

Equality Impact Analysis Initial Screening Tool with Guidance

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 6th 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.

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	10 /11 4 th Quarter
Name of policy, strategy, function, project, activity, or programme	Lyric Theatre Redevelopment This is a new project.
Q1 What are you looking to achieve?	In 2011, The Lyric wish to expand their education offer to schools with more effective targeting of provision. This will form the basis of a comprehensive offer once the Lyric is expanded. It is proposed that in 2011 they will start work on a capital project to build the UK's first ever "teaching theatre" for the performing arts. The new facility will allow artists, teachers and other young people's professionals to collaborate to inspire young people to become the artists, arts managers and audiences of the future.

	<p>The project has been developed in response to a wide-ranging consultation and responds to a wide range of needs, including those of the young people of West London, the needs of residents and businesses in Hammersmith, as well as the needs of the creative and cultural industry sector and the theatre itself.</p> <p>The Lyric Theatre project will provide exciting opportunities for an enhanced creative and media curriculum offer to our borough's pupils by a business partner. Our current offer will be greatly improved by the access gained to the specialist facilities being provided for teaching and learning, as well as schools being able to access comprehensive facilities and services for their own productions.</p> <p>The new facilities will be linked to the existing building and will create a unique learning environment in the heart of a professional theatre where artists and teachers will collaborate to support, train and inspire young people to achieve their potential. Open seven days a week from 8am in the morning to 11-pm at night they will engage up to 200 young people a day and 20,000 each year in range of formal education and apprenticeship programmes as well as extra curricular activities in drama, dance, music, film, TV, visual arts and technical skills.</p>
<p>Q2 Who in the main will benefit?</p>	<p>Analyse the impact of the policy on the protected characteristics (including where people / groups may be in more than one protected characteristic). You should use this to determine whether the policy will have a positive/neutral/negative impact and whether it is of low/medium/high relevance to equality.</p> <p>You should also use this section when your policy may not be relevant to one or more protected characteristics. If this applies, case law has established that you must give your reasoning. It is not sufficient to state 'N/A' without saying why.</p> <p>Information: Protected characteristics and PSED</p> <p>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. <p>Having due regard for advancing equality involves:</p>

- 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	<p>Young people access education services from the ages of 4-19. This is the case in all three boroughs. When consultation takes place, the needs of young people at all phases will be considered.</p> <p>The new Education offer at the Lyric would be open to all young people attending schools within the borough, although the focus of the work will be on students in the 14-19 age range.</p> <p>With the input of local schools, there is the potential for programmes to be tailored to the individual needs of groups of young people, including those within the primary sector.</p> <p>Current programmes for young people include</p> <p>LYC – West London's largest youth theatre offers local young people, from a range of schools in the private and state sector, a chance to participate in regular activities, attend master classes led by industry professionals, perform in a professional space and see Lyric shows. This also encourages a life long habit of attending theatre productions</p> <p>START – A unique six-week training programme for young west Londoners, aged between 13 and 19, who are not in education, employment or training (NEET). The project re-engages young people with learning and has enabled over 90% of participants to gain a level 1 or 2 qualification in literacy and numeracy with over 30 young people benefiting</p>	+	H
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		<p>from the process in 2010.</p> <p>Primary School workshops – Children’s shows and “messy play” through a year round programme of performances and hands on activities enabling parents and their children to engage in a range of fun and creative activities</p> <p>Play Up, Pay Back is a project delivered in partnership with the Youth Offending Service which engages young people who have offended in diversionary activities on Friday and Saturday nights and encourages them to make a positive contribution to their local community.</p>		
	Disability	<p>In H&F 2.49% of children have a statement of special educational needs .In addition there are a number of pupils who are supported at School Action and School Action + in all schools. Some pupils are a part of the Statutory Assessment process.</p> <p>In H&F, 2.49% (409) children have statements of special educational needs.</p> <p>In addition there are 215 pupils known to the Disabled Children’s Team in Children’s Services. Some of these children will be children with statements of special educational needs. However, there will be a number of disabled children, who do not have special educational needs who are not known to the DCT.</p> <p>Previously, the Lyric has delivered targeted projects such as “Young, Autistic and Stagestruck”, which was an ambitious project that captured the journey of a group of nine young people with autistic spectrum disorders as they worked together to devise, produce and perform an original piece of theatre. The resulting landmark four-part documentary series was broadcast on Channel 4 and had over 3 million viewers. Such projects will continue to be developed to meet specific needs and if a similar project is planned it would have a positive impact on disabled young people.</p>	+	H

