

Equality Impact Analysis Full 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 analyse decisions of high relevance to equality, and/or of high public interest

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 | 2010/2011 / 4 th quarter |
| Name and details of policy, strategy, function, project, activity, or programme | Title of EIA: Reshaped Sure Start Children’s Centres Network Summary: Following a period of consultation with local residents. It is proposed that the Children’s Centres in the borough be reconfigured into a Hub/Spoke/Satellite model. The proposed six Hub centres will focus their work on the principles of the former Sure Start Local Programmes with an emphasis on vulnerable families, work readiness for parents, school readiness for children and parenting skills whilst a series of 10 spokes/satellites will deliver a universal offer for all families with children under the age of 5. |
| Lead Officer | Name: : Gill Sewell Position: Assistant Director, Children, Youth and Communities Email: gill.sewell@lbhf.gov.uk |

| | |
|--|------------------------------|
| | Telephone No: 020 8753 3608: |
| Date of completion of final EIA | 15/3/11 |

| | |
|--|--|
| Section 02 | Scoping of Full EIA |
| Plan for completion | <p>Timing: Following cabinet approval, we expect implementation to become effective from 1/7/11</p> <p>Resources: Funding for the programme will come from the Early Intervention Grant. Current resources have been in officer time only.</p> <p>Lead Officer: Gill Sewell</p> |
| What is the policy, strategy, function, project, activity, or programme looking to achieve? | <p>Aims:</p> <p>The reconfiguration will closely align children’s centres with the already agreed family support programme. It will place focused service delivery on vulnerable families whilst continuing a universal offer of services which have been identified as valuable by families during the public consultation such as stay and play sessions.</p> <p>Objectives:</p> <p>Existing service users will be able to continue to access services once reconfigured at the designated hubs. All new birth families will be contacted by their nearest hub centre. These include all current and future users from all nine protected characteristic strands. Whilst there will be users who currently access services at a centre which will now not offer a full range of services, hubs have been identified as being no further than under one mile from existing provision and those identified as spokes will continue at their same venues and will offer universal services.</p> |

| | | | | |
|--|------------|---|---|---------------------------------|
| | Age | <ul style="list-style-type: none"> • All provision will comply with council policies/guidelines and procedures. Active engagement of older residents if they are carers of children under the age of five as the children's centres actively encourage involvement of grandparents ▪ Services through the children's centres to young children will be enhanced as all of the centres will have access to outdoor play. ▪ There is no youth provision so no impact for this age group although there may be opportunities for the delivery of youth provision in the spokes/satellites when they are not meeting the needs of the under five population. ▪ The needs of parents of all ages will be met via the offer of work readiness programmes including adult learning and the increased emphasis on parenting skills. ▪ Key performance indicators and outcomes are listed in full in section 3.1 in the report. Many of the indicators and outcomes will have a positive impact on children and families. Some examples are listed below, for a full list refer to section 3.1: <ol style="list-style-type: none"> 1. Provision of outreach services for parents/carers/children 2. Activities delivered which will increase families understanding of child development 3. Support for teenage parents 4. Parenting sessions 5. School readiness sessions 6. Childhood obesity programmes for young children and their families | + | L |
| | Disability | <ul style="list-style-type: none"> ▪ Promotion of equality of opportunity between disabled persons and other persons will continue as is currently the policy in the centres which are to be reconfigured. The locations are fully accessible with disabled toilets and signage, borough. Very local disabled users may however have to travel further to access a full range of services but the universal offer will remain available at centres currently used. There will also be the opportunity for spokes/satellite centres to develop additional services which could therefore have a specific remit for disabled users if this was | + | M initially and then L |

