

## Equality Impact Analysis Full Tool with Guidance

### Overview

This Tool has been produced to help you analyse the likelihood of impacts on the protected characteristics – including where people are represented in more than one – with regard to your new or proposed policy, strategy, function, project or activity. It has been updated to reflect the new public sector equality duty and should be used for decisions from 5<sup>th</sup> April 2011 onwards. It is designed to help you analyse decisions of high relevance to equality, and/or of high public interest.

### General points

1. 'Due regard' means the regard that is appropriate in all the circumstances. In the case of controversial matters such as service closures or reductions, considerable thought will need to be given the equalities aspects.
2. Wherever appropriate, and in all cases likely to be controversial, the outcome of the EIA needs to be summarised in the Cabinet/Cabinet Member report (section 08 of this tool) and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.

### Timing, and sources of help

Case law has established that having due regard means analysing the impact, and using this to inform decisions, thus demonstrating a conscious approach and state of mind ([2008] EWHC 3158 (Admin), [here](#)). It has also established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, through to the recommendation for decision. It should demonstrably inform, and be made available when the decision that is recommended. This tool contains guidance, and you can also access guidance from the EHRC [here](#). If you are analysing the impact of a budgetary decision, you can find EHRC guidance [here](#). Advice and guidance can be accessed from the Opportunities Manager: [PEIA@lbhf.gov.uk](mailto:PEIA@lbhf.gov.uk) or ext 3430.

## Full Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2011/12 Quarter 1
Name and details of policy, strategy, function, project, activity, or programme	<p><b>Joint contract with Kensington and Chelsea for the Drug Interventions Programme Service and Open access service for Hammersmith and Fulham.</b></p> <p>The Drug Interventions Programme (DIP) was introduced in 2003 by the Home Office. Its principal focus is to reduce drug-related crime through effective engagement with problematic drug users, (heroin and crack cocaine users) and move them into appropriate treatment and support. DIP partnership consists of criminal justice and drug treatment providers working together with other support services to provide a tailored solution for adults who commit crime to fund their drug use.</p> <p>The Open Access Service is also being re-commissioned but for Hammersmith and Fulham only. The service will provide access to practical supportive harm reduction measures and promote abstinent pathways to recovery. The service includes one to one key-working, group programmes, specialist needle exchange, hepatitis clinic, alternative therapies and support for anyone affected by a family member's drug and alcohol use, assessment and onward referrals.</p> <p>Both Kensington and Chelsea and Hammersmith and Fulham boroughs have agreed to re-commission both boroughs DIP teams with a proposed contract start date of 1st October 2011. This will provide significant savings to both boroughs as the service will provide a leaner management and staff structure, whilst still offering innovation and quality in the management of offenders. Hammersmith and Fulham are leading on the tendering exercise. The following services are being re-commissioned within the same tendering exercise:</p> <ul style="list-style-type: none"> <li>• Drug Interventions Programme across both London boroughs – to include integrated services at the police stations, courts, prisons and community for offenders incorporating alcohol and mental health screening and Integrated Offender Management (IOM) provision</li> <li>• Hammersmith and Fulham Open Access Service, to include – a specialist crack service, specialist needle exchange, cannabis and alcohol / other structured interventions.</li> </ul> <p>When commissioned, the DIP service will be co-located in Hammersmith and Fulham borough. The successful provider will deliver the Open Access service at the chosen site in Shepherds Bush, which will be co-located with other treatment partners to deliver holistic services in the north of the borough.</p>

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<b>Date of completion of final EIA</b>	07/06/2011

<b>Section 02</b>	<b>Scoping of Full EIA</b>			
<b>Plan for completion</b>	<p><b>Timing</b> It is proposed that both services will be commissioned with a proposed contract start date of 1<sup>st</sup> October 2011.</p> <p><b>Resources</b> DAAT contribution to Hammersmith and Fulham Procurement team, Criminal Justice Lead, Procurement Officer, Substance Misuse Commissioner, Kensington and Chelsea Criminal Justice lead, Project Board members including the police, probation staff and service users.</p> <p><b>Lead Officer</b> Nicola Lockwood, Criminal Justice Strategic Lead</p>			
<b>What is the policy, strategy, function, project, activity, or programme looking to achieve?</b>	<p>The services are being re-commissioned in order to achieve efficiencies within budgets. The service will still provide the statutory functions of the DIP service required under the Drugs Act (2005) and the Criminal Justice Act (2003). Moreover, the DIP service will be commissioned over 2 boroughs with leaner management structures. The Hammersmith and Fulham Open Access Service will be re-commissioned in order to bring the service in line with other contracts and to make efficiencies within the budget.</p> <p>The re-commissioning project will not have an affect on any protected characteristics (including where people / groups may be in more than one protected characteristic). The provisions in both services will remain the same and not be affected by a potential change in provider. As a result, the procurement decision proposed is of low relevance to, and will have a neutral effect on, all protected characteristics with the exception of marriage/civil partnership, which is not relevant in this case.</p>			
	Age	Both services will continue to be provided for over 18s only. Currently, the Equality Act does not afford protection to those under 18, and service for minors	Low	/

