

Appendix 1 - H&F Equality Impact Analysis Tool



Conducting an Equality Impact Analysis

An EIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative, or unlikely to have a significant impact on each of the protected characteristic groups.

The tool is informed by the [public sector equality duty](#) which came into force in April 2011. The duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under the Equality Act 2010**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against these three tenets.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has 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, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report 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.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Strategy & Communities team for support.

Further advice and guidance can be accessed online and on the intranet:

<https://www.gov.uk/government/publications/public-sector-equality-duty>

<https://officesharedservice.sharepoint.com/sites/Governance/SitePages/Reports.aspx>

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Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2023/24
Name and details of policy, strategy, function, project, activity, or programme	Care Experienced Status as a Protected Characteristic and enhanced Local Offer for those Leaving Care London Borough of Hammersmith and Fulham are to recognise 'Care Experienced' as a protected characteristic.
Lead Officer	Name: Lesley Bell Position: Head of Programmes Children's Commissioning Email: lesley.bell@lbhf.gov.uk
Date of completion of final EIA	29/03/2023

Section 02	Scoping of Full EIA
Plan for completion	Timing: June 2023 Resources: Children's Commissioning, Housing, People and Talent
Analyse the impact of the policy, strategy, function, project, activity, or programme	<p><i>The proposal which will be reviewed at Cabinet in June proposes introducing a new protected characteristic: Care Experienced.</i></p> <p><i>'Care Experienced' represents people who were children 'looked after' by local authority, where the local authority has legally taken responsibility for the care of the child as their corporate parent. Once becoming an adult and 'leaving care' they become care experienced.</i></p> <p><i>Care experienced people face significant barriers that impact them throughout their lives. Care experienced people often face discrimination and stigma across housing, health, education, relationships, employment and in the criminal justice system.</i></p> <p><i>The Independent Review of Children's Social Care published the Care Review in May 2022 which included recommendations that the 'Government should make care experience a protected characteristic'. It also notes that making care experience a protected characteristic would provide greater authority to employers, businesses, public</i></p>

services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced people. It would make the UK the first country in the world to recognise care experienced people in this way.

In response to the Care Review LBHF are introducing Care Experience as a protected characteristic ahead of National Reform to demonstrate our commitment as a Corporate Parent to ending the disparity and inequality faced by care experienced young people.

By introducing a new protected characteristic, we are committing to analysing the impact of policy on those with care experience and giving due regard to relevance and proportionality.

Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral, or negative impact on equality, giving due regard to relevance and proportionality.

Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
Age	No impact	Neutral
Disability	No impact	Neutral
Gender reassignment	No impact	Neutral
		Neutral
Marriage and Civil Partnership	No impact	Neutral
Pregnancy and maternity	No impact	Neutral
Race	No impact	Neutral
Religion/belief (including non-belief)	No impact	Neutral

	Sex	No impact	Neutral
	Sexual Orientation	No impact	Neutral
<p>Human Rights or Children’s Rights If your decision has the potential to affect Human Rights or Children’s Rights, please contact your Equality Lead for advice</p> <p>Will it affect Human Rights, as defined by the Human Rights Act 1998? Yes / No</p> <p>Will it affect Children’s Rights, as defined by the UNCRC (1992)? Yes/No</p>			

Section 03	<p>Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.</p>
Documents and data reviewed	<p><u>Independent review of children's social care: final report - GOV.UK (www.gov.uk)</u>: ‘Many care experienced people face discrimination, stigma and prejudice in their day to day lives. Public perceptions of care experience centre on the idea that children are irredeemably damaged and that can lead to discrimination and assumptions being made.’ ‘Hearing testimony from care experienced people sharing the discrimination they have experienced, even from a very young age, it is clear that such discrimination can be similar in nature to other groups that have a legally protected characteristic under the Equality Act (2010). So while there may be ways that society can help reduce stigma and discrimination, including creating greater public consciousness on these issues, just as with other areas of equality, there is a case to go further. Therefore the government should make care experience a protected characteristic.’</p> <p>The <i>National Leaving Care Benchmarking Forum</i> published the <u>‘Survival is Not Easy’</u> report in December 2022 showed that of the 461 care experienced young people surveyed:</p> <ul style="list-style-type: none"> • 45% were struggling to buy food, • 40% were struggling to pay rent and 64% have increased their amount of debt as a result of the cost of living crisis,

	<ul style="list-style-type: none"> Only 15% have regular financial support (this shows how care experienced young people are in a different position to young people generally, in terms of having financial support and a financial 'safety net')
New research	

Section 04	Consultation
Consultation	Details of consultation findings (if consultation is required. If not, please move to section 06)
Analysis of consultation outcomes	N/A

Section 05	Analysis of impact and outcomes
Analysis	What has your consultation (if undertaken) and analysis of data shown? You will need to make an informed assessment about the actual or likely impact that the policy, proposal, or service will have on each of the protected characteristic groups by using the information you have gathered. The weight given to each protected characteristic should be proportionate to the relevant policy (see guidance).

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p>Include any specific actions you have identified that will remove or mitigate the risk of adverse impacts and / or unlawful discrimination. This should provide the outcome for LBHF, and the overall outcome.</p> <p><i>Ensuring this new protected characteristic is reflected in all relevant documentation and members and officers are aware of the Council's commitment and the impact.</i></p>

Section 07	Action Plan
Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis

	Issue identified	Action (s) to be taken	When	Lead officer and department	Expected outcome	Date added to business/service plan
	Protected characteristic not currently reflected in EIA Documentation	Update documentation	2023		Care Experience protected characteristic reflected in EIA documentation	
	Protected characteristic reflected in all relevant People & Talent Documentation	Review & updated documentation	2023	Mary Lamont P&T	Care Experience protected characteristic reflected in relevant documentation	

Section 08	Agreement, publication and monitoring
Senior Managers' sign-off	Name: Lesley Bell Position: Head of Programmes – Children's Commissioning Email: lesley.bell@lbhf.gov.uk Telephone No: 07917722424 Considered at relevant DMT: Yes
Key Decision Report (if relevant)	Date of report to Cabinet: 05 / 06 / 23 Key equalities issues have been included: Yes
Equalities Advice (where involved)	Name: Position: Date advice / guidance given: Email: Telephone No: