

Lifeguard Service 2023 | TECC Committee, 9 March 2023

Appendix 2 - Equality Impact and Outcome Assessment (EIA)

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).

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	Lifeguard Service 2023	ID No.⁶	
Team/Department⁷	Culture, Tourism & Sport – Seafront Service		
Focus of EIA⁸	<p>At the Budget Council meeting on 23 February 2023 Councillors agreed to remove £100,000 from the Lifeguard Service budget to deliver a balanced budget for 2023/24. The number of lifeguard stations operated during the summer season (May – September) will need to be reduced from seven to four for the service to operate within budget. An additional three lifeguard stations will continue to operate during the six-week school holiday period.</p> <p>Brighton & Hove welcomes 12.37 million visitors a year and many of them will visit the seafront. During the 2022 season the city's beaches welcomed 750,000 beachgoers and 143,000 water users. The beach is a popular leisure destination for families during the school holidays.</p> <p>To ensure there is a robust, risk-based approach to this reduction previous visitor and incident numbers have been reviewed, as well as the risks to beachgoers, using industry-standard</p>		

assessments and guidance.

2. Update on previous EIA and outcomes of previous actions⁹

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 further actions do you need to take? (add these to the Action plan below)
N/A	N/A	N/A

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ¹⁰ ? Summary of data about your service-users and/or staff	What do people tell you ¹¹ ? Summary of service-user and/or staff feedback	What does this mean ¹² ? Impacts identified from data and feedback (actual and potential)	What can you do ¹³ ? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹⁴	<p>The Lifeguard Service helped to reunite 171 missing people in 2022. Children are likely to be non-swimmers or weaker swimmers and more likely to get lost.</p> <p>The beach is a popular destination for families during the summer holidays.</p>		<p>A reduction in the number of lifeguards will mean a reduced response to lost children. Younger children may be at greater risk of drowning were they to get into trouble on beaches with no lifeguards.</p>	<p>Review signage informing all beachgoers of where lifeguards are stationed and where they are not.</p> <p>Review public rescue equipment.</p> <p>Deliver media releases focused on water safety before and throughout the summer.</p> <p>Continue monitoring</p>

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				incidents of missing people and other major incidents.
Disability¹⁵	In 2021, 8.0% of Brighton and Hove residents were identified as being disabled and limited a lot, 11.5% of Brighton and Hove residents were identified as being disabled and limited a little.		Those who are also less able or confident swimmers may be further discouraged from going in the water where no lifeguards are stationed.	Review signage informing all beachgoers of where lifeguards are stationed and where they are not.
Gender reassignment¹⁶	Transgender people are statistically at a higher risk of attempting or thinking about suicide. Almost half of trans people (46 per cent) have thought about taking their own life in the last year, compared to 31 per cent of lesbian, gay and bisexual people who aren't trans. [Stonewall, 2018]		The seafront and cliff areas are high risk/frequency areas for self-harm and suicide attempts	Review signage (incl. Samaritans signs) and existing infrastructure (e.g. fencing) along the seafront. Ongoing provision of staff training on suicide prevention Continue monitoring incidents of attempted suicide and fatalities Liaise with suicide prevention strategy group to link to any pre-existing suicide prevention

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				campaigns
Pregnancy and maternity¹⁷				
Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers	Sport England Active Lives Survey shows 95% of Black adults, 93% of Asian adults, 80% of Black children and 78% of Asian children do not swim.		This group of people may be further discouraged from going in the water where there are no lifeguards stationed.	Review signage informing all beachgoers of where lifeguards are stationed and where they are not.
Religion or belief¹⁹				
Sex/Gender²⁰	In 2021, Around three-quarters of suicides were males (4,129 deaths; 74.0%), consistent with long-term trends, and equivalent to 16.0 deaths per 100,000, the rate for females was 5.5 deaths per 100,000.[ONS UK]		The seafront and cliff areas are high risk/frequency areas for self-harm and suicide attempts	Review signage (incl. Samaritans signs) and existing infrastructure (e.g. fencing) along the seafront. Ongoing provision of staff training on suicide prevention Continue monitoring incidents of attempted suicide and fatalities

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				Liaise with suicide prevention strategy group to link to any pre-existing suicide prevention campaigns
Sexual orientation²¹	LGBTQ people are at greater risk of experiencing poor mental health and suicide attempts. One in eight LGBT people aged 18-24 (13 per cent) said they've attempted to take their own life in the last year [Stonewall, 2018]		The seafront and cliff areas are high risk/frequency areas for self-harm and suicide attempts	Review signage (incl. Samaritans signs) and existing infrastructure (e.g. fencing) along the seafront. Ongoing provision of staff training on suicide prevention Continue monitoring incidents of attempted suicide and fatalities Liaise with suicide prevention strategy group to link to any pre-existing suicide prevention campaigns
Marriage and civil partnership²²				
Community Cohesion²³	The Seafront Team / Lifeguard Service tackled 81 cases of anti-social behaviour or abuse in		Fewer lifeguards could lead to an increase in problems with anti-social behaviour or bye-law	Continue to work closely with other agencies, including the Police, Ambulance Service and

