

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 Service, EDI Team – email: Equalities@Brighton-Hove.gov.uk
- 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	Gardner Street Traffic Regulation Order	ID No.⁶	EEC57
Team/Department⁷	Traffic management, Transport		
Focus of EIA⁸	<p>Following a petition received and presented to the Environment, Transport and Sustainability (ETS) committee, the businesses of Gardner Street requested a change of hours on the current road closure every day, they have requested more space to install tables and chairs for their customers. Alongside this and more importantly a disabled resident with a blue badge has been made housebound from the current restrictions in place which is preventing them from attending essential appointments and carrying out daily routines.</p> <p>The advertised Traffic Regulation Order (TRO) will:</p> <ul style="list-style-type: none"> • Amend the current road closure in place which operates 11am – 5pm, The new proposed road closure to all vehicles including cyclists will operate Fri – Sun and Bank holidays 11 am – 9 pm. These proposed times have been informed by discussion with the businesses and the disabled resident to seek an adjustment that appropriately balances the positive and negative impacts of 		

the change on all stakeholder (the timings will also be subject to comments received via the TRO formal consultation).

- Reintroduce a time limited disabled bay for blue badge holders on Gardner Street to utilise during the unrestricted hours. The 11 disabled bays from recently implemented from the previous TRO will remain in Regent Street plus one personal Disabled Parking Bay (location?). This is to facilitate blue badge holders to access the local amenities.

During the pandemic special measures were implemented in Gardner Steet which allowed blue badge holders access at all times via an Experimental Traffic Regulation Order (ETRO), this was possible due to limited tables and chairs installed in the carriageway for the businesses due to social distancing measures. Since social distancing measures have been lifted, the volume of customers is too great to allow blue badge access during the road closure, when the ETRO expired it was also highlighted that there were issues for blue badge holders who were unsure how to access the street and disabled bays being obscured by tables and chairs, the street was reverted to its previous restriction that was in place for over 10 years (Fri – Sun and bank holidays 11-5 pm) ,

In addition to this there is a concern for road safety having vehicles enter a closed road with customers using the seating installed in the carriageway, making it impractical to protect pedestrians and wheelchair users if a vehicle required access.

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)
11 time-limited disabled bays were created in Regent Street for blue badge holders to visit the local amenities, this was a 450% increase on the previous disabled bay provision.	The disabled bays are in continuous use by blue badge holders on a daily basis, this shows the initial concerns of them not being accessible to many have been addressed, but not for the housebound resident.	Continue to monitor the use of the bays, to ensure they are not being abused by non-blue badge holders. Review demographic data at ward or where possible lower super output area (LSOA) to compare city-data with local neighbourhood data to check for any disproportionate impacts by protected characteristics of each ward.

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: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age¹⁴	Brighton & Hove has a resident population of 276,300 people. Including; - 41,600 children aged 0 to 15 years. - 200,100 working age adults aged 16 to 66. - 34,600 older people aged over 66. An estimated 8.6% of	Commenting online for the TRO isn't accessible for all, especially those without access to email platforms.	Accessibility needs to be significantly improved to provide more than one way for residents to provide comments on TROs, with inclusive adjustments for time-frame provided for those who are older, disabled and have English as an additional language.	We currently advise that comments can be made to the proposed TRO via the online portal, email or letters sent to the TRO team at Hove Town Hall. Offer support to those with low digital skills by promoting initiatives to increase Digital Inclusion such as Good Things Foundation, Citizen's online and Age UK's phone based digital support. Get customer satisfaction data

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	<p>adult population in Brighton and Hove have either never used the internet or have not used it within the last three months.</p> <p>An estimated 16% of the adult population in Brighton and Hove lack the five 'Basic Digital Skills' (Managing information; Communicating; Transacting; Problem-solving; and creating).</p> <p>See additional action identified in section 2 of this EIA.</p>			<p>from different age groups and engage with age-related community groups to learn about their barriers and ideas for solutions/mitigations.</p>
Disability¹⁵	<p>51,000 (22%) of adults in the city have two or more long term health conditions</p> <p>19,000 (8%) of adults in the city have mental and physical disabilities</p> <p>There are c.13,500 blue badge holders in the city</p>	<p>The current road closure prevents access to all vehicles during the hours 11am – 5pm everyday. This includes visitors, residents and blue badge holders.</p> <p>The new proposed hours Fri - Sun and bank holidays 11am - 9 pm will allow residents</p>	<p>Disabled residents have stated that they have been unable to leave home without direct access to a Disabled Parking Bay.</p> <p>Some disabled visitors and blue badge holders to the street have advised that they enjoy using the street during the restricted hours, the lack</p>	<p>Reinstate a time limited disabled bay for general blue badge holder use outside restricted hours. This will enable the resident to utilise the space for appointments and day to day tasks out of the restricted hours.</p> <p>This would ensure access for blue badge holders to use the disabled bay and access would not be impeded.</p>

