



Equalities Implications in Committee Reports 2017





EQUALITIES IMPLICATIONS IN COMMITTEE REPORTS

This guidance has been produced to help you through the process of completing **Section 6 - Equalities Implications** of the Council's Committee Report template, together with notes on what can be considered under Links to Strategy in reports, and on when to undertake an Equalities Impact Assessment (EIA) on any report, policy or plan being prepared. It also helps place Equalities and Welsh Language issues in the wider context of ensuring that they are part of everyday working practices too.

This supplementary guidance is issued under the Council's current **Strategic Equality Plan** and carries their full authority.

The guidance has three main sections and one appendix:

- **Section 1** contains a brief explanation of the legal background and CCBC context of why the Council has a statutory duty to undertake Equalities Impact Assessments.
- **Section 2** is a summary of the Strategic Equality Objectives and how they fit in to the Links to Strategy section of council reports.
- **Section 3** is the main section of this guidance and covers what processes to follow in completing the Equalities Implications section of the Council's committee reports.
- **Appendix A** contains the Council's current Equalities Impact Assessment template.

Further information on the Council's Equalities and Welsh Language work can be found on the Council's web site, intranet site, or by emailing the Equalities team in Legal and Governance.

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**This publication is available in other languages and formats on request.
Mae'r cyhoeddiad hwn ar gael mewn ieithoedd a fformatau eraill ar gais.**

1) Legal Background and CCBC context

- 1.1 Assessing the possible impact of a new or updated policy or function on the target customer group is a legal requirement in Wales under both Equalities and Welsh Language legislation.
- 1.2 Currently these are the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 and the Welsh Language (Wales) Measure 2011, though the requirement existed under previous legislation in both areas.
- 1.3 The Council's **Strategic Equality Plan** and **Welsh Language Compliance Notice** are required under that legislation to be in place and to be implemented.
- 1.4 In September 2016, the Council's Corporate Management team agreed for the council's report template to be updated in light of the new Well-being of Future Generations Act. Section 5 of the council's report template is now dedicated to the Well-being of Future Generations and the Equalities Implications section now section 6, and placed before the Financial Implications and the Personnel Implications sections. This was introduced gradually with full implementation from 1st January 2017. If any reports are now submitted to Democratic Services without these sections (or other mandatory ones) included, the report will be returned to the author.
- 1.5 What needs to be remembered is that not every report will need a full EIA attached as the purpose or content of that report may not require a full assessment. A number of standard paragraphs are available for you to use that can be adapted to be relevant to your specific report.
- 1.6 What is required above all is evidence that Equalities and Welsh Language issues have been properly taken into account throughout the policy development, consultation and approval process where relevant and this evidence is reflected in the covering committee report. Given the range of work being undertaken every day by every service area, this is not as difficult to demonstrate as is often thought.
- 1.7 This process is meant to reflect a common sense approach to assessing the equalities or linguistic impact of policies and decisions, both to strengthen the Council's work and comply with our statutory duties.
- 1.8 The Equalities and Welsh Language team in the Legal and Governance division will be able to provide more detailed help and advice if required.

2) Council Reports - Links to Strategy section and the Strategic Equalities Objectives

- 2.1 Though the Equalities Implications Section 6 of reports is the main place for any Equalities and Welsh Language considerations to be recorded, it can also often be useful and relevant to make the links between your report and the **Strategic Equality Plan's** 11 Strategic Equality Objectives.
- 2.2 These can be found in detail in the **Equalities and Welsh Language Objectives and Action Plan** document but in summary they are:-

Equality Objective 1 -	Tackling Identity-Based Violence and Abuse
Equality Objective 2 -	Addressing the Gender Pay Gap
Equality Objective 3 -	Improving Physical Access
Equality Objective 4 -	Improving Communication Access
Equality Objective 5 -	Inclusive Engagement and Participation
Equality Objective 6 -	Compliance with the Welsh Language Standards
Equality Objective 7 -	Supporting Age-friendly Communities
Equality Objective 8 -	Supporting the Armed Forces Covenant
Equality Objective 9 -	Working with Gypsy and Traveller Communities
Equality Objective 10 -	Diversity in the Workplace
Equality Objective 11 -	Corporate Compliance

