

APPENDIX 7



City of Westminster

EQUALITY IMPACT ASSESSMENT Guidance 2008 – 2011

July 2008

EQUALITY IMPACT ASSESSMENT GUIDANCE 2008 - 2011

<p>1. Why we need to do Equality Impact Assessments?</p>	<p>Equality Impact Assessments are one of the key elements of the City Council's approach to embedding equalities into service delivery. Equality Impact Assessments are here to help you deliver on Westminster's commitment to delivering excellent customer service at the lowest cost. They will assist you in designing services that deliver excellent services to all our customers including the most vulnerable. They can also help shape your consultation with Westminster's diverse communities and are a visible symbol of our commitment to delivering excellent services to all the City's communities. Whilst EIAs ensure we comply with the law they are an intrinsic part of how we ensure we deliver high standards of customer service.</p>
<p>2. Are there any legal obligations to do Equality Impact Assessments?</p>	<p>Westminster City Council must assess the impact of all its existing and proposed policies and practices for <i>race, disability and gender</i> under the legal requirements of:</p> <ul style="list-style-type: none"> • <i>Race Relations Act 1976 & Race Relations (Amendment) Act 2000,</i> • <i>Disability Discrimination Act 1995 & Disability Discrimination Act 2005,</i> • <i>Equal Pay Act 1970,</i> • <i>Sex Discrimination Act 1975, Sex Discrimination Act 1986 & Sex Discrimination (Gender Reassignment) Regulations (1999),</i> • <i>Equality Act 2006.</i> <p>EIAs also ensure that the Council is complying with the Equality Standard for Local Government (we are committed to achieving Level 5 by 2010) and we have extended equality impact assessments to the grounds of <i>age, religion or belief and sexual orientation</i>. These grounds are protected under the legal requirements of:</p> <ul style="list-style-type: none"> • <i>Employment Equality (Sexual Orientation) Regulations (2003) and Equality Act 2006 -</i> • <i>Employment Equality (Religion or Belief) Regulations (2003) and Equality Act 2006 - Employment Equality (Age) Regulations (2006)</i> <p>We have developed this guidance with the Police and Primary Care Trust. We have extended the scope of the EIAs to cover community cohesion, deprivation and health inequalities to support the Westminster City Partnership's approach to area renewal in Westminster. The EIA also asks you to consider the implications in terms of Human Right to ensure compliance with:</p> <ul style="list-style-type: none"> • <i>European Convention on Human Rights and Human Rights Act 1998</i>
<p>3. What is an Equality Impact Assessment?</p>	<p>An Equality Impact Assessment helps to:</p> <ul style="list-style-type: none"> • Identify, monitor or report any actions or positive/negative impacts from any proposed new policy, strategy, function, project or activity that may have positive as well as adverse effect on people from any of the six equality strand groups, i.e. age, disability, gender, race, religion or belief and sexual orientation. • Identify, monitor or report any actions or positive/negative impacts from any proposed new policy, strategy, function, project or activity that may have positive as well as adverse affects on community cohesion, deprivation, health and human rights. • Identify options that can reduce or remove any adverse impacts. • Monitor and review the activities of an existing policy, strategy, function, project or activity so that the likelihood of any adverse impact is reduced or removed.

