What is an Equality Impact Assessment (EIA)

An Equality Impact Assessment (EIA) is a way of measuring the potential impact (both positive and negative) that a policy function or service may have on different groups. An EIA is an essential tool in shaping service improvements and therefore should be built into service management timescales and not done in isolation.

There will be a number of times when an EIA needs to be carried out; the following is not an exhaustive list:
- As part of a Cabinet report
- As identified on the Corporate EIA list
- For a new policy/strategy/function/service
- For an adapted policy/strategy/function/service
- For a project/initiative/scheme
- For a minor decision with a major impact

An EIA must be completed before a new or adapted policy/function/service goes live or a project is implemented. It is therefore important to incorporate the EIA process into existing timescales and plans. In addition, there may be a need to revisit the EIA process after something has gone live to review whether the likely impact has changed.

Why impact assess?

The simple answer is that it is a legal requirement. But more importantly, it is an effective way of improving policy development and service delivery, making sure that the council consider the needs of our communities, identify potential steps to promote equality and don't discriminate. It enables evidence-based policymaking, which is at the core of public policy creation, and can allow efficiency savings through more effective services.

Our Legal Duty

EIAs are one of the key ways in which the council meets its general duties on equality. They require that due regard is given to achieving the goals set out in the general duties, all with the aim of achieving greater equality. Due regard comprises of two linked elements: proportionality and relevance. The weight that we give to equality should therefore be proportionate to its relevance to a particular function. Therefore, this statement follows: the greater the relevance of a function to equality, the greater regard that should be paid.

The Benefits of Scoping

A scoping report can completed very quickly for many different strategy, function or even projects. This immediately will give you confidence and fair understanding of the impact or potential impact of your services and projects.

> Benefits and Revenues split their services up by policies and did an impact assessment on each area. They then went forward to stage 2 only focusing only on one policy that showed up as the high priority.

Stage 1: Scoping the Equality Impact Assessment

An impact assessment can be done on a policy, strategy or a service area. It is important that the area is of significant size to be worthy of an assessment. However it isn't required to do all of a Section of the Council.

Question 1: This should be straight forward. You could complete a number of forms so you can discover which area is of most **risk** or **in need of assessment.**

Question 2: This should also be straightforward. A simple brief description is required.

Question 3: It is important you spend a few minutes thinking about this. Who is affected by the policy strategy or function? This will always be specific and will highlight any groups that are particularly affected.

Question 4: Note this says Does or <u>Could</u>. The notes area is there to add anything that is required for future reference and maybe useful for the process of understanding relevancy for your service.

Question 5: EIAs are an opportunity for taking effective action on equality. Preventing discrimination and promoting equality needs to include more than just avoiding certain actions and behaviour. Active steps should to be taken to identify potential discrimination and to remove it, or to adapt a service to better promote equality.

> Adult Social Care assessed the situation as unclear for questions 4 and 5 because they felt it that although there was some potential for adverse impact, he position was still very unclear. They explained that it was best to use the boxes in a way that meant something for the service and not feel restrained to fill in a way that would satisfy people outside of the service.

Stage 1 (Scoping) of the Equality Impact Assessment

For the assessment we need to consider a relevant area of work, this can be a major policy or strategy or a particular function. Scoping can be done on a number of these areas. This will form an initial assessment from which you will choose one or two areas to take on further for a full assessment. Note: Use all the areas of the form to note the relevant issues.

1. What is being assessed Policy -strategy or function?

2. What is the purpose of this? (A short statement about the area of assessment - its aim or objectives)

3. Who is affected? (The people it covers)

4. Does, or could, the area of work have an adverse effect or impact on members of the equality groups?

GROUP			YES Adverse	NO Neutral/ Positive	UNCLEAR	Notes
Age			☐	☐	☐	
Disability			☐	☐	☐	
Race			☐	☐	☐	
Gender			☐	☐	☐	
Sexual Orientation			☐	☐	☐	
Religion/Belief			☐	☐	☐	
Cohesion			☐	☐	☐	
Deprived / Socio Economic Disadvantage Groups			☐	☐	☐	

If the answer is "YES" or "UNCLEAR" consideration must be given to a full assessment.

5. Is area of work relevant to help promote equality for members of these groups?

GROUP			YES	NO	UNCLEAR	Notes:
Age			☐	☐	☐	
Disability			☐	☐	☐	
Race			☐	☐	☐	
Gender			☐	☐	☐	
Sexual Orientation			☐	☐	☐	
Religion/Belief			☐	☐	☐	
Cohesion			☐	☐	☐	
Deprived / Socio Economic Disadvantage Groups			☐	☐	☐	

If the answer is "YES" or "UNCLEAR" consideration must be given to a full assessment.

