

## 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-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>13</sup>) or use the hyperlinks ('Ctrl' key and left click).

**For further support or advice please contact:**

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

### 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	New Heating and Hot Water Services Contract (HRA)	<b>ID No.<sup>6</sup> HNC57</b>	
<b>Team/Department<sup>7</sup></b>	Mechanical & Electrical Team Miles Davidson Housing Sustainability & Affordable Warmth Manager, Interim Manager M&E Team		
<b>Focus of EIA<sup>8</sup></b>	<p>The focus of this EIA is on the procurement of a new contract for heating and hot water Servicing, Maintenance, Repair and Installation in Council Housing</p> <p>The existing contract with K&amp;T Heating for the supply, installation, maintenance, and servicing of gas boilers is due to expire at the end of March 2023. The current contract is limited to gas heating and hot water systems, and communal solar thermal installations.</p> <p>The current contract covers the following services that will need to be provided from 2023 onwards;</p> <ul style="list-style-type: none"> <li>• 10,000 domestic properties requiring annual Landlords Gas Safety Records (LGSR)</li> </ul>		

- Upgrade/replacement programme for domestic properties (technology to be mixed/confirmed)
- 32 commercial gas plant rooms requiring annual Landlords Gas Safety Records (LGSR)
- Upgrade/replacement programme for commercial gas plant rooms (technology to be mixed/confirmed)
- 1213 properties served via communal boiler internal services i.e. HIU, distribution networks etc. requiring maintenance and replacement/upgrade
- Repair and maintenance of all the above 24/7 call out in line with Government Right to Repair

In addition to the above there are a number of new considerations that will inform how these services are delivered in the future;

- City wide Carbon Neutral 2030 ambition
- No new gas connections from 2025 (tbc)
- Possible ban on sale of gas boilers in the 2030's
- The need to provide low/zero carbon alternative solutions for heat and hot water delivery
- The opportunity to provide more efficient and affordable forms of heating and hot water provision for properties currently off gas (i.e. Air Source Heat Pumps)
- The need for technical specifications to be structured in such a way as to allow flexibility for the Council and residents to benefit from new technology development and innovation across the term of the contract

## 2. Update on previous EIA and outcomes of previous actions<sup>9</sup>

<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)
No previous EIA to refer to		

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

<b>Groups to assess</b>	<b>What do you know<sup>10</sup>?</b> Summary of data about your service-users and/or staff	<b>What do people tell you<sup>11</sup>?</b> Summary of service-user and/or staff feedback	<b>What does this mean<sup>12</sup>?</b> Impacts identified from data and feedback (actual and potential)	<b>What can you do<sup>13</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>
<b>Age<sup>14</sup></b>	<p>Older people although less likely to be in fuel poverty are likely to experience on average higher fuel poverty gap, in particular the 60-74 age group.</p> <p>Older residents are more likely to have a long-term disability or condition so may be doubly affected.</p> <p>Excess winter deaths (EWD) are higher among people aged 65+. In 2013/14 51% of cold related deaths were among people aged 85 and older; 27% were among those aged between 75 and 84; 22% were among people under 75. ('Statistical bulletin: excess winter mortality in England and Wales, 2013/14'). In Brighton &amp; Hove (for the three years of 2010/11 to 2012/13) 50% EWD of were in people aged 85 or over.</p>	<p>Some concerns have been raised during discussions with residents re. the introduction of new technologies and the potential impact on energy bills.</p>	<p>If not assessed and installed correctly we could inadvertently increase energy bills of older residents and make it more difficult for them to control the heat in their home.</p>	<p>Continued engagement with residents on new technologies</p> <p>Consider the impact on energy bills of new technologies generally and assess for specific projects (in particular communal systems) where planned</p> <p>Carry out fabric improvements to buildings (i.e. insulation) where feasible and required to increase energy efficiency of properties alongside the introduction of new heating systems</p> <p>Ensure new manufacturer controls are easy to understand and use, where necessary provide additional 'easy read' guidance</p> <p>Provide additional energy saving and bill saving advice through usual channels and referrals to support from other agencies</p>

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<b>Disability<sup>15</sup></b>	<p>Historically people in England who have a long-term illness or disability are more likely to be fuel poor than those who do not. In Brighton &amp; Hove, Health Counts Survey respondents who had a limiting long-term illness or disability were significantly more likely to be unable to keep their home warm in winter. 16.3% of people living in Brighton &amp; Hove have their daily activities limited a little or a lot by a long-term health problem or disability (Census 2011). Nationally, disabled people are more likely to live on low incomes and experience poverty than non-disabled people.</p> <p>Disabled people are more likely to need a warmer home environment to maintain their health; some disabled people may need to use benefits intended to support their independence to ensure their home is warm enough. NICE guidelines identify people with disability and long term health conditions as being more likely to</p>	<p>Experience through fuel poverty and warm homes projects, through feedback from partner agencies and individual residents, has identified a significant need where individuals have a disability or long term health condition.</p>	<p>If not assessed and installed correctly we could inadvertently increase energy bills of residents and make it more difficult for them to control the heat in their home.</p> <p>For some residents new technologies have a significant potential to reduce energy bills and/or provide a warmer home i.e. replacing inefficient night storage heaters, we will be prioritising the most inefficient homes for improvements with an Air Source Heat Pump (ASHP)</p>	<p>Continued engagement with residents on new technologies</p> <p>Consider the impact on energy bills of new technologies generally and assess for specific projects (in particular communal systems) where planned</p> <p>Carry out fabric improvements to buildings (i.e. insulation) where feasible and required to increase energy efficiency of properties alongside the introduction of new heating systems.</p> <p>Ensure new manufacturer controls are easy to understand and use, where necessary provide additional 'easy read' guidance</p> <p>Provide additional energy saving and bill saving advice through usual channels and referrals to support from other agencies, such as in house tenancy sustainment energy specialist and support</p>

