

Equality Impact and Outcome Assessment (EIA) Template

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact the Communities, Equality and Third Sector Team on ext 2301.

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Secondary School Admissions Review 2018/19	ID No.⁶	
Team/Department⁷	School Admissions		
Focus of EIA⁸	<p>Brighton and Hove City Council ('the Council') is the admissions authority for all community schools in the city and is therefore responsible for determining the admission arrangements. Brighton Aldridge Community Academy (BACA) and Portslade Aldridge Community Academy (PACA) are their own admission authority but have adopted the Council's admission priorities. Cardinal Newman Catholic School and King's School are their own admissions authority and determine their own arrangements. 'Admission arrangements' means the overall procedure, practices and oversubscription criterion used in deciding on the allocation of school places.</p> <p>Admission authorities are required to determine their school admission arrangements annually. Prior to determination there must be a consultation period of at least six weeks. The Council is proposing to revise its admission arrangements for secondary schools for 2018/19. A public engagement exercise on possible options will be undertaken before the formal consultation starts in October 2016. The Council must implement fair and lawful arrangements.. The School Admissions Code 2014 sets</p>		

out acceptable and unacceptable admission arrangements and priorities.

In the event of oversubscription the current admissions arrangements set out the priorities for admission as follows:

1. Children in Local Authority care (Looked after children) and previously have been looked after children
2. Compelling medical or other exceptional reasons to attend the school
3. Sibling link
4. Catchment area
5. Other children - if none of the above four priorities applies to the child, they will be placed in this category.

Tie break- If a school is fully subscribed with children in any of these priorities, the council will use an electronic random allocation system to decide which children within that priority should be offered the available places. Are as follows:

A previous full review of secondary school admission arrangements was undertaken in 2007 and introduced the current criteria of catchments areas and random allocation within catchments areas in the event of oversubscription. A number of less substantial reviews have taken place since then which have amended certain of the catchment area boundaries.

A Steering Group was been set up in early 2015 to review the current arrangements. The review has been necessitated by the increase in the number of primary school age pupils in the city over the last 6 years, and the need to ensure that there will be sufficient secondary school places as they move through the school system. Also a new secondary school will open in Brighton in 2018.

There are over 2000 applications each year for admission into secondary school in year 7.

The new arrangements will start to affect children in current (2015/16) Year 4 (8-9 years old, who will be applying for a secondary school place in 2017 for admission in 2018), and will affect children in the following subsequent years:

- Year 3 (admitted into secondary school 2019)
- Year 2 (admitted into secondary school 2020)

- | | |
|--|---|
| | <ul style="list-style-type: none">• Year 1 (admitted into secondary school 2021)• Reception (admitted into secondary school 2022). |
|--|---|

2. Update on previous EIA and outcomes of previous actions

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What <u>further</u> actions do you need to take? (add these to the Action plan below)
N/A as previous EIA completed in 2007		