- 2.3 You may find that one or more are relevant as linked strategies - for example any report discussing adaptations to council owned buildings would have links to Strategic Equality Objective 3, as any adaptations proposed or made, must comply with Building Regulations and would therefore have to be subject to a Disability Access Audit.
- 2.4 In the same way, the following example links could also be made -
- A report on School Bullying, or Community Safety, or POVA could list one Link to Strategy as - **Strategic Equality Plan SEO 1 - Tackling Identity-Based Violence and Abuse**
 - A report on the results of a survey or consultation exercise could list Links to Strategy as - **Strategic Equality Plan SEOs 4 and 5 – Improving Communication Access / Inclusive Engagement and Participation**

- A report on Workforce figures, or corporate training could list one Link to Strategy as - **Strategic Equality Plan SEO 10 - Diversity in the Workplace**

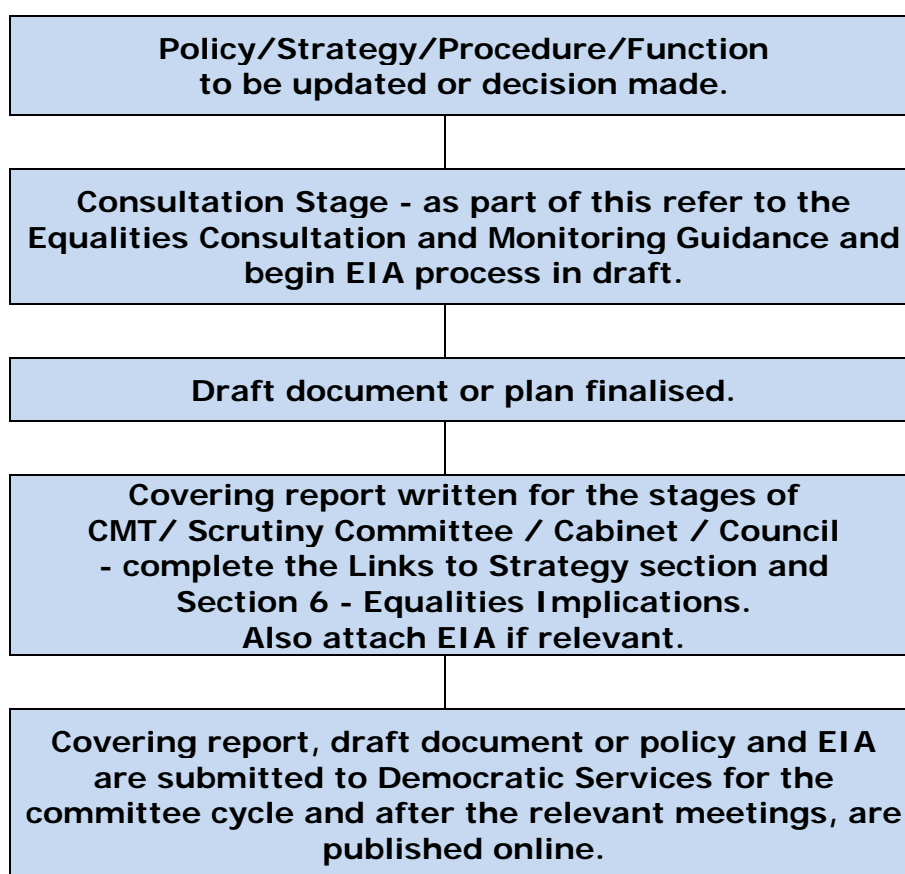
- 2.5 These links could demonstrate that your report has been considered in the wider context of the Council's cross-cutting strategies, not only those that are directly relevant to your service area.
- 2.6 In addition to these internal objectives, you might also consider making links to national strategies under which the council has duties. Though any relevant legislation can go in the Statutory Power section of committee reports, some national guidance and regulations may be more relevant to be included here to strengthen your reasons for having to prepare a policy in a particular way, include certain actions or make particular recommendations.
- 2.7 For example a Cabinet report on the annual reports for Equalities and Welsh Language had this entry made under links to Strategy.

