

Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

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

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Active Travel Fund – Tranche 2 – A23 (2020)	ID No.⁶	
Team/Department⁷	City Transport - Transport Projects & Engineering		
Focus of EIA⁸	<p>Brighton & Hove City Council's (BHCC) Transport Projects & Engineering (TP&E) Team are undertaking a project to improve the Active Travel Infrastructure on the A23 between Preston Circus to the south, and the A27 roundabout to the north. Active Travel Infrastructure refers to physical highways infrastructure that is aimed towards modes of transport such as walking and cycling, for example Cycle Lanes and Footways/Pavements.</p> <p>This project's deliverables will likely have an impact on the all users of the A23 and will benefit those that use Active Travel the most as safer and more user-friendly infrastructure is implemented. Further benefits are expected to be realised by local residents and the wider community via a reduction in harmful emissions and traffic volumes/noise/vibrations as it is hoped that by providing improved active</p>		

travel infrastructure, those who are able to benefit from the changes will choose to do so thus reducing reliance and volumes of I.C.E. powered vehicles.

During the construction phase, the project will have the capacity to negatively effect a number of groups of people. These include: local residents that may be affected by noise and vibration, vehicular users of the A23 who may have their journey times extended, pedestrians who may have to use alternative routes as footways are altered, cyclists who may have to carriageway or another route as cycle lanes are altered and bus passengers who may experience longer than usual journeys as lane widths are reduced to accommodate contractors and their plant safely.

Prior to implementation the TP&E team will be investigating design options that mitigate existing detrimental infrastructure that may be preventing certain groups of people from feeling safe or ultimately using the A23 corridor. As part of this work, the TP&E team will be holding meetings with various representative groups from the city to try to ensure that our designs are beneficial to the highest number of people possible.

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 <u>further</u> actions do you need to take? (add these to the Action plan below)
<p>n/a (This document is initial EQIA) – 08/03/2021</p>		

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
Age ¹⁴	<ul style="list-style-type: none"> • Residents of Brighton & Hove: <ul style="list-style-type: none"> ○ 45,375 (15.6%) 0-15yrs old ○ 206,515 (71.1%) working age ○ 38,505 (13.3%) aged 65+ • 41% of people aged 65+ live alone. • 18.7% of older people are income deprived. • Over 60s are amongst those most vulnerable to infection and most at risk of inadvertently passing on the virus. • There are c. 34,000 older persons bus pass holders in the city. These bus passes provide national travel for eligible holders between the 9.30am and 11pm on weekdays and anytime at the weekend. • Between 1 March and 31 August 2020 there have 	<ul style="list-style-type: none"> • Dedicated cycle lanes make is safer and easier for children to cycle to school. • E-bikes provide an opportunity to get older people cycling. • Opportunities for cycling and walking facilities near schools and nurseries are important, particularly with physical distancing rules in place and to encourage more families to send their children back to school. • Increased congestion and/or removal of parking spaces linked to temporary changes can affect how efficiently care workers and others assisting vulnerable people can operate. • A focus on improving commuter routes disproportionately impacts retired people 	<ul style="list-style-type: none"> • Covid-19 may be having a disproportionate effect on the elderly, by discouraging them from travelling at the busiest times of day. • More families and children will be travelling on popular routes to education settings as lockdown restrictions ease and there is a risk that car journeys will increase. • Some parents may be reluctant to send their children back to school during the pandemic, so creating a safe environment for families travelling to school and around these settings is important. • If temporary transport measures only focus on enabling safe commuter trips, this is less likely to support older and 	<ul style="list-style-type: none"> • Locally the concessionary bus pass offer for older residents has been extended to 9am-4am during the week • Residents eligible for a pass but unable to travel on the bus can exchange their bus pass for £70 worth of taxi vouchers per year. • Seek opportunities to reallocate road space near schools to facilitate active travel and support physical distancing as more children return to education. • Work with local charities / organisations supporting older people to travel more actively.

