

# Equality Impact and Outcome Assessment (EIA) Template - 2015

**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-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age<sup>19</sup>) 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 needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	Development of a Night shelter and Supported Accommodation for Rough Sleepers.	<b>ID No.<sup>6</sup></b>	HASC26
<b>Team/Department<sup>7</sup></b>	H&ASC Commissioning		
<b>Focus of EIA<sup>8</sup></b>	This EIA deals with the development and commissioning of a Nightshelter and supported accommodation service for rough sleepers.		

## 2. Update on previous EIA and outcomes of previous actions

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

### 3. Review of information, equality analysis and potential actions

Protected characteristics groups from the Equality Act 2010	What do you know <sup>9</sup> ? Summary of data about your service-users and/or staff	What do people tell you <sup>10</sup> ? Summary of service-user and/or staff feedback	What does this mean <sup>11</sup> ? Impacts identified from data and feedback (actual and potential)	What can you do <sup>12</sup> ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations																
<b>Age<sup>13</sup></b>	<p>The following data is taken from those rough sleepers worked with in 2018/19</p> <table border="1" data-bbox="535 662 898 995"> <thead> <tr> <th colspan="2">Age</th> </tr> </thead> <tbody> <tr> <td>16-25</td> <td>42</td> </tr> <tr> <td>26-35</td> <td>167</td> </tr> <tr> <td>36-45</td> <td>165</td> </tr> <tr> <td>46-55</td> <td>117</td> </tr> <tr> <td>56-65</td> <td>26</td> </tr> <tr> <td>66-75</td> <td>8</td> </tr> <tr> <td>76-85</td> <td>1</td> </tr> </tbody> </table>	Age		16-25	42	26-35	167	36-45	165	46-55	117	56-65	26	66-75	8	76-85	1	<p>The majority of rough sleepers are between the ages of 26 and 55 years old.</p>	<p>The service being developed will be targeted to adults only. As much as possible we would aim to avoid those under 25 having to access adult services although this may happen on occasion if other avenues had been exhausted.</p>	<p>The service will offer an individual assessment to each service user aiming to ensure that their onward journey is matched to their needs and this will include taking into account their age and the most appropriate accommodation for them especially young people and those over 65.</p>
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<b>Disability<sup>14</sup></b>	<p>The snapshot data below is taken from high support accommodation and shows that those who access accommodation services for rough sleepers and homeless people have a variety of physical health needs.</p>	<p>The building has not yet been identified for the service meaning that we do not yet know if it will be accessible to people with mobility issues. This is a particular challenge in Brighton &amp; Hove with the types of accommodation on offer</p>	<p>Individuals with specific health needs may be more difficult to move on from the service or they may require a more specialist form of accommodation which better meets their needs. This will be part of the assessment process.</p>	<p>In the process of securing and developing the service the council will make every endeavour to provide accommodation which is accessible to those with mobility needs within the limited pool of available accommodation in</p>																

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<b>Gender reassignment<sup>15</sup></b>	There are/have been a small number of transgender people identified as rough sleepers.	There are small numbers of out transgender people rough sleeping according to our data however individuals may be hidden and there may be a larger number sofa surfing individuals that we do not currently know about. Anecdotal evidence suggests that transgender people may be reluctant to enter shelters or supported accommodation.	Transgender individuals may not wish to take up offers of shelter or supported accommodation if they do not feel they will be safe.	The service specification for the support will include a requirement for the service provider to ensure the service offers equal access to all and provides a safe space for transgender service users. The service will be monitored to ensure that equalities policies are in place and acted upon. The service will be expected to monitor and report on hate										

