

EQUALITIES



Anti Social Behaviour Policy Review 2018

Equalities Checklist

For every report or policy change, even if you do not think there will be an impact in terms of equalities, this checklist needs to be completed

Guidance

Equality Impact Assessment - Considerations whether an EIA is required

The Equality Act 2010 requires the Council to have 'due regard' for equality in the way it provides its services and makes decisions.

Whilst the specific duties of the Equality Act do not require public bodies to prepare Equality Impact Assessments (EIAs) when making every decision involving a change or new development in service or policy, these are often a useful tool in systematically assessing the likely (or actual) effects of policies on people in respect of race, sex, disability, religion or belief, sexual orientation, gender reassignment, maternity and pregnancy, marriage or civil partnership, and age. This includes looking for opportunities to promote equality, as well as for negative or adverse impacts that can be removed or reduced.

By asking questions about how a policy, service or decision will affect different groups we can design these so that they promote the good effects and eliminate the bad. By understanding and meeting the needs of different people we can better meet the needs and provide more effective services.

If we can't demonstrate that decisions have shown 'due regard' to equality issues, they can be challenged through judicial review – potentially resulting in decisions having to be re-started with significant extra costs in time, money, and negative publicity.

It should be noted that consideration should be given to completing an Equality Impact Assessment where you are considering a contract solution which will directly affect services to the council's customers.

Situations where it is not necessary to carry out an EIA:

An EIA of a decision *does not* need to be carried out if any of the following apply:

- a. No change to policies, functions or services: a decision does not relate to a ‘proposed new or changing policy, service or function’, does not contain proposals for workforce restructures, and is not a financial decision that will have an impact on services. An example could be a ‘For information only’ report. If this noted the development of a new or changing policy or service, the expectation is that an EIA would have taken place at an earlier stage, for example for decisions taken at departmental management level.
- b. Recent relevant EIA already carried out: the issue has already been subject to or is an action arising from a recent equality impact assessment and that EIA properly considered the issues that are relevant to this decision.
- c. There is clearly no relevance to equality: the issue clearly has no relevance to equality (note - many issues with no apparent relevance may have hidden impacts). **The Equalities Proforma attached at the end of this guidance will assist you to identify this.** Examples of situations where it is not necessary to carry out EIA (although any relevant equality issues should still be considered) are:
 - Producing a poster
 - A decision to use double sided rather than single sided printing
 - A portfolio holder report to approve an individual routine payment as part of a wider policy
 - A report which is an update on implementation of a strategy which was originally subject to EIA (although it would be good practice to update the original EIA and check that actions it noted have been carried out)

The Equalities Proforma attached is designed to ensure you think about each protected characteristic and determine whether the actions you are proposing will have an effect on this group(s). If it is determined there is an impact, even if this is of low significance, you then need to complete a full Equalities Impact Assessment (insert link).

You will notice that there is an additional category that has been included in the Proforma which is not a “protected characteristic” defined by the legislation i.e. ‘socio-economic’. Whilst there is no duty on us to undertake a consideration for this group, the Council wishes to understand any impact there may be within our district on this group and therefore asks you to consider this whilst considering those groups with protected characteristics.

Equalities Proforma

Business Unit:

Community Safety

Section / Service Delivery / Policy covered by the assessment:

Anti Social Behaviour Policy 2018-2021.

Brief description of Service Delivery / Policy covered by the assessment:

The Anti Social Behaviour Policy sets out the Council's approach to dealing with anti-social behaviour within it's communities. The Policy has some potentially positive impacts on the grounds of equality as 'hate' motivated ASB and criminality is given an escalated risk and corresponding higher priority response from the Council services.

Assessment carried out by:

Ben Adams

Date of Assessment:

27/09/2018

To determine whether a Equalities Impact Assessment is required please read the following statements and tick the one that applies. At the end of this document is a quick check box which will help you think about how the users will access your service (all access channels – face to face, physical location, on-line, telephone, etc.) and how the delivery of our service may have changed. You need to complete this check box regardless of which of the four options A – D you have ticked.

An Equalities Impact Assessment is NOT required because

A - Does not set out proposals for changes to a policy, service or function.

This does not include:

- Proposals for a new or changing policy service or function
- Financial decisions (other than approval of routine payments)
- Proposals for any workforce restructure

or is a 'For Information Only' item – it is a report that simply asks committee / management to note information rather than make or approve any decisions

Or

B - Has been subject to a recent related EIA that properly considered the issues relevant to this decision or report.
(this needs to be attached to the form when returned.)

Or

C - The Decision or report is not relevant to equality in that there is no way it could have any different effect on people in relation to their race, gender or transgender, disability, religion or belief, sexual orientation, age, maternity or pregnancy, marriage or civil partnership.

If none of the above apply, a full impact assessment is required

Equality Area	Access to Service			Delivery of Service		
<i>Please complete each category below:-</i>	Positive Impact	Negative Impact	Nil Impact	Positive Impact	Negative Impact	Nil Impact
Age equality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Race equality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender equality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability equality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual orientation equality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender re-assignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage/Civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pregnancy / Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Religion or belief equality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Socio-economic	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- Please return this completed form to the Access & Equalities Officer (John Bullock)
- If an EIA is required, please follow the guidance and template available on the intranet.

Signed by Lead Officer: Ben Adams

Date 27/09/2018