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	<p>There are c. 6,900 disabled concessionary bus pass holders in the city.</p> <p>More than one in 20 residents say their day-to-day activities are 'limited a lot' due to a long-term health problem or being disabled.</p> <p>The resident of Gardner Street does not qualify for a disabled bay under the current council policy, due to not having a vehicle registered to their address.</p> <p>See additional action identified in section 2 of this EIA.</p>	<p>with blue badges to make use of the time limited disabled bay outside the hours of restriction. This will also allow the affected resident to attend personal appointments during the unrestricted hours.</p> <p>Network changes can be confusing and need to be communicated clearly to all considering neurodivergence. Flat surfaces and dropped kerbs are important and more accessible for all people, especially those using mobility aids</p> <p>Signage and barriers need to be more inclusively and accessibly designed to enable all people, especially those who are older, living with sight loss or visual</p>	<p>of motor vehicles makes their experience more enjoyable and easier to access the amenities, it also allows those who require them to use the dropped kerbs to access either side of the street with ease.</p> <p>If interventions are not designed and operated with an inclusive design mindset, they can affect everybody's safety and ability to navigate the environment, especially those who are disabled, parents with children, pregnant people, wheelchair users, those with different mobility requirements.</p> <p>Disabled people are currently not provided the same level of information and are disproportionately impacted.</p> <p>Obstructions on the highway and footway and</p>	<p>Engage with local disability groups to update them on changes to the network. Network changes need to be communicated clearly and more accessibly to all considering neurodivergence, older, those experiencing sight loss and/ or visual difficulties and English as an additional language.</p> <p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>

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		<p>difficulties to see changes and be able to navigate safely.</p> <p>Some disabled people have carers visiting them at home, need a car and additional mobility aids to enable them to live a basic quality of life, and need to park nearby.</p> <p>Limited access to disabled bays.</p>	<p>the condition of the pavements/roads put disabled road users disproportionately at greater risk.</p> <p>Access impediments and/or removal of parking spaces linked to street closures or related infrastructure changes can affect how efficiently care workers and others can assist disabled people.</p> <p>As per all our gated streets, the emergency services have keys to open these if they require access. Emergency services have advised on streets such as this they advise they would use other methods to access a member of public .</p>	
Gender reassignment¹⁶	7.21% of people aged 16 years and over in Brighton and Hove identify as a different gender than that registered at birth.	No disproportionate impact identified due to lack of specific data and no specific consultation with this	There may be a potential impact for disabled trans/non-binary people not being able to access events in the area, including at The Komedia.	The Komedia have disabled access via Regent Street, additional disabled bays have been provided so the events are more accessible for those with blue badges. There may be impacts for other venues in the

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	<p>Statistics are not available for those under 16.</p> <p>See additional action identified in section 2 of this EIA.</p>	population cohort.		<p>area.</p> <p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>
Pregnancy and maternity¹⁷	<p>There are estimated to be 64,300 women of childbearing (aged 15-44 years) resident in the city.</p> <p>See additional action identified in section 2 of this EIA.</p>	Disproportionate levels of difficulty created for pregnant people and those with buggies, wheelchair users, older people with wheel-based mobility aids to navigate the street	<p>Barriers created cross the road easily/ obscured by tables and chairs.</p> <p>If interventions are not designed and operated with an inclusive design mindset, they can affect everybody's safety and ability to navigate the environment, especially those who are disabled, parents with children, wheelchair users, those with different mobility requirements.</p>	<p>Additional dropped kerbs will be installed for pushchairs, those using mobility aids, and wheelchair users to utilise the open space more accessibly.</p> <p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>
Race/ethnicity¹⁸ Including migrants, refugees, and asylum seekers	19.5% of the city's population are from Black and Racially Minoritised groups, 80.5% are White British.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	Information on network and access changes may not be fully accessible for people who have English as an additional language or have different levels of	Share information about the transport changes with local groups for wider dissemination to different communities, especially those with English as an additional language as they are

