



# Uttlesford District Council Equality Policy

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Updated December 2020

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# Forward

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This Equality Policy reinforces Uttlesford District Council's commitment to promoting equality and fairness and recognising and celebrating the diversity that exists among our local communities, staff and members. No matter what separates you from those you pass on the street, each person deserves equal opportunity. No matter what background they may come from or what attributes they may possess, everyone deserves to be treated fairly.

But this does not mean simply treating everyone the same. Equality and Diversity is all about promoting and accepting the things that distinguish us from our neighbours. It's about ensuring that you are open to the needs of those with unique characteristics; that you are supportive and inclusive of them. We recognise this cannot be achieved in isolation, so look forward to working with our partners to achieve our commitment.

**Councillor John Lodge**  
**Leader of the Council**

**Dawn French**  
**Chief Executive**

# Equality Act 2010

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Uttlesford District Council is committed to encouraging equality and diversity throughout its core business. Both in the services the Council provides to the community and in its role as an employer.

Uttlesford District Council is committed to ensuring that no person or group of persons living, working or visiting the district will be directly or indirectly discriminated against because they belong to a particular group with protected characteristics.

Uttlesford District Council believes that tackling inequality will provide a strong foundation for cohesive and confident communities.

The Equality Act 2010 has replaced the three previous Duties covering Race, Disability and Gender with a single Public Sector Equality Duty. This single Equality Duty recognises the following protected characteristics as being:

- Age
- Disability
- Sex
- Sexual orientation
- Race
- Religion or belief
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity

Uttlesford District Council will also ensure that no person or group suffers direct or indirect discrimination due to factors relating to caring duties for dependents or unrelated criminal activities.

Uttlesford District Council's aim is for its workforce to be truly representative of all sections of society and its customers, and for each employee to feel respected and able to give their best.

Uttlesford District Council also has a legal duty to work in a way that is compliant with human rights legislation.

Uttlesford District Council recognises that discrimination can take many forms and is committed to a zero tolerance of harassment and discrimination.

# Public Sector Equality Duty

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Uttlesford District Council has a duty under the Equality Act 2010 to have due regard to the Public Sector Equality Duty [PSED] introduced on the 5 April 2011, which requires the Council, in the exercise of its public functions to have due regard to:

- Eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
  - Removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
  - Taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
  - Encouraging persons who share a relevant characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- Foster good relations between people who share a relevant protected characteristic and those who do not.
  - Tackling prejudice.
  - Promoting understanding

## Delivery and Implementation

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Uttlesford District Council has adopted the Equality Framework for Local Government as its key delivery tool. We will produce a Corporate Equalities Action Plan aimed at raising the council's standards in line with that of the Equality Framework for Local Government. The standards and target for achievement are set out below:

The Equality Framework for Local Government details five Performance Areas:

- Knowing your communities
- Leadership, partnership and organisational commitment
- Involving your communities
- Responsive services and customer care
- A skilled and committed workforce

The Equality Framework for Local Government details three levels of Achievement:

- **Developing** - Understanding the importance of equality
- **Achieving** - Delivering better outcomes
- **Excellent** - Making a difference

Uttlesford District Council is working towards the Achievement Level.

Councillors will have overall responsibility for the direction and scrutiny of this policy and will ensure that the principle of fairness and equality guide the decision making process – Councillor Champions.

The ultimate responsibility for implementing this Policy and achieving change lies with Executive Councillors and Chief Officers. Successful progress will involve the participation of all members and employees who are expected to ensure that the following principles and standards are applied to the employment practices and services which the Council provides. Corporate and departmental working groups will support them in this work.

## Mainstreaming

- Develop and implement corporate and departmental action plans to achieve the aims of the Equality Policy.
- Identify resources to improve sustainable equalities practice.
- Set relevant targets and performance indicators based on an analysis of consultation and data.

## Training

- Ensure staff and councillors have the necessary knowledge and skills to implement the Equality Policy.
- Ensure that all employees understand what equality means in the context of customer care and service provision and are equipped to implement good practice.
- Ensure that all managers understand the requirements of our employment policies as they relate to equalities.

