

Adur & Worthing Equality Impact Assessment (EIA) Template Trial - 2020/21

We want to trial the use of this template when it is appropriate, for example when making significant decisions that may impact disproportionately on certain protected communities. As part of our Good Service Standard we are also seeking to embed these equality impact assessment principles into everyday service planning and delivery. You may therefore only need to complete a template occasionally, but you should always be working to achieve its general principles and intended outcomes.

Our Equality Statement

Adur District and Worthing Borough Councils are committed to increasing inclusion and providing equality of opportunity in all our activities and to ensuring that discrimination does not occur. We will strive for a workforce that reflects the diversity of the local community in order that our services are provided appropriately and the Councils benefit from a wealth of experiences. The Councils will involve the wider community in our decision-making processes and use our influence to progress equality and inclusion issues in the Adur District and Worthing Borough.

To achieve our vision for inclusion and equality we will lead by example, we will listen to our communities and we will seek to work in collaboration with others. As part of this and as set out in Platforms of Our Places; Going Further plan, we will work to establish a platform that will aim to unlock the energy and unleash the power of people in the community to run and improve their own lives and the places they live. We will undertake this work with care, support and respect, recognising the reality of disadvantage and discrimination experienced by many communities.

Equality Impact Assessments (EIAs)

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then identify actions to support delivery towards our equality objectives and our statutory duties. The EIA process specifically aims to:

- Get the best outcomes for our staff and residents
- Analyse how all our work as councils might impact differently on different groups.
- Help us make good decisions and evidence how we have reached these decisions

EIAs are therefore a practical way in which we can achieve our Good Service standard, where we have pledged to improve our services and make them accessible to everyone. The EIA template we are trialling in 2020/21 is suitable for a number of settings, including policy development, organisation management and service redesign. The template is made up of a series of tables and numbered guidance notes to guide and support you through the approach. We will evaluate the use of the template towards the end of 2021.

Part 1. Equality Impact Assessment (EIA) Template

First, consider whether you need to complete an EIA. Is an EIA needed and is there another way to evidence assessment of impacts. See guidance note (1) on the legislative context and guidance note (2) on considerations when planning an EIA.

Title of EIA (3)	Trial - Blended Working Policy
Team/Department (4)	All services
Focus of EIA (5)	<p>The policy will apply to identified roles across the Council. The roles that it applies to will be identified by the individual HoS and Managers.</p> <p>The policy will allow the employee to work in a blended way between home and office. The employee must have an appropriate workstation and environment compliant with DSE guidance.</p>

2. Update on previous EIA and outcomes of previous actions

If there is no previous EIA, or EIA equivalent or this is an assessment of a new service, then simply write 'not applicable'.

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)
n/a		

3. Review of information, equality analysis and potential actions

In this section we consider the various protected characteristics groups from the Equality Act 2010 (6)

<p>What do you know? (7)</p> <p>Summary of data about service-user / resident / and/or staff feedback.</p>	<p>What do people tell you? (8)</p> <p>Summary of service-user / resident / and/or staff feedback</p>	<p>What does this mean? (9)</p> <p>Impacts identified from data and feedback (actual and potential)</p>	<p>What can you do? (10)</p> <ul style="list-style-type: none"> ● To advance equality of opportunity, ● To eliminate discrimination, and ● To foster good relations
<p>Age¹</p>	<p>Younger people may be less likely to have suitable home accommodation for office use (e.g. living with parents or in small flats)</p> <p>Younger people may have lower earning potential and not be able to afford suitable equipment to be a home worker.</p> <p>Older age group may not enjoy the isolation of</p>	<ul style="list-style-type: none"> ● Data Analysis completed of job roles not able to work from home (see attached appendix 1). Younger workforce not impacted by this change according to data ● Data Analysis completed of those people not wanting to work from home (see attached appendix 1) Only 6% of staff want 	<ul style="list-style-type: none"> ● Complete DSE assessments to see how many people ‘cannot’ work from home due to known suitable environments and review data. ● Equipment being provided for all relevant staff ● Partial equipment provided for those working at home on an ‘occasional’ basis ● Culture is being created to ensure that team collaboration still happens face to face. We want everyone to come into the office ● Training for managers on managing isolation, ensuring effective team meetings