Protected characteristics groups from the Equality Act 2010	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations 																		
Age ¹³	Children affected by the proposals are currently in years: <table border="1" data-bbox="427 475 734 715"> <thead> <tr> <th>Year</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>2569</td> </tr> <tr> <td>3</td> <td>2704</td> </tr> <tr> <td>2</td> <td>2788</td> </tr> <tr> <td>1</td> <td>2793</td> </tr> <tr> <td>Reception</td> <td>2852</td> </tr> </tbody> </table> (May 2014-15 census)	Year	Totals	4	2569	3	2704	2	2788	1	2793	Reception	2852		Everyone of age can apply. There will be no impact on age.	There is equal access for every child of the entry age.						
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Disability ¹⁴	<p>Current pupils with SEN:</p> <table border="1" data-bbox="427 528 1095 1509"> <thead> <tr> <th data-bbox="427 528 636 568">Jan-15</th> <th colspan="5" data-bbox="636 528 1003 568">National Curriculum Year</th> <th data-bbox="1003 528 1095 568"></th> </tr> <tr> <th data-bbox="427 568 636 608">SEN Need</th> <th data-bbox="636 568 710 608">R</th> <th data-bbox="710 568 781 608">1</th> <th data-bbox="781 568 853 608">2</th> <th data-bbox="853 568 925 608">3</th> <th data-bbox="925 568 996 608">4</th> <th data-bbox="996 568 1095 608">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="427 608 636 715">Autistic spectrum disorder</td> <td data-bbox="636 608 710 715">12</td> <td data-bbox="710 608 781 715">15</td> <td data-bbox="781 608 853 715">18</td> <td data-bbox="853 608 925 715">17</td> <td data-bbox="925 608 996 715">19</td> <td data-bbox="996 608 1095 715">81</td> </tr> <tr> <td data-bbox="427 715 636 783">Hearing impairment</td> <td data-bbox="636 715 710 783">6</td> <td data-bbox="710 715 781 783">9</td> <td data-bbox="781 715 853 783">12</td> <td data-bbox="853 715 925 783">10</td> <td data-bbox="925 715 996 783">6</td> <td data-bbox="996 715 1095 783">43</td> </tr> <tr> <td data-bbox="427 783 636 890">Moderate learning difficulty</td> <td data-bbox="636 783 710 890">6</td> <td data-bbox="710 783 781 890">49</td> <td data-bbox="781 783 853 890">80</td> <td data-bbox="853 783 925 890">85</td> <td data-bbox="925 783 996 890">76</td> <td data-bbox="996 783 1095 890">296</td> </tr> <tr> <td data-bbox="427 890 636 997">Multi-sensory impairment</td> <td data-bbox="636 890 710 997">1</td> <td data-bbox="710 890 781 997"></td> <td data-bbox="781 890 853 997">1</td> <td data-bbox="853 890 925 997">1</td> <td data-bbox="925 890 996 997">1</td> <td data-bbox="996 890 1095 997">4</td> </tr> <tr> <td data-bbox="427 997 636 1198">SEN support but no specialist assessment of type of need</td> <td data-bbox="636 997 710 1198">18</td> <td data-bbox="710 997 781 1198">62</td> <td data-bbox="781 997 853 1198">71</td> <td data-bbox="853 997 925 1198">39</td> <td data-bbox="925 997 996 1198">47</td> <td data-bbox="996 997 1095 1198">237</td> </tr> <tr> <td data-bbox="427 1198 636 1305">Other difficulty / disability</td> <td data-bbox="636 1198 710 1305">7</td> <td data-bbox="710 1198 781 1305">24</td> <td data-bbox="781 1198 853 1305">23</td> <td data-bbox="853 1198 925 1305">44</td> <td data-bbox="925 1198 996 1305">41</td> <td data-bbox="996 1198 1095 1305">139</td> </tr> <tr> <td data-bbox="427 1305 636 1374">Physical disability</td> <td data-bbox="636 1305 710 1374">6</td> <td data-bbox="710 1305 781 1374">10</td> <td data-bbox="781 1305 853 1374">14</td> <td data-bbox="853 1305 925 1374">12</td> <td data-bbox="925 1305 996 1374">12</td> <td data-bbox="996 1305 1095 1374">54</td> </tr> <tr> <td data-bbox="427 1374 636 1509">Profound & multiple learning difficulty</td> <td data-bbox="636 1374 710 1509">4</td> <td data-bbox="710 1374 781 1509">5</td> <td data-bbox="781 1374 853 1509">5</td> <td data-bbox="853 1374 925 1509">4</td> <td data-bbox="925 1374 996 1509">4</td> <td data-bbox="996 1374 1095 1509">22</td> </tr> </tbody> </table>	Jan-15	National Curriculum Year						SEN Need	R	1	2	3	4	Total	Autistic spectrum disorder	12	15	18	17	19	81	Hearing impairment	6	9	12	10	6	43	Moderate learning difficulty	6	49	80	85	76	296	Multi-sensory impairment	1		1	1	1	4	SEN support but no specialist assessment of type of need	18	62	71	39	47	237	Other difficulty / disability	7	24	23	44	41	139	Physical disability	6	10	14	12	12	54	Profound & multiple learning difficulty	4	5	5	4	4	22	Children with SEND may be more liable to be bullied.	<p>The Admission Code set by the Department for Education says that authorities cannot collect data that is not set out in their Admissions priorities.</p> <p>Disability, other than pupils with Education, Health and Care Plans and those with exceptional and compelling circumstances is not one of the priorities. These priorities are set out in the Admissions booklet and on-line.</p>	
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Disability	Social, emotional and mental health	45	93	72	81	93	384			
	Speech, language and communication needs	175	178	161	130	107	751			
	Severe learning difficulty	9	12	7	14	13	55			
	Specific learning difficulty	3	42	73	87	130	335			
	Visual impairment	5	5	7	7	4	28			
	Grand Total	297	504	544	531	553	2429			
	<p>The school admissions guidance stipulates that if there are medical reasons that make it essential for a child to attend a particular school, parents must provide supporting information from a doctor together with any other relevant information. This must make a compelling case as to why the child's needs can only be met at the preferred school, as a medical condition in itself will not automatically result in a place being offered. It is not essential for the doctor to name the school in question, but the evidence should explain exactly what the child's needs are, and what specialist support and/or facilities your child requires. The Local Authority will seek advice from the Consultant Community Paediatrician, who in</p>									