| | | | | |
|--|--|---|--|--|
| | | <p>deemed appropriate. , There may therefore have a medium impact in the short term as users become familiar with new locations and travel routes but will have a low impact in the long term as there is potential for users to access additional services located in the spoke/satellite sites.</p> <ul style="list-style-type: none"> ▪ Eliminate discrimination that is unlawful under the Act; N/A as services already operate under the principles of the Act and will continue to do so in future. ▪ Eliminate harassment of disabled persons that is related to their disabilities; N/A as there is no evidence of discrimination in the services that are being delivered currently and no reason to assume that by changing service delivery this will alter. Services delivered are run by council schools and are therefore expected to operate within council policies and procedures including Equal Opportunities, DES and SES or by third sector providers who are expected to develop policies which mirror the council's. ▪ Promote positive attitudes towards disabled persons; this area can only be enhanced as more users will have the opportunity to develop appropriate local services in the spokes/satellites and this may give rise to opportunities for greater community cohesion. ▪ Encourage participation by disabled persons in public life; by reconfiguring centres to meet local needs, there may be opportunities for focused services to be developed which will give disabled persons increased exposure to additional opportunities that they may wish to take advantage of. ▪ Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons. N/A currently but will consider if it means that a disabled person needs additional provision to enable access to services delivered within the centres. ▪ In the recent children's centre consultation, parents of disabled children viewed the information and guidance as a priority. As outlined in 3.1 of the report, centres will refer and signpost families to further disability specific services and a range of general services whilst continuing to publish programmes of their own service delivery. In addition, they are expected to provide | | |
| | | | | |

| | | | | |
|--|--------------------------------|--|-----|-----|
| | | information and advice to families on a range of subjects including local childcare, early year's provision and educational services. | | |
| | Gender reassignment | <ul style="list-style-type: none"> ▪ Eliminate unlawful sex discrimination and harassment (including for transsexual people); Services as stated above work under the council's policies (including equal opportunities) and procedures and this would not change with reconfiguration. ▪ Promote equality of opportunity between men and women. Again council policies and procedures apply but in addition Children's Centres are actively promoting work with fathers and there will be further opportunities to reach out to fathers with father specific activities such as Dads and children drop-in sessions and outdoor play activities as all centres will. have access to outside play space | + | L |
| | Marriage and Civil Partnership | Not relevant in this case. | N/A | N/A |
| | Pregnancy and maternity | <p>Analysis of impact on pregnancy and maternity including due regard to PSED (above).</p> <ul style="list-style-type: none"> • All centres actively encourage breast feed and make provision for women to feed whilst on site. Encouraging and promoting breast feeding are key health indicators and will be monitored by health partners delivering services within the centres. • Centres will provide access to health services including ante and post-natal support, providing a venue for Midwifery services enabling them to be delivered in the community making access easier for pregnant women and their partners. | + | M |

| | | | | |
|--|--|---|---|---|
| | Race | <p>Analysis of impact on race including due regard to PSED (above).</p> <ul style="list-style-type: none"> ▪ There are no services aimed at any specific groups using in the centres at present Services offered all promote equality of opportunity and follow council guidelines. Hubs will deliver services based on identified local needs. Therefore the proposal will have a neutral impact on race. ▪ Promotion of equal opportunities will continue as centres will either follow council guidelines and policies or in the case of third sector providers, will be expected to develop policies which mirror the councils. All centres will have service level agreements which will be strictly monitored. ▪ Promotion of good relations between people from different ethnic groups may be enhanced as centres will look to work together to engage local residents and to deliver services which meet locally identified needs. ▪ Centres, as referenced in section 3.1 of the body of the report, will work to engage with under-represented groups, specifically teenage parents, Black and Minority Ethnic groups and fathers. | + | L |
| | Religion/belief (including non-belief) | <p>Analysis of impact on religion including due regard to PSED (above).</p> <ul style="list-style-type: none"> ▪ The children's centres make provision for prayer and will continue to do so as required. | + | L |
| | Sex | <ul style="list-style-type: none"> ▪ All centres work and would continue to work under the council's policies and procedures or similar (in the case of third sector providers) ▪ Fathers, male carers as well as mothers and female carers are encouraged to access services within the centres. ▪ Key performance indicators and outcomes of the centres are listed in section 3.1. Many of these will impact positively on gender for example: <ol style="list-style-type: none"> 1. Information and advice to parents and carers on a range of subjects including family support, childcare and education services | + | H |

| | | | |
|--------------------|---|---|---|
| | <ul style="list-style-type: none"> 2. Early identification of families experiencing domestic violence 3. Provision of outreach services for parents/carers 4. Quality crèche provision to support training opportunities | | |
| Sexual Orientation | <ul style="list-style-type: none"> ▪ All centres will continue to work under policies and procedures in line with the council's. | + | L |

Human Rights and Children's Rights

Will it affect Human Rights, as defined by the Human Rights Act 1998?