¹ **Age:** People of all ages

	working from home. May also have more challenges with technology and remote meetings.	no home working. No areas for specific concern within this data.	<ul style="list-style-type: none"> • Appropriate training for remote workers on remote meetings, scheduling diaries
Disability²	<p>All work environments, whether home, office or other need to be safe, both for people with existing health conditions and prevent ill-health being exacerbated due to poor posture etc.</p> <p>Need to ensure that seating and desks are suitable for team members with musculo-skeletal issues and allow for bespoke furniture (desk and chair). Arriving at work and moving chairs around may not be feasible</p>	<ul style="list-style-type: none"> • Data analysis shows that there are 12 employee with disabilities known to the council • 2 Badge holders within the council • Consideration should be given to 'set desk areas' for those with disability specifically if they are in the office the majority of their working week. 	<ul style="list-style-type: none"> • Review prioritisation and implementation of recommendations from accessibility study (first site visit 02.06.21). • Survey underway (April 2021) to identify specific needs for each member of staff (to be completed by managers) • Roll out DSE self assessment process for office and home working, to be reviewed with line managers at 1-1s • Where required seek advice from the Councils' Health & Safety team or Occupational Health • Ensure that office layout designs are flexible to allow for additional space where required to suit • individual assessed needs - Accessibility Assessment being commissioned.

² **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.

	<p>The flexibility of being able to work from home or other locations will reduce travelling needs.</p> <p>The home environment is more likely to be already adapted for the individual staff member's particular needs, although not necessarily in terms of their work stations if they have not worked from home previously.</p> <p>The minimum office space standards may not be sufficient for wheelchair users or people who are visually impaired who may need more than the standard minimum.</p> <p>Individual staff may have specific needs which make the new way of working problematic for them (eg: people on the Autistic Spectrum who may have additional sensitivity to noise, or</p>		
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	people with mental health conditions affecting their attitudes to consistency or cleanliness).		
Race/Ethnicity	Some ethnic groups live in large family units which may reduce the space to enable them to work from home effectively	<ul style="list-style-type: none"> Only 31 employees do not wish to work from home. Currently no data to identify ethnicity impact but based on high numbers of those able to work from home. No concern in this area. 	<ul style="list-style-type: none"> Data analysis following DSE Assessment to see 'who cannot' work from home.
Gender reassignment³	Consideration should be given to ensuring cross functional team training. Teams may be separated when in the office, as may no longer be in 'teams' as worked previously.	<ul style="list-style-type: none"> Data not available 	<ul style="list-style-type: none"> Build into training cross functional training, expecting difference

³ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected

<p>Pregnancy and maternity⁴</p>	<p>The introduction of greater flexible working opportunities will give women who are pregnant more flexibility to work around medical appointments and potentially be able to work around any issues (i.e. morning sickness etc).</p> <p>Staff on maternity or paternity leave may feel left out of the process, or less well-informed about changes and plans.</p>	<ul style="list-style-type: none"> • TBC 	<ul style="list-style-type: none"> • New and expectant mother risk assessments that are carried out should ensure they reflect the relocation and changed working arrangements from the end of July and assess whether this raises any additional issues. • Managers must ensure that they keep staff on leave as well-informed as staff at work, using an agreed method of communication and arranging 'keep in touch' days (or similar) where appropriate.
<p>Religion or belief⁵</p>	<p>Flexible working will allow greater flexibility for religious observance.</p>	<ul style="list-style-type: none"> • Data not available 	<ul style="list-style-type: none"> • Identification of staff within faith groups most likely to need this service. • Identify the criteria required for suitable quiet rooms and make space available and publicise as appropriate

⁴ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

⁵ **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.

Sex/Gender⁶	Higher proportion of part-time staff are female and blended working may not be feasible if living in smaller accommodation (see Lone Parent)	<ul style="list-style-type: none"> ● Data analysis completed see appendix 1. ● No concern - higher number of male full time employees impacted for not working from home. ● Only 18 Female part time employee impacted for not working from home due to their roles servicing the community 	<ul style="list-style-type: none"> ● Continue to monitor in normal Management Information reporting ● Reassess when DSE Assessments have been completed
Sexual orientation⁷	No impact identified	n/a	n/a
Marriage and civil partnership⁸	No impact identified	n/a	n/a

⁶ **Sex/Gender:** Both men and women are covered under the Act.

⁷ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

⁸ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

Community Cohesion⁹	No impact identified	n/a	n/a
Other relevant groups¹⁰	<i>See below</i>		
Carer/Parental responsibilities	<p>Home and flexible working may be beneficial for child care, carer and family commitments: flexible hours will be helpful for school runs and other appointments difficult to arrange outside of traditional working hours.</p> <p>Home environment should be free from unreasonable distractions when someone is working, meaning carers may not</p>	<ul style="list-style-type: none"> • No data available on the number of employees with carer or parental duties. 	<ul style="list-style-type: none"> • Training to be provided to managers on how to manage these situations to ensure fairness is applied.

