

Shropshire Council Cabinet Report 13th July 2016 Appendix B
Equality and Social Inclusion Impact Assessment (ESIIA)
Shropshire Council Equality Objectives Action Plan 2016/2020

Contextual Notes 2016

The What and the Why:

The Equality and Social Inclusion Impact Assessment (ESIIA) approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. Carrying out ESIIAs helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

The How:

The guidance and the evidence template are combined into one document for ease of access and usage, including questions that set out to act as useful prompts to service areas at each stage. The assessment comprises two parts: a screening part, and a full report part.

Screening (Part One) enables energies to be focussed on the service changes for which there are potentially important equalities and human rights implications. If screening indicates that the impact is likely to be positive overall, or is likely to have a medium or low negative or positive impact on certain groups of people, a full report is not required. Energies should instead focus on review and monitoring and ongoing evidence collection, enabling incremental improvements and adjustments that will lead to overall positive impacts for all groups in Shropshire.

A **full report (Part Two)** needs to be carried out where screening indicates that there are considered to be or likely to be significant negative impacts for certain groups of people, and/or where there are human rights implications. Where there is some uncertainty as to what decision to reach based on the evidence available, a full report is recommended, as it enables more evidence to be collected that will help the service area to reach an informed opinion.

Shropshire Council Part 1 ESIIA: initial screening and assessment

Please note: prompt questions and guidance within boxes are in italics. You are welcome to type over them when completing this form. Please extend the boxes if you need more space for your commentary.

Name of service change

Shropshire Council Equality Objectives Action Plan 2016 to 2020.

Aims of the service change and description

The corporate approach of Shropshire Council towards continuing compliance with its Public Sector Equality Duty (PSED), as set out in the Equality Act 2010, includes the requirement to publish a Corporate Equality Objectives Action Plan for the period 2016/2020.

Corporate Equality Objectives Action Plans are required to be published by local authorities at a minimum of four yearly intervals.

The draft Equality Objectives Action Plan for 2016 to 2020 builds upon the first Equality Objectives Action Plan 2012/2016, endorsed by Cabinet in 2012. This was updated in 2014, following a mid-cycle stocktake of compliance with the PSED, with the inclusion of actions to publish more visibly, collect and analyse more proactively, and work more jointly on equality-related issues.

Emphasis subsequently placed upon such actions is aiding the Council to meet its general equality duty under the PSED. This may be described as the duty on a public authority, when carrying out its functions, to have what is called *due regard* to three equality aims.

These are:

- Eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity;
- Fostering good relations.

The Equality Objectives Action Plan 2016/2020 will enable up to date positioning of the Council to assist in efforts to meet its PSED, seek to demonstrate good practice in so doing, and facilitate timely links with other corporate policy and strategy development, utilising the core value of Equality and Inclusion as set out in the Council's draft Corporate Plan 2016/2017.

This value is defined as: *"Treating everyone as equal regardless of their circumstances and backgrounds, and identifying and helping people who may need support"*. The Equality Objectives Action Plan for 2016/2020 accordingly sets out ways in which the Council may demonstrate application of this and other corporate values, and ongoing progress towards achieving the national equality aims.

Intended audiences and target groups for the service change

The intended audiences and target groups for the corporate equality objectives action plan are: the wider community in Shropshire; groupings within that community including Protected Characteristic groupings and those at risk of social exclusion; actual and potential service users; Shropshire Council workforce and elected Members of the Council; stakeholders including constituent members of the strategic partnerships, particularly the Marches Local Enterprise Partnership, the Voluntary and Community Sector Assembly, the inter agency Hate Crime Reporting Group, and the Local Nature Partnerships of the Marches sub region; town and parish councils; local businesses including those with whom and through whom we do business as a Council; other public sector organisations; and at national level the Equality and Human Rights Commission, Government Departments, and the Rural Services Network.

Evidence used for screening of the service change

In producing the corporate equality objectives action plan drafted up for 2016 to 2020, use has been made of evidence collected for annual service user and workforce diversity reports; learning points from actions completed for 2012 to 2016 for the first corporate equality objectives action plan and mid term stocktake; feedback from communities, stakeholders and staff in development of the Corporate Plan, in the ongoing Big Conversation, and via community and voluntary sector public events; data from Census 2001 analyses; Council and other contributions to national consultation on Census 2021; and good practice examples of approaches to equality and social inclusion, particularly in rural areas.

Refinements in approach have been made, using the existing evidence base at corporate and service area, to help to ensure that the action plan takes as much account as possible of the needs of the diverse communities of Shropshire, given its position as a large and predominantly rural county, its known demography as an ageing and widely scattered population, and the policy intentions of the Council to seek to support communities and achieve progress on local corporate outcomes and national equality aims.

Specific consultation and engagement with intended audiences and target groups for the service change

The range, scope and diversity of the intended audiences and target groups for Shropshire Council's Equality Objectives Action Plan necessitate a correspondingly wide range, scope and diversity of mechanisms for ongoing engagement that will utilise every available opportunity to not only engage with people but also gather feedback and evidence from people about their experiences from an equality and social inclusion perspective. This includes living and working in Shropshire; visiting here or studying here; bringing up families in Shropshire; doing business in Shropshire or thinking of doing so. The challenge is to be seen as a welcoming county and to demonstrate that welcome to all audiences and target groupings, in adherence to the set of corporate values as well as national equality aims. Consultation and engagement feedback has been utilised to produce the Plan for 2016 to 2020, and becomes an ongoing task for all members of the workforce, in liaison with the elected Members of the Council, adding to our evidence base and making adjustments to policy and strategy and service delivery as we do so, for example through use of service area ESIAs.

Potential impact on Protected Characteristic groups and on social inclusion

Guidance notes on how to carry out the initial assessment

Using the results of evidence gathering and specific consultation and engagement, please consider how the service change as proposed may affect people within the nine Protected Characteristic groups and people at risk of social exclusion.

1. Have the intended audiences and target groups been consulted about:
 - their current needs and aspirations and what is important to them;
 - the potential impact of this service change on them, whether positive or negative, intended or unintended;
 - the potential barriers they may face.
2. If the intended audience and target groups have not been consulted directly, have representatives been consulted, or people with specialist knowledge, or research explored?
3. Have other stakeholder groups and secondary groups, for example carers of service users, been explored in terms of potential unintended impacts?
4. Are there systems set up to:
 - monitor the impact, positive or negative, intended or intended, for all the different groups;
 - enable open feedback and suggestions from a variety of audiences through a variety of methods.
5. Are there any Human Rights implications? For example, is there a breach of one or more of the human rights of an individual or group?
6. Will the service change as proposed have a positive or negative impact on fostering good relations?
7. Will the service change as proposed have a positive or negative impact on social inclusion?

Guidance on what a negative impact might look like

High Negative	Significant potential impact, risk of exposure, history of complaints, no mitigating measures in place or no evidence available: urgent need for consultation with customers, general public, workforce
Medium Negative	Some potential impact, some mitigating measures in place but no evidence available how effective they are: would be beneficial to consult with customers, general public, workforce
Low Negative	Almost bordering on non-relevance to the ESIIA process (heavily legislation led, very little discretion can be exercised, limited public facing aspect, national policy affecting degree of local impact possible)

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

Protected Characteristic groups and other groups in Shropshire	High negative impact <i>Part Two ESIIA required</i>	High positive impact <i>Part One ESIIA required</i>	Medium positive or negative impact <i>Part One ESIIA required</i>	Low positive or negative impact <i>Part One ESIIA required</i>
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)			Medium positive impact anticipated	
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)			Medium positive impact anticipated	
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)			Medium positive impact anticipated	
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)			Medium positive impact anticipated	
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)			Medium positive impact anticipated	
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)			Medium positive impact anticipated	
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)			Medium positive impact anticipated	
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)			Medium positive impact anticipated	
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)			Medium positive impact anticipated	
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)			Medium positive impact anticipated	

Decision, review and monitoring

Decision	Yes	No
Part One ESIIA Only?	Yes	
Proceed to Part Two Full Report?		No

If Part One, please now use the boxes below and sign off at the foot of the page. If Part Two, please move on to the full report stage.

Actions to mitigate negative impact or enhance positive impact of the service change

A medium positive impact is anticipated for all groupings within the community and thus for the whole community, as the Council's corporate equality objectives action plan sets out to meet the three national equality aims set out in the general equality duty placed upon local authorities under the Public Sector Equality Duty (PSED).

These are:

- Eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity;
- Fostering good relations.

The Equality Objectives Action Plan 2016/2020 will enable up to date positioning of the Council to assist in efforts to meet its PSED, seek to demonstrate good practice in so doing, and facilitate timely links with other corporate policy and strategy development, utilising the core value of Equality and Inclusion set out in the Council's draft Corporate Plan 2016/2017.