No

Reconfiguring of existing services may mean a change of journey for some users but as the services valued by parents/service users will continue in their delivery or in policies it will not affect human rights as defined by the Act.

Will it affect Children's Rights, as defined by the UNCRC (1992)?

Children will continue to enjoy access to relevant services in the reconfigured centres. Centres will plan their services based on the needs of children and families within their area.

Children have the right to life, survival and development:

Services delivered as outlined in section 3.1 of the report will, provide activities which will increase families understanding of child development, provide opportunities for early identification of special needs/disabilities, deliver inclusive services for children and families, provide school readiness and parenting services which will underpin children's development and provide quality crèche provision which is delivered in line with the early years foundation stage for example.

Children have the right to have their views respected and their best interests considered at all times:

Examples of this from the proposed reshaping include activities delivered at the centres which are based on the needs of the children and families, analysed to ensure that needs are met and children are progressing well and are ready to enter school.

| | |
|--|--|
| | <p>Health and welfare rights, including the rights for disabled children, the right to health and healthcare and social security: Access to midwifery services at both the pre and post natal stage, child friendly dentistry services, access to speech and language and CAMHS services, targeted information and advice on nutrition, breastfeeding, healthy lifestyles, safety and obesity will be available at centres. In addition support for families experiencing domestic violence and parenting programmes designed to enhance parenting skills will be available.</p> <p>The right to education, leisure, culture and the arts: Quality crèche provision and a range of play and learning opportunities will be developed and delivered in the centres specifically developed within the early year's foundation stage framework.</p> |
|--|--|

| | |
|------------------------------------|---|
| Section 03 | Analysis of relevant data and/or undertake research |
| Documents and data reviewed | <p>For a list of suggestions and contacts, please see the guidance. Documents reviewed are:</p> <ul style="list-style-type: none"> ▪ LBHF policies and procedures ▪ Children's Centre guidance and delivery plans ▪ Children's Centre consultation results |
| New research | <p>If you are assessing the impact(s) on a hidden or under-researched group, consider undertaking new research in order to be able to evidence your reasoning and move on to the next steps of the tool.</p> <p>New research undertaken was the public consultation additional research was not considered necessary as the LBHF policies and procedures and the Children's Centre policies and procedures are developed in line with equalities guidelines and are regularly reviewed for compliance</p> |

| | |
|---------------------|---|
| Section 04 | Undertake and analyse consultation |
| Consultation | <p>Details of consultation findings are summarised in the body of the report presented to Cabinet.</p> |
| Analysis | <p>What did you learn from your consultation about your proposed or existing policy relation to the protected characteristics and/or human and children's rights?</p> |

| | |
|--|---|
| | The analysis undertaken has shown that the universal activities valued by families are ones that are still planned to be delivered in centres. Parents expressed concerns about being restricted to certain centres because of their postcodes boundaries. As a result, we are removing postcode boundaries and enabling parents to access services at centres of their choice. |
|--|---|

| | |
|-------------------|--|
| Section 05 | Analysis of impact and outcomes |
| Analysis | What has your consultation and analysis of data shown? Is there evidence of lawful and/or unlawful discrimination? There is no evidence of discrimination |

| | |
|----------------------------|--|
| Section 06 | Reducing any adverse impacts |
| Outcome of Analysis | Include any specific actions you have identified that will remove or militate against the risk of unlawful discrimination. As stated previously, families will now be able to access any centre of their choice |

| Section 07 | Action Plan | | | | | |
|--------------------|--|---|--|----------------|---|-------------------------------------|
| Action Plan | Action Plan | | | | | |
| | Issue identified | Action (s) to be taken | When | Lead officer | Expected outcome | Date added to business/service plan |
| | Outcomes and performance indicators to be agreed | Meetings with proposed hubs and spokes/satellites to agree indicators | Immediately following cabinet approval | Gill Sewell | Indicators agreed enabling SLA's to be drawn up | 1 July implementation |
| | Spoke/satellite | Meetings to be | On going work | Senior officer | A range of | 1 July |