Question 6: While tailored data collection maybe necessary for individual EIAs, we collect certain types of data, such as statistics on employment, general research and so on, across the organisation as part of mainstream data collection and analysis.

General Data - http://www.mkiobservatory.org.uk/
Quick Facts -
http://www.mkiobservatory.org.uk/page.aspx?id=1652&siteID=1026

As well as internal equality data, you will also need to draw on local, regional and national research, particularly when internal data is scarce. Services who already routinely collect data or do research as part of evidence-based policymaking should build data collection on equality into these structures.

The answer to Questions 7 and 8 should now be known to you from the answer previous questions.

The rest of the form is also self explanatory.

It is important that this is signed by an Assistant Director and an ELECTRONIC copy sent to the Corporate Equality & Cohesion Manager – Jeremy Beake.

A Note on Relevancy

At the earliest stages, the service should identify which key aspects of the policy are relevant to equality. This does not mean that other aspects should be excluded from the assessment, but it will help to focus attention on the most important areas. The inter-relationship of policies will also need to be considered. For example, where a policy on promotion is being assessed, the impact of policies on training and development may also need to be considered in order to gain a full picture of any barriers or opportunities.

Where the impact goes beyond the area that the person carrying out the EIA is responsible for, those responsible for other areas should be brought into the process as early as possible.

Now you COMPLETED STAGE 1 this will be published!

Now do one of three things

1. **If you need a full assessment GO to STAGE 2**
2. **If this assessment is adequate or adequate with minor issues that you are aware of GO to STAGE 3**
3. **If there is a need for a full assessment but you have to prioritise another assessment GO to Stage 3 and choose More information is required**

4.

6. Do you hold feedback/data from the equality groups that influences, affects or shapes this project (including the strategy or policy you maybe developing in the project)?

GROUP			YES	NO	UNCLEAR	Notes:
Age			☐	☐	☐	
Disability			☐	☐	☐	
Race			☐	☐	☐	
Gender			☐	☐	☐	
Sexual Orientation			☐	☐	☐	
Religion/Belief			☐	☐	☐	
Cohesion			☐	☐	☐	
Deprived / Socio Economic Disadvantage Groups			☐	☐	☐	

If the answer is "No" or "UNCLEAR" , No-one knows or opinion is divided - further research may be required in a Full Assessment

7. Using the assessment in Questions 4, 5 and 6 should a full assessment be carried out on this area of work?

	YES		☐	NO		☐	

8. What is the justification for the decision about full assessment?

9. What is the priority for the full assessment?

HIGH	MEDIUM	LOW
☐	☐	☐

10. Who will be involved in the assessment, and how?

This preliminary impact assessment was approved by the Assistant Director:

Date:

A copy of this form, once completed should be forwarded to Jeremy Beake, Strategy& Partnerships

Stage 2: Information Gathering

The information and insights that can be gained from involvement and consultation are crucial to EIAs, allowing those affected by the way a public authority carries out its functions to have a real input, improving outcomes and empowering both service users and employees.

Question 1: Often we already know that specific group have issues with the particular service, policy or strategy. Our complaints procedure or feedback processes sometimes reveal the difficulties that individuals have. Our response in the past has been that we are following legislation.

However, when different regulations clash with our equality duties we are required to ensure that we do not discriminate in our practices. This means that when advice, guidance or regulations are applied to us that would cause us to discriminate we are required to find a way of meeting that requirement that does not discriminate and maybe even disregard that requirement.

Question 2: You are now in a position to note any potential or likely adverse impact that arises from the information in Stage 1 and what you have considered in Question 1.

Often policies that are intended to have a positive impact rely heavily on their method of implementation. The policymaker will need to closely monitor this to make sure that the policy has the positive effect intended.

Those who are responsible for the implementation of policies may need to undertake their own assessment to make sure that equality is promoted at this stage. In this context, it makes sense that EIAs of such policies are closely related and you are strongly advised to work together to ensure that your EIAs are fully integrated. This helps to make sure that there is no duplication of effort, that responsibility is clearly allocated and that information is properly shared to enable good quality assessments.

Stage 2 (Information Gathering) of the Equality Impact Assessment

For the assessment we need to consider the relevant data. The need to gather the information you hold. Note: Use all the areas of the form to note the relevant issues.

