

Equality Impact Assessment Form

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).	From March 2013 the Council will cease to provide and deliver black bags to all residents. These are currently provided by the Council for free and residents will be required to source their own in the future.
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Who is responsible for developing and implementing the policy?

Name	Vicky Lannen
Job Title	Waste Awareness Officer
Directorate	Visible Services
Division	Environmental and Economic Regeneration

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

Yes No

Please detail:

As residents' black bag waste will still be collected free every fortnight, it just requires that they have to pay for their own black bags. Clearly the incentive is to use as few as possible and the Council provides free kitchen waste and co-mingled waste receptacles along with subsidised garden waste bags. We are confident that black bags are sold in many stores across the Vale from DIY, to corner shops to Supermarkets, etc. it's a product that is readily available and competitively priced. Supermarket 'value bags' can be purchased for under £1 for a year's supply.

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

Yes No

Please detail:

Not providing black bags will not affect them or provide disadvantages from an equalities viewpoint.

Does the policy involve a significant commitment of resources?

Yes No

Please detail:

It is important to note that any annual savings from not delivering/providing black bags will be available to be reinvested back into our recycling services. This is important from an environmental and sustainable viewpoint and achieving Welsh Government targets we have been set. (70% by 2025 is needed). There will be a small commitment in communicating the change and our reasons in doing so.

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:

We do not believe that this impact on protected characteristic groups or individuals. We provide a waste management service to all residents and collect different types of waste from kerbside by their homes – as we are still collecting this does not affect the provision of the service, we just hope that people will consider what bin they are using and divert material from landfill to be recycled or composted instead.

The Council is committed to reaching the 70% recycling and composting target by 2025 and is keen to work with residents to achieve this Welsh Government target to emphasise our sustainable and environmental approach.

Assisted collections for those who are elderly or disabled (that have registered and been assessed) will still happen and it does not discriminate against others applying for a similar assessment.

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

Please detail: We are hoping that the change will encourage residents to review their habits when binning their waste. If they are paying for black bags, they may consider if they really do need to use as many as they do. We hope to see a shift towards greater recycling and composting in time. While we can't isolate this as a sole reason, we would expect it would be one factor of many (such as co-ordinating campaigns, awareness, education and new practices being introduced) which will ultimately see the Vale's recycling and composting figures increase. All Welsh Local Authorities are striving towards achieving a 70% rate by 2025, as of 2013, we have attained a 50% rate and it's still improving.

How will these be measured?

Please detail: Every quarter as standard the Council enters auditable figures into the Welsh Government computer programme, "Waste DataFlow", every quarter we can monitor how we are performing.

Will the policy impact upon other policies or practices?

Yes No

Please detail:

Please refer to the answers detailed above relating to known inequalities.

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

Please detail:

We have not been able to find any published evidence or related data in terms of equality impact, nor could we find evidence of other local authorities who have made a similar service change and published an equalities impact assessment report.

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

Yes No

Please detail:

Having given due regard to the Public Sector Equality Duty, Wales, we do not feel the need to conduct further consultation on separate issues such as race, disability or gender equality in this instance. Information in a leaflet or on the website will be available bilingually.

Is there any evidence that there are different levels of service uptake for different protected groups,

Yes No

for example, do men use the policy more than women?

Please detail:

We have been unable to establish any meaningful difference of service uptake in terms of the proposal.

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

Yes No

Please detail:

There is no evidence that any protected group will be prevented from accessing the service as a result of having to purchase black bags.

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

While no additional research was undertaken, given that black bags are readily available at many Vale based retailers and these groups can either shop in person, have their own shopping arrangements in place or can internet shop then there should be no barriers.

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:

No. Information provided will be accessible and available bilingually.

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

Yes No

Please detail:

No evidence has been identified.

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

Yes No

Please detail:

We are satisfied that our environmental and sustainable rationale in making this change is adequate and that no further opportunity to promote equality can be identified.

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:

No substantial impact has been identified, especially after having paid due regard to equality.

3. Gender

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

Please detail evidence:

No negative impact on either gender.

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

Please detail evidence:

No positive impact on either gender.

Will the policy have no gender-specific impact?

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

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:

No negative impact on people based on their ethnicity

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:

No positive impact on people based on their ethnicity

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

What action can you take to mitigate against any negative impact, and/or to have a more positive impact on people based on their race, colour, nationality (including citizenship) or ethnic or national origin(s)?

Please detail evidence:

None identified, no evidence was found.

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:

No negative impact based on disability

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

Please detail evidence:

No positive impact based on disability

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

6. Welsh language

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

Please detail evidence:

No negative impact on the Welsh language

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

Please detail evidence:

No positive impact on the Welsh language

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

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:

No negative impact based on different aged groups

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

Please detail evidence:

No positive impact based on different aged groups

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

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:

No negative impact on different religions/beliefs

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

Please detail evidence:

No positive impact on different religions/beliefs

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

9. Sexual orientation

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

Please detail evidence:

No negative impact on people with different sexual orientation stances

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

Please detail evidence:

No positive impact on people with different sexual orientation stances

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

10. Gender Reassignment

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

Please detail evidence:

No negative impact on those who have undergone gender reassignment treatment

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

Please detail evidence:

No positive impact on those who have undergone gender reassignment treatment

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

11. Pregnancy and maternity

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

Please detail evidence:

No negative impact on pregnant ladies or those on maternity leave

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

Please detail evidence:

No positive impact on pregnant ladies or those on maternity leave

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

Please detail evidence:

The policy will impact only from an expectation viewpoint/small cost view, as twice a year residents have previously had delivered a one-a-week supply of black bags, now they will have to remember to source and buy their own – should they want to place the same amount of waste out in their black bags once a fortnight. Of course, residents can change their habits and minimise the amount of waste they send to landfill and can divert streams into kerbside collections instead – food, garden and co-mingled recycling are all examples.

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:

None identified, no evidence was found.

12. Consultation and involvement

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

Please detail: Not applicable - no public meetings have taken place with regards to this change in practice; this decision has arisen from an environmental viewpoint and drive the Welsh Governments focus on achieving 70% recycling and composting target. We remain committed to recycling more material, diverting more from landfill and effectively asking residents to have a social conscious in their behaviour undertaken.

We acknowledge that this policy may/may not affect behaviour specifically regarding the amount of black bags that a household uses, as cost of buying their own (however small) may/may not impact on this.

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:
Not applicable.

How have the results of the consultation been implemented?

Please detail: Not applicable.

13. Monitoring

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

Please detail: No specific equality data.

How often will you analyse and report this data?

Please detail: Not applicable

Where will you publish the report on this data?

Please detail: Not applicable

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: The timing of this policy will see the latest recycling calendar packs being delivered to our residents this March/April, envelopes are marked with important information enclosed regarding recycling – our residents are used to receiving this pack and we are confident the majority are opened rather than disregarded as junk mail. Therefore, we are proposing that we put an information leaflet in this pack as part of a new campaign, “What is your bin?” That not only congratulates residents on their efforts to date, explains why there is a fresh focus on containerisation (free recycling items and not free black bags) and then also explains clearly why we must say ‘goodbye’ to issuing FREE black bags, that is paying for them and delivering them. Annual costs of doing so are over £100,000 and we will be asking the public to buy into our decision into making this change, now that we are recycling more than half of our waste generated, we must infact push harder and strive to recycling more than two-thirds of it for the immediate future. This bilingual leaflet will be supported by a web page and our call centre C1V

team will also be briefed so that they know what is happening.

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:**

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.