

Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Page 113

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information			
Title of the policy / project / service being considered	Corporate Support Services Commissioning	Person / people completing analysis	Andrew McLean, Programme Manager
Service Area	Corporate Services	Lead Officer	Debbie Barnes, Executive Director and Programme Sponsor
Who is the decision maker?	LCC Executive	How was the Equality Impact Analysis undertaken?	A desktop review.
Date of meeting when decision will be made	Initial decision to be made on the 1 st May 2018	Version control	Version 0.3
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Commissioned
Describe the proposed change	<p>To carry out a full commissioning review of the existing Corporate Support Services contract held between LCC and Serco in order to determine the future commissioning arrangements when the existing agreement comes to an end on the 31st March 2020. Existing services affected by this review include Payroll, People Management, Exchequer services, Adult Care Finance, IMT and the Customer Service Centre. The Council's Enterprise Resource Planning (ERP) system is also subject to this review.</p> <p>The services are all essential back office support and there is no intention to de-commission any of the service areas covered by the existing contract. Instead the Council is reviewing how the services can best be commissioned from April 2020. The possible outcomes are an extension of the contract with Serco, insourcing some or all of the services or finding a third party provider for some or all of the services or a combination of the above. Once the preferred option is identified then the objective of the programme will be to implement that preferred approach.</p>		

At this stage of the review, the Council is recommending entering into a shared service arrangement with Herefordshire Council, for the exercise of the Council's payroll and HR administration functions through its wholly owned supplier Hoople and to provide access to Hoople's Business World ERP for the Council's finance functions from the 1st April 2020 subject to a satisfactory conclusion to some additional outstanding work that is still to be done including the negotiation of a shared services agreement. The key drivers are to secure a safe and effective Payroll with a low error rate; to retain the benefits of an ERP system and to secure an ERP which is fit for purpose, flexible, cost effective and easy to use. These drivers will be kept under review by the Programme Board.

In addition, a recommendation has been made and agreed for the Council to carry out market engagement with IMT providers. Workshops are to be conducted with senior managers and councillors to gain their input to understand the necessary IT requirements for any future service delivery model. Should the Council seek to re-procure the IMT service, any re-procurement exercise will commence by December 2018.

Serco have also been requested to price for an extension of the contract as a result it is possible that in fact there will be no or minimal change to the existing arrangements with Serco.

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

Age	Any benefit will be to all employees and in that sense has the potential to positively benefit old and young employees alike though not differentially in terms of employees with non-protected characteristics.
Disability	Any benefit will be to all employees and in that sense has the potential to positively benefit disabled employees though not differentially in terms of employees with non-protected characteristics.
Gender reassignment	Any benefit will be to all employees and in that sense has the potential to positively benefit those employees who have undergone gender reassignment though not differentially in terms of employees with non-protected characteristics.
Marriage and civil partnership	Any benefit will be to all employees and in that sense has the potential to positively benefit those who are married or in a civil partnership though not differentially in terms of employees with non-protected characteristics.
Pregnancy and maternity	Any benefit will be to all employees and in that sense has the potential to positively benefit pregnant employees or those on maternity leave though not differentially in terms of employees with non-protected characteristics.
Race	Any benefit will be to all employees and in that sense has the potential to positively benefit employees whatever their race.
Religion or belief	Any benefit will be to all employees and in that sense has the potential to positively benefit those employees with religious or other beliefs though not differentially in terms of employees with non-protected characteristics.

Sex	Any benefit will be to all employees and in that sense has the potential to positively benefit all employees whatever their gender though not differentially in terms of employees with non-protected characteristics
Sexual orientation	Any benefit will be to all employees and in that sense has the potential to positively benefit employees whatever their sexual orientation though not differentially in terms of employees with non-protected characteristics.