Name of service, project, strategy or policy:			
Part A			
1. Is there any indication that particular policies / services create problems for specific groups?			
Age	☐	Disability	☐
Gender	☐	Race	☐
Sexual orientation	☐	Religion or belief	☐
Cohesion	☐	Deprived / Socio Economic Disadvantage Groups	☐
No Indication	☐		
2. Summarise any likely adverse impact in the area of assessment? (By adverse impact we mean the one section of the community is put at a disadvantage compared with the general population or that outcomes for the community are not of the same level as the general population and no positive work is done to address these issues)			

Question 3:
Consultation is part of the process of involvement. Your service has both, a duty to impact assess your services (which involves duties to consult and inform) and a general duty to inform. The Council's Involvement Framework sets out our commitment to increase the level of involvement with all our services.

We will involve our customers through:

Increasing Level of Involvement →

Participation

"Working together with our customers in each aspect of decision making, designing policies and designing and assessing services"

Consultation

"Seeking opinions from local people about particular strategies, policies and services to inform decisions"

Communication:

"Providing clear, objective information to our customers and actively seeking customer feedback."

This framework sets out our commitment to:
- involving our customers through communication, consultation and participation;
- responding effectively to concerns and successes raised by our Customers;
- communicating and providing feedback on the impact of involvement

This reminds us that impact is not just an outcome of the service or policy, but includes **how we respond to our customers, citizens and clients**.

Place here a summary of the consultation and involvement planned and carried out. To answer this question you will need to state:
- Who was involved?
- What was your response to what you found?
- How did you provide feedback?

NOTE: You may well find that this information will be useful in declaring how you are you meeting your "Duty to Involve".

3. a) What previous or planned **consultation** on this topic/policy area/project has taken place/will take place with groups/individuals? If there has already been consultation what does it indicate about the negative impact of this strategy, project or policy?

Equality strands	Summary of consultation carried out or planned
Age	
Gender	
Sexual orientation	
Race	
Disability	
Religion or belief	
Deprived / Socio-Economic Disadvantage Groups	

Question 3 (b)

The Comparison Table

Notes: 1. You will need to tailor this table to fit your service.

2. However ensure you consider all the relevant groups that were identified in the scoping stage

You will need to demonstrate that you know who is and is not using your services and the opinion of service users as well as how they are accessing/using your service/policy/function. The response to this question must be based on evidence. This will help you pinpoint any negative and positive impact.

The list opposite is not an exhaustive list and it is not tailored to your service.

Examples of negative impact
− Overrepresentation (e.g. higher % of older people being penalised)
− Under-representation (e.g. lower % of disabled residents using the service)
− Lower satisfaction levels (e.g. higher % of LGB people rating the service as poor)
− Lack of involvement/engagement (e.g. no engagement with certain community groups)
− Inaccessible material (e.g. no provisions for reasonable adjustments)

Examples of positive impact
− Increasing the numbers of traditionally excluded groups accessing services
− Increased participation/engagement of different groups
− Promoting community cohesion/good relations between different groups
− Eliminating discrimination faced by different groups
− Promoting positive images of different groups
− Treating disabled people more favourably than non-disabled people
− Staff training on specific equalities legislation issues –
e.g. Deaf Awareness

Can any negative impact be justified?

If you have identified any negative impact you need to consider whether it is justified. For some, there may be a lawful reason to why there is a negative impact e.g. a targeted service. You will need to state whether and how any negative impact can be justified.

Comparisons Table

Regarding the functions, policies and strategies relating to your service, is there......	People of different ages? 0-18, 19-28, 29-45, 46-60, 61+	People with a disability?	People of a particular gender?	People of a certain Race?	People of a particular religion?	People of a particular sexual orientation?	People in a particular location?	Evidence (eg when compared with service uptake levels overall, number of complaints, snap shot of service usage etc)
More uptake of service by								
Less uptake of service								
More engagement								
Less engagement								
More provision of								
Less provision of								
More investigations								
Fewer investigations								
Any other service								

Question 3 (c)

To answer the above, you will need to have collected relevant information, such as census/research data, equalities monitoring and results from consultation exercises, and reference such information. You will need to demonstrate that you know who is and is not using your services and the opinion of service users as well as how they are accessing/using your service/policy/function.

Research and Data

The service should be able to access available data. This will also have helped identify gaps in data and those gaps will now start to be filled.

Nevertheless, it can still be difficult for some services to find the necessary information. This must never be used as a reason for inaction. Sometimes the extent of a problem for certain groups is already known, without extensive research to confirm this in detail. In these circumstances, the focus should be on action – on what needs to be done to promote equality or address discrimination. Where there is still insufficient information to properly assess the policy, appropriate and proportionate measures will be needed to fill the data gaps. Examples include one-off studies or surveys, or holding informal consultation exercises to supplement the available statistical and qualitative data.