## Monitoring progress

- Use self-assessment, internal audit and the scrutiny process to assess progress against the Equality Framework for Local Government and the Single Equality Scheme, and report this on an annual basis to the council.
- The **Corporate Equality Standards Working Group** and individual departments will produce annual progress reports and update action plans to ensure continued attainment of the various levels of the Equality Framework for Local Government.
- Progress reports on the results of monitoring will be reported to Cabinet, and made available on the council's website and via appropriate channels of access.
- Continue to involve people who are at risk of discrimination and exclusion in monitoring the impacts of our policy and practice.

## Continuous improvement

- Draw on research, government guidance and benchmarking with other local authorities to share, adapt and implement best practice.
- Review and update targets in the light of local need, experience and new legislation.

### A cross-departmental **Corporate Equality Standards Working Group**

Would support the achievement of the Equality Policy and Equality Action Plan by:

- Promote a corporate perspective on equalities issues including the implementation of new equalities directives and legislation.
- Work with others to monitor progress against the Equality Framework for Local Government and report progress to the council's portfolio lead and others.
- Co-ordinate cross-departmental initiatives which actively promote the Equality Policy.
- Sponsor and promote appropriate training to implement the Equality Policy.

## Role of Trade Unions

The trade union are key partners in promoting and helping to ensure adherence to the Equality policy. The involvement, support and participation of employees and their trade unions is essential.

Trade unions associated with the council are committed to a full and active role in promoting the aims and objectives of the Equality Policy.

## Types of Discrimination

The Equality Act 2010 defines the following different types of discrimination.

<b>Direct Discrimination</b>	This occurs when a person is treated less favourable because of a protected characteristic they have.
<b>Indirect Discrimination</b>	This occurs when a condition, rule, policy or practice that an organisation has in place disadvantages people who share a protected characteristics – even if the condition, rule, policy or practice is applied to everyone.
<b>Discrimination arising from Disability</b>	This occurs when a disabled person is treated unfavourably because of something connected with their disability and the unfavourable treatment cannot be justified
<b>Associative Discrimination</b>	This occurs when a person is treated less favourably than another person because they associate with another person who possesses a protected characteristic.
<b>Victimisation</b>	This occurs when someone is treated badly because they have made or supported a complaint or raised a grievance under the Equality Act.
<b>Perceptive Discrimination</b>	This occurs when a person is treated less favourable than another person because others think they possesses a protected Characteristic – even if the person does not actually possess that characteristic.
<b>Harassment</b>	This is unwanted conduct related to a protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
<b>Third Party Harassment</b>	This is when an employee faces unwanted conduct related to a protected characteristic which has the purpose of effect of violating an individual's dignity or

	creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual by people who are not employees of the organisation.
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## Protected Characteristics

### Age

The Equality Act protects people of all ages.

Special exceptions apply for people close to retirement age, and in this situation an employer would not have to show that the age limit they are using is objectively justified – an organisation can decide not to employ someone because of their age if within 6 months of applying for the job, they will be 65 or older, or will be over their organisation's normal retirement age if that is higher than 65.

Age is the only protected characteristic that allows the justification of direct discrimination.

The Equality Act continues to allow employers to have a default retirement age of 65.

### Sex

Both men and women are protected under the Act.

### Sexual Orientation

The Act protects bisexual, gay, heterosexual and lesbian people.

### Marriage and Civil Partnership

The Act protects people who are married or in a civil partnership.

Single people are not protected.

## Race

'Race' includes colour, nationality, and ethnic or national origins. A racial group can be made up of two or more different racial groups, for example, Black Britons.

'Ethnicity' is where a group has a long shared history and cultural tradition, come from a common geographical area, descend from a small number of ancestors, have a common language or literature and a common religion.

## Disability

The Equality Act protects anyone who has, or has had, a disability; for example, if a person has had a mental health condition in the past that met the Act's definition of disability and is harassed because of this, it would be unlawful.

The Act defines disability as a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities.

'Impairment' covers, for example, long-term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis or motor neurone disease. A mental impairment includes mental health conditions such as bipolar disorder or depression, learning difficulties such as dyslexia and learning disabilities such as autism and Down's syndrome. Some people, including those with cancer, multiple sclerosis and HIV/AIDS, are automatically protected by the Act. People with severe disfigurement will be protected without needing to show that it has a substantial adverse effect on day-to-day activities.