3.3 There are also a number of national Welsh Government strategies or regulations that the Council's Equalities and Welsh Language work links to, including "Mwy Na Geiriau / More Than Words" (the National Health and Social Care Welsh Language Strategy); "Getting On Together" (the All Wales Community Cohesion Strategy); "Travelling to a Better Future" - the Welsh Government's Gypsy and Traveller Framework for Action and Delivery Plan; and various aspects of Planning, Licensing and Building regulations.

- 2.8 Though not always necessary, it can demonstrate how the Council's work links to national as well as locally adopted strategies and can provide a stronger legal background to any decisions being made.

3) Council Reports - Equalities Implications - a practical guide

- 3.1 The impact assessment process itself is often undertaken at the stage in the development of a new or updated policy where it is ready to be presented to Corporate Management Team, the relevant Scrutiny Committee, Cabinet and on occasion full Council.
- 3.2 This is the final stage of the process however and different stages of Equalities and Welsh Language related work need to have been done before this point for the EIA to be meaningful.
- 3.3 The simple flowchart/checklist below shows what needs to be considered and when: -



- 3.4 In practice, the process can therefore be very straightforward because if the right groups and individuals have been included in the consultation stage, the impact evidenced could be a positive one and so both Section 6 in the Committee Report template and the EIA form itself become very easy to complete.
- 3.5 The checklist beginning overleaf is meant as a guide to help you determine how much or how little relevance a full EIA has to your report, and each option offers you some examples of wordings that are either standard, or are already in council reports and policies.

3.6 Is this report for members' information only, not requiring any decision to be made?

If your answer is **NO** please continue to 3.7.

If your answer is **YES** then you do not need to complete a full EIA for your report but you should consider any relevance to the Strategic Equality Plan Objectives in the Links to Strategy Section (as shown in **Section 2** previously) and **must** complete the Section 6 - Equalities Implications paragraph of your report with an appropriate paragraph. An existing example from a 2012 Regeneration and Environment Scrutiny Report is shown below for information.

6. EQUALITIES IMPLICATIONS

6.1 This report is for information purposes only, so the Council's full Equalities Impact Assessment process does not need to be applied. The planned investments will however benefit many different groups in the community.

6.2 Further, all Leisure centres are subject to DDA related Building Regulations, covering physical access such as ramps, reception areas and access to facilities, as well as external and internal signage, and the redesign . . . will deliver equalities-related service improvements.

3.7 Have the equalities issues associated with the recommendations of this report already been considered by Members in a previous Report?

If your answer is **NO** please continue to 3.8.

If your answer is **YES** then as with the option above, you do not need to complete a full EIA for your report but you should consider any relevance to the Strategic Equality Plan Objectives in the Links to Strategy Section and **must** complete **Section 6 - Equalities Implications** in your report with an appropriate paragraph such as the example shown below.

6. EQUALITIES IMPLICATIONS

6.1 An Equalities Impact Assessment is not needed because the issues covered have previously been considered by the Council and an EIA was completed at that time (*relevant date and details of meeting to be inserted*).

- 3.8 a) Does the Report recommend the provision of a new service for the Council, the start of a new project or set up of a partnership agreement with one or more organisations outside the Council?
- b) Does the Report recommend changes to the way an existing service or project is managed, operated or funded?
- c) Is the Report recommending changes to Council policy or strategy?
- d) Is the Report regarding the performance of the Council or one of its services, which will require actions to be approved and implemented?

If the answer is **NO** to all of these questions there is no need to undertake an EIA, and you should include a statement in the **Section 6 - Equalities Implications** paragraph of your report with the appropriate amendments. Again however, noting any relevant Links to Strategy with the Strategic Equality Objectives or positive outcomes for those the report is referring to can be considered for inclusion.

6. EQUALITIES IMPLICATIONS

6.1 An Equalities Impact Assessment is not needed because the issues covered are for information purposes only, therefore the Council's full EIA process does not need to be applied.

If the answer is **YES** to **any** of these four questions then you should undertake an EIA screening of the strategy, policy, function, project, plan or procedure as outlined in 3.9 below.