Where this is not possible in time to inform the current EIA, specific action points will be needed in the EIA action plan, with a focus on monitoring the actual impact and policy review.

Question 4: Now attempt to summarise what you have found amongst the information listed in 3 (a), (b) and (c)

b) Please complete the associated comparison table.

c) What **research**/**studies**/**reports** concerning demographic changes/ trends have been used in service/policy/project planning **or** indicate what research you intend to carry out.

Equality strands	Title/type/details of report/research
Age	
Gender	
Sexual orientation	
Race	
Disability	
Religion or belief	
Cohesion	
Deprived / Socio Economic	

4. How will consultation and engagement continue?

Questions 5: Often discussing the issues with particaular expert or umbrealla group provides a particular insight into the issues faced by your service.

Below are the umbrella groups and the associated organisation

Older age – Age (UK) formerally Age Concern
   The Peartree Centre, 1 Chadds Lane, Peartree Bridge, Milton Keynes MK6 3EB. 01908 550700.

Young People - Milton Keynes Youth Cabinet (YCAB)
   Emma Hosking 01908 253781 emma.hosking@milton.keynes.gov.uk

Race – Race EqualityPartnership– Milton Keynes equality Council
   Milton Keynes Equality Council, Acorn House, 377 Midsummer Boulevard, Central Milton Keynes, MK9 3HP 01908 606828 enquiries@mkrec.org.uk

Religion – Council of Faiths
   C/O Janice Scott 01908 janice.scott@milton.keynes.gov.uk

Disability – Disability Advisory Group – Centre for Integrated Living
   330 Saxon Gate West, Central Milton Keynes, Buckinghamshire MK9 2ES Tel: 01908 231344 Fax: 01908 231335 diane@mkcil.aol.com

Gender - Women into Work
   Acorn House, 365 Midsummer Boulevard, Central Milton Keynes 01908 200186 info@womenandwork.co.uk

Sexual Orientation (LGBT) – Q: Alliance
   info@qalliance.org.uk

Question 6: Are there are still issues that require longer term reaserch these can be listed here.

5. If there are gaps in your knowledge are there any experts/relevant groups that can be contacted to get further views or evidence on these issues?

Yes ☐   No ☐

Please list them and explain how you will obtain their views:

6. Is it important that further specific research is carried out?

Yes ☐   No ☐

If yes give details . . . .

Question 7: Reasonable Adjustments

What is a 'reasonable adjustment?

A reasonable adjustment is any step(s) that it is reasonable to have to take in all the circumstances. These adjustments should ensure that services or premises do not put a disabled person at a disadvantage in comparison to a non-disabled person. For example, things that may have a bearing would be the financial cost of the adjustment, resources, practicability of the adjustment and the availability other assistance to help make an adjustment.

Please not the area, what adjustments have been made and what further adjustments are required.

In most circumstances, service providers must make reasonable adjustments to remove any barriers – physical or otherwise – that could make it difficult or impossible for disabled customers to use their services .

Note:

Service providers do not have to make adjustments to make their services more accessible to disabled people if this will lead to a breach of any other legal obligations that apply to them. However, these will be exceptional circumstances that apply only where the other legal obligations are very specific, and leave the service provider no choice but to act in a certain way.

7. What reasonable adjustments have already been made to address any adverse impact? (Please use this area to not in particular any reasonable adjustments made to meet the requirements of the Disability Discrimination Act)		
Area	What adjustments have been made?	What further adjustments are required?

Stage 3: The Decision

The purpose of carrying out an Impact Assessment is to provide the basis for creating changes that will drive improvement and deliver equalities. They may provide a number of possible outcomes.

• Demonstrate an adverse impact or impacts in one or more areas
• No adverse impact, but Equality is not promoted
• No adverse impact and Equality is promoted
• There is insufficient evidence to judge whether there is adverse impact

If an assessment demonstrates adverse impact then the service should be taking immediate action to remedy the situation and objectives would be set accordingly.

However, where outcome of the assessment falls into one of the other categories the service may well wish to improve its performance by;
- Improving the quality of data/research so that a there is a clearer understanding of impact
- Developing excellent equality practices
- Improving promotion of equality

There is space to create a summary of these improvements here.

Stage 4: Publication

SEND TO THE CORPORATE EQUALITY & COHESION MANAGER

All Equality Impact Assessments will be All Equality Impact Assessments will be published on the MKi Observatory website where they can be challenged and updated.