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	<p>most cases will only agree medical need for a school place if a child has a Statement of Special Educational Needs or Education Health and Care Plan (EHCP) as a result of their medical situation.</p> <p>The Family Information Service has a School Preference Service to support parents and carers who may need help in applying for a secondary school place. (This service is impartial and separate from the School Admissions Team).</p> <p>Schools also support parents with the application process.</p> <p>Within the Admissions process -Priority 2 refers to children with compelling medical or other exceptional reasons to help the child being offered a place in their preferred school.</p>			
Gender reassignment¹⁵	<p>There are small numbers of trans children in Brighton & Hove primary schools.</p> <p>The Family Information Service has a School Preference Service to support parents and carers who may need help in applying for a primary or secondary school place. (This service is impartial and separate from the School Admissions Team).</p> <p>Schools also support parents with the application process.</p> <p>Within the Admissions process -Priority 2 refers to children with compelling medical or other exceptional reasons to help the child being offered a place in their preferred school.</p>	<p>This group are potentially vulnerable. Some schools may be selected as their preferred options due to those schools having more publicised and perceived effective anti-bullying policies.</p>	<p>There is no impact as this is not part of the admissions criteria.</p>	

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Pregnancy and maternity¹⁶	Not relevant.		Pregnancy and maternity should not be a factor and therefore there should be no detrimental impact.	
Race¹⁷	<p>The current Local Authority average for BME is 24% for all schools. Currently for Primary schools average for BME is 25%. The national figure for BME is 28%.</p> <p>Currently for pupils with English as an Additional Language (EALs) at Primary schools (incl academy & free schools) is 13.0% (National 18.7%*)</p> <p>In January 2015 there were 3,729 pupils with at least 101 different languages other than English (including British Sign Language), attending Brighton and Hove schools and Academies.</p> <p>The three most widely spoken languages other than English are Arabic (824 pupils), Bengali (352 pupils) and Polish (339 pupils).</p> <p>The Family Information Service has a School Preference Service to support parents and carers who may need help in applying for a primary or secondary school place. (This service is impartial and separate from the School Admissions Team).</p>	<p>This group are potentially vulnerable. Some schools maybe selected as their preferred options due to those schools having more publicised and perceived effective anti-bullying policies for more ethnic pupils.</p> <p>New entrants who are not in the same catchment area as their friends due to applying in-year for a school place (who may have the same ethnic background) will more than likely attend a different secondary school.</p>	There is no impact as this is not part of the admissions criteria.	

