

Draft Equality Impact Assessment of Strategic Equality Plan

The Equality Act 2010 includes a public sector equality duty (the 'general duty'), replacing the separate duties on race, disability and gender equality. This came into force on 5 April 2011. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities. The duty ensures that equality considerations are built into the design of policies and the delivery of services, and that they are kept under review. This will achieve better outcomes for all.

The Council is required to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.

The guidance refers to these three elements as the three 'aims' of the general duty and so when we discuss the general duty we mean all three aims.

The Act explains that having due regard for advancing equality involves:

- removing or minimising disadvantages experienced 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 with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The Act describes fostering good relations as tackling prejudice and promoting understanding between people who share a protected characteristic and those who do not. Meeting the duty may involve treating some people more favourably than others, as long as this does not contravene other provisions within the Act.

The following principles are drawn from case law on the previous equality duties, and will continue to be relevant in relation to the new duty. To meet the general duty, a public authority must ensure:

- **Knowledge:** those who exercise its functions (its staff and leadership) are aware of the duty's requirements. Meeting the duty involves 'a conscious approach and state of mind'. Decision-makers should therefore be aware of the implications of the duty when making decisions about their policies and practices.
- **Timeliness:** the duty arises before and at the time that a particular policy is under consideration and a decision is taken. A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- **Meaningful consideration:** consideration of the three aims of the general duty must form an integral part of the decision-making process. This is not a 'tick box' exercise – it must be exercised with rigour, with an open mind in such a way that influences the final decision.
- **Sufficient information:** the decision-maker must consider what information s/he has as well as what further information might be needed to give proper consideration to the general duty.
- **Review:** public bodies must have due regard to the aims of the general duty not only when a policy is developed and decided upon, but also when it is implemented and reviewed. The general duty is a continuing duty.
- **Non-delegation:** Anyone exercising public functions on behalf of a public body is required to meet the duty. This is because the duty rests with the public authority even if they have delegated any functions to another organisation.

The Equality and Human Rights Commission has produced guidance for the performance of the general duty in Wales, known as the specific duties in Wales. The specific duties include guidance on impact assessment and engagement that are both relevant to this process. Copies of the guidance are available on the Commission's website and via the equality section of StaffNet.

An impact assessment is a systematic way of finding out the impact of a policy on different protected groups. Officers who are responsible for policies are required to identify the likely impacts that may result from the introduction of a policy.

This impact assessment form has been developed to ensure that these groups are neither directly nor indirectly discriminated against in the planning and delivery of our services, nor by the decisions that we make.

An equality impact assessment must be carried out at a formative stage so that it is an integral part of the development of the policy, not a later justification of a measure that has already been determined.

How should you assess impact?

1. Identify **the objectives** of your policy and how it will work.
2. Examine local and national **data and research**.
3. Assess **the likely impact** on the protected groups.
4. **Consult and involve** people who are likely to be affected by your policy.
5. Make arrangements to **monitor and review** the impact of your proposal.
6. **Publish** the assessment.

It is the responsibility of the relevant Head of Service or Operational Manager to ensure that an assessment has been completed for the policy, practice, procedure or decision identified.

Complete form electronically and return to the Equalities Section: tsgreaves@valeofglamorgan.gov.uk. For support, ring: 01446 709446

Title and Description of Policy, Procedure, Practice or Decision (referred to as “policy” throughout form).	Strategic Equality Plan and Equality Objectives
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Who is responsible for developing and implementing the policy?

Name	Nicola Hinton and Linda Brown
Job Title	Corporate Equality Officer
Directorate	Chief Executive’s Department
Division	Equalities

1. Background and screening:

Who will be affected by this policy?	Please ✓
Vale of Glamorgan residents	<input type="checkbox"/> ✓
Internal department(s) (please state which):	<input type="checkbox"/> ✓
Customers/residents in a specific geographical location	<input type="checkbox"/> Specify location:
Specific group of customers	<input type="checkbox"/> ✓
Specify group(for example, a particular age group or gender, gypsy / traveller children in education, people with dementia):	
People with protected characteristics – age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.	
Others	<input type="checkbox"/>
Please specify:	

What research or baseline information do you have about how your service is used by various groups of people?
The Strategic Equality Plan contains information about how the Council promotes equality and deals with discrimination across all its services. One of the most important aspects of the Strategic Equality Plan is the information on equality objectives. These describe the areas that the Council has prioritised to improve outcomes for people with protected characteristics. They have been developed by looking at national research, local information and involving groups representative of people with protected characteristics.

Will this policy have a significant effect on how services are delivered?

Yes ✓ No

Please detail:

The equality objectives contained within the strategic equality plan are intended to have a positive effect on how services are delivered. They aim to improve the way the Council understands service user needs and provide access to services, reflecting the concerns of people with protected characteristics.

Will this policy have a significant effect on how other organisations operate?

Yes ✓ No

Please detail:

The equality objectives will contribute to the development of a culture within the Council that aims to improve its interaction with service users and other service providers from the perspective of protected groups.

Does the policy involve a significant commitment of resources?