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	suffer ill health impacts of living in a cold home.			networks in the city; LEAP and Warmth for Wellbeing
<b>Gender reassignment<sup>16</sup></b>	The Brighton & Hove Trans Needs Assessment found that the trans community have more people with a disability or long-term health need than the general population. 44% of respondents reported that they have a limiting long-term illness or disability, compared with 26% of all respondents to the Health Counts Survey.	See above	See above	See above
<b>Pregnancy and maternity<sup>17</sup></b>	No known impacts			
<b>Race/ethnicity<sup>18</sup></b> Including migrants, refugees and asylum seekers	In 2019, the median income for ethnic minority households was, on average, lower than the income for white households which partly explains their higher likelihood of fuel poverty 17.7% compared to 9.3%  Households whose first language is not English may have greater difficulty understanding heating controls and the energy supply market to ensure they are on the	Anecdotal feedback from support services suggests it is more difficult for recent migrants or households whose first language is not English to understand heating controls and navigate the energy market	Potential to struggle to pay fuel bills, heat the home adequately	Continued engagement with residents on new technologies, using existing support networks such as friends and family and community groups.  Access to translation services if required.  Consider the impact on energy bills of new technologies generally and

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	<p>best available tariffs</p> <p>Recent migrants may not have experience of heating controls and general energy saving measures households can take</p>			<p>assess for specific projects (in particular communal systems) where planned</p> <p>Carry out fabric improvements to buildings (i.e. insulation) where feasible and required to increase energy efficiency of properties alongside the introduction of new heating systems</p> <p>Provide additional energy saving and bill saving advice through usual channels and referrals to support from other agencies accessing translation and interpreting services and other support networks as required</p> <p>Ensure new manufacturer controls are easy to understand and use, where necessary provide translated additional 'easy read' guidance.</p>

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<b>Religion or belief<sup>19</sup></b>	No specific impacts identified			
<b>Sex/Gender<sup>20</sup></b>	No specific impacts identified			
<b>Sexual orientation<sup>21</sup></b>	No specific impacts identified			
<b>Marriage and civil partnership<sup>22</sup></b>	No specific impacts identified			
<b>Community Cohesion<sup>23</sup></b>	<p>No specific impacts identified from procurement activity, future projects to replace communal systems and associated works may need to be carried out at a community level.</p> <p>Potential to create wider social value impacts from contract delivery, local jobs, apprentices, community projects etc.</p>			<p>Ensure levels of engagement are targeted and include relevant community groups, residents associations etc.</p> <p>The procurement activity will ask suppliers to demonstrate social value benefits these will be evaluated and form part of 10% of the overall 'quality' score</p>
<b>Other relevant groups<sup>24</sup></b>	No specific impacts identified			

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<b>Cumulative impact<sup>25</sup></b>	None identified.			
<b>Assessment of overall impacts and any further recommendations<sup>26</sup></b>				
<i>None</i>				

**4. List detailed data and/or community feedback that 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>Fuel Poverty Annual Statistics report</b>	<b>March 2021</b>		
<b>All other reports referenced throughout EIA</b>			
<b>Discussion held at Home Service Improvement Group throughout 2021 and ongoing</b>	<b>2021</b>		
<b>Presented and discussed at part of City Wide Conference September 2021</b>	<b>September 2021</b>		

## 5. Prioritised Action Plan<sup>27</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.				
<b>Greater risk of fuel poverty and impacts of cold homes Age, Disability Race &amp; Ethnicity</b>	<b>Experience, skills and processes of suppliers in supporting these groups and issues will be tested through the procurement exercise</b>	<b>Selection of supplier able to offer advice, supplementary measures and technical excellent installations to reduce risk</b>	<b>Customer satisfaction, measured through KPIs, complaints and compliments – And post installation surveys</b>	<b>Throughout the terms of the contract, and ensuring equalities is a standing agenda item on Core group meetings</b>

**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: Miles Davidson**

**Date: 10/11/2021**

**CCG or BHCC Equality lead:**

**Janice Markey**

**Date: 10/12/2021**

## Guidance end-notes

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<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 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

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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 within the context

The greater the impacts, 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 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.

<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 your CCG or BHCC equality lead (see page 1)

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

<sup>10</sup> **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?<sup>10</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 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.

<sup>11</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.

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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.

<sup>12</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 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>13</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>14</sup> **Age:** People of all ages

<sup>15</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>16</sup> **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

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

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<sup>18</sup> **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.

<sup>19</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>20</sup> **Sex/Gender:** Both men and women are covered under the Act.

<sup>21</sup> **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

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

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

<sup>24</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>25</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>26</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>27</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.