		The new Education offer at the Lyric would be open to all young people attending schools within the borough, and would not discriminate on the basis of disability. Indeed, with the input of local schools, there is the potential for programmes to be tailored to the individual needs of groups of young people, including those with special educational needs.		
	Gender reassignment	It is not envisaged that a negative or positive effect will occur within this category, due to the age range of the school population.	/	L
	Marriage and Civil Partnership	It is not envisaged that a negative or positive effect will occur within this category, due to the age range of the school population.	/	L
	Pregnancy and maternity	It is not envisaged that a negative or positive effect will occur within this category, due to the age range of the school population.	/	L
	Race	<p>LB Hammersmith & Fulham is a diverse borough in terms of race. According to the latest statistics, there are 28 ethnicities recorded within out total school population. The highest proportion of our pupils identify themselves as 'White British' (28.5%), followed by 'Black African' (16.6%).</p> <p>School services in LBHF are available to young people of all ethnicities, however, some services offered focus on young people from specific ethnic backgrounds to support identified areas of low achievement.</p> <p>The new Education offer at the Lyric would be open to all young people attending schools within the borough, and would not discriminate on the basis of race.</p>	+	L
	Religion/belief (including non-belief)	<p>There are currently 15 faith schools within Hammersmith and Fulham (representing 30% of our local schools). Education services are currently offered to all schools in the borough regardless of religious classification, and this would remain the case.</p> <p>The new Education offer at the Lyric would be open to all young people attending schools within the borough, and would not discriminate on the</p>	/	L

		basis of religious belief.		
	Sex	<p>The total school population in Hammersmith and Fulham shows that there is an even split between male and female students (8144 males compared with 8277 females).</p> <p>Education services across the borough are used equally by both male and female students.</p> <p>The new Education offer at the Lyric would be open to all young people attending schools within the borough, and would not discriminate on the basis of gender.</p>	/	L
	Sexual Orientation	<p>The new Education offer at the Lyric would be open to all young people attending schools within the borough, and would not discriminate on the basis of sexual orientation.</p> <p>With input from local schools, there may be the potential to develop programmes to be delivered within the new centre that supplement the current PSHE provision around sexual health / education.</p>	+	L
<p>Human Rights and Children's Rights Will it affect Human Rights, as defined by the Human Rights Act 1998?</p> <p>Yes: Article 2 of Protocol 1: Right to Education, and UNCRC: Right to education, and Right to have their (children's) views respected, and to have their best interests considered at all times. However, these rights will not be adversely affected</p>				
<p>Q3 Does the policy, strategy, function, project, activity, or programme make a positive contribution to</p>				
<p>Does this provide an opportunity to promote equality? Use your reasoning from Q2 to state why.</p> <p>Yes: The proposal will improve the opportunities for young people from the borough to access the theatre and its facilities. Some of these young people may not have the opportunity to visit such a venue or engage with the arts otherwise.</p>				

equalities?	
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>No</p> <p>If the answer here is 'yes', then it is necessary to go ahead with a Full Equality Impact Analysis. You should also consider a Full Equality Impact Analysis if your decision is likely to be of high relevance to equality, and/or be of high public interest.</p>

Initial Screening Equality Impact Analysis Guidance

Section 01	Details of Initial Equalities Impact Screening Analysis
Name of policy, strategy, function, project, activity, or programme	<p>A Policy refers to an approved decision, principle plan or a set of procedures by Cabinet, or a Cabinet Member under delegated powers that affects the way that the Council conducts its business both internally and externally. A policy can include: strategies, guides, manuals and common practice.</p> <p>A Strategy refers to a systematic short term or a long term plan of action that is designed to achieve a specific business benefit or goal(s).</p> <p>A Function refers to any actions and/or activities designed to achieve a specific business benefit or goal.</p> <p>A Project defines how a temporary structure or scheme can achieve a specific business benefit or goal(s). A project can be implemented by setting up aims and objectives, resources, communication, budget needs and timelines.</p> <p>An Activity is a specific task (or a groups of tasks) which can also form as part of a 'function'.</p> <p>A Programme is a portfolio of activities and projects that are co-ordinated and managed as a unit such that they realise common outcomes and benefits.</p>
Q1 What are you looking to achieve?	<p>For example this might help to implement outcomes identified in policies such as the Single Equality Scheme, Disability Equality Scheme, other EIAs in your service department, or in another department that your service/service users also interact with and draw down services from, Corporate Plan, LAA Targets, CAA Aims, UDP, or JSNA.</p>