- 3.9 If the screening identifies no potential for unlawful discrimination and/or low level or minor negative impact, you should include a statement similar to the following in the **Section 6 - Equalities Implications** paragraph of your Report.

6. EQUALITIES IMPLICATIONS

6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.

If the screening exercise does however identify any potential negative, adverse or unhelpful impact or limitations you should move onto a full EIA, and include the following statement in your report.

6. EQUALITIES IMPLICATIONS

6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and some potential negative impact has been identified affecting one or more of the target equality groups. A full EIA has been carried out and the summary and recommendations are included below. The completed EIA is attached as Appendix X.

- 3.10 There can be instances however where due to the specific nature of the report and the clear implications for affected groups, an explanatory paragraph (or however many are needed), would be sufficient evidence that relevant consideration had been given.

This can be seen in the Regeneration and Environment Scrutiny report example below, where no full EIA was undertaken even though the report does fall under one or more of the options in 3.8 as shown previously.

The report dealt with the outcome of a public consultation exercise and sought Members' views on proposals to introduce a Dog Control Order to exclude dogs from enclosed children's play areas and Multi Use Games Areas (MUGAs). The only relevant group that could be negatively impacted by this would have been people with disabilities, so the committee report noted the required information without the need for a full EIA.

6. EQUALITIES IMPLICATIONS

6.1 The Dogs (Fouling of Land) Act 1996 does not apply to any person who is registered blind. Dog control orders provide exemptions in particular cases for registered blind people, deaf people and for other members of the public with disabilities who make use of trained assistance dogs.

- 3.11 Any financial or staffing implications stemming from the implications should be referenced in the relevant paragraphs of the Report.
- 3.12 If you require any further help or guidance, the Equalities and Welsh Language team in the Legal and Governance division have experience of supporting Heads of Service and other officers writing reports, on the issues covered by this guidance document.

EQUALITY IMPACT ASSESSMENT FORM

April 2016

THE COUNCIL'S EQUALITIES STATEMENT

This Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities, residents, elected members, job applicants and workforce.

We will also work to create equal access for everyone to our services, irrespective of ethnic origin, sex, age, marital status, sexual orientation, disability, gender reassignment, religious beliefs or non-belief, use of Welsh language, BSL or other languages, nationality, responsibility for any dependents or any other reason which cannot be shown to be justified.

NAME OF NEW OR REVISED PROPOSAL*	
DIRECTORATE	
SERVICE AREA	
CONTACT OFFICER	
DATE FOR NEXT REVIEW OR REVISION	

***Throughout this Equalities Impact Assessment Form, 'proposal' is used to refer to what is being assessed, and therefore includes policies, strategies, functions, procedures, practices, initiatives, projects and savings proposals.**

INTRODUCTION

The aim of an Equality Impact Assessment (EIA) is to ensure that Equalities and Welsh Language issues have been proactively considered throughout the decision making processes governing work undertaken by every service area in the Council as well as work done at a corporate level.

The form should be used if you have identified a need for a full EIA following the screening process covered in the [Equalities Implications in Committee Reports](#) guidance document (available on the [Equalities and Welsh Language Portal](#) on the Council's intranet).

The EIA should highlight any areas of risk and maximise the benefits of proposals in terms of Equalities. It therefore helps to ensure that the Council has considered everyone who might be affected by the proposal.

It also helps the Council to meet its legal responsibilities under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, the Welsh Language (Wales) Measure 2011 and supports the wider aims of the Well-being of Future Generations (Wales) Act 2015. There is also a requirement under Human Rights legislation for Local Authorities to consider Human Rights in developing proposals.

Specifically, Section 147 of the Equality Act 2010 is the provision that requires decision-makers to have 'due regard' to the equality implications of their decisions and Welsh Language Standards 88-97 require specific consideration of Welsh speakers under the Welsh Language Standards (No.1) Regulations 2015.