The Action Plan will be published online, with timely reporting and publicity about progress on individual actions, eg use of ESIIAs by service areas to guide and shape service area strategy, eg work with primary schools and inter faith forums on Holocaust Education, helping to foster good relations particularly for the groupings of Age, Race and Religion and Belief.

The workforce of the Council is a key target group in the Council's equality endeavours, as are the elected Members of the Council as community leaders. The assistance of all staff across all service areas, in taking account of equality considerations in their everyday actions and in applying such considerations to planned changes to services, for example through ESIIAs, will help the Council to proactively meet its PSED as well as mitigate against any risks of non compliance.

There are potential costs to the Council if challenges are made on grounds of equality, and due regard is not deemed to have been made of the needs of all groupings when considerations are being made about changes to services, such as reductions or removal of services. A challenge for the Council as a public body is therefore to ensure that, as far as possible, all staff and Members are aware of equality responsibilities, of the support available to help them meet these responsibilities, and of the role of ESIIAs in helping the Council to demonstrate that due regard is being taken of the needs and views of all groupings. The Action Plan accordingly includes action points around training and support.

Actions to review and monitor the impact of the service change

We will continue to target efforts at identifying any gaps in equality and diversity data, and in finding out where there may be barriers to accessing particular services, for people with one or more of the Protected Characteristics and for people at risk of social exclusion. This will be reported upon in the annual Service User and Workforce Diversity Reports published online.

This will help us to demonstrate adherence to the Corporate Value for Equality and Inclusion: "Treating everyone as equal regardless of their circumstances and backgrounds, and identifying and helping people who may need support".

The draft Equality Objectives Action Plan 2016/2020 continues the policy imperatives to publish more visibly, collect and analyse data more proactively, and work more jointly, strengthened by the knowledge we are starting to gain about our diverse communities and their diverse needs, to help us to make quality decisions about policies, strategies and service changes rooted in robust evidence. The anticipation is that there will be incremental improvements leading to overall positive impacts for all groupings in Shropshire, with refinements, readjustments or revisions where necessary to policy and strategy at partnership, corporate and service area level.

Scrutiny at Part One screening stage

People involved	Signatures	Date
Lead officer carrying out the screening Mrs Lois Dale	 Rurality and Equalities Specialist	28 th June 2016
Any internal support* Steve Taylor	 Team Leader for - Performance, Intelligence & Policy	30 th June 2016
Any external support** Chris Westwood	 Customer Service Manager	28 June 2016
Head of service Tom Dodds	 Commissioning Support Manager	30 June 2016

*Refers to other officers within the service area; **Refers to support external to the service

Sign off at Part One screening stage

Name	Signatures	Date
Lead officer's name Mrs Lois Dale		30 th June 2016
Head of service's name Tom Dodds	 Commissioning Support Manager	30 June 2016

Shropshire Council Part 2 ESIIA: full report

Guidance notes on how to carry out the full report

The decision that you are seeking to make, as a result of carrying out this full report, will take one of four routes:

1. To make changes to satisfy any concerns raised through the specific consultation and engagement process and through your further analysis of the evidence to hand;
2. To make changes that will remove or reduce the potential of the service change to adversely affect any of the Protected Characteristic groups and those who may be at risk of social exclusion;
3. To adopt the service change as it stands, with evidence to justify your decision even though it could adversely affect some groups;
4. To find alternative means to achieve the aims of the service change.

The Part Two Full Report therefore starts with a forensic scrutiny of the evidence and consultation results considered during Part One Screening, and identification of gaps in data for people in any of the nine Protected Characteristic groups and people who may be at risk of social exclusion, eg rural communities. There may also be gaps identified to you independently of this process, from sources including the intended audiences and target groups themselves.

The forensic scrutiny stage enables you to assess:

- **Which gaps need to be filled right now, to help you to make a decision about the likely impact of the proposed service change?**

This could involve methods such as: one off service area focus groups; use of customer records; examination of data held elsewhere in the organisation, such as corporate customer complaints; and reference to data held by similar authorities or at national level from which reliable comparisons might be drawn, including via the Rural Services Network. Quantitative evidence could include data from NHS Foundation Trusts, community and voluntary sector bodies, and partnerships including the Local Enterprise Partnership and the Health and Well Being Board. Qualitative evidence could include commentary from stakeholders.

- **Which gaps could be filled within a timeframe that will enable you to monitor potential barriers and any positive or negative impacts on groups and individuals further along into the process?**

This could potentially be as part of wider corporate and partnership efforts to strengthen the evidence base on equalities. Examples would be: joint information sharing protocols about victims of hate crime incidents; the collection of data that will fill gaps across a number of service areas, eg needs of young people with learning disabilities as they progress through into independent living; and publicity awareness campaigns that encourage open feedback and suggestions from a variety of audiences.