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
				incidents.  Once accommodation is identified for the service then the council and the provider will examine how separate space can be provided in the nightshelter for those who are vulnerable.
<b>Pregnancy and maternity<sup>16</sup></b>	In the past, supported accommodation services have accommodated pregnant women. This data is currently not collated but the numbers are small. Women will be transferred out of the service prior to the birth of their child however it may also be the case that children are removed from the parent and the parent returns to supported accommodation. Many men and women who access supported accommodation will have	Services have accommodated small numbers of pregnant women and have recently come together to develop guidance for working with pregnant women to improve the experience for the women and support staff to understand what support services exist in the city.	Pregnant women entering the service may have significant health and substance misuse needs and a number of agencies involved in the pregnancy. Women entering the service may have experienced significant trauma from having children taken into care and this needs to be taken into account and supported within the service. Nightshelter provision would not be considered appropriate for pregnant women and	The individual assessment will identify appropriate accommodation routes for pregnant women. The service will also identify if a service user wishes to maintain or re-establish contact with family members and provide an onward assessment to their next service which identifies these wishes.

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	children and many of them may have little or no contact with those children.		any placement would be made on an emergency basis and an onward plan supported by external agencies would be developed swiftly. Night shelters and high needs supported accommodation services do not allow access to children.																					
Race <sup>17</sup>	<p>92% of the residents at the time the snapshot was taken were White British.</p> <table border="1" data-bbox="533 954 866 1481"> <tbody> <tr> <td>White British</td> <td>92.0%</td> </tr> <tr> <td>Irish</td> <td></td> </tr> <tr> <td>White Other</td> <td></td> </tr> <tr> <td>White &amp; Black Caribbean</td> <td>4.0%</td> </tr> <tr> <td>White &amp; Black African</td> <td></td> </tr> <tr> <td>Mixed Other</td> <td>4.0%</td> </tr> <tr> <td>Asian Other</td> <td></td> </tr> <tr> <td>Caribbean</td> <td></td> </tr> <tr> <td>African</td> <td></td> </tr> <tr> <td>Black Other</td> <td></td> </tr> </tbody> </table>	White British	92.0%	Irish		White Other		White & Black Caribbean	4.0%	White & Black African		Mixed Other	4.0%	Asian Other		Caribbean		African		Black Other		Commissioners have received no anecdotal feedback from service users or partners and have received no complaints about discrimination or hate incidents within rough sleeping or supported accommodation services over the last year.	The service will be open to all service users and those who enter the service will have been found rough sleeping.	The service specification for the support will include a requirement for the service provider to ensure the service offers equal access to all and provides a safe space for service users. The service will be monitored to ensure that equalities polices are in place and acted upon. The service will be expected to monitor and report on hate incidents.
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<b>Religion or belief<sup>18</sup></b>	<p>This information was not collected uniformly across all services but the following provides a snapshot of some supported accommodation services for homeless adults.</p> <table border="1"> <thead> <tr> <th>Religion</th> <th></th> </tr> </thead> <tbody> <tr> <td>None / Atheist / Agnostic</td> <td>25%</td> </tr> <tr> <td>Christian (all denominations)</td> <td>31%</td> </tr> <tr> <td>Buddhist</td> <td>1%</td> </tr> <tr> <td>Muslim</td> <td>2%</td> </tr> <tr> <td>Other religion</td> <td>2%</td> </tr> </tbody> </table>	Religion		None / Atheist / Agnostic	25%	Christian (all denominations)	31%	Buddhist	1%	Muslim	2%	Other religion	2%	Commissioners have received no anecdotal feedback from service users or partners and have received no complaints about discrimination or hate incidents on the basis of religion across our supported accommodation services.	The service will be open to all service users and those who enter the service will have been found rough sleeping..	<p>The service specification for the support will include a requirement for the service provider to ensure the service offers equal access to all and provides a safe space for service users. The service will be monitored to ensure that equalities polices are in place and acted upon. The service will be expected to monitor and report on hate incidents.</p> <p>The service will be expected to assess the</p>		