<p>4. What is the Equality Impact Assessment Tool?</p> <p>Will there be any training?</p>	<p>The EIA tool is like a simple checklist and asks the following questions:</p> <ul style="list-style-type: none"> • Is there evidence to suggest that the policy, strategy, function, project or activity will have an adverse impact on people from any of the six equality strand groups or to community cohesion, deprivation, health and human rights? • If adverse impact has been identified, what actions can be taken to reduce or remove them? • What arrangements can be made for ongoing monitoring of the policy, strategy, function, project or activity? <p>Training on the new tool and guidance will be available to all DDCs. For more information, including training dates please contact Jennifer Denny, Organisational Development Team Manager (HR) x7013.</p>															
<p>5. What to do an Equality Impact Assessment on?</p>	<p>Each service department is asked to carry out equality impact assessments on existing or new policy, strategy, function, project or activity according to 3 – 5 top priorities from their annual business plan AND on any number of the following:</p> <ul style="list-style-type: none"> • Any historical problems related to service delivery, • Any major service reviews, • Any new legislation that significantly impacts service delivery, • Any new policy being developed which will impact any of the equality strand groups or impact community cohesion, deprivation, health or human rights. 															
<p>6. When does the new EIA cycle start? And when does an EIA need to be submitted?</p>	<p>The new EIA cycle starts from 1 July 2008. The cycle is divided into three years:</p> <p>YEAR 1: runs from 1 July 2008 till 31 March 2009 YEAR 2: runs from 1 April 2009 till 31 March 2010 YEAR 3: runs from 1 April 2010 till 31 March 2011</p> <p>The closing date for all EIA submissions to the relevant DDC is the last day of each quarter month (with the exception of Year 1 due to a shorter cycle).</p> <p>The submission dates are as follows:</p> <table border="0"> <tr> <td>YEAR 1:</td> <td>N/A for June 08,</td> <td>30 September 2008,</td> <td>31 December 2008,</td> <td>31 March 2009.</td> </tr> <tr> <td>YEAR 2:</td> <td>30 June 2009,</td> <td>30 September 2009,</td> <td>31 December 2009,</td> <td>31 March 2010.</td> </tr> <tr> <td>YEAR 3:</td> <td>30 June 2010,</td> <td>30 September 2010,</td> <td>31 December 2010,</td> <td>31 March 2011.</td> </tr> </table>	YEAR 1:	N/A for June 08,	30 September 2008,	31 December 2008,	31 March 2009.	YEAR 2:	30 June 2009,	30 September 2009,	31 December 2009,	31 March 2010.	YEAR 3:	30 June 2010,	30 September 2010,	31 December 2010,	31 March 2011.
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<p>7. What else happens during and at the end of each EIA cycle?</p>	<p>Quarterly The Performance Improvement Team will contact DDCs every quarter month for updates on EIAs (i.e. how many have been completed and whether any remainder EIAs are on target). The team will also send updates to CMB.</p> <p>Annually (After 31 March in Years 1, 2 & 3)</p> <ul style="list-style-type: none"> • Both CMB and CODG will be sent a full report on all completed EIAs. 															

- All completed EIAs (inc. any action plans) in Years 1, 2 and 3 will be published on the Council's external website and WIRE. There is a legal requirement under the duties specified on page 2 (s2) to publish routinely equality impact assessments.

Publishing EIAs also creates transparency in terms of what the Council is actively doing to promote equality, eliminate discrimination and achieve equity in its service delivery, functions and employment practices.

GUIDANCE ON USING THE EQUALITY IMPACT ASSESSMENT TOOL

SECTION 1: DETAILS OF EQUALITY IMPACT ASSESSMENT	
1.1	<p>Mark with a 'X' the Year that you are undertaking your EIA, for example:</p> <p>YEAR 1 (1 July 2008 – 31 March 2009) YEAR 2 (1 April 2009 – 31 March 2010) YEAR 3 (1 April 2010 – 31 March 2011)</p>
1.2	<p>(i) Provide the full title of your EIA</p> <p>(ii) State whether the EIA is a policy, strategy, function, project or activity. <i>(NB. Your EIA may be a combination of these, in which case please state what it is exactly e.g. Policy/Strategy).</i></p> <p>What is a Policy? A Policy refers to an approved decision, principle plan or a set of procedures by Council, Cabinet, a Cabinet Member or Chief Officer under delegated powers that affects the way that the Council conducts its business both internally and externally. A policy can include: strategies, guides, manuals and common practice.</p> <p>What is a Strategy? A Strategy refers to a systematic short term or a long term plan of action that is designed to achieve a specific business benefit or goal(s).</p> <p>What is a Function? A Function refers to any actions and/or activities designed to achieve a specific business benefit or goal.</p> <p>What is a Project? A Project defines how a temporary structure or scheme can achieve a specific business benefit or goal(s). A project can be implemented by setting up aims and objectives, resources, communication, budget needs and timelines.</p> <p>What is an Activity? An Activity is a specific task (or a groups of tasks) which can also form as part of a 'function'. (NB: If you are stating in Section 1.2 that the EIA is on an 'activity' and it relates to neighbourhoods, please indicate with a 'cross' whether it is 'ward focussed' or 'borough wide').</p> <p>(iii) Mark in the relevant box whether you EIA relates to an new or existing policy or strategy or function or project or activity NB. If the title of the EIA changes at a later stage, you must inform your DDC of this change.</p>
1.3	Provide your full details as specified in the EIA Tool.
1.4	<p>Provide the name of your DDC and Service Department.</p> <p>NB. If you unsure as to who your DDC is please contact the Equalities Policy Manager - on X3987.</p>
1.5	You have the option of either creating a 'diverse' Project Team (which includes a person outside of the team responsible for delivering the policy, strategy, function, project or activity) to