| | | | | | | |
|--|--------------------------------------|--|-------------------------------------|------------------------------------|--|-----------------------------|
| | activity to be defined and developed | held with identified spokes/satellites and potential service providers | to begin following cabinet approval | under the direction of Gill Sewell | services provided by local partners from health and the third sector | implementation but on going |
|--|--------------------------------------|--|-------------------------------------|------------------------------------|--|-----------------------------|

| | |
|---|---|
| Section 08 | Agreement, publication and monitoring |
| Chief Officer sign-off | Name: Position: Email: Telephone No: |
| Key Decision Report | Date of report to Cabinet/Cabinet Member: 18/4/11 Confirmation that key equalities issues found here have been included: Yes |
| Opportunities Manager for advice and guidance only | Name: Position: Date advice / guidance given: Email: Telephone No: |

Full Equality Impact Analysis Guidance

| | |
|--|---|
| Section 02 | Scoping of EIA |
| What is the policy, strategy, function, project, activity, or programme looking to achieve? | Hereafter, 'policy' means policy, strategy, function, project, activity, or programme 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: <ul style="list-style-type: none"> ▪ Provide accessible communications? |

- Change how you collate and use data?
- Revise how you involve service users?

Analyse the impact of the policy on the [protected characteristics](#) with due regard to the Public Sector Equality Duty.

Use your reasoning in order to determine whether the impact will be high, medium or low. What do we mean by these terms?:

High

- The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human/children's 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

Medium

- The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human/children's rights
- There is some evidence that some groups are (or could be) differently affected by it
- There is some public concern about it

Low

- The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human/children's rights
- There is little evidence that some groups are (or could be) differently affected by it
- There is little public concern about it

Use your reasoning to determine whether the impact will be positive, neutral, or negative. There are three 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](#)

(Article 1 of Protocol 13 is: Abolition of the death penalty)

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.

Children's Rights (UNCRC)

| | |
|--|---|
| | <p>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>More information on UNCRC can be found at Direct Gov.</p> |
|--|---|

| Section 03 | Analysis of relevant data and/or undertake relevant research |
|------------------------------------|--|
| Documents and data reviewed | <p>Examples:</p> <ul style="list-style-type: none"> ▪ Previous EIA's ▪ <u>Single Equality Scheme</u> ▪ <u>Disability Equality Scheme</u> ▪ <u>Corporate Plan</u> ▪ <u>LAA Targets</u> ▪ <u>UDP</u> ▪ <u>JSNA</u> ▪ <u>LBHF Consultations</u> ▪ <u>Deprivation information</u> ▪ <u>Census info on population</u> ▪ <u>Ward Profiles</u> |

| | |
|---------------------|--|
| | <ul style="list-style-type: none"> ▪ CRAIG information, including local plans and research ▪ Council or External Studies or Research (inc. for hidden populations such as LGBT) ▪ Service Monitoring Reports (qualitative and quantitative) ▪ Consultation/focus group feedback (inc. feedback from users and/or organisations that represent users) ▪ Complaints and Comments ▪ Monitoring information (inc. service equality or workforce monitoring etc). ▪ Information from formal audits ▪ Previous customer research and satisfaction surveys – such as the Annual Resident's Satisfaction Survey and Place Survey ▪ Staff Surveys, opinions and information from Trade Unions (contact Organisation Development) ▪ Workforce monitoring: contact the TRENT team and/or see HR Statistics for LBHF ▪ Contract monitoring reports ▪ Press coverage ▪ Feedback from focus groups, area panels or forums, etc ▪ Feedback from individuals or organisations representing the interests of key target groups or similar ▪ The knowledge, technical advice, expertise and experience of the people assisting in the completion of the EIA ▪ Academic, qualitative and quantitative research, including findings from other councils. (There are many institutions that carry out this kind of research and it is not possible to list them here. Those such as IESR and IFS focus on economics, as examples) ▪ Outcomes of Judicial Reviews/Judgements <p>Assess your sources against the protected characteristics and the aims of your policy in order to plan your consultation.</p> |
| New research | If you find that you need to undertake new research, please contact the Opportunities Manager |
| Section 04 | Analyse or undertake consultation |
| Consultation | <p>The specific duties assume the need to undertake engagement as they state that public bodies must publish information about the engagement they have undertaken with persons with an interest in furthering the aims of the equality duty.</p> <p>The specific duties do not set out how or when we should engage and consult. This means that your</p> |