Yes No ✓

Please detail:

The work identified in the Strategic Equality Plan and equality objectives will be completed within existing resources.

Does the policy relate to an area where there are known inequalities (for example, disabled peoples' access to public transport, the gender pay gap, racist or homophobic bullying in schools, educational attainment of Gypsies and Travellers)?

Yes No

Please detail:

The Strategic Equality Plan and equality objectives relate to all protected groups. Involvement of protected groups in developing the objectives suggested that the focus should be developing awareness of needs and accessible services for all protected groups, rather than specific ones. Though national research indicates particular groups are more disadvantaged than others, the equality objectives have been prioritised so that a strong foundation for promoting understanding and improving access to services is established.

What are the intended outcomes of the policy (outcomes to be specific, measurable, achievable, results oriented, time-based)?

Please detail:

The intended outcomes are detailed within the equality objectives and have associated action plans to make them measurable and results orientated.

How will these be measured?

Please detail:

The equality objectives are written in a way which allows progress to be measured. They will be monitored quarterly through service plans and progress will be reported through the annual equality report.

Will the policy impact upon other policies or practices?

Yes No

Please detail:

The strategic equality plan and equality objectives are likely to impact on other policies and practices as information, knowledge and understanding of issues affecting people with protected characteristics improves during the maximum four year period that the equality objectives will be in place. It is expected that improved data collection and involvement of protected groups in policy development will lead to more robust equality impact assessments.

What data or research is available on the policy (for example, statistics, survey results, best practice advice)?

Please detail:

The Council used a variety of sources to gather information including:

- national research such as 'How Fair is Wales' and the 'Not Just Another Statistic' reports;
- information from Council documents such as its Community Strategy, Corporate Plan, and Single Equality Scheme;
- feedback from people representative of one or more of the protected groups invited to engagement events and focus groups during October and November 2011 to help us develop and prioritise equality objectives.

Organisations involved in the engagement events can be found in the summary of feedback provided in Appendix 1 of the Strategic Equality Plan.

Are there any gaps in data which necessitate further research or consultation?

Yes ✓ No

Please detail:

There are gaps in the Council's data and the intention is to address this through one of the equality objectives:

Publish data by 31 March 2013 to show how services across the Council are being used by people from protected groups, and use this information to plan and implement improved use of and access to services by 31 December 2013. Evaluate progress by 30 April 2015.

This involves establishing a corporate approach to collecting and analysing data.

Is there any evidence that there are different levels of service uptake for different protected groups, for example, do men use the policy more than women?

Yes ✓ No

Please detail:

From a local, Council perspective, we will be better informed about this as our data collection and analysis improves. However, national research has established that there are different levels of service uptake for different protected groups. When we involved organisations representative of protected groups, they felt that the Council should focus on improving knowledge and awareness across all groups at this stage. This will provide a better platform for identifying future objectives.

Is there any evidence that there are barriers that might exclude any of the protected groups from accessing the policy?

Yes No

Please detail:

The Strategic Equality Plan and equality objectives include all protected groups.

If there are no barriers, what is your evidence to support this?

Protected groups have been involved in the development of the Plan and objectives.

Is there evidence that any of the protected groups will have different needs or priorities with regard to the proposed policy?

Yes No

Please detail:

There is national evidence to show that some groups experience more discrimination and harassment than others. The key issues for these groups relate to better awareness of their characteristics and needs. During engagement events with protected groups, it was felt that these issues relate to all protected groups and would be better addressed holistically.

Is there any evidence that the policy could discriminate, directly or indirectly, against people in any of the protected groups?

Yes No

Please detail:

The purpose of this policy is to improve awareness of the needs of people from all the protected groups and to improve access to services.

Can anything be done further to promote equality of opportunity by altering the policy?

Yes ✓ No

Please detail:

Implementation of the objectives, which includes ongoing analysis of data and awareness raising, may lead to a review of the practices not yet prioritised.

2. Relevance

Is an equality impact assessment relevant to this policy?

Yes ✓ No

Where, as a result of the above screening, the officer responsible for the policy believes that an equality impact assessment is not relevant, they should initially discuss this with the Council's equalities coordinator, and record and explain the decision.

Please detail:

An equality impact assessment is relevant though it has not been thought necessary to systematically consider impact from the perspective of each of the protected characteristics given that the aim of the Strategic Equality Plan and equality objectives is to make improvements for all protected groups.

Welsh language issues are addressed separately in the Welsh Language Scheme.

3. Gender

Will the policy have a negative impact, directly or indirectly, on women or men?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on women or men?

Please detail evidence:

Will the policy have no gender-specific impact?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on men or women?

Please detail evidence:

4. Race

Will the policy have a negative impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

Will the policy have a no impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

Will the policy have a no impact, directly or indirectly, on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

5. Disability

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Will the policy have a negative impact, directly or indirectly, on disabled people?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on disabled people?

Please detail evidence:

Will the policy have a no impact, directly or indirectly, on disabled people?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on disabled people?