	<p>help you undertake the EIA OR you can carry out effective consultation and engagement work (see s5) across the 6 equality strands groups in order to gain feedback on how your policy, strategy, function, project or activity will impact these groups.</p> <p>NB. For more advice on the best approach, please contact your DDC.</p>	
1.6	Enter the actual date that you completed your Equality Impact Assessment.	
1.7	<p>Provide a brief overview containing the following information:</p> <ul style="list-style-type: none"> • The aim of your policy, strategy, function, project or activity. • Who will benefit from it, how will they benefit or who will be affected but not benefit? • How it links to the Council's strategic priorities • Intended outcomes • Any resource implications. 	
SECTION 2:	EVIDENCE	
2.1	<p>(i) List the evidence that you used to establish any positive and negative impacts that your policy, strategy, function, project or activity may have. This may include:</p> <ul style="list-style-type: none"> • Council or External Studies or Research, • Staff Surveys, • Audits, • Consultation/focus group feedback (<i>inc. feedback from users and/or organisations that represent users</i>), • Information from Trade Unions, • Census info on population (<i>inc. ethnicity/faith etc</i>), • Ward Profiles, • City Survey, • Complaints and Comments, • Service Reviews, • Deprivation information, • Monitoring information (<i>inc. service take up across the six equality strands or workforce monitoring etc</i>). <p>(ii) For example: this can be any monitoring data on proportions of service users compared to proportions in the Borough's population.</p> <p>(iii) Does any evidence indicate that your policy, strategy, function, project or activity would give rise to higher/lower take up of relevant services by any groups or communities? If so, please provide details of this evidence.</p>	
SECTION 3:	EQUALITY IMPACT SCREENING	
3.1 PART A	<p>What information is required in 3.1 PART A?</p> <p>(i) GROUPS AFFECTED Specify under this column which groups (from the list below) are positively and negatively affected by your policy, strategy, function, project or activity:</p> <ul style="list-style-type: none"> • Age: Children, young people, middle aged people, older people. • Disability: People with mobility needs, sensory needs (<i>inc. blind/partially sighted, deaf/hard of hearing</i>), learning disability (<i>inc. Down's syndrome or dyslexia</i>), chronic illnesses (<i>inc. cancer, HIV, diabetes, chronic heart disease, epilepsy</i>) and mental health issues (<i>inc. depression or schizophrenia</i>). • Gender: Female, Male and Transgender. • Race: People from different ethnic backgrounds (<i>for a complete list of Westminster's BME communities contact the Equalities Policy Manager on X3987</i>). 	

3.1
PART B

- **Religion or Belief:** People with different religious practices and other beliefs, including non-religious beliefs (*for a complete list contact the Equalities Policy Manager on X3987*).
- **Sexual Orientation:** Bi-sexual, Gay, Lesbian and Heterosexual.

POSITIVE IMPACT

Specify under this column *how* your policy, strategy, function, project or activity will benefit groups specified under the 'Groups Affected' column.

