



# Equality Impact Assessment Record Form 2012-16

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 2** of the Equality Scheme. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. The purpose is to avoid inadvertent disadvantage or discrimination resulting from decisions.

EIA is not a fixed process – it will vary according to the scale and type of activity. The form and guidance are designed to cover all eventualities. Officers should not be discouraged by the form, but should use their discretion in using it flexibly according to the activity they are assessing.

EIA does not happen at a single point in time. It is an ongoing and integral part of the development of the activity or proposal. This EIA template should be kept open and live as a planning document, and updated as the activity or proposal progresses.

## Section 1 – Service Details and Summary of EIA Activity

<b>Title of activity:</b>	Corporate Complaints, Compliments and Comments Procedure 2013: change to the way we investigate complaints where the complaint alleges discrimination on the grounds of race.
<b>Lead Officer responsible for this EIA:</b>	Lee Downey, Complaints and Information Governance Manager
<b>Telephone:</b>	01325 388401
<b>Service Group:</b>	Resources and Neighbourhood Services
<b>Service or Team:</b>	Complaints and Information Governance Team
<b>Assistant Director accountable for this EIA</b>	Elizabeth Davidson, AD Human Resources and Finance
<b>Who else will be involved in carrying out the EIA:</b>	

### What stage has the EIA reached?

This table provides a 'cover note' of progress to be maintained as the EIA is developed over time.

Stage categories 1-3 listed below refer to the funnel model. Note the stage reached and any consultation or engagement carried out. Simple activities may not need all these stages. Provide details of population/individuals affected in Section 2

Stage	Date	Summary of position
<b>Stage 1: Initial Officer Assessment. Whole Population likely to be affected identified</b>	13 August 2014	Darlington residents and visitors.
<b>Stage 2: Further Assessment. Target Population likely to be affected identified</b>	13 August 2014	Darlington residents and visitors who use Council services.
<b>Stage 3: Further Assessment. Individuals likely to be affected identified</b>	13 August 2014	Darlington residents and visitors who use Council services.
<b>Stage 4: Analysis of Findings</b>		
<b>Stage 5: Sign-Off</b>		
<b>Stage 6: Reporting and Action Planning</b>		

## Section 2 – The Activity and Supporting Information

<b>Details of the activity (including the main purpose and aims)</b>
<p>Corporate Complaints, Compliments and Comments Procedure – amend to include complaints where the complainant alleges discrimination on the grounds of race. Currently the procedure states an allegation of discrimination on the grounds of race will usually investigated in accordance with the Council’s disciplinary procedure. This approach was set out in the Council’s Guidelines for Reporting and Dealing with Racial Incidents 2005; which pre-dates the corporate complaints procedure.</p> <p>In practice separating a complaint about service provision from an allegation of discrimination on the grounds of race has proved extremely difficult and has led to a disjointed approach, whereby there are two investigations running concurrently. This has resulted in a poorer service being provided to those individuals who allege discrimination on the grounds of race as opposed to those individuals who allege discrimination on the basis of any of the other protected characteristics. The purpose of this amendment is to ensure that all allegations of discrimination are investigated in a timely and thorough manner.</p> <p>The Council will retain the definition of a racial incident from Recommendation 12 of the report of the Stephen Lawrence Inquiry: “any incident which is perceived to be racial by the victim or any other person” Where it is found that there was discrimination on the grounds of race when providing a service, in addition to any organisational learning identified via the complaints process, the Council would still take any disciplinary action as appropriate. Where the allegation does not relate to service provision, we will continue to investigate these matters in accordance with the Council’s disciplinary procedure.</p>
<b>Who will be affected by the activity?</b>
<p><b>See the guidance on carrying out equality impact assessment within the Equality Scheme 2012-16. Provide details of the groups and numbers of people affected below, updating the table as the EIA develops and the understanding of who will be affected emerges in more detail.</b></p>
<b>Whole population</b>
Darlington residents and visitors
<b>Target population</b>
2011 Census
Residents of Darlington (105564) and visitors to the town.
<b>Individuals</b>
<b>What data, research and other evidence or information is available which is relevant to the EIA?</b>

**Check: before proceeding to the officer assessment, have you obtained all the data and information that is currently available?**

## Section 3: Officer Assessment

Use this table to record your views on potential impact on Protected Characteristics. As the activity and the assessment develop your views may change – record them here. It is important to be searching and honest about this – many Council activities are planned to be of positive benefit to identified target groups but can often have the potential for inadvertent effects on other groups.