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	2022, mostly linked to the misuse of alcohol, drugs or poor mental health		enforcement	Coastguard
Other relevant groups²⁴	The Seafront Team / Lifeguard Service responded to 11 mental health incidents during 2022		The seafront and cliff areas are high risk/frequency areas for self-harm and suicide attempts	Review signage (incl. Samaritans signs) and existing infrastructure (e.g. fencing) along the seafront. Ongoing provision of staff training on suicide prevention Continue monitoring incidents of attempted suicide and fatalities Liaise with suicide prevention strategy group to link to any pre-existing suicide prevention campaigns
Cumulative impact²⁵				
Assessment of overall impacts and any further recommendations²⁶				

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<p>Brighton & Hove beaches are enjoyed by people from all protected groups under the Equality Act 2010 and in recent years the Council has sought to improve beach access for disabled people in particular. The Lifeguard Service takes preventative action and saves lives without prejudice and therefore, a reduced number of lifeguarded beaches has the potential to impact people from all protected groups using the seafront.</p> <p>However, a key element of the Lifeguard Service involves reuniting missing children with their families and identifying, intercepting and responding to incidents of attempted suicide or deliberate self-harm. As such, a reduction in the number of lifeguards may disproportionately impact younger children and people experiencing mental health crisis.</p> <p>Whilst the service does not collect ethnicity data on beach visitors, data from Sport England emphasises the considerable disparity in the proportion of Black and Asian people in the UK who do not swim. Those who are less able or confident swimmers may be further discouraged from going in the water where no lifeguards are stationed.</p> <p>A review of safety signage and public rescue equipment will be undertaken, with a particular focus on beaches that will have no lifeguard cover. There will also be targeted media releases in the summer and before about water safety and where to swim. Lifeguard towers will be placed on the majority of lifeguarded beaches to offer lifeguards and a greater line of sight and supervision of bathers across the shoreline. All incidents, including missing people, major and non-life-threatening incidents, and fatalities will continue to be monitored to track the impact of this service reduction. The Service will continue to work closely with key agencies such as the Police, Ambulance Service and the Coastguard.</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)
Seafront Team monitoring data	2022-23	No equality data collected	Not viable to collect equality data on all beachgoers and water users
Brighton & Hove Suicide Prevention Strategy	2018		
Sport England Active Lives survey	2020		
Census data	2021		
Stonewall, 2018: LGBT in Britain – Health Report			
ONS UK, Suicides in England and Wales: 2021 registrations			

5. Prioritised Action Plan²⁷

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.				
Age, Ethnicity, People in mental health crisis	Review signage, existing infrastructure, and public rescue equipment along the seafront.	Public well informed about the risks on the beach / in the water	Fewer incidents	Before Summer 2023 season
Age, Ethnicity	Deliver targeted media releases focused on water safety before and throughout the summer.	Public well informed about the risks on the beach / in the water	Fewer incidents	Before and throughout Summer 2023 season
Community Cohesion	Continue to work closely with other agencies, including the Police, Ambulance Service and Coastguard	Well managed incidents of anti-social behaviour		Ongoing
All	Continue monitoring incidents	Impact of service reduction understood	Robust service data for the season and to identify trends	Ongoing
People in mental health crisis	Ongoing provision of staff training on suicide prevention	Staff well trained to identify and support those at risk of suicide	Fewer incidents of suicide on the seafront	Ongoing
People in mental health crisis	Liaise with suicide prevention strategy group to link to any pre-existing suicide prevention campaigns	Campaigns inform people at risk of suicide about the support available	Fewer incidents of suicide on the seafront	Before and throughout Summer 2023 season

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: Katie Read

Date: February 2023

Directorate Management Team rep or Head of Service/Commissioning: Mark Fisher

Date: February 2023

CCG or BHCC Equality lead: *Under review*

Date: February 2023

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 **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

¹⁰ **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?¹⁰
- 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.

¹¹ **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.

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- 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.

¹² 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?

¹³ 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.

¹⁴ **Age:** People of all ages

¹⁵ **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.

¹⁶ **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

¹⁷ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁸ **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.

¹⁹ **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.

²⁰ **Sex/Gender:** Both men and women are covered under the Act.

²¹ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²² **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²³ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²⁴ **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

²⁵ **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

²⁶ **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?

²⁷ **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.