	are dealt with separately.		
Disability	The DIP service will be co-located at 370 Uxbridge Rd. The building is DDA compliant and is equipped for those who are in a wheelchair. The Open Access service will continue to be provided from the existing building. There will be no effect on services in this category and the services will continue to be offered to all individuals irrespective of disability.	Low	/
Gender reassignment	There will be no effect on those who are transitioning, or who have transitioned, or who once began to transition but decided to go no further. Both services are open to all irrespective of gender identity.	Low	/
Marriage and Civil Partnership	Not applicable in this case	N/A	N/A
Pregnancy and maternity	The services do not allow children on the premises. This will remain after the service is re-commissioned. The retendering of the service does not change the current agreements. Pregnant women are currently seen on both premises and this will not change.	Low	/ -
Race	The provision of both services remains the same. The provider only will potentially be changing. There will be no effect on services in this category. The service is open to individuals of any race and would not discriminate on any grounds, including religion.	Low	/ -
Religion/belief (including non-belief)	The provision of both services remains the same. The provider only will potentially be changing. There will be no effect on services in this category. The service is open to those of any religion or those of no religion and would not discriminate on any grounds.	Low	/ -
Sex	The provision of both services remains the same. The provider only will potentially be changing. There will be no effect on services in this category. The service will continue to be open to men and women.	Low	/ -
Sexual Orientation	The provision of both services remains the same. The provider only will potentially be changing. There will be no effect on services in this category. The services will continue to be open to people of all sexual orientations and would not discriminate on any grounds.	Low	/ -

	<p><b>Human Rights and Children's Rights</b></p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998?          Yes: Article 2, Right to Life; Article 3, Prohibition of Torture; Article 8, Right to respect for Privacy and Family Life; and Article 14, Prohibition of Discrimination. These rights will be upheld by the continued provision of these two services.</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)?          No</p>
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<b>Section 03</b>	<b>Analysis of relevant data and/or undertake research</b>
<b>Documents and data reviewed</b>	None, as no change to service users will take place
<b>New research</b>	None, as no change to service users will take place

<b>Section 04</b>	<b>Undertake and analyse consultation</b>
<b>Consultation</b>	No consultation was conducted in reference to equalities as the access to the service by any group will not be affected.
<b>Analysis</b>	No group will be affected by a potential change in service provider.

<b>Section 05</b>	<b>Analysis of impact and outcomes</b>
<b>Analysis</b>	The potential change in service provider will not have any effect on the clients accessing the service under any equalities category. The clients attending DIP for required assessments will be required to do so through legislation. The Drug and Alcohol Action Team who are commissioning the services manage the delivery of substance misuse treatment services for residents in each area and is committed to delivering high quality services to meet residents diverse and often complex needs.

<b>Section 06</b>	<b>Reducing any adverse impacts</b>
<b>Outcome of Analysis</b>	The potential change in service provider will have no affect on access to the services relevant to any protected characteristic. The successful service provider must ensure that service delivery takes account of and respects the race, culture, religion, gender, gender identity, pregnancy or maternity status, disability, age, sexuality and HIV status of service users. This may include the recruitment of employees from relevant ethnic and cultural groups. This requirement is written into all service level agreements and contracts.

<b>Section 07</b>	<b>Action Plan</b>
<b>Action Plan</b>	No actions have been identified, as there will be no effect on service users.

<b>Section 08</b>	<b>Agreement, publication and monitoring</b>
<b>Chief Officer sign-off</b>	Name: Position: Email: Telephone No:
<b>Key Decision Report</b>	Date of report to Cabinet/Cabinet Member: XX / XX / XX Confirmation that key equalities issues found here have been included: Yes/No
<b>Opportunities Manager for advice and guidance only</b>	Name: Carly Fry Position: Opportunities Manager Date advice / guidance given: 06 June 2011 Email: <a href="mailto:PEIA@lbhf.gov.uk">PEIA@lbhf.gov.uk</a> Telephone No: 020 8753 3430