Please detail evidence:

6. Welsh language

Will the policy have a negative impact, directly or indirectly, on the Welsh language?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on the Welsh language?

Please detail evidence:

Will the policy have a no impact, directly or indirectly, on the Welsh language?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on the Welsh language?

Please detail evidence:

7. Age

Will the policy have a negative impact, directly or indirectly, on different age groups (e.g. people over 50, people under 16)?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on different age groups?

Please detail evidence:

Will the policy have no impact, directly or indirectly, on different age groups?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on people of different age groups?

Please detail evidence:

8. Religion, belief or non-belief

Will the policy have a negative impact, directly or indirectly, on people with different religions, beliefs or non-beliefs?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on people with different religions, beliefs or non-beliefs?

Please detail evidence:

Will the policy have no impact, directly or indirectly, on people with different religions, beliefs or non-beliefs?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for people with different religions, beliefs or non-beliefs?

Please detail evidence:

9. Sexual orientation

Will the policy have a negative impact, directly or indirectly, on lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

Will the policy have no impact, directly or indirectly, on lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for lesbians, gays, bisexuals or heterosexual people?

Please detail evidence:

10. Gender Reassignment

Will the policy have a negative impact, directly or indirectly, on transgender people?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on transgender people?

Please detail evidence:

Will the policy have no impact, directly or indirectly, on transgender people?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for transgender people?

Please detail evidence:

11. Pregnancy and maternity

Will the policy have a negative impact, directly or indirectly, on women during pregnancy or maternity?

Please detail evidence:

Will the policy have a positive impact, directly or indirectly, on women during pregnancy or maternity?

Please detail evidence:

Will the policy have no impact, directly or indirectly, on women during pregnancy or maternity?

Please detail evidence:

What action can you take to mitigate against any negative impact, and/or to have a more positive impact for women during pregnancy or maternity?

Please detail evidence:

12. Consultation and involvement

What consultation and involvement activities have taken place? (for example focus groups, public surveys, public meeting, etc.)

Please detail:

Consultation sessions were held with the members of the following groups: Vale Dyspraxia Support Group, Carers UK - Vale of Glamorgan Branch, SCOPE, Older People's Strategy Forum Age Discrimination Group, Older People's Strategy Forum Executive Group, ABCD Cymru Information Sharing Group, Vale People First Young People's Group and Vale People First Leadership Team. Over one hundred Vale residents attended these sessions.

In addition to these sessions, two focus groups were held. The following public, voluntary and third sector groups were represented at the focus groups: Age Concern, Advocacy Matters, Disability Sport Wales, Citizens Advice Bureau, BAWSO, Welsh Women's Aid, MIND Cymru, FACE, Alzheimer's Society, Wales Assembly of Women, MS Society, Cardiff and the Vale Coalition of Disabled People, Atal Y Fro, Public Health Wales, Cardiff Gypsy Traveller Project, and Transgender Wales.

What arrangements have been made to consult and involve people and organisations representing the protected characteristics, which have been identified as potentially being affected by the policy? (for example men, women, parents, carers, the black and minority ethnic community (including asylum seekers, refugees, economic migrants), disabled people, the Welsh speaking community, the lesbian, gay and bisexual community, transgender people, different faith groups, etc.)

Please detail:

Those involved in the development of the equality objectives are listed above and in the appendix to the Strategic Equality Plan.

How have the results of the consultation been implemented?

Please detail:

Feedback from the engagement process was used to develop and prioritise the equality objectives.

13. Monitoring

What monitoring data do you intend to collect? (for example the number of disabled people using your service)

Please detail: We intend to establish a corporate approach to gathering information as one of the equality objectives.

How often will you analyse and report this data?

Please detail: This will be analysed and reported at least annually.

Where will you publish the report on this data?

Please detail: Information will be published on our website.

14. Publication of policy

How will you publish and publicise the policy to ensure equality of access to this information (including raising awareness with minority groups, producing information in accessible formats, etc.)?

Please detail:

We will publish and publicise the documents on our website, in major civic buildings and send copies to local representative groups.

15. Further action

Any recommendations for action that you plan to take as a result of this impact assessment (listed in the sections above) should be included in your Team Plan or Departmental Service Plan.

Please detail: The intention is to focus on the priorities identified as equality objectives within the Strategic Equality Plan.

16. Outcome

An equality impact assessment may have four possible outcomes, though more than one may apply to a single policy. Please indicate the relevant outcome of the impact assessment below.

Please tick as appropriate:

No major change – the impact assessment demonstrated that the policy was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.

Adjust the policy – the impact assessment identified potential problems or missed opportunities. The policy was adjusted to remove barriers or better promote equality.

Continue the policy – the impact assessment identified the potential for adverse impact or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant policies.)

Stop and remove the policy – the impact assessment identified actual or potential unlawful discrimination. The policy was stopped and removed, or changed.

17. Authorisation

This equality impact assessment must be authorised by the relevant Head of Service or Operational Manager.

Approved by (name)	
Job Title	
Date	

18. Completed Impact Assessments:

A copy of this form must be sent to the Equalities Coordinator for publication on the Council's website.