

Equality Impact Analysis Initial Screening 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 determine whether you may need to do a Full EIA. 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 Opportunities Manager, as s/he may recommend moving directly to a Full EIA.

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 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.

Initial Screening Equality Impact Analysis Tool

Section 01	Details of Initial Equality Impact Screening Analysis			
Financial Year and Quarter	2011/12 4 th quarter & 2012/13 / 1 st quarter			
Name of policy, strategy, function, project, activity, or programme	Shepherds Bush Common Improvement Project			
Q1 What are you looking to achieve?	The principal aim is to regenerate Shepherds Bush Common balancing the preservation of its historic landscape with the need to provide modern amenities and a safe environment that meet the needs of all the community.			
Q2 Who in the main will benefit?	<p>The parks' present and future users, including local residents of all ages will benefit from the finished project. New play facilities will benefit a wider range of age groups. Rationalised pathways and new paving will provide greater legibility and access across the Common to surrounding areas. Open green space will facilitate relaxation, dog walking and events for all. The restored war memorial will be more accessible particularly to those with disabilities.</p> <p>Access to the Common will be restricted while works are in progress January to June 2012. A pedestrian/cycle route through the Common to safe crossing points on the surrounding roads will be available at all times while works are in progress.</p>			
	Age	<p>The Common is open to all age groups.</p> <p>New playground facilities will cater to a wider age range of age groups than is currently the case, as this will increase from 0 to 15 years, where it is currently 0 to 6 years. This change is given under Children's Rights (below) and is considered to be of low relevance to, and have a positive impact on, these age groups as those under the age of 18 are not currently protected by the Act.</p>	L	+

	Disability	<p>The open nature of the Common and clear legible routes around and through the space mean it is accessible to those with disabilities.</p> <p>The playgrounds will be accessible to disabled children with several facilities catering to a range of disabled needs however, not all equipment will be suitable for all abilities.</p> <p>Particular attention has been paid to the restoration and resetting of the war memorial with a new plaque to be installed at the foot of the memorial for those unable to climb the steps and increased hard standing to better facilitate access to the memorial.</p>	H	+
	Gender reassignment	The project is of low relevance to, and will have a neutral impact on, this protected characteristic. The Common is a public open space that anyone has the right to use.	L	/
	Marriage and Civil Partnership	The project is of low relevance to, and will have a neutral impact on, this protected characteristic. The Common is a public open space that anyone has the right to use.	L	/
	Pregnancy and maternity	The open nature of the Common and clear legible routes around and through the space mean it is accessible to those with reduced mobility, which may be the case during the latter stages of pregnancy, and also to those with small infants. The improvements will be of medium relevance to, and have a positive impact on, this protected characteristic	M	+
	Race	The project is of low relevance to, and will have a neutral impact on, this protected characteristic. The Common is a public open space that anyone has the right to use.	L	/
	Religion/belief (including non-belief)	The project does not affect any religion or belief or alter current provisions, and so it is of low relevance to, and will have a neutral impact on, this protected characteristic. The Common is a public open space that anyone has the right to use.	L	/
	Sex	The improvements will be positive for those with caring responsibilities, who are more likely to be women, who may use the space to take out their children, for example. The Common is a public open space that anyone has the right to use.	M	+

	Sexual Orientation	The project is of low relevance to, and will have a neutral impact on, this protected characteristic.. The Common is a public open space that anyone has the right to use.	L	/
<p>Q3 Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>Human Rights and Children's Rights Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children's Rights, as defined by the UNCRC (1992)? Yes. It will have a positive impact on the following, especially those in bold:</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 			
<p>Q4 Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</p>	<p>Yes</p> <p>Restored facilities will improve access to all areas of the Common, and will be particularly positive for children, disabled adults and children (although not all equipment will be accessible), pregnant women and those with small infants, and those with caring responsibilities (more likely to be women).</p>			