

Assessing Equality – The Equality Act 2010 APPENDIX A

INTRODUCTION

The Equality Act 2010 reminded all public authorities of their duty to have ‘due regard’ to the need to:

- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The protected groups (previously known as equality strands) are as follows:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation
- Marriage and civil partnerships (eliminate unlawful discrimination only)

Other legislation and practice has determined that we extend this to cover:

- Human Rights
- Socio Economic factors

The duty reminds us of the need to analyse the effect of existing and new policies and practices on equality.

The equality analysis should be proportionate and relevant – not just a tick box exercise. In some cases the written record will be a quick set of bullet points or notes under each heading. Others will need a more detailed explanation.

However, legal case law makes it clear that we must carry out the analysis **before making the relevant policy decision**.

A meaningful equality analysis will help the Council make the best decisions or formulate a policy which best meets our customers needs.

Once a Customer Impact Assessment (replacing our existing Equality Impact Assessment) has been completed there is no need to automatically carry out a new assessment each year. A review assessment has been put in place, and can be completed if there has been no change to the original policy, the way it’s implemented and its customer impact.

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A SIMPLE GUIDE TO ASSESSING EQUALITY

What is Customer Impact Assessment (CIA)?

- CIA is the act of systematically assessing the likely (or actual) effects of policies or services on people based on the following:
 - Age
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Gender
 - Sexual orientation
 - Marriage and civil partnerships
 - Human Rights
 - Socio Economic factors

This means considering the above, as set out in the table below, in relation to a policy, practice or service, before a decision is made.

PLEASE SEE EXPLANATIONS BELOW

	Eliminating unlawful discrimination, harassment and victimisation	Advancing equality of opportunity between different groups	Fostering good relations between different groups
Disability			
Age			
Pregnancy/ maternity/ paternity			
Race			
Religion or belief			
Sex/ Gender			
Gender reassignment/ Transgender			
Sexual orientation			
Human Rights			
Socio Economic Factors			

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Marriage and civil partnerships			
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- You are looking for opportunities to promote equality, and good relations between all groups as well as removing or mitigating negative or adverse impacts.
- Remember it might not be possible to remove all barriers to service or your policy or practice may have a negative impact on certain groups ... please note anything of this nature

Why is it important?

- Assessing equality issues helps us understand the needs of our customers, ensures our decisions meet those needs, and are also cost effective, and demonstratable.
- As a public authority we also have a **legal** duty to show “*due regard*” for equality in decision making and the way services are provided
- To be able us to show “*due regard*”, we need to show that consideration of [possible impact to the groups mentioned have taken place **prior** to a decision being made; that equality issues were considered, and that this consideration was rigorous, open minded, and involved thinking about the three arms of the Equality Act as part of this process, and that potential adverse impacts were either removed or reduced, and that all our decisions can be defended if challenged.
- Documenting our equality analysis enables the Council show it has had “*due regard*” for equality if decisions are challenged. If “*due regard*” for equality can not be shown, decisions may be overturned at judicial review. This could result in lost time, money and negative publicity.
- The sooner equality is considered in a process; the more efficiently that process can be carried out.

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How can equality be assessed?

1. Gather information This can be consulting with relevant groups, using a previous EqIA as a starting point, consultations carried out by other services, details of the service 'hard to reach groups', customer satisfaction surveys, MOASIC data, consider relevance to equality



2. Assess impact Could different groups be affected differently? Is this difference positive or negative? Consider the three arms of the Equality Act in relation to all the protected groups as per the table. NOTE: The quality of the assessment will depend on the quality of the information gathered



3. Take action This could be to reduce negative or increase positive impact. Produce an action plan where appropriate; make actions SMART. Unlawful discrimination MUST be actioned immediately



4. Summarise your findings on the EqIA form. Where it is clear from initial information gathering that a policy will not have any effect on equality, this may simply be a sentence recording this; the greater the relevance to equality, the greater the level of detail required. Publish your findings



5. Monitor the on-going effects of the policy on equality. This is usually in the form of the annual review carried out in October of each year, to fit in with the service planning cycle. The Equality Act is a **continuing** duty!

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Customer Impact Assessment

Name and brief description of policy being analysed

Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if required

The council is undertaking a Domestic Abuse Housing Alliance accreditation. This is a national accreditation and is being lead by the council’s Housing Options team. Part of the requirement to achieve the accreditation is to produce two policies and procedures to inform both external customers on our website and internal staff colleagues via the council’s intranet of types of abuse and the support available.

Information used for customer analysis

Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possible

The strategy and action plan have consulted on for the statutory 10 weeks consultation process – the responses have been captured in a table and relevant feedback has been captured and incorporated within the strategy and action plan.

Potential cultural barriers have been addressed e.g. Modern slavery under the Cambridgeshire County Council's statutory duty

	Could particularly benefit	Neutral	May adversely impact	Explanations	Is action possible or required?	Details of actions or explanations if actions are not possible Please note details of any actions to be placed in your Service Plan
Race	<input type="checkbox"/>	X	<input type="checkbox"/>	Women are more likely to suffer domestic abuse than men, however the policies are cover both men and women and same sex relationships. The policies	N	
Sex		X	<input type="checkbox"/>		N	

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				link to the council's Safeguarding vulnerable adults policy also.	
Gender reassignment/ Transgender	<input type="checkbox"/>	X	<input type="checkbox"/>		N
Disability- physical	<input type="checkbox"/>	X	<input type="checkbox"/>		N
Age 60+		X	<input type="checkbox"/>		N
Younger people (17-25) and children (0-16)		X			N
Sexual orientation	<input type="checkbox"/>	X	<input type="checkbox"/>		N
Religion or belief	<input type="checkbox"/>	X	<input type="checkbox"/>		N
Pregnancy, maternity and paternity	<input type="checkbox"/>	X	<input type="checkbox"/>		N

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Marriage & civil partnership	<input type="checkbox"/>	X	<input type="checkbox"/>		N	
Human Rights	<input type="checkbox"/>	X	<input type="checkbox"/>		N	
Socio Economic	<input type="checkbox"/>	X	<input type="checkbox"/>		N	
Multiple/ Cross Cutting	<input type="checkbox"/>	X	<input type="checkbox"/>		N	

<p>Outcome(s) of customer analysis</p> <p>a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative <input type="checkbox"/> neutral <input type="checkbox"/> positive <input checked="" type="checkbox"/></p> <p>No major change needed <input checked="" type="checkbox"/> Adjust the policy <input type="checkbox"/> Adverse impact but continue <input type="checkbox"/> Stop and remove / reconsider policy <input type="checkbox"/></p>	
<p>Arrangements for future monitoring: Note when analysis will be reviewed; include any equality indicators and performance against those indicators 2029</p>	
<p>Details of any data/ Research used (both FDC & Partners):</p> <p>The policies have both been consulted on with survivors with lived experience and the council's Domestic Abuse champions staff group</p>	
<p>Completed by:</p> <p>Name: Sarah Gove</p> <p>Position: Housing & Communities Manager</p>	
<p>Approved by (manager signature):</p>	<p>Date published: This should be the date the analysis was published on the intranet</p>
<p>Details of any Committee approved by (if applicable):</p>	<p>Date endorsed by Members if applicable:</p>