Protected Characteristics	Potential Impact Positive/Negative/ Not Applicable			Potential level of impact				Summary of Impact
	P	N	NA	H	M	L	nil	
Age	P	N	NA	H	M	L	nil	N/A
Race	P	N	NA	H	M	L	nil	Positive impact - will provide a consistent, single, well managed approach to ensuring issues are addressed in a timely manner and any actions are taken to resolve the matter and prevent a re-occurrence.
Sex	P	N	NA	H	M	L	nil	N/A.
Gender Reassignment	P	N	NA	H	M	L	nil	N/A
Disability (summary of detail on next page)	P	N	NA	H	M	L	nil	N/A
Religion or belief	P	N	NA	H	M	L	nil	N/A
Sexual Orientation	P	N	NA	H	M	L	nil	N/A
Pregnancy or maternity	P	N	NA	H	M	L	nil	N/A
Marriage/ Civil Partnership	P	N	NA	H	M	L	nil	N/A

### Section 3: Officer Assessment - continued

The Council must have due regard to disabled people’s impairments when making decisions about ‘activities’. This list is provided only as a starting point to assist officers with the assessment process. It is important to remember that people with similar impairments may in reality experience completely different impacts. Consider the potential impacts and summarise in the Disability section on the previous page. Officers should consider how the ‘activity’ may affect a disabled person.

<b>Mobility Impairment</b>	P	N	NA	H	M	L	nil	N/A
<b>Visual impairment</b>	P	N	NA	H	M	L	nil	N/A
<b>Hearing impairment</b>	P	N	NA	H	M	L	nil	N/A
<b>Learning Disability</b>	P	N	NA	H	M	L	nil	N/A
<b>Mental Health</b>	P	N	NA	H	M	L	nil	N/A
<b>Long Term Limiting Illness</b>	P	N	NA	H	M	L	nil	N/A
<b>Multiple Impairments</b>	P	N	NA	H	M	L	nil	N/A
<b>Other - Specify</b>	P	N	NA	H	M	L	nil	N/A

### Cumulative Impacts

The officer responsible for this EIA should seek input from the Corporate Equalities Group on the potential for this activity to combine with other recent, current or proposed activities, both Council and in the external environment, to result in more severe impacts on people with Protected Characteristics through their cumulative effects. The Corporate Equalities Group will advise on the content for this section of the EIA.

<b>Change activities</b>	<b>Potential cumulative impacts</b>
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## Section 4: Engagement Decision

The decision about who to engage with, and how and when to engage, is the key to effective EIA. Please see Annex 2 of the Equality Scheme for guidance on the engagement decision.

<b>Is engagement with affected people with Protected Characteristics required, now or during the further development of the activity?</b>	<b>No</b>
<b>If YES, proceed to the next section. If NO, briefly summarise below the reasons why you have reached this conclusion.</b>	
Having considered the potential impact in relation to race I do not consider it necessary to undertake further engagement activity with people, as I do not believe the procedural change introduced will negatively affect the accessibility of the procedure for those groups/individuals.	

**If you have come to the conclusion that engagement is not required, seek ratification from the Corporate Equalities Group through your service Equalities Co-ordinator.**

**If engagement is not required but the officer assessment has identified changes that should be made to the activity, please complete Sections 7 and 8. If not the assessment can be signed-off at Section 9.**

**Any reports to decision-makers during the development of the activity, for example feasibility or options appraisal reports, should include content on the latest thinking and findings of the EIA even though, like the activity, further development of the EIA may be required before final reporting.**

**The findings of the officer assessment should be included in any reports to decision-makers. These may be feasibility or options appraisal reports where the activity is at an early stage of development, but it is essential that any equality findings are taken into account in formal decisions at all stages of development of the activity.**

## Section 5 – Involvement and Engagement Planning

<b>Has the assessment shown that the activity will treat any groups of people with Protected Characteristics differently from other people? No</b>
It will ensure that complaints made by individuals alleging discrimination on the grounds of race are Treated in the same manner as those made by other individuals with protected characteristics.
<b>Will the differential treatment advance equality for people with Protected Characteristics?</b>
<b>Will the differential treatment cause or increase disadvantage for people with Protected Characteristics?</b>

