA. This can range from census data and what it tells us about the characteristics of our population, to customer satisfaction surveys we might carry out locally. Even if you do not routinely do so, you should be able to disaggregate some of this data by different Protected Characteristics (e.g. age, disability, race etc).

You should seek to involve specialist data and information colleagues and be aware of vital resources like the Harrow Informed, Harrow Vitality Profiles, Our Harrow, Our Story, the Joint Strategic Needs Assessment (JSNA) to name a few. There is a wealth of research information available online provided by voluntary organisations who might specialise in a relevant field – check with policy and information colleagues.

At the initial stage, you should try and collate as much evidence (data, statistics, research, best practice, consultation results) as possible in order to assess any potential impact on different groups of people (Protected Characteristics). The richer the evidence base, the easier the assessment will be; however, not having data is no reason for delay or inaction.

If your initial assessment has not identified any potential disproportionate impact, then you can proceed to **Stage 6** of the Template.

Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your **Improvement Action Plan at Stage 7**

The template then needs to be signed off by the Chair of your Directorate Equality Task Group and presented to the EqIA Quality Assurance Group.

**Full Equality Impact Assessment** – If your Initial Equality Implication Assessment has indicated potential for disproportionate impact or you are unable to assess the impact, then you will need to undertake a full EqIA.

It is also unlikely that major changes or significant new developments will be without impact of some kind, and even minor changes may have a significant impact for a particular group(s), and therefore, a full EqIA will be required.

**Collating Additional Data / Evidence** – in order to arrive at a more informed conclusion, the project lead should seek to collate additional data / evidence as an integral part of the assessment. This might be through additional research, reviewing best practice, or consultation including focus groups, stakeholder (staff, residents, service users and potential users), meetings, questionnaires or surveys.

This may not always be possible, and there will be occasions where you still have gaps in your information after taking the extra steps. When this happens, continue with the EqIA using the information you have and include measures in your Improvement Action Plan (Stage 7) to find out more about how your proposals can or do affect the groups which you know little about.

The views of stakeholders are a vital part of a good EqIA and although these may already be available, it is still good practice to include them in the assessment process.

## What if the impacts are unclear?

If it's not possible to assess any potential disproportionate impact at this stage, you should conduct a full EqIA. This will allow you gather additional evidence and may need to undertake further consultation and come to a more informed conclusion.



## Analysis and Assessment

You need to make an informed assessment about the actual or potential impact of your proposals on groups (Protected Characteristics) as well as socio economic impact.

Some questions you should consider include:

- Given your initial impression, the available evidence and the views of others, is their potential for disproportionate impact?
- How significant is the impact in terms of its nature and the number of people likely to be affected?
- Could the impact potentially constitute unlawful discrimination?
- Can any disproportionate impact be justified?

What should I do if the impact is still unclear?

Provide an analysis as thoroughly and honestly as you can based on the evidence you have, your professional knowledge and that of your colleagues. If you don't know what the impact is or will be, then say so. When this happens, you must make sure that you develop ways of finding out more and include them in the Improvement Action Plan at Stage 7.

## Recommendations and action plan

Once you have completed your assessment and having identified what needs to be changed or improved, you must develop an Improvement Action Plan to implement the changes required to mitigate any adverse impact identified or further advance equality of opportunity.

Remember, the evidence gathering and assessment sages may have also identified gaps in data / knowledge which themselves lead to the need for further action.

As a general principle, action to prevent unlawful discrimination must be made immediately; you should aim to implement the remainder of the actions within 12 months of completing the assessment unless this is dependant on other activity with longer or shorter agreed timescales.

You should also agree when and by whom the agreed EqIA and the Improvement Action Plan will be reviewed.

## Publish and Review

All completed EqIAs need to be suitable for publication and should be written in plain English and use language that is jargon free

These will be made available on the Councils website and in other formats on request.

