

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 5th 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 or ext 3430.

Full Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2011/12 – Q4 and 2012/13 onwards
Name and details of policy, strategy, function, project, activity, or programme	HAMMERSMITH PARK SPORTS FACILITY- APPROVAL OF WORKS AND SERVICE CONTRACTOR TO APPOINTMENT AS PREFERRED BIDDER – CABINET PAPER – 18 JULY 2011. The improvement of sports facilities in the borough’s parks and open spaces in line with the Parks and Open Spaces Strategy.
Lead Officer	Name: Chris Bunting Position: Acting Head of Libraries, Leisure and Fleet Transport Email: chris.bunting@lbhf.gov.uk Telephone No: 0208 753 2023
Date of completion of final EIA	June 2011

Section 02	Scoping of Full EIA
Plan for completion	March 2012 Resources – Nil Lead Officer – Chris Bunting
What is the policy, strategy, function, project, activity, or programme looking to achieve?	<p>The lifecycle of the All Weather Pitch (AWP) at Hammersmith Park has expired. The condition of the playing surface is unsafe and poses a risk in that users could injury themselves. Officers have been investigating long term strategies to redevelop the site. The council is looking to address an existing ‘issue’ site through the approval of a preferred bidder to develop the scheme.</p> <p>Information: Protected characteristics and PSED The public sector equality duty (PSED) states that in the exercise of our functions, we must have due regard to the need to:</p> <ul style="list-style-type: none"> ▪ Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act; ▪ Advance equality of opportunity between people who share a protected characteristic and those who do not;

and

- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

Age	It is considered that there will be a low impact on age including due regard to PSED (above). Improved access to leisure facilities will generate a marginally positive impact.	L	+
Disability	The design of the facility will provide full access to disabled users, which is an improvement on the current position and also encourages participation in public life by disabled people. This also removes barriers to activity for disabled people, making this decision highly relevant to disabled people and also positive for them. The preferred bidder has included a disability design statement in its final tender submission.	H	+
Gender reassignment	It is considered that this will be of low relevance to gender reassignment including due regard to PSED (above). There is little data on this group but overall officers consider that improved access to leisure facilities will generate a marginally positive impact.	L	+
Marriage and Civil Partnership	It is considered that this will be of no relevance to marriage and civil partnership including due regard to PSED (above) and therefore no impact.	N/A	No impact
Pregnancy	It is considered that there will be a low but positive impact on pregnancy and	L	+

	and maternity	maternity including due regard to PSED (above). It would be possible to run sessions for pregnant women in this facility where that was not possible before.		
	Race	<p>It is considered that improvements to the Hammersmith Park Sports Facility will have a positive impact on race including due regard to PSED (above). A large proportion of existing users are BME and the final tender recognises this has the development and management of the facility will reflect this in its design and operation.</p> <p>40.8% of residents (16+ years) had not taken part in any moderate intensity activity of 30 minutes duration in the last 4 weeks when surveyed, within LBHF this includes 49.4% of people from BME groups, who are over-represented here in comparison to the Borough profile (Census 2001).</p> <p>This also means that there are other, non-BME groups who are participating in activity, so this makes it difficult to determine the exact impact for all race groups as one score, but it is likely that those who currently do participate will experience a positive impact and that this decision will be highly relevant to them.</p> <p>For those who do not participate in physical activity, the decision is of low relevance but officers hope that the improvements will encourage take-up amongst this group. Thus, the overall relevance is low to high and is positive overall.</p>	low to high	+
	Religion/belief (including non-belief)	It is considered that this will be of low relevance to religion including due regard to PSED (above), although overall officers consider that improved access to leisure facilities will generate a marginally positive impact.	L	+
	Sex	It is considered that there will a medium level impact on sex, as the facility will be a very safe and welcoming environment for girls and women's football to be developed.	M	+
	Sexual Orientation	It is considered that this will be of low relevance to sexual orientation including due regard to PSED (above), although overall officers consider that improved access to leisure facilities will generate a marginally positive impact	L	No impact

	<p>Human Rights and Children’s Rights Will it affect Human Rights, as defined by the Human Rights Act 1998? Yes: Article 14: Protection from freedom of discrimination, as the new facilities will remove barriers for disabled people.</p> <p>Will it affect Children’s Rights, as defined by the UNCRC (1992)? Yes:</p> <ul style="list-style-type: none"> ▪ The right to life, survival and development ▪ Health and welfare rights, including rights for disabled children, the right to health and health care, and social security ▪ The right to education, leisure, culture and the arts <p>These rights will be positively upheld by access to the new facilities, including removing barriers for disabled children.</p>			