There is a legal requirement to make reasonable changes to the way things are done; this could include changing a policy, making changes to the built environment, such as making changes to the structure of a building to improve access, and providing auxiliary aids and services, such as providing information in an accessible format, an induction loop for customers with hearing aids, special computer software or providing additional support for employees or customers using a service.

Where a service is delivered from a building that cannot be made accessible through reasonable adjustments, it may be a reasonable adjustment to provide the service at a different venue, including a home visit.

## Gender Reassignment

The Act provides protection for transsexual people.

A transsexual person is someone who proposes to, starts or has completed a

process to change his or her gender.

The Act does not require a person to be under medical supervision to be protected – so a woman who decides to live permanently as a man but does not undergo any medical procedures would be covered.

Transgender people such as cross dressers, who are not transsexual because they do not intend to live permanently in the gender opposite to their birth sex, are not protected by the Act.

It is discrimination to treat transsexual people less favourably for being absent from work because they propose to undergo, are undergoing or have undergone gender reassignment than they would be treated if they were absent because they were ill or injured. Medical procedures for gender reassignment such as hormone treatment should not be treated as a 'lifestyle' choice.

## Pregnancy and Maternity

A woman is protected against discrimination on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled. During this period, pregnancy and maternity discrimination cannot be treated as sex discrimination.

It is unlawful to take into account an employee's period of absence due to pregnancy related illness when making a decision about her employment.

It is unlawful to discriminate against a woman because she is breastfeeding. Women to whom an organisation is providing goods, facilities and services should be able to breastfeed should they so wish.

## Religion or Belief

Religion includes any religion. It also includes a lack of religion, in other words people are protected if they do not follow a certain religion or have no religion at all.

A religion must have a clear structure and belief system.

Belief means any religious or philosophical belief or a lack of such belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.

Denominations or sects within a religion can be considered a protected religion or religious belief.

Political beliefs would not be protected.

Discrimination because of religion or belief can occur even where both the discriminator and recipient are of the same religion or belief.

## Positive Action

For all groups of people with characteristics protected under the Equality Act to benefit equally from employment and services provided by organisations, some groups may need more help or encouragement than others. This is because some groups are disadvantaged or under-represented, or have different needs from the population as a whole due to past or present discrimination or exclusion or particular experiences.

The Equality Act allows employers and service providers to take action that may involve treating one group more favourably where this is a **proportionate way** to help members of that group overcome a disadvantage or participate more fully, or in order to meet needs they have that are different from the population as a whole. This is called 'positive action'.

Positive action can be taken when three conditions are met:

- The organisation must reasonably think that a group of people who share a protected characteristic:
  - suffer a disadvantage linked to that characteristic
  - have a disproportionately low level of participation in this type of employment, service or activity, or
  - need different things from this employment or service from other groups.

'Reasonably think' means that the disadvantage, low level of participation or different needs can be seen (detailed statistical or other evidence of this does not need to be shown).

- The action taken is intended to:
  - \_meet the group's different needs
  - \_enable or encourage the group to overcome or minimise that disadvantage, or
  - \_enable or encourage the group to participate in that activity.
- The action taken is a **proportionate way** to increase participation, meet different needs or overcome disadvantage. This means that the action is appropriate to that aim and that other action would be less effective in achieving this aim or likely to cause greater disadvantage to other groups.

Positive action is always voluntary – not compulsory

## Pre-employment health-related checks

The Equality Act limits the circumstances when employers can ask health-related questions before offering an individual a job. Up to this point, employers can only ask health related questions to help the to:

- Decide whether any reasonable adjustments need to be made for the person to the selection process
- Decide whether an applicant can carry out a function that is essential to the job
- Monitor diversity among people making applicants for jobs
- Take positive action to assist disabled people

- Ensure that a candidate has the disability where the job genuinely requires the jobholder to have a disability

Once a person has passed the interview and have been offered a job (whether this is an unconditional or conditional job offer) the employer is permitted to ask appropriate health-related questions.

## Equal Pay

This is designed to prevent discrimination between men and women in respect of their terms and conditions of employment, including pay. In most circumstances a challenge to pay inequality and other contractual terms and conditions has to be made by comparison with a real person of the opposite sex in the same employment. However, the Equality Act allows a claim of direct pay discrimination to be made, even if no real person comparator can be found.

