

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

Title of the policy / project / service being considered	Statement of Community Involvement	Person / people completing analysis	Adrian Winkley Minerals and Waste Policy Team Leader
Service Area	Communities/Planning Services	Lead Officer	Adrian Winkley Minerals and Waste Policy Team Leader
Who is the decision maker?	The Executive will decide on 3 September 2019 whether to endorse the document and recommend its subsequent adoption by the full County Council. The ultimate decision maker will therefore be the full County Council on 13 September 2019	How was the Equality Impact Analysis undertaken?	Desk top exercise
Date of meeting when decision will be made	13/09/2019	Version control	Proposed final version (v1.0)
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?	Directly delivered
Describe the proposed change	The SCI has been updated to reflect changes in legislation, to make it more user friendly and to place greater emphasis on the use of social media for publicising planning matters. Where appropriate, the results of a consultation exercise have also been taken into account.		

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	No positive impact
Disability	No positive impact
Gender reassignment	No positive impact
Marriage and civil partnership	No positive impact
Pregnancy and maternity	No positive impact
Race	No positive impact
Religion or belief	No positive impact

Sex	No positive impact
Sexual orientation	No positive impact

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.

No groups identified

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'.

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Age	No perceived adverse impact
Disability	No perceived adverse impact
Gender reassignment	No perceived adverse impact
Marriage and civil partnership	No perceived adverse impact
Pregnancy and maternity	No perceived adverse impact

Race	No perceived adverse impact
Religion or belief	No perceived adverse impact
Sex	No perceived adverse impact
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.

No other groups identified

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.

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Objective(s) of the EIA consultation/engagement activity

Whilst there is no statutory requirement for the County Council to consult when reviewing and updating its SCI, it is considered to be good practice to do so in order to enable communities and other stakeholders to have their say on the content of the new SCI. Regard was therefore had to the consultation requirements for Local Plans (as set out in the 2012 Regulations) as a basis for identifying relevant consultees for the Draft SCI. In particular, involvement was sought from all relevant 'specific' and 'general' consultation bodies specified in the regulations.

The **Specific Consultation Bodies** consulted on the Draft SCI included (but were not limited to) statutory organisations such as:

- The Environment Agency
- Historic England
- Natural England
- Highways England
- Statutory Undertakers and Infrastructure Providers (e.g. National Grid, Anglian Water, Western Power, BT)
- Clinical Commissioning Groups
- Greater Lincolnshire Nature Partnership

- Greater Lincolnshire Local Enterprise Partnership
- All Parish and District Councils within Lincolnshire [including the Lincolnshire Association of Local Councils], along with all neighbouring County, District and Parish Councils that share a border with Lincolnshire.

The **General Consultation Bodies** that were consulted on the Draft SCI included (but were not limited to):

- Voluntary bodies whose activities benefit Lincolnshire
- Bodies representing the interests of different racial, ethnic or national groups in Lincolnshire
- Bodies representing the interests of different religious groups in Lincolnshire
- Bodies representing the interests of disabled persons in Lincolnshire
- Bodies representing the interests of persons carrying on business in Lincolnshire.

The above included bodies identified by the Community Engagement Team.

Consultation was carried out on the Draft SCI (v0.1) between 21 January 2019 and 4 March 2019. The response form for the consultation included a question asking respondents to identify any perceived impacts on protected characteristics.

Only one representation was received from a body specifically representing people with a protected characteristic. This was from the South Lincolnshire Blind Society that expressed concerns that the draft version of the SCI (v0.1) gives little consideration of how the County Council will engage and consult with the blind population within the County. The Society states that consideration as to how this group of people may provide positive and meaningful input should be one of the prime objectives. It also states that there is no mention within the consultation letter or Draft SCI to say what alternative formats will be available. The Society has not, however, put forward any recommendations to assist the Council to better engage and consult with the blind population within the County.

In response, it is considered that the Draft SCI does propose a comprehensive suite of measures to maximise community engagement through the mechanisms that are available to the authority. For Development Plan Documents (DPD), paragraph 2.8 notes that specific organisations targeting under represented and seldom heard groups will be identified with assistance from the Council's Community Engagement Team and utilised during consultation. In any event, the 'general consultees' notified during DPD production include bodies that represent the interests of the blind population, such as the South Lincolnshire Blind Society.

For planning applications, consultation and publicity is more targeted and locationally specific. It is considered that the increased use of social media in addition to traditional methods is sufficient to involve all groups and individuals that may be affected by particular proposals.

Section 6 of the Draft SCI provides contact details for all enquiries seeking the document in alternative languages and formats. It is however acknowledged that this information would be better placed at the beginning of the document, particularly to assist those individuals utilising 'text-to-speech' software. This information has therefore been relocated to the front of the Proposed SCI (v1.0)

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

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

Sex	See objectives section
Sexual orientation	See objectives section
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? The purpose is to make sure you have got the perspective of all the protected characteristics.	Yes
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?	N/A

Further Details

Are you handling personal data?

No

If yes, please give details.

Actions required

Include any actions identified in this analysis for on-going monitoring of impacts.

Action

N/A

Lead officer

N/A

Timescale

N/A

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
Proposed Final Version- (v1.0)	Version produced following public consultation on a draft version, which has had regard to the representations made on the draft.	Adrian Winkley	13.06.2019	Neil McBride Head of Planning	14 .06.19

Examples of a Description:

'Version issued as part of procurement documentation'
 'Issued following discussion with community groups'
 'Issued following requirement for a service change; Issued following discussion with supplier'