The Older People's Commissioner for Wales has also published 'Good Practice Guidance for Equality and Human Rights Impact Assessments and Scrutinising Changes to Community Services in Wales' to ensure that Local Authorities, and other service providers, carry out thorough and robust impact assessments and scrutiny when changes to community services are proposed, and that every consideration is given to mitigate the impact on older people and propose alternative approaches to service delivery.

The Council's work across Equalities, Welsh Language and Human Rights is covered in more detail through the [Equalities and Welsh Language Objectives and Action Plan 2016-2020](#).

This approach strengthens work to promote Equalities by helping to identify and address any potential discriminatory effects before introducing something new or changing working practices, and reduces the risk of potential legal challenges.

When carrying out an EIA you should consider both the positive and negative consequences of your proposals. If a project is designed for a specific group e.g. disabled people, you also need to think about what potential effects it could have on other areas e.g. young people with a disability, BME people with a disability.

There are a number of supporting guidance documents available on the [Equalities and Welsh Language Portal](#) and the Council's Equalities and Welsh Language team can offer support as the EIA is being developed. Please note that the team does not write EIAs on behalf of service areas, the support offered is in the form of advice, suggestions and in effect, quality control.

Contact equalities@caerphilly.gov.uk for assistance.

PURPOSE OF THE PROPOSAL

1	<p>What is the proposal intended to achieve? <i>(Please give a brief description of the purpose of the new or updated proposal by way of introduction.)</i></p>
2	<p>Who are the service users affected by the proposal? <i>(Who will be affected by the delivery of this proposal? e.g. staff members, the public generally, or specific sections of the public i.e. youth groups, carers, road users, people using country parks, people on benefits etc.)</i></p>

IMPACT ON THE PUBLIC AND STAFF

3	<p>Does the proposal ensure that everyone has an equal access to all the services available or proposed, or benefits equally from the proposed changes, or does not lose out in greater or more severe ways due to the proposals?</p> <p><i>(What has been done to examine whether or not these groups have equal access to the service, or whether they need to receive the service in a different way from other people?)</i></p>
	<p>Actions required:</p>

4	<p>What are the consequences of the above for specific groups?</p> <p><i>(Has the service delivery been examined to assess if there is any indirect effect on any groups? Could the consequences of the policy or savings proposal differ dependent upon people's disability, race, gender, sexuality, age, language, religion/belief?)</i></p>
	<p>Actions required:</p>

5	<p>In line with the requirements of the Welsh Language Standards. (No.1) Regulations 2015, please note below what effects, if any (whether positive or adverse), the proposal would have on opportunities for persons to use the Welsh language, and treating the Welsh language no less favourably than the English language.</p> <p><i>(The specific Policy Making Standards requirements are Standard numbers 88, 89, 90, 91, 92 and 93. The full detail of each Standard is available on the Equalities and Welsh Language Portal)</i></p>
	<p>Actions required:</p>

INFORMATION COLLECTION

6	<p>Is full information and analysis of users of the service available?</p> <p><i>(Is this service effectively engaging with all its potential users or is there higher or lower participation of uptake by one or more groups? If so, what has been done to address any difference in take up of the service? Does any savings proposals include an analysis of those affected?)</i></p>
	<p>Actions required:</p>

CONSULTATION

7	What consultation has taken place? <i>(What steps have been taken to ensure that people from various groups have been consulted during the development of this proposal? Have the Council's Equalities staff been consulted? Have you referred to the Equalities Consultation and Monitoring Guidance?)</i>
	Actions required:

MONITORING AND REVIEW

8	How will the proposal be monitored? <i>(What monitoring process has been set up to assess the extent that the service is being used by all sections of the community, or that the savings proposals are achieving the intended outcomes with no adverse impact? Are comments or complaints systems set up to record issues by Equalities category to be able analyse responses from particular groups?)</i>
	Actions required:

9	<p>How will the monitoring be evaluated? <i>(What methods will be used to ensure that the needs of all sections of the community are being met?)</i></p>
	<p>Actions required:</p>

10	<p>Have any support / guidance / training requirements been identified? <i>(Has the EIA or consultation process shown a need for awareness raising amongst staff, or identified the need for Equalities or Welsh Language training of some sort?)</i></p>
	<p>Actions required:</p>