NEGATIVE IMPACT

Specify under this column *how* your policy, strategy, function, project or activity will disadvantage or have less benefit on groups specified under the 'Groups Affected' column. *(NB. in exceptional cases the negative/adverse impact may be justified if the policy, strategy, function, project or activity is targeting particular groups and their needs)*

What information is required in 3.1 PART B?

COMMUNITY COHESION IMPACT ASSESSMENT

(i) For more information please refer to:

<http://westminstercitypartnership.org.uk/Partnerships/March%202008%20Agenda%20Pack/Forms/DispForm.aspx?ID=9>

Click on: 6 Towards a Westminster approach to community cohesion

(ii) & (iii): An increase in contact between groups/communities can improve cohesion or in some circumstances, exacerbate any existing tensions. Questions ii and iii are to help you determine if the new policy, strategy, function or project or activity will increase contact between groups/communities.

DEPRIVATION IMPACT ASSESSMENT

Your project should make a positive contribution towards:

- Promoting the social, environmental and economic wellbeing of Westminster's Residents as set out in the City Plan.
- Supporting delivery of Westminster's Local Area Agreement (LAA) Improvement Priorities.
- The Westminster City Partnerships ambitions to address the needs of Westminster's most deprived areas or vulnerable residents by making a positive contribution to the social, environmental and economic well being of communities and businesses based in the Council's Local Area Renewal Partnership (LARP) areas: *Church Street, Queen's Park, Harrow Road, Westbourne, South Westminster, Harrow Road and the West End*. Activities should support the delivery of LARP renewal plans covering these communities and be supportive of existing partners / partnerships.

Need help answering questions (i), (ii), (iii) or (iv)? Please refer to the following websites for more information:

For questions (i) or (ii), refer to:

Economic Development -

<http://www.westminster.gov.uk/Business/economicdevelopment/draftedsconsultation.cfm>

For question (iii), refer to:

LARP- <http://westminstercitypartnership.org.uk/partnerships/Pages/LARPs.aspx>

For question (iv), refer to:

Westminster City Plan - <http://www.westminster.gov.uk/partnerships/>

LAA - <http://westminstercitypartnership.org.uk/Projects/Pages/Local%20Area%20Agreement.aspx>

HEALTH IMPACT ASSESSMENT

Health Impact Assessment is a method of estimating the potential health effects of the implementation of a plan, which may or may not be aimed at influencing the health of the population. The aim of a health impact assessment is to allow a systematic consideration of likely outcomes regarding the health of a population to be incorporated into decision-making. The scale of any proposed plan can influence its likely effect on health and/or health inequalities, and therefore the need for a full health impact assessment. A wide range of factors impact on the health of individuals, including:

- Poor social and economic circumstances
- Psychological circumstances
- Adverse events in prenatal life and early childhood
- Social exclusion and lack of social cohesion
- Work environment
- Housing
- Unemployment
- Difficulties accessing healthy food
- Difficulties accessing health services
- Individual lifestyles.
- Level of physical activity

In this section you should consider whether your policy, strategy, function, project or activity might have any impact on any of these areas.

Please Note:

If you require any Westminster specific public health data please contact Hayley Sullivan Public Health Coordinator, (hsullivan@westminster.gov.uk or hayley.sullivan@westminster-pct.nhs.uk) or refer to:

<http://www.westminster-pct.nhs.uk/keypriorities/publicationsandstrategies.htm>

HUMAN RIGHTS IMPACT ASSESSMENT

What is the ‘European Convention on Human Rights’ and ‘Human Rights Act’?

The European Convention on Human Rights (ECHR) was drafted by the Council of Europe (including the UK) post WWII to protect certain basic rights known as ‘Convention Rights’. The Human Rights Act 1998 (HRA 1998), which came into force in October 2000, is the means by which the ECHR has become part of UK domestic law. Domestic law means both primary legislation (such as Acts of Parliament) and subordinate legislation (such as regulations made by the City of Westminster under the authority of An Act of Parliament).

What does the Human Rights Act mean for all public bodies?