	<p>been over 28,700 journeys made by older people before 9am.</p> <ul style="list-style-type: none"> • Younger people have a lower risk of contracting and dying from Covid-19. • Covid-19 lockdown has led to many children needing to be home schooled - families with fewer resources are at risk of their children having worse attainment outcomes than families with more financial security and social capital. 	<p>and school age children whose preferred destinations are not linked to employment.</p>	<p>younger people to safely reach their key destinations (e.g. schools, retail centres, healthcare settings)</p>	<ul style="list-style-type: none"> • Utilise government funding secured for school transport and travel demand management to provide additional, safe public transport options for children travelling to school • Monitor the impact of temporary measures on levels of vehicle traffic and take steps to reduce congestion.
Disability¹⁵	<ul style="list-style-type: none"> • 51,000 (22%) of adults in the city have two or more long term health conditions • 19,000 (8%) of adults in the city have mental and physical disabilities • Children and young people with Special Educational Needs and Disabilities (SEND) have been significantly affected during lockdown with 70-80% reporting worsening mental health concerns • There are c.13,500 blue badge holders in the city • There are c. 6,900 disabled concessionary bus pass holders in the 	<ul style="list-style-type: none"> • Blue Badge parking provision needs to be reviewed and improved. • Blue badge parking is needed as close as possible if existing bays are removed for temporary / permanent transport measures. • Loss of pay & display parking negatively affects disabled car users who may also have used these spaces to park with their Blue Badge. • Change of 24hr disabled parking to 3hr spaces limits access to employment for disabled 	<ul style="list-style-type: none"> • Partially-sighted and blind people will not necessarily be aware of changed road layouts • Disabled car users may not be able to access areas of the city easily / may have to travel further distances if disabled parking bays are suspended or moved as part of temporary changes • Changes to the transport network may exclude disabled people from areas they were previously able to access easily. 	<ul style="list-style-type: none"> • Locally the concessionary bus pass offer for older residents has been extended to anytime for disabled pass holders. • Disabled residents eligible for a pass but unable to travel on the bus can exchange their bus pass for £70 worth of taxi vouchers per year. • Reduce, as far as possible, any physical barriers as part of transport changes that would create accessibility issues

	<p>city. These bus passes provide national travel for eligible holders between the 9.30am and 11pm on weekdays and anytime at the weekend.</p> <ul style="list-style-type: none"> • Between 1 March and 31 August 2020 there have been over 15,300 journeys made by disabled bus pass holders before 9am. A total of 1,500,900 journeys have been made between 9am and 4am by combined concessionary pass holders • Non-pandemic estimates would see c. 4,850,000 journeys made by concessionary pass holders during this time. • New, renewal and replacement applications for bus passes have continued as usual during the pandemic with 8,132 being issued. 	<p>workers who rely on extended hours and limits the length of time disabled car users can visit areas of the city.</p> <ul style="list-style-type: none"> • Specific detail on any temporary changes to disabled parking bays needs to be publicly available as soon as possible when implementing schemes. • The needs of drivers of larger vehicles with large mobility aids should be considered when designing disabled parking bays. • Access restrictions on roads with disabled parking feel like a curfew. • Restricting vehicle access to roads is also restricting access to other important facilities for disabled people • There is a need for better cycle parking for adapted bikes used by disabled people. • Cycle parking should be accessible for disabled people (i.e. not needing to lift bikes, etc.). • The width of cycle lanes should safely 	<ul style="list-style-type: none"> • Obstructions and inaccessible cycling infrastructure may discourage disabled people from travelling actively. • Physical distancing rules and the need for more personal protection may make it difficult for carers and disabled people to travel safely in the city. • Information about the transport changes should be clear, accessible and available in a range of formats. 	<p>for wheelchair users and people with mobility impairments e.g. ensuring footway extensions are flush to the existing infrastructure and dropped kerbs are provided where appropriate.</p> <ul style="list-style-type: none"> • Ensure temporary barriers, signs and businesses do not cause obstructions on the pavement through timely enforcement action. • Maintain access in newly pedestrianised areas for disabled people travelling in cars / taxis • Maintain access to existing blue badge bays wherever possible or relocate nearby if suspended. (N.B. Disabled badge holders can park on yellow lines for up to 3hrs if not causing obstruction) • Ensure that temporary changes do not unwittingly restrict access to other accessible facilities
--	--	---	---	---

		<p>accommodate adapted cycles and passing space.</p> <ul style="list-style-type: none"> • People with sight loss are affected by difficulties navigating and seeing changes to signage, barriers and judging distances from other people • Obstructions on the highway and footway (e.g. A-boards, tables & chairs and tree routes) put disabled road users at greater risk. • Some disabled people rely heavily on carers to travel safely and easily around the city. • Information shared publicly about the temporary changes must be accessible and inclusive, as well as the mechanisms for feeding back views. • Disabled people are more likely to be anxious about coming out of shielding and returning to work. 		<ul style="list-style-type: none"> • Incorporate accessible crossings into temporary measures wherever possible • Share information about the changes with local representative groups for wider dissemination • Increase accessibility and inclusivity of information on the changes and the mechanisms for feeding back views • Utilise the support and expertise of representative groups to ensure information is as accessible as possible and actions are targeted to ensure a broad spectrum of concerns are addressed. • Maximise the width of new and existing cycle infrastructure where possible to ensure they are accessible to all types of adapted cycles with appropriate dropped kerbs for easy access.
--	--	---	--	---