The Lead officer should also ensure that relevant systems are in place to monitor the delivery of the Improvement Action Plan and ensure that any changes arising from the assessment are implemented.

## Approval / Sign off Process

In order to ensure your EqIA is ready for publication and is able to stand up to a challenge, it is important the correct approval process ([Appendix 1](#)) is followed. The completed assessment (whether paper or electronic) should be signed-off by:

1. The Lead Officer leading the assessment
2. Chair of the Directorate Equality Task Group

## 6. Directorate Equality Task Groups

The Directorate Equality Task Groups (DETGs) will play a vital role in the co-ordination, development, review and monitoring of the EqIA programme and completed EqIAs.

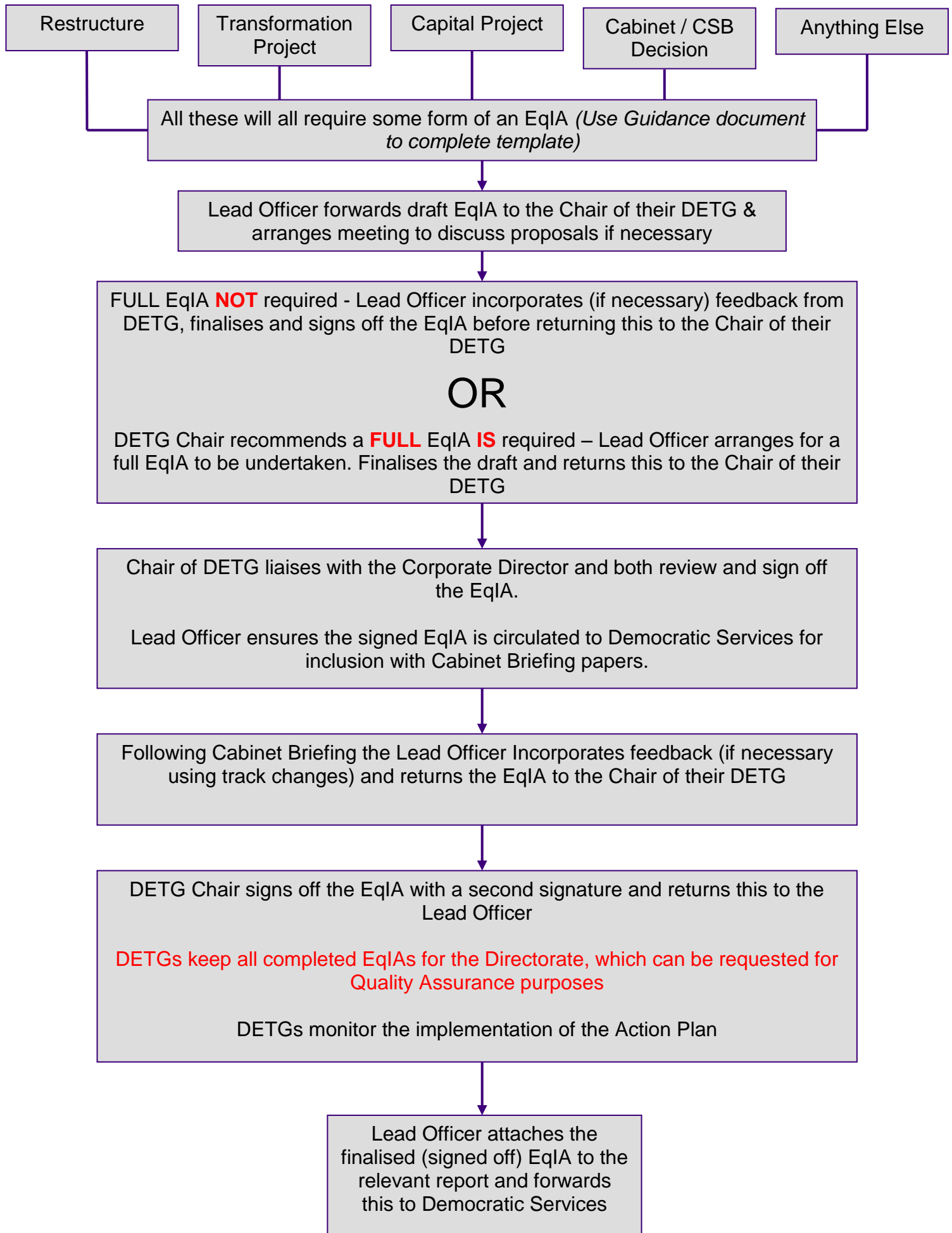
DETGs will be responsible for co-ordinating the development of the annual programme by supporting senior managers during the service planning stage.

