

Equality Impact Assessments (EIAs) – Guidelines

1. Introduction

- 1.1 Under the Equality Duty 2010 it is a legal requirement to give ‘due regard’ to assessing the impact of our policies, decision making and actions on people from different groups.
- 1.2 Wirral Council has therefore decided to continue with Equality Impact Assessments in order to fulfil this requirement and has amended it’s toolkit to reflect the Equality Duty.

2. Frequently asked questions

2.1 ***EIAs are not relevant to us.***

EIAs are a tool to be used in evidence-based policy making and therefore should be an integral part to good decision making by the Council. They can assist us in fully understanding the relevance and effect of our policies and in identifying the most proportionate and effective responses. Delivery of our services depends on an understanding of the diverse communities we serve, and taking account of their diverse needs.

2.2 ***EIAs will stop us doing what we need to do.***

Not necessarily! The reality is that, in times of financial constraint, councils will have to make difficult and often unpopular decisions regarding funding and service provision. The Public Sector Equality Duties do not prevent councils making these decisions, provided that decisions are taken in accordance with the duties. The Equality and Human Rights Commission will be looking for steps we have taken or considered to mitigate any adverse impacts.

2.3 ***We don’t have all the information to carry out an EIA.***

The consultation process should be part of the evidence set. Gaps in evidence should be identified and filled where possible. Lack of data is never a reason for not assessing impact and does not provide an excuse for not completing an assessment. Different types of evidence can be used. Decisions will need to take into account information deficiencies and reach the best judgement possible using what is available.

2.4 ***Can we carry out an EIA at the end of the decision making process.***

A key point of an impact assessment is that you take account of equality as you develop your policy and plans. Just “doing it at the end” will not enable you to properly consult and involve and opportunities for picking up issues and making adjustments as part of the policy development will be missed.

2.5 ***The EIA process is labour intensive.***

If set up to be an integral part of the policy development and review, rather than a one-off exercise, there is no reason that an EIA cannot be completed quickly. The quality of an EIA is not measured by page count but by quality of the analysis and action taken.

2.6 ***Can we ignore the outcome of an EIA?***

EIAs are not an end in themselves - they are a way of showing that due regard has been paid to the general duties. EIAs must demonstrably be used to inform the final decision on a policy. Internal dissemination will help consistency and also build knowledge and therefore all EIA's are published on the Council's website

2.7 ***It is just bureaucracy and red tape and we don't have to carry out an Equality Impact Assessment.***

There is a legal obligation to give 'due regard' to assessing the impact of our policies, decision making and actions on people from different groups.

2.8 ***No one will notice if we don't carry out EIAs.***

Untrue! There are many examples of service users who have successfully challenged decisions that have been taken by public authorities, and the Equality and Human Rights Commission is working with its partners to secure compliance of public authorities meeting their duties.

3. **Guidance Notes for Completing Wirral Council's EIA Toolkit**

3.1 **Section 1 Your details**

Please make sure this section is fully completed.

3.2 **Section 2 What is to be assessed?**

Please add the name of the Council function or proposal

3.3 **Section 3 Is the Council function / proposal relevant to equality?**

Please indicate if the Council function or proposal is likely to impact on the Council's customers and/or staff, Wirral's communities, or any other group of people. This can be in a positive and/or negative way.

If 'yes' please continue to section 4.

If 'no' please stop here and email the assessment to your Head of Service for approval.

Heads of Service need to email the assessment to equalitywatch@wirral.gov.uk to a) indicate that they have approved the assessment, and b) that they are satisfied that the assessment can be published by the Corporate Equality Team.

3.4 Section 4 Which of the Equality Duty requirements are relevant to the Council function / proposal?

You need to tick 1, 2 or 3 boxes for this section.

Please think about the people you identified in section 3. How will the Council function / proposal support the legal requirements?

3.5 Section 5 Action planning to mitigate any negative impacts

Please note the protected groups under the Equality Duty 2010 (race, gender, disability, gender reassignment, age, pregnancy / maternity, religion / belief, sexual orientation, marriage / civil partnership)

Please indicate in the first column of the table which protected group(s) will be impacted upon by the function or proposal – favourably as well as negatively.

Please indicate in the second column of the table all favourable and / or negative impacts.

Please indicate in the third column of the table how you propose to mitigate any negative impacts. If you are unsure how to mitigate any negative impacts you should consider consulting with the group(s) of people indicated in the first column and complete sections 7 and 8 of the toolkit.

Please indicate in the fourth, fifth and sixth columns of the table who will lead on the identified action(s), the timescale to complete the action(s), and any resources required to complete the action(s).

Please also indicate how any actions will be monitored, for example at your departmental equality group meetings, team meetings, extended management team meetings, etc.

If no negative impact has been identified you must explain your reasoning behind this within the box provided in this section. What evidence have you looked at to support this?

3.6 Section 6 Research / data / information used to support your assessment.

Please identify all documentation that you have used as part of your assessment (document title, author, the year in which it was written, and if possible a link to the document).

3.7 Section 7 Consultation

Please indicate if you intend to consult with groups of people.

If 'yes' please continue to section 8

If 'no' please stop here and email the assessment to your Head of Service for approval.

Heads of Service need to email the assessment to equalitywatch@wirral.gov.uk to a) indicate that they have approved the assessment, and b) that they are satisfied that the assessment can be published by the Corporate Equality Team.

3.8 **Section 8 Consultation**

Please indicate how consultation will take place, within what time frame, and who will be leading the consultation activity.

Once the consultation has taken place, please provide a brief summary of the outcome within this section, and then email the whole assessment to your Head of Service for approval.

Heads of Service need to email the assessment to equalitywatch@wirral.gov.uk to a) indicate that they have approved the assessment, and b) that they are satisfied that the assessment can be published by the Corporate Equality Team.

4. **Section 4 Quality Assurance**

- 4.1 All EIAs will be quality assured at two key stages; a) by the relevant Head of Service prior to emailing the completed assessment to equalitywatch@wirral.gov.uk , and b) by the Corporate Equality Team prior to publishing the EIA.
- 4.2 Please note all incomplete and/or unsatisfactory EIA's will be returned by the Corporate Equality Team to the relevant Head of Service, with an explanation, for further actions.