Under the HRA 1998 all public bodies (inc. Westminster City Council) are obliged to interpret their actions under domestic law in light of the Convention Rights so far as it is possible to do so. The HRA 1998 makes it unlawful for a public body to act in a way which is incompatible with a Convention Right. It is therefore, important that you ensure your policy, strategy, function, project or activity is compatible with the Convention Rights and that any incompatibilities are legally justified. Properly maintained Departmental Human Rights Action Plans are a useful tool to do so. Legal advice should always be sought in cases of potential incompatibility with Convention Rights or in cases of uncertainty.

For further information on how the Human Rights Act affects you or to help you answer questions (i) or (ii)? Please refer to current guidance issued by the Ministry of Justice (formerly known as the Department for Constitutional Affairs), see link below:

<http://www.dca.gov.uk/peoples-rights/human-rights/publications.htm>

3.2

Determine whether more information or evidence required for you to make a reasonable assessment of any negative impacts?

3.3	<p>If you answered 'yes' in 3.2, can your policy, strategy, function, project or activity be put on temporary hold until further information or evidence is collated to help you make a reasonable assessment of any negative impacts?</p> <p>If you answer 'yes' in 3.3, please contact your DDC to discuss your EIA in more detail, including what further evidence you require to make a reasonable assessment of any negative impacts.</p>	
3.4	If you specified any negative impact in 3.1 (Part A and/or B), can you make any alterations to your policy, strategy, function or project so that the negative impact is reduced or removed?	
3.5	If you answered 'yes' in 3.4, will any alterations you make ensure that your policy, strategy, function, project or activity remains legal (i.e. by law, does not discriminate against people from any of the equality strand groups or development against community cohesion, deprivation and health)?	
SECTION 4:	ACTION PLAN	
4.1	<p>In 4.1 (PART A & B), any points you make under each column should be in bullet points.</p> <p>What information is required in 4.1?</p> <p><u>PART A & B:</u></p> <ul style="list-style-type: none"> • ACTION REQUIRED: If you identified any negative impacts in 3.1. Part A and or B specify what actions are required to reduce or remove them completely. Alternatively you may wish to write actions that would help to improve service deliver via your policy, strategy, function, project or activity. • GROUPS TARGETTED: Which equality strand group(s) does your action target? Please be specific i.e. RACE: Bangladeshi, Chinese communities etc, DISABILITY: people with mobility needs, deaf/blind community etc. • INTENDED OUTCOME: What is the desired outcome of your action? • RESOURCES NEEDED: Provide details of any resources required to support the action (if known to you). • NAME OF LEAD, DEPARTMENT & CONTACT DETAILS: Give the name and relevant details of a lead person who is responsible for carrying out the action. • DEPARTMENTAL ACTION PLAN: Can your action also directly feed into a current or proposed departmental action plan? If you are unsure, please contact your DDC to discuss further. • COMPLETION DATE (DD/MM/YY): Specify a date for when you are expecting to complete the action. • RAG: State whether the action is: R - (Red): Not initiated, A - (Amber): Initiated and in progress, G - (Green): Complete. 	
SECTION 5:	CONSULTATION & ENGAGEMENT	
	<p>Why consult and engage? Carrying out consultation work is part of the EIA process and key to the Council's level 4 commitments. Consultation work helps to identify what impact your policy, strategy, function, project or activity may have on the groups identified in the 'Groups Affected' column as well as on community health, deprivation and cohesion. In addition it can help identify other unanticipated groups affected by your policy, strategy, function, project or activity.</p> <p>Who to involve or engage? It is important to engage with anyone that your policy, strategy, function, project or activity directly/indirectly impacts. This includes a range of groups across the six equality strands as well as WCC staff, staff networks, other service departments, service users, residents, trade unions, other public bodies, voluntary, community or focus groups, etc.</p>	

