

## 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.

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**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

<b>Title of the policy / project / service being considered</b>	Establishment of a Mayoral Combined Authority (MCA) for Greater Lincolnshire	<b>Person / people completing analysis</b>	Colin Hopkirk on behalf of Devolution project team
<b>Service Area</b>	All 10 authorities	<b>Lead Officer</b>	James Gilbert ELDC Devolution Consultation Project Lead
<b>Who is the decision maker?</b>	Leaders of 7 District/City/Borough Councils in Lincolnshire, Lincolnshire County Council and North and North East Lincolnshire Unitary Authorities	<b>How was the Equality Impact Analysis undertaken?</b>	Initially desktop, to be developed over lifetime of this programme informed by stakeholder, community and citizen responses
<b>Date of meeting when decision will be made</b>	Late 2016	<b>Version control</b>	1
<b>Is this proposed change to an existing policy/service/project or is it new?</b>	New	<b>LCC directly delivered, commissioned, re-commissioned or de-commissioned?</b>	Choose an item.
<b>Describe the proposed change</b>	The creation of a Mayoral Combined Authority (MCA) as an integral part of Greater Lincolnshire Devolution Deal.		

### **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.

**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'.

<b>Age</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority.
<b>Disability</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority
<b>Gender reassignment</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority
<b>Marriage and civil partnership</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority
<b>Pregnancy and maternity</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority
<b>Race</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority
<b>Religion or belief</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority

<b>Sex</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority
<b>Sexual orientation</b>	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority

<b>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.</b>	
	The Governance Review has identified that new powers and responsibilities would best be carried out and therefore devolution and its prospective benefits can best be achieved through a Mayoral Combined Authority

**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'.**

<p><b>Age</b></p>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<p><b>Disability</b></p>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA,</p>

	<p>and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<p><b>Gender reassignment</b></p>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<p><b>Marriage and civil partnership</b></p>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<p><b>Pregnancy and maternity</b></p>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p>

	<p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<b>Race</b>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<b>Religion or belief</b>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<b>Sex</b>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p>

	<p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>
<p><b>Sexual orientation</b></p>	<p>If the Mayoral Combined Authority's (MCA) role, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, does not take into account potential impacts on people with a protected characteristic then people with a protected characteristic are unlikely to have confidence in the election process or the Authority.</p> <p>The Combined Authority may exercise its functions without regard to the potential impacts on people with a protected characteristic</p> <p>Mitigation: Ensure that people with a protected characteristic are enabled to comment on the establishment of the MCA, and its roles and responsibilities as set out in the Scheme as part of the consultation on the Scheme</p> <p>Ensure that the MCA is required to comply with Equality Act duties.</p>

**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 Mayoral Combined Authority's role is not clear, including governance and scrutiny arrangements, and including relationships with the Greater Lincolnshire Local Enterprise Partnership, then the public is unlikely to have confidence in the election process or the Authority.

Mitigation: Ensure that citizens, stakeholders and key business, community and third sector groups are clear about the Mayor's powers and duties, especially in relation to working relationships and powers with local Councils within the MCA area, structures and scrutiny (how it will all work, be transparent and effective)

## 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](mailto: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

This EIA will provide consultees and decision makers with information that contributes to decision making on the establishment of a Mayoral Combined Authority in Greater Lincolnshire.

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

<b>Age</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Disability</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Gender reassignment</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Marriage and civil partnership</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Pregnancy and maternity</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Race</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Religion or belief</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.

<b>Sex</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>Sexual orientation</b>	Desktop exercise at this stage, to be informed by citizen and stakeholder feedback as the consultation progresses.
<b>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?</b> The purpose is to make sure you have got the perspective of all the protected characteristics.	Only to this initial stage (version 1.0)
<b>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?</b>	Feedback received during the consultation

**Further Details**

<b>Are you handling personal data?</b>	<p>No</p> <p>If yes, please give details.</p>
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<b>Actions required</b>	<b>Action</b>	<b>Lead officer</b>	<b>Timescale</b>
Include any actions identified in this analysis for on-going monitoring of impacts.	Continue to review taking into account consultation feedback received.	Project Team/James Gilbert	Ongoing
<b>Signed off by</b>	James Gilbert	<b>Date</b>	03/06/2016

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