## Pay Secrecy

The Act makes it unlawful for an employer to prevent or restrict employees from having a discussion to establish if differences in pay exist that are related to protected characteristics. It also makes terms of the contract of employment that require pay secrecy unenforceable because of these discussions.

An employer can require their employees to keep pay rates confidential from some people outside the workplace, for example a competitor organisation.

## Occupational Requirements

If an employer can show that a particular protected characteristic is central to a particular job, they can insist that only someone who has that particular protected characteristic is suitable for the job. This would be an 'occupational requirement'. For example, a women's refuge may want to say that it should be able to employ only women as counsellors. Its client base is only women who are experiencing domestic violence committed by men. This would probably be a genuine occupational requirement.

## Obeying another Law

An employer can take into account a protected characteristic where not doing this would mean they broke another law. For example, a driving school must reject a 19 year old who applies for a job as a driving instructor because to offer them a job – even if they are the best candidate – would involve breaking the law because a driving instructor must be aged at least 21.

## Exceptions

There are exceptions that apply to some employers:

A religion or belief organisation, may be able to say that a job requires a person doing the job to hold a particular religion or belief if, having regard to the nature or content of the job, this is an occupational requirement and it is objectively justified. For example, a Humanist organisation which promotes Humanist philosophy and principles would probably be able to apply an occupational requirement for its chief executive to be a Humanist.

An organised religion (or, when not an organised religion but a job is for the purposes of an organised religion) may be able to say that a job or role requires a person to have or not have a particular Protected Characteristic or to behave or not behave in a particular way. If:

- a job or role exists for the purposes of an organised religion, such as being a Minister or otherwise promoting or representing the religion, and
- because of the nature or context of the employment, it is necessary to avoid conflict with the strongly held religious convictions of a significant number of the religion's followers or to conform to the doctrines of the religion by applying a requirement to the job or role.

Employment may be refused to a person because:

- they are male or female,
- they are a transsexual person,
- they are married or in a civil partnership, including taking into account who they are married to or in a civil partnership with (such as someone who marries a divorced person whose former spouse is still alive),
- they manifest a particular sexual orientation, for example, a gay or lesbian or bisexual person who is in a relationship with a same-sex partner.

The requirement must be crucial to the job or role, and not merely one of several important factors. The job or role must be closely related to the purposes of the religion, and the application of the requirement must be proportionate.

- An employment service provider may be able to say that a person must have a particular Protected Characteristic to do vocational training, if the training leads to work for which having that characteristic is an occupational requirement.
- An educational establishment like a school or college, may be able to say that someone has to be of a particular religion or belief, or must be a woman.
- Recruiting to the civil, diplomatic, armed or security and intelligence services and some other public bodies, can specify what nationality a person has to be.
- Recruiting for service in the armed forces, may be able to exclude women and transsexual people if this is a proportionate way to ensure the combat effectiveness of the armed forces. In addition, age and disability are, in effect, not Protected Characteristics in relation to

service in the armed forces. Disability can also be a reason to refuse someone work experience in the armed forces.

## Summary of current legislation and associated qualities duties

### European Equal Treatment Directive 1976

This provides that there will be no discrimination whatsoever on grounds of sex, either directly or indirectly, by reference in particular to marital or family status. Similar provisions exclude discrimination on grounds of sex in the conditions for access to all jobs or posts, whatever the sector or branch of activity and to training. The principle of equal treatment with regard to working conditions, including dismissal, has the effect of guaranteeing men and women 'the same conditions without discrimination on the grounds of sex'. The Directive can be directly relied upon by employees within the public sector regardless of whether or not its provisions have been incorporated into UK law.

### Human Rights Act 1998

This incorporates the European Convention of Human Rights into UK law and applies to public authorities such as the council. As a result the positive rights and freedoms guaranteed under the European Convention have become directly enforceable in UK courts and tribunals. Cases should be brought within one year. From 2nd October 2000 courts and tribunals have to interpret discrimination law in accordance with the European Convention on Human Rights. Areas of UK law where there is not already a remedy for discrimination (e.g. on grounds of sexual orientation) are likely areas for challenge under the Human Rights Act.