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<b>Sex/Gender<sup>19</sup></b>	<p>The rough sleeping and homeless population that accesses supported accommodation is predominantly male with around 20% female.</p> <table border="1"> <thead> <tr> <th colspan="2">Gender</th> </tr> </thead> <tbody> <tr> <td>Male</td> <td>419</td> </tr> <tr> <td>Female</td> <td>73</td> </tr> <tr> <td>Non-binary</td> <td>1</td> </tr> <tr> <td>No information</td> <td>43</td> </tr> </tbody> </table>	Gender		Male	419	Female	73	Non-binary	1	No information	43	<p>Women who access these support services tend to have very high and complex needs. Women only accommodation is available in the city but only on a small scale. The council is developing shelter accommodation specifically for women.</p>	<p>The nightshelter and accommodation service will offer accommodation for both men and women.</p>	<p>Once the building is identified we will work with the provider to offer a women only area or specific area for vulnerable service users.</p> <p>The service will have clear links with the women’s shelter when opened and will offer referral pathways into women only supported accommodation.</p> <p>The specification for the support service will ensure that the service provider has an understanding of the needs of female clients and ensure that staff are trained in supporting female service users.</p>
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<p><b>Sexual orientation</b><sup>20</sup></p>	<p>The following data is taken from a snapshot of those in supported accommodation for rough sleepers and homeless people</p> <table border="1" data-bbox="533 719 864 1209"> <thead> <tr> <th>Sexual Orientation</th> <th></th> </tr> </thead> <tbody> <tr> <td>Heterosexual</td> <td>84.0%</td> </tr> <tr> <td>Lesbian</td> <td></td> </tr> <tr> <td>Gay Man</td> <td>8.0%</td> </tr> <tr> <td>Bisexual</td> <td>4.0%</td> </tr> <tr> <td>Service User Unsure</td> <td></td> </tr> <tr> <td>Not wishing to disclose</td> <td></td> </tr> <tr> <td>Not asked</td> <td>4.0%</td> </tr> <tr> <td>Not known</td> <td>4.0%</td> </tr> </tbody> </table>	Sexual Orientation		Heterosexual	84.0%	Lesbian		Gay Man	8.0%	Bisexual	4.0%	Service User Unsure		Not wishing to disclose		Not asked	4.0%	Not known	4.0%	<p>There is anecdotal feedback that the LGBTQ population may not feel safe or wish to access nightshelter or supported accommodation.</p>	<p>The data is generally reflective of the client group across our high support services and is only slightly lower than the LGBTQ population within the city.</p>	<p>The service specification for the support will include a requirement for the service provider to ensure the service offers equal access to all and provides a safe space for service users. The service will be monitored to ensure that equalities polices are in place and acted upon. The service will be expected to monitor and report on hate incidents.</p>
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<p><b>Marriage and civil partnership</b><sup>21</sup></p>	<p>This information is unknown. Service users are single homeless people however they may be in relationships with individuals rough sleeping or in other accommodation.</p>	<p>We are aware that couples wish to be accommodated together and where possible this is accommodated but this is not always possible for reasons of space and safety.</p>	<p>Those in shelters or supported accommodation who have partners rough sleeping will sometimes sleep out on the streets with their partners.</p>	<p>The service will take into account the wishes of the service user when identifying the most suitable accommodation service for the individual to be transferred too. This will include their</p>																		

