

Equality Impact and Outcome Assessment (EIA) Template - 2019

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:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

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	Consultation on Council's Admission Arrangements 2022/23	ID No.⁶	
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	The proposal to move West Hove Infant school (Connaught Road site) to Holland Road so that the school can co-locate on Holland Road with Hove Junior School.		

3. Review of information, equality analysis and potential actions

Groups to assess	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: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹³	<p>Changes will directly affect parents of children born between 1/09/2014 and 31/08/2017 who are currently attending West Hove Infant school.</p> <p>Changes will also affect younger children applying for West Hove Infant school in the future.</p>	<p>Consultation responses show that 71% of respondents with a child at West Hove infant/Junior school strongly agree or tend to agree with the proposal.</p> <p>The most common concern raised by the consultation is the impact and disruption to pupils particularly the younger children currently in reception at Connaught road.</p> <p>Parents with children of different ages (at both infant school and junior school) will find it easier to drop off/pick up from one school site rather than two school sites. However some families will experience a longer journey to school than they had previously</p>	<p>School staff will need to manage the move carefully to minimise any disruption to pupils.</p> <p>Parents who have already applied for Connaught Road for September 2022 may not be aware of the proposals.</p> <p>Families may need to change their planned journeys to school and broader travel arrangements such as commuting as a result of a change.</p>	<p>If proposal goes ahead continuing dialogue will be required between school staff and parents to address any concerns.</p> <p>Visits to the Holland Road site arranged for pupils and parents in advance of the move.</p> <p>School admissions team will contact parents who have already applied for September 2022 admission to explain about the site move.</p> <p>The school will need to adapt their current School Travel Plan</p>

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		experienced or expected to undertake.		
Disability¹⁴	<p>In May 2021 West Hove Infant School (across both sites) had 12.4% of pupils receiving Special Educational Needs and Disabilities (SEND) support and 0.2% of pupils with an Education, Health & Care Plan.</p> <p>Parents with a disability may have to travel further to take children to the Holland Road site and some parents may have a shorter journey.</p>	There were no comments relating to this provided in responses to the consultation.	<p>Families may need to make alternative arrangements about their method of transport to school.</p> <p>Families may need to adjust their commuting routines as a result of a change in location of the school.</p>	<p>As a result of the site move families living more than 2 miles from Holland Road may now be eligible for transport assistance from the council.</p> <p>The school will need to adapt their current School Travel Plan</p>
Gender reassignment¹⁵	n/a			
Pregnancy and maternity¹⁶	n/a			

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Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	34.4% of the pupils attending West Hove infant school (both sites) in January 2021 are from ethnic minority families. No data is available for the cohort due to start school in September 2022.	There were no comments related to this in the consultation. A change in the school's location may affect the provision of school places in future years, if the school is oversubscribed because places are allocated on the basis of distance from the school.	Some families may not be able to secure a place at the school if the school becomes oversubscribed.	All families will receive a place at a school within a reasonable distance to their home. However, it may not be a school that is one of their stated preferences. If oversubscribed, places are allocated on a distance measurement.
Religion or belief¹⁸	West Hove Infant school is a community school providing pupils with a secular education. The closest primary school to the Connaught Road site is a faith school, St Andrew's CE Primary school. The closest primary school to Holland Road is a community school, Brunswick Primary School.	There is little information on this.	The move is most likely to affect families with no faith or who want their children to receive a secular education.	All families will receive a place at a school within a reasonable distance to their home. However, it may not be a school that is one of their stated preferences. If oversubscribed, places are allocated on a distance measurement.

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Sex/Gender¹⁹	n/a			
Sexual orientation²⁰	n/a			
Marriage and civil partnership²¹	n/a			
Community Cohesion²²	<p>Holland Road is less than a mile from Connaught Road so the school will continue to serve the same community if it moves site.</p> <p>Pupils from Connaught Road already move to Holland Road when they change from Infant to Junior school.</p>	<p>Some consultation responses indicate that Holland Road is not considered to be in West Hove and the site move will leave the West Hove community with limited school choice.</p> <p>The majority of the community responding to the consultation are in favour of the move.</p>	<p>There are split views within the local community as to whether and when the move should take place.</p>	<p>The school will need work with all members of the local community to ensure that the move is a success.</p>
Families with English as additional language	<p>19.6% of pupils attending West Hove Infant school (both sites) in January 2021 have English as an additional language.</p>	<p>There is little information on this.</p>		<p>Ensure that these families are aware of the proposals through EMAS home/school liaison workers.</p>

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Cumulative impact²³				
Assessment of overall impacts and any further recommendations²⁴				
<p>Overall impact indicated from the consultation responses is that the move will have a positive effect on families particularly those with children attending both the infant and junior schools. There could be some disruption caused by the move particularly affecting the younger children who have only just started school and become familiar with the Connaught Road site. School staff are well aware of this concern and will work with pupils, class teachers and parents to ensure any disruption is kept to a minimum.</p>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)

5. Prioritised Action Plan²⁵

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.				
Families with English as additional language	Ensure that these families are aware of the proposals through EMAS home/school liaison workers.	Families are aware of the move, should it be agreed and the timing of when that will take place and what support is available from the school for pupils and families.	All families know about the planned move and have had the opportunity to express their concerns of the impact on their children with school staff.	January 2022 (if proposed move agreed)
Disability and age	The school will need to adapt their current School Travel Plan	The plan is amended and families informed of the changes	Families are supported to undertake a different journey to school should the move take place	January 2022 (if proposed move agreed)

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)

Staff member completing Equality Impact Assessment:

Saul Johnston

Date: 19.10.21

Directorate Management Team rep or Head of Service/Commissioning:

Richard Barker

Date: 20.10.21

CCG or BHCC Equality lead:

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 public sector organisation, 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 in relation to their '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).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered 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 from protected groups to participate in public life or in other activities where their 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 within the context

The greater the impacts, 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 a specific group or groups (eg: older people)?
- 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 your CCG or BHCC equality lead (see page 1)

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 specific 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 groups identified above 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 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:** A transgender person is someone who proposes to, starts or has completed a process to change their 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. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

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 **Sex/Gender:** Both men and women are covered under the Act.

²⁰ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²¹ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²² **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²³ **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

²⁴ **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?

²⁵ **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.