				<ul style="list-style-type: none"> • Ensure temporary contraflow cycle lanes on the carriageway do not compromise the safety of existing controlled crossings with the use of low-level cycle signals and cycle stop lines as needed. • Ensure light separation on temporary cycle lanes has breaks of sufficient width to allow access for larger adapted cycles and that barriers are of a suitable height not to impede sightlines. • Ensure bus stops are still accessible for visually impaired people following footway widening adjacent to bus stop infrastructure.
Gender reassignment <small>16</small>	<ul style="list-style-type: none"> • There are at least 2,760 transgender adults living in Brighton & Hove and many more visit, study or work in the city 		<i>No specific impacts of the project identified for this group.</i>	
Pregnancy and maternity ¹⁷	<ul style="list-style-type: none"> • 25% of households in the city have dependent children 	<ul style="list-style-type: none"> • Cycle lanes should be wide enough to accommodate cycles 	<ul style="list-style-type: none"> • A significant number of people may need / choose to travel as part of a family unit 	<ul style="list-style-type: none"> • Ensure changes are designed with family travel in mind, e.g. space and safety

		<p>with child trailers/tagalongs</p> <ul style="list-style-type: none"> • Dedicated cycle lanes make is safer and easier to cycle with children 		
<p>Race/ethnicity¹⁸ Including migrants, refugees and asylum seekers</p>	<ul style="list-style-type: none"> • 19.5% of the city's population are from BAME groups, 80.5% is White British. • 7.36% of the Council's workforce are from BAME groups. • 8.3% of the population do not speak English as their preferred or first language. • People on low incomes or who are unemployed are more likely to be from BAME groups and residents from some BAME communities are more likely to be in the city's most deprived neighbourhoods. • People from BAME groups constitute a disproportionately high number of key frontline workers – public transport drivers, cleaners, carers, Band 5 nurses, etc. • People from BAME groups are more likely to have underlying health conditions that make them 	<ul style="list-style-type: none"> • BAME groups need accessible cycling proficiency lessons and access to subsidised / free bicycles. • Awareness amongst BAME communities of their increased risk to COVID-19 causes significant anxiety. This anxiety, in addition to misunderstandings about guidelines, and being less likely to have outdoor space at home, impacts on people's ability to go outside and exercise, also affecting mental health. 	<ul style="list-style-type: none"> • BAME people are more likely to be in roles where travel to work is unavoidable and where they are unable to change their working hours to travel at less busy times. • BAME people are more likely to use the transport network during lockdown as key workers. • People who do not speak / have poor English may struggle to access information about the transport changes that would help keep them safe. • BAME groups are more likely to use reallocated road space as key workers needing to travel to work. • BAME communities may be more likely to use reallocated outdoor public space for exercise and pleasure. 	<ul style="list-style-type: none"> • Take steps to minimise non-essential travel by others, to make it easier for this group to access the transport network safely for essential journeys. • Ensure interpreting services are available to support customers whose first language is not English. • Share information about the transport changes with local groups for wider dissemination to different communities. • Ensure Access Fund schemes that promote sustainable transport and support access to employment and education, are well publicised amongst BAME communities.

	<p>more vulnerable to Covid-19.</p> <ul style="list-style-type: none"> • BAME people 4 times as likely to have no outdoor space at home 			
Religion or belief¹⁹	<ul style="list-style-type: none"> • 49% of the city's population have a religion. 		<ul style="list-style-type: none"> • A significant portion of the population may wish to travel to places of worship during lockdown and as restrictions ease, and/or to congregate / travel for religious ceremonies (e.g. burials) / events / festivals in the city. 	<ul style="list-style-type: none"> • Ensure there is sufficient pavement space near places of worship for pedestrians to physically distance when they gather.
Sex/Gender²⁰	<ul style="list-style-type: none"> • The gender split of Brighton & Hove's population is even (50/50) • 46% of City Transport are female, 54% are male (Q4, 2019-20) • Women tend to be the primary carer at home and are less likely to be in full-time employment • A majority of the Council's care workforce is female. • In the city, 58% of carers are women rising to 62% of those providing care for 50 hours or more a week. The majority of caregivers, at home and in our communities, are also women. 	<ul style="list-style-type: none"> • Obstacles on cycling routes are more likely to impact women who may be travelling with children and larger, adapted bikes / cargo bikes • Women are more likely to cycle if they feel the route is safe (both physically and socially) • Women are more likely to be travelling with children on 'the school run' when schools reopen. 	<ul style="list-style-type: none"> • Women are more likely to use the transport network during lockdown as key workers. • Women are more likely to be travelling on the network with family members, as primary carers. • Provision of protected cycling infrastructure, separated or away from motor traffic, is more likely to encourage women and families to cycle. • If temporary transport measures only focus on enabling safe commuter trips, this is less likely to support older and younger people to safely reach their key 	<ul style="list-style-type: none"> • Take steps to minimise non-essential travel by others, to make it easier for key workers to access the transport network safely • Consider the needs of key workers (e.g. care workers accessing clients' homes) when making changes to the transport network, (e.g. removing parking spaces). • Ensure the design of cycling facilities is inclusive, (e.g. maximising the width of cycling infrastructure to