Section 03	Analysis of relevant data and/or undertake research
Documents and data reviewed	Sport England – Access for Disabled People - Access audit of sports facilities The preferred bidder has also carried out this audit in advance of full design works being approved.
New research	<p>Hammersmith and Fulham Leisure Needs Analysis 2009 Sport England market segmentation data models particular groups and provides information on sporting behaviours and attitudes as well as motivations for and barriers to taking part in sport. This research builds upon the Active People Survey, the Department for Culture Media and Sport’s Taking Part Survey and the Mosaic tool from Experian.</p> <p>19 market segments have been created from an analysis of the English population(18+ years). Each segment exhibits distinct characteristics, with information covering specific sports that people take part in and reasons why people do sport, together with the level of interest in and barriers to doing more sport.</p> <p>By applying this information to demographic and socio-economic data for the LBHF the model is able to estimate the likely behaviour and activity patterns of residents within the local authority. In addition to being used to</p>

	<p>determine which type of facilities are most appropriate to meet resident's needs, the model can also be used as a prerequisite to any intervention programme to facilitate greater activity levels.</p> <p>The borough is highly active. However, the data also indicates that approximately half of people in the borough are not doing any sessions of 30 minutes exercise. Of those in the LBHF who only recorded between one and three sessions of exercise per week the most common activities were football (15.7%), jogging (34.3%), swimming (12.6%), tennis (11.9%) and yoga (14.8%).</p> <p>40.8% of residents (16+ years) had not taken part in any moderate intensity activity of 30 minutes duration in the last 4 weeks when surveyed compared to Brent (56.5%), Ealing (49.6%), Hounslow (54.2%), Kensington and Chelsea (39.4%), West London (51.2%), London (49.5%) and nationally (50.6%). Within the LBHF this includes:</p> <ul style="list-style-type: none"> • 49.4% of people from BME groups • Low levels of NS-SEC 1,2 (32.2%) and 4 (36.7%) but high inactivity amongst NS-SEC 3 (Intermediate occupations, 43.7%), NS-SEC 5 (Lower supervisory and technical occupations 58.2%) and NS-SEC 6.7 (Routine / semi-routine occupations, 60.7%). Of those that have never worked/ long term unemployment, 70.5% do not do 30 minutes of activity once a week • 40.8% of women (c 35,500 people) • Approximately 70,380 residents across the LBHF do not partake in at least 30 minutes of activity a week.
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Section 04	Undertake and analyse consultation
Consultation	<ul style="list-style-type: none"> • Extensive consultation undertaken by bidder as part of the procurement process. • Leisure Needs Analysis 2009
Analysis	<p>The competitive dialogue procurement has ensured that bidders were informed of the need to consult with local stakeholders including ward members, residents, local organisations, users and non-users of the existing facility and the Friends of Hammersmith Park. This is demonstrated in the strength of the final tender in terms of meeting the council's objectives.</p> <p>In terms of facility requirements, the analysis recognises a deficiency in football facilities in the north of the borough.</p>

Section 05	Analysis of impact and outcomes
Analysis	<p>The following are overarching conclusions based on the analysis above:</p> <ul style="list-style-type: none"> • There is a deficiency in the provision of this type of facility in this part of the borough. • Consultation has been extensive to date. • The facility will improve access to sports facilities for the borough's residents. • The development will provide significant free and subsidised access. • Access for disabled people will be a feature of the development.

Section 06	Reducing any adverse impacts
Outcome of Analysis	<ul style="list-style-type: none"> • Significant subsidised access to facility for existing users and local residents. • Fully accessible to disabled users. • Design fully integrated into existing park and open space.

Section 07	Action Plan																	
Action Plan	<table border="1"> <thead> <tr> <th>Issue identified</th> <th>Action (s) to be taken</th> <th>When</th> <th>Lead officer</th> <th>Expected outcome</th> <th>Date added to business/service plan</th> </tr> </thead> <tbody> <tr> <td>Low levels of women participating in physical activity</td> <td>Link into Active Women's funding obtained by Sports Development team</td> <td>2012/13 onwards</td> <td>Jardine FInn</td> <td>Increased participation in girls and womens football by residents</td> <td>2012/13</td> </tr> </tbody> </table>						Issue identified	Action (s) to be taken	When	Lead officer	Expected outcome	Date added to business/service plan	Low levels of women participating in physical activity	Link into Active Women's funding obtained by Sports Development team	2012/13 onwards	Jardine FInn	Increased participation in girls and womens football by residents	2012/13
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Section 08	Agreement, publication and monitoring
Chief Officer sign-off	Name: Lyn Carpenter Position: Director

	Email: lyn.carpenter@lbhf.gov.uk Telephone No: 0208 753 5710
Key Decision Report	Date of report to Cabinet 18 / 07 / 2011 Confirmation that key equalities issues found here have been included: Yes
Opportunities Manager for advice and guidance only	Name: CARLY FRY Position: Opportunities Manager Date advice / guidance given: 10 June 2011 Email: PEIA@lbhf.gov.uk Telephone No: 0208 753 3430