<p>Q2 Who in the main will benefit?</p>	<p>Hereafter, 'policy' means policy, strategy, function, project, activity, or programme</p> <p>Disability Service providers also have an anticipatory duty to make reasonable adjustments for disabled people. These two duties frequently overlap and it is sensible to consider them together. For example, can you:</p> <ul style="list-style-type: none"> ▪ Provide accessible communications? ▪ Change how you collate and use data? ▪ Revise how you involve service users? <p>Analyse the impact of the policy on the protected characteristics with due regard to the Public Sector Equality Duty.</p> <p>Use your reasoning in order to determine whether the impact will be high, medium or low. What do we mean by these terms?:</p> <p>High</p> <ul style="list-style-type: none"> ▪ The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human rights ▪ There is substantial or a fair amount of evidence that some groups are (or could be) differently affected by it ▪ There is substantial or a fair amount of public concern about it <p>Medium</p> <ul style="list-style-type: none"> ▪ The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human rights ▪ There is some evidence that some groups are (or could be) differently affected by it ▪ There is some public concern about it <p>Low</p> <ul style="list-style-type: none"> ▪ The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human rights ▪ There is little evidence that some groups are (or could be) differently affected by it ▪ There is little public concern about it <p>Use your reasoning to determine whether the impact will be positive, neutral, or negative. There are three</p>
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possible outcomes:

- **Positive:** The EIA shows the policy is not likely to result in adverse impact for any protected characteristic and does advance equality of opportunity, and/or fulfils PSED in another way
- **Neutral:** The EIA shows the policy, strategy, function, project or activity is not likely to result in adverse impact for any protected characteristic and does not advance equality of opportunity, and/or fulfils PSED in another way
- **Negative:** The EIA shows the policy, strategy, function, project or activity is likely to have an adverse impact on a particular protected characteristic(s) and potentially does not fulfil PSED, or the negative impact will be mitigated through another means.

Should your policy not be applicable, you must note this and state why.

Human Rights, Children's Rights

Additionally, demonstrate here that the impact on **Human and/or Children's Rights** arising from the policy has been considered.

Human Rights

Public authorities have an obligation to act in accordance with the European Convention on Human Rights. These are:

- Article 2: [Right to life](#)
- Article 3: [Freedom from torture and inhuman or degrading treatment](#)
- Article 4: [Right to liberty and security](#)
- Article 5: [Freedom from slavery and forced labour](#)
- Article 6: [Right to a fair trial](#)
- Article 7: [No punishment without law](#)
- Article 8: [Respect for your private and family life, home and correspondence](#)
- Article 9: [Freedom of thought, belief and religion](#)
- Article 10: [Freedom of expression](#)
- Article 11: [Freedom of assembly and association](#)
- Article 12: [Right to marry and start a family](#)
- Article 14: [Protection from discrimination in respect of these these rights and freedoms](#)
- Article 1 of Protocol 1: [Right to peaceful enjoyment of your property](#)
- Article 2 of Protocol 1: [Right to education](#)
- Article 3 of Protocol 1: [Right to participate in free elections](#)

	<p>(Article 1 of Protocol 13 is: Abolition of the death penalty)</p> <p>Each of the above links takes you to explanations and examples provided by the EHRC. Further, the EHRC and the Ministry of Justice both provide guides for public authorities.</p> <p>Children’s Rights (UNCRC) All children and young people up to the age of 18 years have all the rights in the Convention. Some groups of children and young people - for example those living away from home, and young disabled people - have additional rights to make sure they are treated fairly and their needs are met.</p> <p>Every child in the UK has been entitled to over 40 specific rights. These include:</p> <ul style="list-style-type: none"> ▪ The right to life, survival and development ▪ The right to have their views respected, and to have their best interests considered at all times ▪ The right to a name and nationality, freedom of expression, and access to information concerning them ▪ The right to live in a family environment or alternative care, and to have contact with both parents wherever possible ▪ 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 ▪ Special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation <p>The rights included in the convention apply to all children and young people, with no exceptions.</p> <p>The above and more information can be found at Direct Gov.</p>
<p>Q3 Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>Yes/No</p> <p>Use your evidence from Q2 to state why</p>
<p>Q4</p>	<p>Yes/No</p>

Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity and/or human rights?	If the answer here is 'yes', then it is necessary to go ahead with a Full Equality Impact Analysis. You should also consider a Full Equality Impact Analysis if your decision is likely to be of high relevance to equality, and/or be of high public interest.
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