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				relationships with other service users.
<b>Community Cohesion<sup>22</sup></b>	The venue for the service has yet to be identified.	We know from past experience that the local community can sometimes be unhappy about having a supported accommodation service for homeless people placed within their community.	There could be an impact on both service users and the local community if relationships are not managed well.	The service will be staffed 24 hours a day ensuring a staff presence at all times. The service provider and BHCC will work with the local community to ensure that the service is integrated into the local community and that they residents have contact points for the service should they require it.  Community engagement and the safe management of the service will be an integral part of the service specification and will be monitored as part of the contract monitoring process.
<b>Other relevant groups<sup>23</sup></b>	Rough sleepers have a range of complex needs including substance misuse and mental health issues.	Service users have a range of complex needs which include substance misuse and mental	The majority of service users will need to be transferred into high or medium support	The Nightshelter element of the service will be commissioned specifically to work with

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<p><b>Drug and Alcohol Misuse</b></p> <p><b>Mental Health &amp; Dual Diagnosis</b></p>	<p>The night shelter accommodation is aimed at those rough sleepers who are more entrenched on the streets and therefore are more likely to have substance misuse and or mental health needs.</p> <p>.</p>	<p>health but also include offending behaviour and a history of trauma.</p>	<p>provision in the city. However some may transfer into lower supported models, residential services or mental health supported accommodation.</p>	<p>individuals with complex needs and will assess each person on an individual basis examining both their needs and aspirations for the future to ensure that they are transferred to the most appropriate alternative accommodation.</p> <p>The service will work closely with statutory and voluntary agencies in the city supporting those with mental health and substance misuse issues to ensure appropriate support is accessed.</p>
<p><b>Cumulative impact<sup>24</sup></b></p>	<p>This service will offer time limited accommodation and an assessment which will identify the most appropriate onward supported accommodation for an individual. This aim of this is to improve</p>	<p>There is a need for additional accommodation for rough sleepers.</p>	<p>We expect to see a positive impact on service users through the provision of this new service.</p>	<p>Once a provider and building has been identified work will begin on developing the service.</p>

<b>Protected characteristics groups from the Equality Act 2010</b>	<b>What do you know<sup>9</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>10</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>11</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>12</sup>?</b> All potential actions to: <ul style="list-style-type: none"> <li>• advance equality of opportunity,</li> <li>• eliminate discrimination, and</li> <li>• foster good relations</li> </ul>
	outcomes for users by placing them in the service which best meets their needs.			
<b>Assessment of overall impacts and any further recommendations<sup>25</sup></b>				
<p>The Nightshelter and accommodation provision should be monitored for its effectiveness and its impact on service user outcomes.</p>				

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

<b>Title</b> (of data, research or engagement)	<b>Date</b>	<b>Gaps in data</b>	<b>Actions to fill these gaps: who else do you need to engage with?</b> (add these to the Action Plan below, with a timeframe)
<b>B'think Data utilised on current rough sleeping and supported accommodation population</b>	<b>July 2019</b>	<b>Data still not being completed by all services.</b>	<b>Data gaps are being addressed with individual services via contract monitoring.</b>

## 5. Prioritised Action Plan<sup>26</sup>

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.				
All service users / local community	Call for Competition	Identification of a provider or tender issued	Service opening	Start October 2019 or Spring 2020 depending on the call for competition outcome
Service users / local community	Identify a building	Provider and building secured	Service up and running	As above
Service users	Negotiation or tender evaluation	Secure a service provider who has experience of running a similar service and can offer a quality service.	Quality support service up and running.	As above
Local community	Engagement once building has been identified.	Secure a service provider with experience of running a similar service within the community	Positive community engagement	Ongoing from contract award.
Service users and community	Ongoing contract monitoring	Contract monitoring on a regular basis and feedback from stakeholders and the community	Positive outcomes for service users and feedback from stakeholders and the community	Ongoing throughout contract period.

**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:

Jenny Knight

Date: 01/08/19

**Directorate Management Team rep or Head of Service: Andrew Witham**

**Date: 03/09/19**

**Communities, Equality Team and Third Sector officer: Anna Spragg**

**Date: 27/08/19**

## Guidance end-notes

<sup>1</sup> 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.

### <sup>2</sup> 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



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<sup>3</sup> 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.

<sup>4</sup> **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.

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

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

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

<sup>8</sup> **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)'

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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.

<sup>9</sup> **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?<sup>9</sup>
- 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.

<sup>10</sup> **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.

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<sup>11</sup> 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?

<sup>12</sup> 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.

<sup>13</sup> **Age:** People of all ages

<sup>14</sup> **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.

<sup>15</sup> **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

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

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- <sup>17</sup> **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers
- <sup>18</sup> **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.
- <sup>19</sup> **Sex/Gender:** Both men and women are covered under the Act.
- <sup>20</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people
- <sup>21</sup> **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.
- <sup>22</sup> **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.
- <sup>23</sup> **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
- <sup>24</sup> **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
- <sup>25</sup> **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?
- <sup>26</sup> **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.