



## How to complete an Equalities Impact Assessment – Step by step guidance

### Introduction:

By law, our assessment of the impact of policy/procedure/practice on equality must:

- Contain enough information to enable the Council to demonstrate it has due regard for the aims of the equality duty in its decision making; and
- Consider ways of mitigating or avoiding any adverse impacts

### Having ‘due regard’ involves:

- Removing or minimising disadvantages suffered by people because of their protected characteristics;
- Taking steps to meet the needs of people from protected groups; where these are different from the needs of those not in those groups;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

EqlAs need to be proportionate to the decision being made, hence all proposals for, or changes in policy/practice/procedure/projects etc should be screened to establish whether a full EqlA is needed to inform the decision taker.

### Assessment information:

All officers, as well as Members, have some degree of responsibility for ensuring that EqlAs are conducted. The Equalities Policy highlights these responsibilities.

The **‘Completing officer’** should be designated as an owner for the assessment, but may rely on other teams and officers to compile the necessary information. The owner/s should be entered in the covering section of the form, alongside any **budget reference** (if applicable), **service area** and the date the proposal will be considered by **Cabinet** (if applicable). The **approving Director / Assistant Director** also need to be identified on the covering sheet alongside the date that the assessment was approved.

A summary of the process can be seen at Appendix 1 and the detail is listed below.

## Stage 1 – Name of those involved

This describes who is involved in completing the EqIA. Must include representatives from either the Policy & Strategy or HR team and obtain relevant support from Legal Services or the Trade Unions as appropriate.

## Stage 2 - Description of Proposal and screening process

Briefly describe the proposal. This needs to be written in plain English so that the public are able to ascertain exactly what is being assessed. This should include a brief description of the current service, function, policy and the proposed changes.

### The screening process

In deciding whether or not a full EqIA is needed you need to consider the potential impact on protected groups. Ask yourself:

- Does the policy/procedure/project etc affect service users, employees or the wider community, and potentially have an affect in terms of equality? **(This isn't just about the numbers affected, but the significance of the effect on them).**
- Is it a major policy/change significantly affecting how functions are delivered?
- Does it relate to functions that previous involvement or activities have identified as being important to protected groups?
- Does it relate to an area where there are known inequalities e.g. disabled peoples access to a service, racist/homophobic bullying
- Does it relate to a policy/process/project where there is significant potential for reducing inequalities or improving outcomes e.g. increasing take up of services by a protected group.

**If the answer to any of these questions is 'yes' you will need a full EqIA.**

Any change needs consideration of a full EQIA but it is anticipated that where 20 staff or more are effected there will always be a full EQIA. You are reminded that if there is an impact and you fail to do an EQIA this may put the Council in breach of its duty. You need to take responsibility for making sure that this is not the case. Where there is any doubt a full EqIA is always recommended.

If you decide a full EqIA is required, set out the relevance of the proposal to the general equality duties and how the intended outcome would affect protected groups and move onto Stage 3.

### Stage 3 – Scoping Exercise – Employee Data

Harinet provides a whole raft of information and data that can be used in impact assessing a proposal. The Equality section of Harinet will provide general data covering all protected characteristics, where this information is recorded.

### Stage 4 – Scoping Exercise - Service Data

Use this section for any changes you propose that have an impact on your service. Alongside the generic data, you will also need to supply service level data. This can be quantitative (statistics) and/or qualitative (feedback, narrative), you need to consider who is impacted by your service alongside usual services users i.e. who are the wider stakeholders:

**Where information doesn't exist** within the Council, consider any external information and research that may be available locally or nationally.

#### Service data can include:

- Service **user's** equality monitoring data
- Information about stakeholders
- Service user complaints
- Commissioned services performance data
- Service level consultation/survey/feedback results

You will need to include links to the source of this data where possible and explain what this data includes (e.g. consultation feedback disaggregated by protected characteristic)

#### Reasons for using different sources in Equality Impact Assessments

- To demonstrate who currently uses your services
- To demonstrate the potential users of your policy, practice or function
- To demonstrate differences in demand or use within different communities?
- To demonstrate whether the service is easy to access- and for whom
- To demonstrate what people think of the policy, practice, service or function?
- To demonstrate current satisfaction levels with your services.
- To demonstrate the different experiences people have trying to use your service or the different outcomes for different groups in relation to a policy or function.

### Stage 5 - Assessment

This section can be used to analyse **the impact on Haringey's employees or the impacts on the service.**

Based on an analysis of service data and general data, you now need to identify how certain groups of people will be affected by the proposal:

- Does the proposal in its implementation target or exclude specific protected groups? Is this justified?

- Will the proposal in its implementation affect some equality groups disproportionately whether positively or negatively? If yes, can this be justified?
- Are there barriers to certain communities enjoying the benefits of the proposal?
- Is the proposal likely to be equally accessed by all groups of protected characteristics or additional highlighted groups? If not, can it be justified?
- Will information about the policy, procedure, function or service is available in alternative formats?
- If this is a service for the public, is it accessible?
- Is the policy, procedure, function or service sensitive to the needs and cultures of the groups of protected characteristics e.g. have you considered different needs in terms of religion or belief? Have you considered different needs for particular age groups?

### **Stage 6 - Initial Impact Analysis (Adverse and Differential Impact)**

If your EqIA shows that your proposed policy, procedure, function or service is likely to have a disproportionate adverse impact on particular groups or directly or indirectly discriminate then you need to consider whether it complies with the statutory duties placed upon us as a Council. You may need to gain legal advice. Any adverse impacts that are unavoidable must be clearly justified within the EqIA. When the adverse impact is disproportionate and deemed to be unlawful, the proposed policy, procedure, function or service must be abandoned or changed. Some policies, practices or functions are targeted at particular groups and these by definition will have a differential impact. Differential impact can be justified as part of positive action measures in relation to particular groups e.g. taking steps to address inequality due to participation by a group/s in certain activities being disproportionately low, or taking steps to address need where there is clear evidence that disadvantage experienced by particular groups is disproportionately high. Where this is the case, it is necessary to justify actions and provide a clear and legal rationale for them within the EqIA.