## Accessible Information

Uttlesford District Council is committed to providing equal access to services and employment opportunities for all citizens and visitors of Uttlesford. The council is also committed to creating a meaningful dialogue with all communities.

All officers and members need to know how to make meetings and information accessible to our customers. Along with our customer service standards, there are some other points that staff should be aware of, in order to provide an excellent level of customer service. We can provide or have the means to provide a number of facilities, which help our customers access our services, no matter what their requirements.

## **Sight Impairments**

It is now policy to include a message at the bottom of all leaflets and forms, informing the customer of the availability of obtaining their correspondence in other forms such as large print version or in Braille.

## **Hearing Impairments**

If a customer has a hearing impairment, they will tell you if any adjustments need to be made. In our main reception area all the desks are supplied with induction loops. There is also a portable induction loop available for general use, induction loops are also in our council chamber and committee room.

A customer should inform you if they practice lip reading. If this happens please remember to speak clearly and not too fast, be in a well-lit area, but avoid having a direct light source behind you, and avoid covering or obstructing your face

We are committed to providing a website that is accessible to as many users as possible, when visiting the council's website our accessibility statement can be found at the foot of every screen.

## **Complaints Process**

If members of the community feel that the council is in breach of its commitment to equalities they may make a complaint using the council's complaints procedure. Any complaint will be dealt with in the same way as any other form of complaint. The complaints procedure will be actively promoted through a variety of media including day to day service delivery.

# Equality & Health Impact Assessment (EqHIA)

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## What is it?

The Equality & Health Impact Assessment (EqHIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service; whilst at the same time ensuring a person's chance of leading a healthy life is the same wherever they live and whoever they are. We want to ensure that the activities of the Council are 'fit for purpose' and meet the needs of Uttlesford's increasingly diverse communities and employees. This robust and systematic EqHIA process ensures that any potential detrimental effects or discrimination is identified removed, or mitigated and positive impacts are enhanced.

## When to Assess:

An EqHIA should be carried out when you are changing, removing or introducing a new service, policy, strategy or function; for simplicity, these are referred to as an "activity" throughout this document. It is best to conduct the assessment as early as possible in the decision-making process.

### Guidance: Equality & Health Impact Assessment Checklist

The Checklist in Section 1 asks the key questions,

**4a) Are you changing, introducing a new, or removing a service, policy, strategy or function?**

**4b) Does these activities (policy/strategy/service/decision) have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?**

**4c) Does this activity (policy/strategy/service/decision) have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?**

- If the answer to ANY of the questions 4a, 4b or 4c of the Checklist is 'YES' then you must carry out an assessment. e.g. Proposed changes to Contact Centre Opening Hours  
'YES' = you need to carry out an EqHIA
- If the answer to ALL of the questions, 4a or 4b of the Checklist is NO, then you do not need to carry out an EqHIA assessment. e.g. Quarterly Performance Report  
'NO' = you DO NOT need to carry out an EqHIA. Please provide a clear explanation as to why you consider an EqHIA is not required for your activity.

### Using the Checklist

The assessment should take into account all the potential impacts of the proposed activity, be it a major financial decision, or a seemingly simple policy change. Considering and completing this EqHIA will ensure that all Council plans, strategies, policies, procedures, services or other activity comply with relevant statutory obligations and responsibilities. In particular it helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty and its public health duties under the Health and Social Care Act 2012](#).

## Having Due Regard

To have due regard means that in making decisions and in its other day-to-day activities, the Council must consciously consider the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups
- Reduce inequalities in health outcomes

## Combining Equality and Health Impact Assessment:

[Equality Impact Assessments \(EIAs\)](#) provide a systematic way of ensuring that legal obligations are met. They assess whether a proposed policy, procedure, service change or plan will affect people different on the basis of their 'protected characteristics' and if it will affect their human rights. Currently there are **nine protected characteristics** (previously known as 'equality groups' or 'equality strands'): age, disability, sex/gender, ethnicity/race, religion/faith, sexual orientation, gender reassignment, marriage/civil partnership, and pregnancy/ maternity/paternity.

An activity does not need to impact on all 9 protected characteristics – impacting on just one is sufficient justification to complete an EqHIA.