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	<p>8.3% of the population do not speak English as their preferred or first language.</p> <p>See additional action identified in section 2 of this EIA.</p>		<p>literacy and English skills.</p> <p>Lived experiences of people with Black and Racially Minoritised backgrounds are often under-represented in engagements and consultations so we have limited knowledge of disproportionate impacts, especially where disability is an intersection.</p>	<p>disproportionately impacted in terms of awareness and impact.</p> <p>Improve and conduct comprehensive and timely consultation with under-represented people from across protected characteristics.</p> <p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>
Religion or belief¹⁹	<p>There is no data to suggest this group is affected by this change.</p> <p>See additional action identified in section 2 of this EIA.</p>	<p>No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.</p>	<p>No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.</p>	<p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>
Sex/Gender²⁰	<p>In 2021 there was estimated to be 141,000 female (51%) and 135,400 male (49%) and residents in the city.</p>	<p>No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.</p>	<p>No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.</p>	<p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>

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Sexual orientation²¹	<p>Around 189,745 people (80.6%) identified as straight or heterosexual.</p> <p>Around 25,247 people (10.6%) identified with an LGB+ orientation.</p> <p>The remaining 20,375 people (8.7%) did not answer the question.</p> <p>The proportion of residents aged 16 and over in Brighton & Hove identifying with an LGB+ orientation (10.6%) is three time higher than seen in both the South East (3.1%) and England (3.1%).</p> <p>The proportion of residents aged 16 and over in Brighton & Hove identifying with an LGB+ orientation (10.6%) is the highest proportion seen in any upper tier authority in England.</p>	<p>Unable to access disabled bays for the Komedia when the road is closed. We are unaware of access limitations for any other venues where this population cohort may also be disproportionately impacted.</p>	<p>Unable to attend cultural shows/ films/ events at relevant venues of choice in the area.</p> <p>There may be a potential disproportionate impact for disabled LGBTQIA+ people not being able to access events and venues in the area, especially those held at the Komedia.</p>	<p>The Komedia have disabled access via Regent Street, additional disabled bays have been provided so the events at this location are more accessible for those with blue badges.</p> <p>Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.</p>

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	See additional action identified in section 2 of this EIA.			
Marriage and civil partnership²²	Only a third of Brighton & Hove residents (33%, 77,241 people) aged 16 or older are married or in a civil partnership. See additional action identified in section 2 of this EIA.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.
Community Cohesion²³	Disability groups, Cycling groups, and Environmental activists. See additional action identified in section 2 of this EIA.	Disability groups and Cycling groups require the street to be accessible at all times. Environmental activists wish for the road to be closed to ensure better air quality and improved city centre.	The road will need to remain open, and no table and chairs would be able to be installed on the highway. This would be against the wishes of many businesses, some residents and some road users. The resident who holds a blue badge would continue to be housebound affecting their quality of life. This could also impact other blue badge holders	Review comments received to the TRO. Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.

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			looking to visit the area.	
Other relevant groups²⁴	No other relevant groups identified based on the area statistics. See additional action identified in section 2 of this EIA.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.
Cumulative impact²⁵	No cumulative impacts identified based on the area statistics. See additional action identified in section 2 of this EIA.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	No disproportionate impact identified due to lack of specific data and no specific consultation with this population cohort.	Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.
Assessment of overall impacts and any further recommendations²⁶				
<p>The proposed road closure Fri – Sun and Bank holiday 11 – 9pm will restrict access to any Blue Badge holders who cannot travel the 50m+ from the current bays to the nearest bays in Regent Street. Many blue badge holders have commented that they cannot gain access to the Komedia for showings and events; The Komedia have made provisions to make the event space accessible for all and has rear disabled access allowing blue badge holders to utilise those spaces in Regent Street. The council have worked closely with businesses and traders to ensure the dropped kerbs are clear of tables and chairs at all times, and this is monitored by an enforcement officer on a regular basis.</p> <p>The advertised TRO has a 21-day consultation period where the public can comment to these proposals, it was also sent to key stakeholders with includes emergency services & disability groups. This was also advertised online and via social media platforms. A hard copy of the TRO notice was also hand delivered to the residents and business of Gardner Street.</p> <p>Generally, local businesses are supportive of the proposed TRO.</p>				

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<p>The Leader, Chair of the Transport Committee, and the Chair of the Equalities and Human rights Committee have liaised with the impacted disabled resident on Gardner Street and have assured that she is ok with the proposed TRO as a compromise.</p>				