	<p>Please Note: For a list of useful contacts to consult and engage with please refer to the 'Equalities Contacts Database' which can be found on the WIRE (http://wirecms/policycomms/policy/equalities/) under the 'Equality Impact Assessment Toolkit' section. Alternatively, you can request a copy of the list from your DDC or the Equalities Policy Manager (X3987).</p> <p>Types of consultations? Examples include organising events, workshops and interviews, as well developing questionnaires, opinion surveys etc.</p> <p><i>(NB. The Equality and Human Rights Commission (EHRC) recommends that we use photography and other forms of illustration that reflect positive images of disabled people in our publishing and communications work (including the way we use new media tools such as social networks).</i></p> <p>As well as joint partnership work with other public bodies, community, voluntary organisations e.g. Primary Care Trust NHS, MET, hospitals, trade unions etc. (which leads to wider consultation).</p> <p><i>(NB. You can also use any data/feedback from any recent consultation(s) provided they remain valid and comprehensive).</i></p> <p>When to consult and engage? It is recommended that you plan and carry out consultation prior to undertaking any EIA. The feedback you receive from consultation will help you to complete sections 3 - 6 of the EIA tool.</p> <p>What other things to consider? In some circumstances it may be necessary to organise a variety of consultations in order to accommodate people's different circumstances and preferences. Some examples include:</p> <ul style="list-style-type: none"> • Single mothers/fathers or parents with childcare needs may require appropriate crèche facilities. • Disabled people with mobility needs or older people may need access to a ramp or lifts in order to access the consultation venue (NB. It is for this reason we usually recommend that consultations take place on the ground floor, with easy access to disabled toilets and fire exits). • Some people from certain BME groups may require appropriate language support. By the same token people with sensory needs may need BSL support, hard of hearing people may need a T-Loop and people with learning disability, older people or others groups may require easy-read consultation documents. • Some people from certain faith groups will only attend consultation events outside prayer times or if the event has a non-mixed environment (i.e. men and women not in the same room). <p>What to do after consultation? Any consultation feedback that you receive will help you to assess further any impact that your strategy, function, project or activity will have on staff, service users or residents (across any of the six equality strands). It will also help feed into your departmental action plan (if relevant).</p> <p>Need further advice on consultation work? Please contact your DDC or the Equalities Policy Manager on X3987</p>	
<p>SECTION 6:</p>	<p>REVIEW AND MONITORING</p>	
	<p>EIAs should not be seen as a 'one-off' exercise. In fact the actual impact of your policy, strategy, function, project or activity will only be realised after it has been implemented. Therefore, reviewing and monitoring should follow after (and you will need to set a review date) and depending on the outcome may even be subject to another equality impact assessment.</p>	
<p>PAGE 6</p>	<p>SIGNING OFF</p>	

	<p>After completing your EIA, it must be signed off by your Departmental Service Manager (and contractor, if relevant). Sign off means either a scanned signature, or an email confirmation from the Service Manager approving the EIA.</p> <p>NB. If your EIA is at draft stage and you would like further advice or guidance on it before it is signed off, please contact your DDC first and then the Equalities Policy Manager, if necessary (on X3987).</p>	
	<p>THE NEXT STEPS AFTER 'SIGN OFF'?</p>	
	<p>What you need to do next?</p> <ul style="list-style-type: none"> • Email a copy of the EIA (after it has been signed off) to the Service Manager and to your DDC. • Your DDC will then store in the DDC sharefile on the J Drive. IMPORTANT: Your EIA must be sent to your DDC by the submission date specified in your department's EIA Schedule. <p>What your DDC will do? Your DDC will inform the Equalities Policy Manager (Policy Team) that the EIA has been completed and has been stored in the DDC sharefile.</p> <p>What else happens? Under the duties specified on page 2(s2) the Council is required to publish routinely all of its equality impact assessments. Hence after 31 March in Years 1, 2 and 3 the Council will publish EIAs on the external website for public viewing. <i>For further information please see page 3(s8).</i></p> <hr/> <p>CONTACT INFORMATION For any further advice on the EIA guidance or Tool please contact your DDC or the Equalities Policy Manager:</p> <p>Samira Imam Policy Manager (Equalities) Policy and Performance, 16th Floor (East), City Hall Email: simam@westminster.gov.uk Telephone: 020 7641 3987</p>	