This [Equality and Health Impact Assessment \(EqHIA\)](#) brings together a single tool which will result in a set of recommendations to eliminate discrimination and inequality; enhance potential positive impacts and mitigate where possible for negative impacts.

In conducting this EqHIA you will need to assess the impact (positive, neutral or negative) of your activity on individuals and groups with **protected characteristics** (this includes staff delivering your activity), **socio-economic status** and **health & wellbeing**. Guidance on what to include in each section is given on the next pages.

### Guidance: What to include in background/context

In this section you will need to add the background/context of your activity, i.e. what is the activity intending to do, and why?

Make sure you include the scope and intended outcomes of the activity being assessed; and highlight any proposed changes. Please include a brief rationale for your activity and any supporting evidence for the proposal. Some questions to consider:

- What is the aim, objectives and intended outcomes?
- How does this activity meet the needs of the local population?
- Has this activity been implemented in another area? What were the outcomes?
- Is this activity being implemented as per best practice guidelines?
- Who were the key stakeholders in this activity?

\*Note that the boxes will expand as

required

**Guidance: Who will be affected by the activity?**

The people who will be affected may be

**Residents:** pay particular attention to vulnerable groups in the population who may be affected by this activity

**Businesses/ manufacturing / developers / small, medium or large enterprises**

**Employees:** e.g. Council staff for an internal activity, other statutory or voluntary sector employees, local businesses and services

\*Note that the boxes will expand as required

**Guidance: What to include in assessing a Protected Characteristic e.g. AGE**

Please tick (✓) the relevant box:

**Positive**

**Neutral**

**Negative**

**Overall impact:** In this section you will need to consider and note what impact your activity will have on individuals and groups (including staff) with protected characteristics based on the data and information you have. You should note whether this is a positive, neutral or negative impact.

**It is essential that you note all negative impacts. This will demonstrate that you have paid ‘due regard’ to the Public Sector Equality Duty (<https://www.gov.uk/government/publications/public-sector-equality-duty>) if your activity is challenged under the Equality Act.**

\*Note that the boxes will expand as required

**Evidence:** In this section you will need to document the evidence that you have used to assess the impact of your activity.

When assessing the impact, please consider and note how your activity contributes to the three aims of the Public Sector Equality Duty (PSED) as stated in the section above.

It is essential that you note the full impact of your activity, so you can demonstrate that you have fully considered the equality implications and have paid ‘due regard’ to the PSED should the Council be challenged.

- If you have identified a **positive impact**, please note this.
- If you think there is a **neutral impact** or the impact is not known, please provide a full reason why this is the case.
- If you have identified a **negative impact**, please note what steps you will take to mitigate this impact. If you are unable to take any mitigating steps, please provide a full reason why. All negative impacts that have mitigating actions must be recorded in the **Action Plan**.
- **Please ensure that appropriate consultation with affected parties has been undertaken and evidenced**

**Sources used:** In this section you should list all sources of the evidence you used to assess the impact of your activity. This can include:

- Service specific data, benchmarking with other organisations, national best practice
- Population, demographic and socio-economic data. Suggested sources include:
  - o Service user monitoring data that your service collects
  - o [www.essexinsight.org.uk](http://www.essexinsight.org.uk)
  - o [Office for National Statistics \(ONS\)](http://Office for National Statistics (ONS))

If you do not have any relevant data, please provide the reason why.

\*Note that the boxes will expand as required

**Guidance: What to include in assessing Health & Wellbeing Impact:**

Please tick (✓) all the relevant boxes that apply:

**Positive**

**Overall impact:** In this section you will need to consider and note whether the proposal could have an overall impact on, or implications for, people’s health and wellbeing or any factors which determine people’s health.

How will the activity help address inequalities in health?

**Neutral**

Include here a brief outline of what could be done to enhance the positive impacts and, where possible, mitigate for the negative impacts.

