

LBHF Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA 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 has been updated to reflect the new public sector equality duty (PSED). 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 this Act;**
- 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 the three tenets of the Equality Duty.

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 Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (link), as well as from the Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430

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Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2012/4
Name and details of policy, strategy, function, project, activity, or programme	Title of EIA: Parks capital programme 2013-16 Short summary: The programme sets out various parks improvement scheme across the borough. The allocation of both parks capital investments and external funding is described in detail.
Lead Officer	Name: Ullash Karia Position: Head of Service, Parks and leisure, ELRS Email: Ullash.Karia@RBKC.Gov.UK Telephone No: 020 7938 8171
Date of completion of final EIA	25 / 01 /13

Section 02	Scoping of Full EIA		
Plan for completion	Timing: 2013 -2016 Resources:		
Analyse the impact of the policy, strategy, function, project, activity, or programme	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	The council would provide its services in line with Equality Act requirements, and this EIA notes that those under 18 are not protected under the Act by this protected characteristic at present. The service provision outlined in the 2013-2016 capital programme for Parks caters for all age ranges, promoting improvements to facilities such as play	Positive

		areas, sports facilities and the natural environment..	
	Disability	<p>Access to some sports facilities and pitches will pose limitation to those with physical disabilities due to the characteristics of certain physical sports, and therefore some disabled people may not be able to take part in the same way as non-disabled people.</p> <p>Improvements to access such as level pathway and signage will benefit many disability groups particular those wheelchair users. Proposal to introduce Changing Place toilets will have great benefit to those with severe disabilities</p> <p>The council shall provide its services in line with Equality Act requirements and would have to consider reasonable adjustments as necessary which have been taken in consideration within the programme e.g. Disable Play provision and pathway improvements</p>	Positive
	Gender reassignment	<p>The council would provide a service in line with the Equality Act 2010. This can include restricting participation of a transsexual person in a sport, game, or competitive activity but only if this is necessary in a particular case to secure fair competition or for the safety of other competitors. S195 of the Act is relevant in these cases. In such a case, it would be of high relevance to the protected characteristic and it might regarded as negative for an individual or group but it is permitted under the Act.</p> <p>The service provider would still provide services in line its other obligations under the Act and could not, for example, repeatedly ask for a person's Gender Recognition Certificate and could not discriminate by requesting that a person in their chosen identity of female, uses the male toilets. This example of provision of goods, services and facilities is of high relevance to this protected characteristic and is positive</p>	Neutral
	Marriage and Civil Partnership	The council would provide a service in line with the legal requirements of the Equality Act 2010 and not offer access or terms that are different for married people, to those in a civil partnership	N
	Pregnancy and maternity	The project does not affect pregnancy and maternity or alter current its provisions for this group. The programme would ensure that services are in line with Equality Act requirements and could not, for example, ask a woman who is breastfeeding to leave or to dos it elsewhere	N

Race	It is considered that improvements to the sports' Facilities, Play Areas, Natural landscape will have a positive impact on race including due regard to PSED (above). The council will develop a programme, through its partnership with local sports clubs, including BME groups to use parks and opens pace for recreation and leisure.	N
Religion/belief (including non-belief)	The parks capital programme does not affect any religion or belief or alter current provisions. The council will continue to provide its services in line with Equality Act requirements	N
Sex	<p>The capital programme does proactively favour encourage women to use parks and open spaces as traditionally many of the existing provisions are for men such as Football. For example more ports facilities for women such as new netball courts at South Park and also improvement of site security to increase perception of safety.</p> <p>S195 of the Equality Act sets out an exception to provisions for men and women that may apply in relation to a competitive sport, game, or other activity, where physical strength, stamina, or physique are significant factors in determining success or failure. In such cases, the Act permits separate events to be organised for men and for women. This would be of high relevance to the protected characteristic of Sex, and may be viewed as positive or negative by individuals, this will depends on the views of individuals but it is permitted under the Act.</p> <p>The council would have to carry out its other functions with regard to its other obligations under the Act and could not, for example, provide men or women with inferior services in contrast to the other sex.</p>	N
Sexual Orientation	The projects and services within parks do not affect sexual orientation or alter current provisions. The contractor would provide its services in line with Equality Act requirements	N

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>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)? No</p>
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Section 03	Analysis of relevant data
Documents and data reviewed	<p>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> <p>The Parks and Open Spaces Residents survey 2008 of 10 000 residents informs much of our strategic development. The respondents showed a similar age profile to the 2001 census. Very few under 25 years old completed the questionnaire. 67% of total respondents were women which was higher than borough average of 53% but and only 15% of BME groups responded which was lower representative of the borough proportion.</p> <p>Of interest is that 13% respondents said they had a disability which for most did not affect their use of the park. Significant high proportion was unable to visit parks even though many said they would if given the opportunity. Distance from Home, health issues and safety concerns were factors affecting visiting parks.</p> <p>80% of respondents used a park at least once a year. Overall 92% of respondents were highly satisfied with LBHF Parks.</p>
New research	If new research is required, please complete this section

Section 04	Consultation
Consultation	Please see section 3
Analysis of consultation outcomes	See Section 03

Section 05	Analysis of impact and outcomes
Analysis	The various data available about park uses including the Park Resident survey highlight the key issues of Safety, lack of suitable facilities and access across all protected characteristics. The capital programme address most of the concerns through improvement of our assets which not only will improve the quality of our facilities but enable better

	service provisions that supports these assets. For example the improvement to South MUGA will create a safe environment, increase type of sports offer for women and also enables the booking service to promote and develop community programmes for all.
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Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	Not Applicable as no adverse impacts identified in the parks capital programme

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 borough	Expected outcome	Date added to business/service plan

Section 08	Agreement, publication and monitoring					
Chief Officers' sign-off	Name: Position: Email: Telephone No:					
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: 08 /04 /13 Key equalities issues have been included: Yes					
Opportunities Manager (where involved)	Name: Carly Fry Position: Opportunities Manager Date advice / guidance given: 28/01/2013 Email: PEIA@lbhf.gov.uk Telephone No: 020 8753 3430					