DETGs are responsible for reviewing and signing off completed EqIA's by using the Quality Assurance Checklist available on the HUB. All completed EqIA's need to be signed off by the Chair of the DETG and the Corporate Director before being sent to Legal for clearance..

### Further information...

- Frequently Asked Questions ([Appendix 2](#)) – have been developed to help answer any further questions you may have regarding EqIA's
- Top Tips ([Appendix 3](#)) – will help you to develop your EqIA
- Further training (e-learning and classroom) on how to complete EqIA's is available. You can access the e-learning modules via the learning pool on [www.learningpool.com/harrow](http://www.learningpool.com/harrow) and register for the classroom training through my learning through <https://mylearning.harrow.gov.uk>

## Appendix 1 – EqIA Process



## Appendix 2 – Frequently Asked Questions

Question	Answer
What is an Equality Impact Assessment?	An Equality Impact Assessment (EqIA) is a systematic tool to test the impact of new and existing policies to test if the proposal will fulfil its objectives and establish if there is any adverse impact or illegal discrimination or any unmet need or requirements. “Adverse impact” means that a service or policy is disadvantageous to one or more groups of people, for example, disabled people or Black Asian and Minority Ethnic (BAME) groups.
Why do we need to do them?	<p>The Council is the biggest single provider of services and facilities to people in the borough and we have a duty to ensure our policies and services are fair and equitable and accessible to all our communities.</p> <p>EqIAs also help the Council to demonstrate that it has given ‘Due Regard’ to the Public Sector Equality Duty</p>
Does everything need an Equality Impact Assessment?	<p>We are required to impact assess all relevant new and changing policies. The nature of our policies means that there is very little which is not relevant to the promotion of equality.</p> <p>We also need to undertake EqIAs on project proposals, changes in service(s), organisational restructures and withdrawal of services/funding.</p>
When do I carry out an Equality Impact Assessment?	<p>It is important that the <b>process</b> of carrying out an impact assessment is not seen as an end in itself. The focus should be on the <b>outcomes</b> - in other words, what the assessment can achieve in terms of <b>improving our services</b>.</p> <p>EqIAs are not an ‘add on’ after a decision has already been made! The impact assessment process actually builds equality considerations into the project or policy development process from the very beginning for a balanced view to be taken. It is also recognised that, on occasions, policies may be implemented where an adverse impact has been identified. The assessment process provides transparent evidence that this impact or consequence was considered initially and removed or reduced where possible.</p>
What if I don’t have the time for an EqIA?	Many services express concern at the start of the EqIA process – they believe that the process will be too complex and resource intensive and cannot be fitted in alongside the demands of the ‘day job’. That’s why EqIAs should be part of our policy development and project management programmes where services often find that the questions that the EqIA poses contribute to better and quicker progress
How long does it take to carry out an EqIA?	EqIAs do take time and resources - but, as has been made clear, EqIAs are greatly beneficial to services. While carrying out EqIAs is not a statutory obligation, they are the Council’s agreed method of demonstrating that due regard has been paid to the Public Sector Equality Duty which is a statutory obligation.