**Negative**

\*Note that the boxes will expand as required

**Do you consider that a more in-depth HIA is required as a result of this brief assessment?** Please tick (✓) the relevant box

Yes  No

**Evidence:** In this section you will need to outline in more detail how you came to your conclusions above:

- What is the nature of the impact?
- Is the impact **positive** or **negative**? It is possible for an activity to have **both positive and negative impacts**. Consider here whether people will be able to access the service being offered; improve or maintain healthy lifestyles; improve their opportunities for employment/income; whether and how it will affect the environment in which they live (housing, access to parks & green space); what the impact on the family, social support and community networks might be
- What can be done to mitigate the negative impacts and/or enhance the positive impacts?
- If you think there is a **neutral impact**, or the impact is not known, please provide a brief reason why this is the case.
- What is the likelihood of the impact? Will the impact(s) be in weeks, months or years? In some cases the short-term risks to health may be worth the longer term benefits.
- Will the proposal affect different groups of people in different ways? A proposal that is likely to benefit one section of the community may not benefit others and could lead to inequalities in health.

**Please use the Health & Wellbeing Impact Tool in Appendix 2 as a guide/checklist to assess the potential wider determinants of health impacts.**

This tool will help guide your thinking as to what factors affect people’s health and wellbeing, such

as social support, their housing conditions, access to transport, employment, education, crime and disorder and environmental factors. It is not an exhaustive list, merely a tool to guide your assessment; there may be other factors specific to your activity.

Some questions you may wish to ask include:

- Will the activity impact on people's ability to socialise, potentially leading to social isolation?
- Will the activity affect a person's income and/or have an effect on their housing status?
- Is the activity likely to cause the recipient of a service more or less stress?
- Will any change in the service take into account different needs, such as those with learning difficulties?
- Will the activity affect the health and wellbeing of persons not directly related to the service/activity, such as carers, family members, other residents living nearby?
- If there is a short-term negative effect, what will be done to minimise the impact as much as possible?
- Are the longer-term impacts positive or negative? What will be done to either promote the positive effects or minimise the negative effects?
- Do the longer term positive outcomes outweigh the short term impacts?

\*Note that the boxes will expand as required

**Sources used:** In this section you should list all sources of the evidence you used to assess the impact of your activity. This could include, e.g.:

Information on the population affected

- Routinely collected local statistics (e.g. quality of life, health status, unemployment, crime, air quality, educational attainment, transport etc.)
- Local research/ Surveys of local conditions
- Community profiles i.e. Uttlesford JSNA

Wider Evidence

- Published Research, including evidence about similar proposals implemented elsewhere (e.g. Case Studies).
- Predictions from local or national models
- Locally commissioned research by statutory/voluntary/private organisations

Expert Opinion

- Views of residents and professionals with local knowledge and insight

\*Note that the boxes will expand as required

## Guidance: Outcome of the Assessment

On reflection, what is your overall assessment of the activity?

The purpose of conducting this assessment is to offer an opportunity to think, reflect and **improve** the proposed activity. It will make sure that the Council can evidence that it has considered its due regard to equality and health & wellbeing to its best ability.

It is not expected that all proposals will be immediately without negative impacts! However, where these arise, what actions can be taken to mitigate against potential negative effects, or further promote the positive impacts?

Please tick one of the 3 boxes in this section to indicate whether you think:

1. all equality and health impacts are adequately addressed in the activity – proceed with your activity pending all other relevant approval processes
2. The assessment identified some negative impacts which could be addressed – please complete the Action Plan in Section 4.
3. If the assessment reveals some significant concerns, this is the time to stop and re-think, making sure that we spend our Council resources wisely and fairly. There is no shame in stopping a proposal.

\*Note that the boxes will expand as required

### **Guidance: Action Plan**

For each protected characteristic/health & wellbeing impact where an impact on people or their lives has been identified, complete one row of the action plan. You can add as many further rows as required.

State whether the impact is Positive or Negative

Briefly outline the actions that can be taken to mitigate against the negative impact or further enhance a positive impact. These actions could be to make changes to the activity itself (service, proposal, strategy etc.) or to make contingencies/alterations in the setting/environment where the activity will take place.

For example, might staff need additional training in communicating effectively with people with learning difficulties, if a new service is opened specifically targeting those people? Is access to the service fair and equitable? What will the impact on other service users be? How can we ensure equity of access to the service by all users? Will any signage need changing? Does the building where the service being delivered comply with disability regulations?

### **Guidance: Review**

Changes happen all the time. A service/strategy/policy/activity that is appropriate at one time, may no longer be appropriate as the environment around us changes. This may be changes in our population, growth and makeup, legislative changes, environmental changes or socio-political changes.