**Note: The essence of the equality duty is that we consider that in order to achieve equality you sometimes have to treat people differently. Equality does not necessarily mean treating everyone the same. For there to be true equality of outcome, the starting point and barriers individuals may face need to be taken into account to create a level playing field.**

You also need to provide some narrative on your analysis. Explain your findings and how you have arrived at the decision.

Consider the data and information about which your service users / employees are, considering if there is:

- A possibility of direct or indirect discrimination
- Particular disadvantages faced by some groups of people more than others
- Different needs of persons who share relevant protected characteristics
- Under representation by certain groups
- Is there an opportunity to improve relations and promote understanding?

**The above must be considered as part of the initial assessment.**

You then have the opportunity to take the following actions:

Action to mitigate – where you have identified a possible negative impact or where a policy/procedure may indirectly affect a group of people different, you may want to include some options to mitigate this for particular groups, for example actions could include specific measures to help certain groups of people where you have identified they may be at a disadvantage or their needs differ.

Actions to advance equality – after analysing your data you may have identified that some groups experience inequality which could be helped by altering your service, policy or function, for example actions could include targeted advertising campaigns to increase service users from underrepresented groups, or use communication campaigns to promote understanding.

Actions to fill gaps – you may have identified that you need additional information, and as such you will need to address this, for example actions may range from further consultation with the public and stakeholders or targeted groups to implementing more consistent monitoring to ensure you know who your service users are.

## **Stage 7 - More information on Consultations**

Consultation information or discussions with stakeholders should be a key part of your information gathering activity. The experiences of stakeholders and their views are used to inform your understanding and final assessment of the impact of the proposal.

### **Issues to consider before undertaking consultation:**

- Review results of previous consultation exercises to source any relevant data, is a new consultation necessary? Or do you have enough information from previous consultations/surveys to inform your EqIA.
- Ensure that information that is used is relevant and not out of date
- Consider whether other Council colleagues may also be undertaking consultation and encourage joint-working arrangements.
- Decide on the focus of the consultation
- Consider whether your consultation is inclusive and caters for all groups of protected characteristics
- Appreciate that groups of protected characteristics are not homogenous in nature. For instance, you may need to consult with a number of ethnic minority communities rather than just one, and provide materials in a variety of formats depending on your service users needs.
- Decide on how you will consult and how much resource is available.
- Consultation methods should be appropriate to the nature of the policy, service or function. Approaches could include focus groups or open meetings as well as interviews with community groups.
- Ensure sufficient time to undertake and analyse meaningful consultation.

You now need to work towards the actions you have highlighted prior to completing the remainder of the form.

## Consultation and Follow up Data

Once you have completed your actions highlighted in Stage 6, you will need to provide a summary of the outcome.

Remember: Decision makers **must** be aware of the different needs you may have identified for people with protected characteristics, which may become evident through consultation, so that they can pay 'Due Regard' to the duty.

## Stage 8 - Final Impact Analysis

Your final impact analysis is important because this will allow decision makers to make their decisions equipped with knowledge of the impact on groups of people protected by law. It will identify opportunities to mitigate or advance equality, and demonstrate how the needs of specific groups identified through consultation have been considered thus paying 'due regard' to their legal duties. Here you will need to explain how the decision being proposed will impact on the three 'limbs' of the equality duty (eliminating discrimination, harassment and victimisation; advancing equality of opportunity and fostering good relations)

Your final impact analysis should be a narrative, decision makers need to know;

- Who will be impacted and have they been consulted? What did they say? If they were not consulted why not? Did they have a reasonable time to respond? Did consultees ask for more time to respond and were they given it? If not why not?
- Were the consultation responses considered in the final proposal? Are they summarised/extracts included in the final report?
- How many people will be impacted and/or how significant the impact might be?
- The nature of the impact (both positive and negative) should the proposal be implemented.
- How the proposal will remove barriers to and/or advance equality
- If you intend to continue with a proposal despite negative impacts on protected groups, what are your mitigation plans?
- How you intend to monitor the impact of the proposal

You should analyse the impact of the actions identified (at stage 6) and the information (at stage 7) and explain whether the expected outcomes were achieved in practice. This analysis should also give reasons for going ahead with any proposal that may have a negative impact.

## Stage 9 - Assessment Review

New information becomes available all the time, so it is important not to draw a line after the completion of the assessment. This is why you will need add an

appropriate review date for the EqlA and add the assessment to your EqlA review programme.

## Stage 10 - Publication

All EqlAs will be published in line with the Councils drive towards being more transparent. Therefore it is worth considering these points:

### **Publishing EqlAs:**

- Remember that you are completing a public document; be aware of the language you use and do not include anything that may be deemed offensive or discriminatory.
- Ensure there is sufficient information to show that you have considered the three aims (mentioned above) of the general duty.
- That there is sufficient information on the effect proposal will have on the protected characteristics.
- Demonstrate evidence that you have analysed the information.
- **Most importantly: Write in plain English, these are public documents and need to be clear and easily understood by all members of the public.**

All Cabinet Papers **MUST** contain a link to the website where your EqlA is published so that decision makers are able to access your assessment. We will also be reporting on the cumulative impact as part of our quarterly performance report.

## Support

Support is available through the intranet, EqlA online learning, and corporate Policy and Strategy team. The Policy and Equalities Manager in HR is also able to offer support as requested.