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Race	Schools also support parents with the application process. Within the Admissions process -Priority 2 refers to children with compelling medical or other exceptional reasons to help the child being offered a place in their preferred school.	MOSIAC are available to provide support and also the EALS.								
Religion or belief¹⁸	The Local Authority does not collect this data set as it is not part of their Admissions priorities.		There is no impact as this is not part of the admissions criteria for community schools.							
Sexual orientation¹⁹	Allsorts have confirmed that there is no data available for primary age children.	This group are potentially vulnerable. Some schools maybe selected as their preferred options due to those schools having more publicised and perceived effective anti-bullying policies.	There is no impact as this is not part of the admissions criteria.							
Community Cohesion²⁰	DfE do not collect data on deprivation. The Local Authority is aware of its duty under the Equality Act 2010 to promote community cohesion. Free School Meals (FSM) <table border="1" data-bbox="427 1394 768 1497"> <thead> <tr> <th>Year</th> <th>Totals</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>401</td> </tr> <tr> <td>3</td> <td>436</td> </tr> </tbody> </table>	Year	Totals	4	401	3	436		The proposal for FSM to be included as one of the Admissions priorities will give these children a greater priority over non FSM children. The Local Authority makes every effort to ensure that parents are	
Year	Totals									
4	401									
3	436									

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	<table border="1" data-bbox="427 437 768 544"> <tr> <td>2</td> <td>413</td> </tr> <tr> <td>1</td> <td>382</td> </tr> <tr> <td>Reception</td> <td>411</td> </tr> </table> <p>14.5% of Brighton and Hove pupils from years R to 11 (aged 4 to 16) have applied for and have been deemed eligible for free school meals. This is below the National figure of 15.7%. The national figure is from Jan 2014 (the 2015 data will not be published until the end of the summer) and is expected to have decreased.</p> <p>Both the local figure and the national figure are on a downward trend and the universal infant free school meals programme has had a significant impact on numbers of infant school parents registering across the country.</p> <p>The Local Authority has mitigated this impact locally and is working closely with schools to assist them in the identification of FSM pupils. Initial figures show that the Brighton and Hove FSM reduction of 1.2 percentage points is less than national. The drop in pupils eligible for FSM is across the phases, with 100 fewer pupils claiming in secondary schools than one year ago.</p>	2	413	1	382	Reception	411		not only aware of the published admission arrangements but that they also fully understand them. The level of satisfaction with a complex process contributes directly to community cohesion.	
2	413									
1	382									
Reception	411									
Other relevant groups²¹	<p>Schools report and support pupils who are Looked After, Asylum Seekers and pupils who are affected domestic violence.</p> <p>The Admissions priorities are :</p> <ol style="list-style-type: none"> 1. Children in Local Authority care (Looked after children) and previously have been looked after children 2. Compelling medical or other exceptional reasons to attend the school 									

Protected characteristics groups from the Equality Act 2010	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	3. Sibling link 4. Catchment area 5. Other children - if none of the above four priorities applies to the child, they will be placed in this category.			
Cumulative impact ²²	None recognised			
Assessment of overall impacts and any further recommendations²³				
Informal engagement will commence on the 14 March 2016 to 22 April 2016. Feedback received from these events will be incorporated into the EIA.				

3. List detailed data and/or community feedback which informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps (add these to the Action plan below)
Transgender and sexual orientation – from Allsorts	26-11-2015	Local authorities do not collect this data as part of school census. Schools have been provided with guidance.	
2015 School Census where most recent data available (January, May or October) and National Statistics Postcodes Directory 2010	12-12-2015		

4. Prioritised Action Plan²⁴

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Lead Equality Impact Assessment officer:

Date:

Directorate Management Team rep or Head of Service:

Date:

Communities, Equality Team and Third Sector officer:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a council, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact Clair ext: 1343

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on protected groups of the policy/decision/service is available?⁹
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹⁰ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹¹ Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹² Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹³ **Age:** People of all ages

¹⁴ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁵ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

¹⁶ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁷ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers

¹⁸ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²⁰ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²¹ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

²² **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²³ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁴ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