| | |
|----------------|--|
| | <p>consultation will need to be proportionate to the decision that is being taken.</p> <p>You may wish to draft the EIA and make it available alongside the policy that you are consulting on, during consultation, in order to gain feedback.</p> <p>The EHRC has produced a guide to consultation, and general guidance. These may help you.</p> <p>Design your consultation with the Involving Residents Policy in mind and in line with the Council's Consultation Guidelines. Community Liaison also have a list of community and voluntary organisations in the borough (officer details).</p> |
| Analyse | <p>What did you find in your consultation about your proposed or existing policy in relation to the protected characteristics? What were their experiences and/or needs, and how do these relate to outcomes/your proposed or existing policy?</p> |

| | |
|-------------------|---|
| Section 05 | Analysis of impact and outcomes |
| Analysis | <p>In assessing the impact(s) on protected characteristics, including where people are represented in more than one, consider whether there is potential for it to result in unlawful discrimination, or a less favourable impact on any protected characteristic, or if an opportunity to promote equality has been missed.</p> <p>To do this, you need to analyse your evidence and whether what you have found indicates direct or indirect discrimination. You must consider the relevance of your policy to the protected characteristics, and the weight given to each of these (including where people are represented in more than one).</p> <p>Direct discrimination This is where a person, or group of people, are treated less favourably than others in the same circumstances on the grounds of a protected characteristic.</p> <p>Indirect discrimination This is where a requirement or condition is applied to all individuals or groups equally, but which is such that:</p> <ul style="list-style-type: none"> ▪ The proportion of one group who can comply is considerably smaller than those of another group who can also comply with it ▪ It cannot be shown to be justifiable |

- It is to the disadvantage of that group because they cannot comply with it

Relevance and Proportionality


The weight given to each protected characteristic should be proportionate to its relevance to the policy. For example, the London Borough of Ealing lost a case in which the Judge considered that they had not taken the relevance of race and gender into account when redesigning the funding criteria for domestic violence services. Part of the Judgement stated:

Ealing observed that the largest proportion of domestic violence in its borough was suffered by white European women. But that statistic was meaningless and irrational unless compared with the fact that 58 per cent of the female population of Ealing during the same period consisted of white European women. As the documents show, 28 per cent of domestic violence was suffered by Indian, Pakistani and other Asian women. That statistic is of vital importance when one considers that those groups made up only 8.7 per cent of the population within Ealing. In those circumstances it is plain from the statistics available to Ealing that a very large proportion of women from that background suffered from domestic violence in comparison to white European women.

Had Ealing appreciated that the important focus of their attention should be upon the proportion of black minority ethnic women within the borough and consideration of how high a proportion of those women suffered from domestic violence, it could never have reached the conclusion that there was no correlation between domestic violence and ethnicity. Any such conclusion was, in my judgment, perverse.

[\[2008\] EWHC 2062 \(Admin\)](#)

| | |
|------------------------------|--|
| Section 06 | Reducing any adverse impacts |
| Outcome of Assessment | <p>From your assessment of impacts and outcomes, identify any specific actions that will remove or mitigate against the risk of unlawful discrimination in the delivery and implementation of your policy.</p> <ul style="list-style-type: none"> ▪ If the policy/strategy or service affects people adversely, can this be justified? Can an adverse impact be overcome? ▪ Where the adverse impact is unlawful the policy/strategy or service must be changed – identify another way to meet objectives. ▪ Will changes to reduce adverse impact be significant? If so consultation will usually need to be undertaken. |



Where it is perceived that the needs of two service users could conflict, you must ensure:

- Firstly, that both are treated with dignity and respect; and
- Secondly, that each treats each other with dignity and respect

For further help please view the intranet, EHRC [website](#), or contact the Opportunities Manager at:

PEIA@lbhf.gov.uk

020 8753 3430

<http://theintranet/Departments/Finance%5Fand%5FCorporate%5FServices/Equality%5Fand%5FDiversity/>

Gill Sewell