⁹ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

¹⁰ **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.

	<p>be able to fulfil their work and caring/childcare responsibilities.</p> <p>Permitting children to be at home whilst working when over the last 12 months has been allowed, it is now deemed unfair to change rules.</p>		
<p>Home Workers</p>	<ul style="list-style-type: none"> ● Home working may increase feelings of isolation and / or increase the difficulties of “switching off” from work thereby having a negative effect on work/life balance. ● Some posts may be unsuitable for home working even if this is the staff member’s preferred option. ● There is likely to be a pay disparity, with lower grade roles less likely to be suitable for home working 	<p>No known incidents of this at this time</p>	<ul style="list-style-type: none"> ● Appropriate training ● Revisit/communicate expectations about no emails after hours/similar ● Continue to monitor through management 1:1 and HR feedback based on sickness absence reporting

	compared to higher paid roles.		
Domestic abuse	<ul style="list-style-type: none"> Employees who are in domestic abuse relationships may be at greater risk working from home. 	<ul style="list-style-type: none"> No identified cases of this known to the council at this time 	<ul style="list-style-type: none"> Home working will not be mandatory and all employees will be able to work in the office. Publicise the e-learning available that shows how to spot possible signs of abuse in a home working environment. Amend it to train managers in how to have appropriate conversations with staff. Signposting information on the staff intranet HR to monitor through sickness absence reporting Domestic Abuse policy

4. List the data, information 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)
Staff Survey - 70% of staff who answered survey wanted Blended working	June 2020 Jan 2021	Equalities data missing	Staff need to complete their equality data on Connect

Data Collection from Managers dated June 2021 - 70% of staff want blended working	May 2021	Ethnicity, Location, Hours of work	Add to future reports
Central HR Database report	End of May 2021	Ethnicity	Add equality data

EIA sign-off:

For the EIA to be final an email must be sent from the relevant people agreeing it or this section must be signed.

Staff member competing Equality Impact Assessment: Rebecca Mossman-Beckett	Date: 5/6/2021
Head of Service: Heidi Christmas	Date: 10/6/2021
Equality Lead: Amy Newnham	Date: 14/06/2021

EIA Guidance Notes

If this is your first EIA, take some time to read through the notes. If you have any questions please email:

equalitieschampions@adur-worthing.gov.uk

1. 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 with '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 that we must give 'due regard' (pay conscious attention):

- **Avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **Promote equality of opportunity**. This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat some 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

In addition the following principles, drawn from case law, explain when and how the above duty should be applied:

- **Knowledge:** In working for the councils and reviewing its activities staff must be aware of equalities duties and apply them appropriately to this 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 part of our decision-making and able therefore to influence the process.
- **Sufficient Information:** You must assess what information you have and what is needed to give proper consideration.
- **No delegation:** The councils are 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. Properly used, an EIA can form a key part of this requirement.

2. Do you need to undertake an EIA?

An EIA may or maynot be necessary or appropriate:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- 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 important to document why.

When might you generally 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 borough or district (eg: a change in population), or at a national level (eg: a change of legislation)

The EIA does not have to be on this template, but must be documented. Wherever possible, build the EIA approach into your usual planning/review processes. When planning your EIAs remember it should be 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

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process is required.

3. Title of EIA: This should clearly explain what service / policy / strategy / change you are assessing **4.**

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

5. 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

6. Protected characteristics groups from the Equality Act 2010:

→ **Age:** People of all ages

- **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.
- **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected.
- **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.
- **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.
- **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.
- **Sex/Gender:** Both men and women are covered under the Act.
- **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people
- **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.
- **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.
- **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
- **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

7. What do you know (data and Information): Make sure you have enough data and information to inform your EIA.

- What data, relevant to the impact on protected groups of the policy/decision/service, is available? Consider local sources of data (eg: the JSNA, Local Insight) and national sources where they are relevant.
- What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the protected characteristics 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?

8. What do people tell you (engagement):

You must seek to engage appropriately with those likely to be affected:

- 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:
 - ◆ consulting when proposals are still at a formative stage;
 - ◆ explain what is proposed and why, to allow intelligent consideration and response;
 - ◆ allow enough time for consultation;
 - ◆ 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.

9. What does this information and feedback mean?

Your EIA should seek to understand the 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 if you can, 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 protected 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?

10. What can you do?

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.

11. 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?