**From the above, prepare a simple plan using the template overleaf for involving and engaging with the organisations, groups and individuals likely to be affected by the activity.**

**There may be several stages of involvement and engagement, particularly for more complex activities. Initially it may be possible to identify and engage only with stakeholder and representative organisations for the people with Protected Characteristics who may be affected. Further development of the activity may be required before the individuals who will be affected can be identified.**

**The Involvement and Engagement Plan should evolve accordingly, with new engagement proposals added as they are identified.**



## Involvement and Engagement Plan

Which organisations, groups and individuals do you need to involve or engage and how?

Date of plan entry	Organisation, Group or Individuals	Date of event or activity	Type of activity – venue, channels, method and staffing

**Engagement to identify impacts works best in face-to-face and small group settings**

## Section 6: Engagement Findings

	<b>Date/summary of engagement carried out</b>	<b>Summary of impacts identified</b>
<b>Age</b>		
<b>Disability</b>		
<b>Mobility Impairment</b>		
<b>Visual impairment</b>		
<b>Hearing impairment</b>		
<b>Learning Disability</b>		
<b>Mental Health</b>		
<b>Long Term Limiting Illness</b>		
<b>Multiple Impairments</b>		
<b>Race</b>		
<b>Sex</b>		
<b>Gender Reassignment</b>		
<b>Religion or belief</b>		
<b>Sexual Orientation</b>		
<b>Pregnancy or maternity</b>		
<b>Marriage / Civil Partnership</b>		

Section 6: Engagement Findings – Continued

Drawing on the engagement findings and your understanding of the effects of the activity, indicate how it will contribute, if at all, to the three strands of the Public Sector Equality Duty.

<b>a) How will the proposal help to eliminate discrimination, harassment and victimisation?</b>
<b>b) How will the proposal help to advance equality of opportunity?</b>
<b>c) How will the proposal help to foster good relations?</b>

<b>During the engagement process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.</b>

This completes the assessment, but there will be further work to do to contribute to the reporting and implementation stages of the activity. First though, it is important to draw a line under the assessment to maintain a separation between assessment of impacts and any proposals to manage those impacts. The assessment should therefore be signed-off at this stage.

## Section 7 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	
	Date:	
	Job Title:	
Assistant Director:		
Signed	Name:	
	Date:	
	Service:	

## Section 8 – Reporting of Findings and Recommendations to Decision Makers

The findings of the EIA may be reported to decision-makers at several stages during the development of an activity. For example, the initial officer assessment findings may be included in a feasibility report or options appraisal to be considered by the Transformation Board or Chief Officers' Executive.

Any report for formal decisions by Cabinet or Council should include the latest findings of the EIA, even if these are at a relatively early stage. The report recommending final approval of the activity should await and include the findings of the completed EIA. The report should present clearly the impacts that have been identified through the engagement process, including potential cumulative impacts.

The report may include recommendations based on the findings of the EIA, but these should be separate from the reporting of impacts. Recommendations will be developed separately from the EIA and arise from considering equalities impacts combined with other aspects of the activity such as finance, the benefits of the activity, and so on.

Based on the EIA findings, the report may consider the options in the table below, but the report must contain a clear statement of the impacts so that decision-makers can understand the effects of the decision that is being recommended.

What does the review of the information show?	
a)	No negative impact on people because of their Protected Characteristics - continue with the activity and monitor progress on implementation
b)	Negative impact identified – recommend continuing with the activity; clearly specify the people affected and the impacts, and providing reasons and supporting evidence for the decision to continue
c)	Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact
d)	Negative impact identified - stop activity and provide an explanation why

## Section 9 – Action Plan and Performance Management

The report to decision-makers, and the decision made may require actions to be taken to avoid, minimise or mitigate the negative impacts of the activity. Option C in the table in Section 8, combined with mitigation measures that may have been highlighted during engagement and listed in Section 6 (if adopted) will require action planning to implement them.

Any actions to address equalities impacts should be listed below, with performance management review proposals, to complete the full EIA.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date

Performance Management	
Date of the next review of the EIA	
How often will the EIA action plan be reviewed?	
Who will carry out this review?	