			destinations (e.g. schools, retail centres, healthcare settings)	<p>ensure accessibility for all types of adapted cycles, installing dropped kerbs for easy access, and removing physical barriers/obstructions wherever possible)</p> <ul style="list-style-type: none"> • Ensure light separation on temporary cycle lanes to provide greater protection vehicle traffic for users • Seek opportunities to reallocate road space near schools to facilitate active travel and support physical distancing as more children return to education.
Sexual orientation²¹	<ul style="list-style-type: none"> • 11-15% of the city's population is estimated to be lesbian, gay or bisexual. • The city is known for being a welcoming place for LGBTQ+ people and hosts large-scale annual events such as Pride. • The Covid-19 lockdown restrictions closed many public spaces, including LGBTQ+ pubs, clubs, cafes, shops (some 		<ul style="list-style-type: none"> • As the city begins to reopen and restrictions on movement ease, there may be calls to reinstate mass gatherings / events / festivals that would affect traffic in the city and increase visitor numbers 	<ul style="list-style-type: none"> • Ensure capacity on the transport network is not compromised by temporary Action Plan measures • Ensure Action Plan measures complement those that are usually required for large-scale events

	<p>permanently because of the financial impacts) and cancelled major annual events, providing no opportunity for members of the community to come together.</p>			
Marriage and civil partnership²²	<ul style="list-style-type: none"> • There are 8,635 lone parent families in the city – lone parents, in particular, experience problems coordinating work time with childcare and education. • The registration service resumed ceremonies for marriage and civil partnerships on 6 Aug. People can choose to hold ceremonies in Brighton Town Hall, located in an area where vehicle access is temporarily restricted. 	<ul style="list-style-type: none"> • Couples holding a ceremony are not choosing to approach the Old Town as they are not sure whether they can access the area with a ceremony car. 	<ul style="list-style-type: none"> • Lockdown restrictions may have a disproportionate impact on lone parents as safe transport options are more limited / they have to change the way or times that they usually travel. • People may be dissuaded from holding a wedding / civil partnership ceremony in Brighton. 	<ul style="list-style-type: none"> • Ensure changes are designed with family travel in mind, e.g. space and safety • Take steps to discourage people from travelling at peak times when lone parents may have no other choice but to. • In areas where vehicle access is restricted, permit access for ceremony cars.
Community Cohesion²³	<ul style="list-style-type: none"> • Nationally – adults living alone are over 50% more likely to experience loneliness during lockdown. 		<ul style="list-style-type: none"> • There may be an increased desire for communities to gather, particularly as lockdown restrictions ease. • There have already been public gatherings for mass protests in the city. 	<ul style="list-style-type: none"> • Ensure Action Plan measures include a focus on facilitating safe mass gatherings.
Other relevant groups²⁴	<ul style="list-style-type: none"> • Many of those in key worker roles who are under 60, are on low incomes 		<ul style="list-style-type: none"> • At least one quarter of the city's employed population are likely to be key workers and have 	<ul style="list-style-type: none"> • Take steps to minimise non-essential travel by others, to make it