## Appendix 3 – Top Tips for completing Equality Impact Assessments

Equality Impact Assessments (EqIAs) do take time and resources – but are greatly beneficial to services and the Council in the long-term. They demonstrate that we have complied with our statutory obligation under the Public Sector Equality Duty (PSED).

Below are some ‘Top Tips’ which may help:

- 1 **View EqIAs as a Performance Improvement toolkit** – if we treat EqIAs as a tick box exercise to be completed as painlessly as possible, we are missing out on the major benefits the process can bring to the organisation, which include:
  - improving our services by making them more responsive to the needs of the communities we serve
  - an opportunity for teams to think about the impact of their work on the local community, service users and other members of staff
  - increased engagement with service users and therefore more transparency in relation to policy and service development
  - a means for placing equality at the centre of policy development and review, as well as service delivery
  - ensuring that the services we provide meet the requirements of the Public Sector Equality Duty
- 2 **Questioning approach** – you don’t have to be an equalities expert to undertake effective EqIAs, but you do have to be prepared to adopt a questioning approach. To dismiss any possible differential impact on the grounds that ‘this function applies equally to everyone’ will almost certainly be insufficient. Try to be more challenging – for instance, is there any situation where someone’s religion or faith could affect their take-up of this service?
- 3 **Start planning early** – for example at the start of the process of mapping out a policy, at the start of the year in which your service review is scheduled, or at the start of developing your organisational change proposals. This will allow you to use all the time available and to fully integrate the requirements of your EqIA into the proposal development so that you do not, for example, undertake consultation on your proposals and then realise you have failed to consult one or more of the relevant equalities groups. This will also allow the EqIA to be an integral part of your decision making process.
- 4 **Involve colleagues** – EqIAs should not be completed in isolation. Get a team of people together to work on the assessment, which will help you to develop your ideas, bring in different experiences and perspectives across the team, and also means that tasks can be shared. Seek the views and experiences of colleagues who have worked with that function, and also try and include someone outside of the service who can act as the ‘critical friend’ – they are usually able to ask more probing questions and can help lead to a

broader understanding of potential differential impacts. It is also worth considering whether any partners, Trades Unions and service users can be involved in the assessment.

- 5 **Remember the principles of proportionality as you scope your review** – so which parts of your services have, or could have, most impact? Which groups are most likely to be affected by your service, positively or negatively? This will help you focus your efforts and direct your resources where they will have most impact.
- 6 **Data and evidence to support your proposals** – it is important to collate sufficient data, evidence, facts and figures to support the conclusions you reach about the impact of your proposals. The more information you have, potentially, the stronger your business case. This can include data on the profile of our community, workforce, staff within your teams/services, complaints, customer surveys, staff surveys, national or local research and feedback/results of any consultation you may have undertaken.
- 7 **Ask for support** – discuss your EqlA with your Directorate Equality Task Group They will not undertake the EqlA for you but can provide you with information and support; give you examples of completed EqlAs and give you feedback on your assessment as it develops.
- 8 **Look at what others have done** – look at what EqlAs have been done within the Council, and other authorities as well as those which have been completed by other public services.
- 9 **EqlAs & Performance Management Information** – much of the pressure on managers undertaking EqlAs stems not from the process itself, but from a lack of management support information. If we maintained a list of the functions for which we are responsible, monitored actively the take-up of our services, and consulted with stakeholders as a matter of course, EqlAs would not present the challenge they often do.
- 10 **Outcomes & Tangible Improvements** – be clear about what you will do differently at the end of the assessment. If no changes and improvements are planned or your proposal has not evolved to take account of the questions you have asked, your EqlA probably hasn't fulfilled its purpose. Get team 'buy in' to those changes across your service, using clear examples of the outcomes from the assessment to support the process.

***Remember!*** *EqlAs do not prevent public authorities from making difficult decisions such as reorganisations and relocations, redundancies, and service reductions nor do they stop public authorities from making decisions which may affect one group more than another but assist in making difficulty decisions!*