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

Age	No perceived adverse impact
Disability	Staff with specific disabilities could be affected should services in the future be delivered outside of Lincolnshire. At the appropriate time, we will be requesting TUPE information from Serco and further analysis will be necessary. Regular communication with staff affected will be carried out by the Council and Serco to minimise the impact. No mitigating action identified at this time.
Gender reassignment	No perceived adverse impact
Marriage and civil partnership	No perceived adverse impact
Pregnancy and maternity	Staff may feel adversely affected by changes because of their absence from the workplace. At the appropriate time, we will be requesting TUPE information from Serco and further analysis will be necessary. Regular communication with staff affected will be carried out by both the Council and Serco to minimise the impact. No mitigating action identified at this time.

Race	No perceived adverse impact
Religion or belief	No perceived adverse impact
Sex	Based on historic analysis of these services, we believe there may be a greater number female employees likely to be affected by TUPE. At the appropriate time, we will be requesting TUPE information from Serco and further analysis will be necessary. Regular communication with staff affected will be carried out by both the Council and Serco to minimise the impact. No mitigating action identified at this time.
Sexual orientation	No perceived adverse impact

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

If the Council changes its commissioning arrangements from April 2020 there could be a negative impact due to the potential for TUPE transfer of LCC employees into other organisations and also the potential TUPE transfer of Serco employees into other organisations (which may include some insourcing to the Council).

Given the services in scope, we believe there may be greater number of female employees likely to be affected by TUPE. At the appropriate time, we will be requesting TUPE information from Serco and further analysis will be necessary.

Services in the future may potentially be delivered outside Lincolnshire.

It should be noted that depending on arrangements TUPE transfers could be seen as positive or negative by an employee. In any event the change will require careful management.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

There has been no specific stakeholder consultation or engagement activity at this stage of the review.

Meeting set up for Monday 20th August with the Community Engagement team to discuss any possible consultation/engagement events which could be conducted. Following this meeting, a workshop shall be organised with the key project stream leads within the programme to discuss the inclusion of the individual project workstreams within the EIA document.

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	
Disability	
Gender reassignment	
Marriage and civil partnership	
Pregnancy and maternity	
Race	
Religion or belief	

Sex	
Sexual orientation	
<p>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way?</p> <p>The purpose is to make sure you have got the perspective of all the protected characteristics.</p>	<p>Yes, at this stage of the review. Going forward the programme will seek to:</p> <ul style="list-style-type: none"> Analyse both LCC and Serco HR data in order to understand and analyse the make-up of staff with protected characteristics. Identify the potential impacts and any mitigating actions required. <p>Consultation or engagement exercises will be undertaken at the appropriate stage, if any changes to employment and working practices are considered, comments from staff will be taken into account.</p> <p>Staff on maternity or paternity leave will receive the same information, support and guidance as those staff who are not pregnant or on maternity or paternity leave. Staff will not be treated differently if they become pregnant.</p> <p>A person's disability should not act as a barrier to employment if the person is able to demonstrate that they can undertake the work.</p> <p>In the event of any transfers from one employer to another there will be counselling opportunities available for staff who feel they need to access this.</p>
<p>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</p>	<p>Workforce statistical data will continue to be monitored throughout the implementation of the programme.</p>

Further Details

Are you handling personal data?	<p>Yes</p> <p>If yes, please give details.</p> <p>Going forward we will be handling HR data on LCC and Serco employees identifying protected characteristics.</p>
--	---

Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	Clarify workforce information and undertake analysis by protected characteristics – particularly gender, disability and pregnancy/maternity.	Wendy Henry	30 June 2018
	Continued iteration of the impact analysis throughout the programme	Wendy Henry	Ongoing
	In the event of any change in employer, consultation exercised will be required at the appropriate time.	Appropriate Service Leads as required.	TBC

Page 124

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
v0.1	Issued following establishment of the CSSC programme.	Andrew McLean	04/04/2018	Debbie Barnes	16/04/2018
v0.2	Updated for OSMB 28/06/2018	Andrew McLean	14/06/2018	Debbie Barnes	15/06/2018
v0.3	Updated for OSMB 30/08/2018	Andrew McLean	14/08/2018	Debbie Barnes	15/08/2018