	<ul style="list-style-type: none"> The largest employment sector in Brighton & Hove is retail (14% of employees), Health and social care (13%), and Education (12%) are the next largest sectors 		<p>needed to travel for work during lockdown.</p> <ul style="list-style-type: none"> People on low incomes may not be able to afford alternative, safer modes of transport that support physical distancing. As hospitality and retail businesses reopened from 15/06/20, a significant proportion of the employed population returned to work and therefore needed to travel. More shoppers are using the transport network and to access shops and businesses. 	<p>easier for key workers to access the transport network safely.</p> <ul style="list-style-type: none"> Ensure Access Fund schemes that promote sustainable transport and support access to employment and education, are publicised. Making the BTN BikeShare scheme available for free to NHS and council-contracted care workers is supporting safe, active travel for key workers on low incomes. Ensure there is sufficient space in retail areas and places with heavy footfall for shoppers and other pedestrians to be able to physically distance.
Cumulative impact²⁵	<ul style="list-style-type: none"> There is a strong link between deprivation and people living with disabilities in the city. 49,833 (17.2%) of Brighton & Hove residents live in one of the most 	<ul style="list-style-type: none"> Safe walking and cycling routes give people alternatives to increasingly unaffordable car ownership and the rising cost of public transport. 	<ul style="list-style-type: none"> Disabled people may be more likely to struggle to travel for access to work. Covid-19 is having a proportionally higher impact on the most deprived areas. 	<ul style="list-style-type: none"> Work with representative groups in the city to understand the key transport and travel issues for disabled people.

	deprived 20% of areas in England			<ul style="list-style-type: none"> • Continue to target travel support, via the Access Fund Programme, at those struggling to access employment • Ensure the Action Plan supports areas that are 'transport poor' and people in areas of multiple deprivation
--	----------------------------------	--	--	---

Assessment of overall impacts and any further recommendations²⁶

The city's transport network is used by everyone and therefore, any permanent or temporary changes to the network have the potential to impact on all groups of people with protected characteristics under the Equality Act.

The Covid-19 Urgent Response Transport Action Plan has been developed in response to the overriding need for people to change the way that they exercise and travel around the city because of the public health crisis created by the coronavirus. The measures in the Action Plan are short-term and designed to be implemented rapidly. Their aim is to help reduce the spread of the virus and support people to follow government rules on physical distancing, whilst keeping the city moving. The Plan continues to evolve as restrictions on movement ease and new government guidelines are released.

As the measures in the Action Plan are implemented the groups identified as most at risk of being disproportionately affected are disabled people, those from BAME groups and women. It is important that the changes:

- meet physical accessibility standards, so as not to negatively impact disabled people,
- as a priority, retain disabled parking and maintain disabled access,
- minimise obstructions on the highway, particularly where a road layout has been altered,
- are communicated in clear, accessible and multiple formats,
- take into account the essential journeys made by key workers, who are more likely to be female and from BAME groups,
- help to avoid overcrowding on public transport,
- facilitate the safe reopening of shops, businesses and schools by supporting people to access employment and education.

Continued engagement with organisations representing equality groups about the impacts of planned and implemented measures will be important for ensuring issues and concerns for specific communities are picked up and addressed.

In addition, officers should continue to utilise the Experimental Traffic Regulation Order (ETRO) process to adapt measures already in place swiftly and directly in response to feedback from the public.

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

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Initial City Wide Public Consultation	01/02/21 – 14/03/21	Data gathered from responses to publicly available consultation document – document not completed by all residents and as such not all views will be noted.	Further targeted consultation with residents that live/work within the vicinity of the proposed works.
BHCC Transport Staff Briefing	05/02/21		
Stakeholder Workshops	09/02/21 & 25/02/21		
Transport Partnership Workshop	02/03/21		
Bus Service Provider Consultation	04/03/21		
Further Engagement – Detailed Design Public Workshops	01/12/21 – 04/12/21		
Further Engagement – Active & Inclusive Travel Forum	08/12/21	Not all stakeholders in Forum attended meeting	Circulate meeting notes to all members of Forum requesting any further comments.

Further Engagement – Bus Service Providers (Bus Boarder Arrangement Design Enquiry)	14/01/22		
--	-----------------	--	--

5. Prioritised Action Plan²⁷

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
Local residents may not have given their views on the project proposals – all groups possibly affected.	Further targeted consultation with residents that live/work within the vicinity of the proposed works.	Consultation responses from residents within the vicinity of the proposed works.	Responses to further consultation from local residents.	December '21
Further design work req. on Bus Boarder arrangements following consultation feedback. Impact to disabled users and vulnerable road users.	Develop a hybrid bus boarder/floating bus stop design	Design option produced that accounts for wider range of users in a more holistic way	Proposed design meets requirements of more users.	By March '22

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:

Jonathon Martin Date: 03/03/2022

Directorate Management Team rep or Head of Service/Commissioning:

Date:

CCG or BHCC Equality lead:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

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

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

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

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Previous actions:** If there is no previous EIA or this assessment if of a new service, then simply write 'not applicable'.

¹⁰ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?¹⁰
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹¹ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- 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.