Once you have identified your evidence gaps, and decided on the actions you will take right now and further into the process, please record your activity in the following boxes. Please extend the boxes as needed.

Evidence used for assessment of the service change: activity record

How did you carry out further research into the nine Protected Characteristic groups and those who may be at risk of social exclusion, about their current needs and aspirations and about the likely impacts and barriers that they face in day to day living?

And what did it tell you?

Specific consultation and engagement with intended audiences and target groups for the service change: activity record

How did you carry out further specific consultation and engagement activity with the intended audiences and with other stakeholders who may be affected by the service change?

And what did it tell you?

Further and ongoing research and consultation with intended audiences and target groups for the service change: activity record

What further research, consultation and engagement activity do you think is required to help fill gaps in our understanding about the potential or known affect that this proposed service change may have on any of the ten groupings and on the intended audiences and target groups? This could be by your service area and/or at corporate and partnership level.

Full report assessment for each group

Please rate the impact as you now perceive it, by inserting a tick. Please give brief comments for each group, to give context to your decision, including what barriers these groups or individuals may face.

Protected Characteristic groups and other groups in Shropshire	High negative impact	High positive impact	Medium positive or negative impact	Low positive or negative impact
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)				
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)				

ESIIA Full Report decision, review and monitoring

Summary of findings and analysis - ESIIA decision

You should now be in a position to record your decision. Please highlight in bold the route that you have decided to take.

1. To make changes to satisfy any concerns raised through the specific consultation and engagement process and through your further analysis of the evidence to hand;
2. To make changes that will remove or reduce the potential of the service change to adversely affect any of the Protected Characteristic groups and those who may be at risk of social exclusion;
3. To adopt the service change as it stands, with evidence to justify your decision even though it could adversely affect some groups;
4. To find alternative means to achieve the aims of the service change.

Please add any brief overall comments to explain your choice.

You will then need to create an action plan and attach it to this report, to set out what further activity is taking place or is programmed that will:

- *mitigate negative impact or enhance positive impact of the service change,*
- AND*
- *review and monitor the impact of the service change*

Please try to ensure that:

- *Your decision is based on the aims of the service change, the evidence collected, consultation and engagement results, relative merits of alternative approaches and compliance with legislation, and that records are kept;*
- *The action plan shows clear links to corporate actions the Council is taking to meet the general equality duty placed on us by the Equality Act 2010, to have due regard to the three equality aims in our decision making processes.*

Scrutiny at Part Two full report stage

People involved	Signatures	Date
<i>Lead officer</i>		
<i>Any internal support</i>		
<i>Any external support</i>		
<i>Head of service</i>		

Sign off at Part Two full report stage

Signature (Lead Officer)	Signature (Head of Service)
Date:	Date:

Appendix: ESIIA Part Two Full Report: Guidance Notes on Action Plan

Please base your action plan on the evidence you find to support your decisions, and the challenges and opportunities you have identified. It could include arrangements for:

- continuing engagement and involvement with intended audiences, target groups and stakeholders;
- monitoring and evaluating the service change for its impact on different groups throughout the process and as the service change is carried out;
- ensuring that any pilot projects are evaluated and take account of issues described in the assessment, and that they are assessed to make sure they are having intended impact;
- ensuring that relevant colleagues are made aware of the assessment;
- disseminating information about the assessment to all relevant stakeholders who will be implementing the service change;
- strengthening the evidence base on equalities.

Please also consider:

- resource implications for in-house and external delivery of the service;
- arrangements for ensuring that external providers of the service are monitored for compliance with the Council's commitments to equality, diversity and social inclusion, and legal requirements including duties under the Equality Act 2010.

And finally, please also ensure that the action plan shows clear links to the corporate values as set out in the Corporate Plan 2016/2017 and to corporate actions the Council is taking to meet the general equality duty placed on us by the Equality Act 2010, to have due regard to the three equality aims in our decision making processes.

These are:

- Eliminating discrimination, harassment and victimisation
- Advancing equality of opportunity
- Fostering good relations

Note The Council is grateful in particular to Leicestershire County Council, for graciously allowing use to be made of their Equality and Human Rights Impact Assessments (EHRIAs) material and associated documentation in developing a Shropshire approach.

For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 255684, or email lois.dale@shropshire.gov.uk.