4. List detailed cu 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)
Meeting with the local businesses and stakeholders, ward councillors and businesses and disabled residents.	18 th July 23	N/A	N/A
We need to acknowledge the limits and impact of not having an equalities breakdown of consultation responses and investigate how future consultations can gather and analyse equalities data so that we can better understand how proposals will impact on people with protected characteristics.	TBC	Equalities data	Further engagement to be undertaken with the Traffic Regulation Order team, data protection, information, and governance team, and our legal department to address actions and comments in Section 2 of this EIA.
Feedback from Traffic regulation comments received	1 st September 23	N/A	N/A
Census 2021 data	August 23	N/A	N/A
Current BHCC Corporate Plan	2023	N/A	N/A
Developing a new transport plan for Brighton & Hove, BHCC	2021	N/A	N/A

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5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action(s) 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.				
Blue badge holders	Continue to monitor the use of the bays, to ensure they are not being abused by non-blue badge holders.	Bays be kept clear for blue badge holders	No complaints, bays to be utilised are accessible	Ongoing, duration of TRO
All	Review demographic data at ward or where possible lower super output area (LSOA) to compare city-data with local neighbourhood data to check for any disproportionate impacts by protected characteristics of each ward.	Data reviewed and cross-checked with ward and LSOA data.	Data insights developed and reviewed for impact as part of post-implementation TRO monitoring.	Ongoing, duration of TRO
All	Continuously collect feedback post implementation, reviewing and monitoring it to inform any future TRO amendments, and to ensure continued accessibility.	Feedback collected, reviewed, and relevant actions implemented, or gaps addressed.	Report of review and monitoring produced and shared as part of performance monitoring.	Ongoing, duration of TRO and post-implementation
All, especially Age	<p>Offer support to those with low digital skills by sharing initiatives to increase Digital Inclusion such as Good Things Foundation, Citizen's online and Age UK's phone based digital support.</p> <p>Get customer satisfaction data from different age groups and engage with age-related community groups to learn about their barriers and ideas for solutions/mitigations.</p>	<p>Residents have increased awareness of additional places of digital support and services.</p> <p>Customer satisfaction data received, and impact analysed.</p>	Future data schemes are informed by more robust and diverse intersectional customer feedback across all protected characteristics.	Ongoing, duration of TRO and post-implementation

Disability, Disabled LGBTQIA+ people, Pregnant people, Wheelchair, and mobility aid users	Additional dropped kerbs will be installed for pushchairs, those using mobility aids, and wheelchair users to utilise the open space more accessibly.	Dropped curbs have been installed as identified and intended.	Future data schemes are informed by more robust and diverse intersectional disabled customer feedback across all protected characteristics.	Ongoing, duration of TRO and post-implementation
All, team/ wider learning action	Review the accessibility of communications to residents about network change information and share information about the transport changes with local groups for wider dissemination to different communities, especially those with English as an additional language as they are disproportionately impacted in terms of awareness and impact.	Easily understood communication for all residents. Diverse residents across various communities of identities are reached and informed intentionally.	Customer feedback and monitoring reports	Within 2 years post-implementation of revised Gardner Street TRO
Race/ Ethnicity intersecting with disability, LGBTQIA+, disability, faith.	Improve and conduct comprehensive and timely consultation with under-represented people from across protected characteristics.	Feedback from under-represented groups collected and used to inform future network changes	Feedback mechanism and strong consultation links established with all diverse communities of identities.	Within 2 years post-implementation of revised Gardner Street TRO
All, team/ wider learning action	Review the consultation process and equalities data monitoring requirement and impacts of data gaps so that we can better understand how proposals will impact on different people with protected characteristics and intersections of identities.	Further engagement undertaken with the Traffic Regulation Order team, data protection, information, and governance team, and our legal department.	Have an equality monitoring data collection approach. Internal engagement completed and results of review implemented.	Within 2 years post-implementation of revised Gardner Street TRO

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

Staff member completing Equality Impact Assessment: Russell McMillian, Senior Traffic Engineer & David Fisher, Highway Regulation Manager

Date: 06-Sep-23

Directorate Management Team rep or Head of Service/Commissioning: Andrew Westwood, Head of Traffic Management

Date: 06-Sep-23

CCG or BHCC Equality lead: Sabah Holmes (Equality, Diversity, and Inclusion (EDI) Manager)

Date: 11-Sep-23

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 is 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;

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- (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.

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.