Although we can't predict what's going to happen in the future, a review is recommended to ensure that what we are delivering as a Council is still the best use of our limited resources. The timescale for review will be dependent on the scale of the activity.

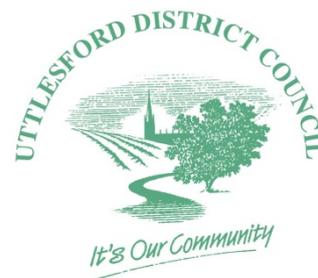
A major financial investment may require a review every 2-3 years for a large scale regeneration project over 10-15 years.

A small policy change may require a review in 6 months to assess whether there are any unintended outcomes of such a change.

Please indicate here how frequently it is expected to review your activity and a brief justification as to why this timescale is recommended.



## Appendix 1



# Uttlesford District Council Equality & Health Impact Assessment (EqHIA)

## Document control

<b>Title of activity:</b>	<i>Insert title here</i>
<b>Lead officer:</b>	<i>Please insert the name, job title, service and directorate of the person completing this form</i>
<b>Approved by:</b>	<i>Please insert the name, job title, service and directorate of your manager/Director as appropriate for the level of activity</i>
<b>Date completed:</b>	<i>DD/MM/YYYY</i>
<b>Scheduled date for review:</b>	<i>If applicable. Please provide a reason if it does not need to be reviewed.</i>

<b>Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?</b>	Yes / No
---	----------

Please note that EqHIAs are **public** documents and must be made available on the Council's [EqHIA webpage](#).

When completed, a copy of this form should be saved with the activity a policy, strategy, procedure, project, new or change in service, initiative or other's file for audit purposes and in case it is requested under the Freedom of Information Act.

**When EqHIA is completed send a copy to the following email address –**  
[EqHIA@Uttlesford.gov.uk](mailto:EqHIA@Uttlesford.gov.uk)

# 1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact your Divisional Equality Lead. Please refer to the Guidance in Appendix 1 on how to complete this form. **When EqHIA is completed send a copy to the following email address [EqHIA@Uttlesford.gov.uk](mailto:EqHIA@Uttlesford.gov.uk)**

## About your activity

1	Title of activity	<i>Insert title here</i>		
2	Type of activity	<i>Is the activity a policy, strategy, procedure, project, new or change in service, initiative or other (please specify)?</i>		
3	Scope of activity	<ul style="list-style-type: none"> <li>- <i>What is the scope and intended outcomes of the activity being assessed?</i></li> <li>- <i>Make sure you highlight any proposed changes.</i></li> <li>- <i>Please make sure that your description is understood by everyone, including members of the public.</i></li> </ul>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes / No	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes / No		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes / No		
5	If you answered YES:	<b>Please complete the EqHIA in Section 2 of this document.</b> Please see Appendix 1 for Guidance.		
6	If you answered NO:	<i>Please provide a clear and robust explanation on why your activity does not require an EqHIA. This is essential in case the activity is challenged under the Equality Act 2010.</i>  <i>Please keep this checklist for your audit trail.</i>		

Completed by:	<i>Please include your name, job title, service and directorate</i>
Date:	<i>DD/MM/YYYY</i>

## 2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:
<p style="text-align: right;"><i>*Expand box as required</i></p>

Who will be affected by the activity?
<p style="text-align: right;"><i>*Expand box as required</i></p>

Protected Characteristic - Age: Consider the full range of age groups							
<p><i>Please tick (✓) the relevant box:</i></p> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;"><b>Positive</b></td> <td style="width: 20px; height: 20px;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><b>Neutral</b></td> <td style="width: 20px; height: 20px;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;"><b>Negative</b></td> <td style="width: 20px; height: 20px;"><input type="checkbox"/></td> </tr> </table>	<b>Positive</b>	<input type="checkbox"/>	<b>Neutral</b>	<input type="checkbox"/>	<b>Negative</b>	<input type="checkbox"/>	<p><b>Overall impact:</b></p> <p style="text-align: right;"><i>*Expand box as required</i></p>
<b>Positive</b>	<input type="checkbox"/>						
<b>Neutral</b>	<input type="checkbox"/>						
<b>Negative</b>	<input type="checkbox"/>						
<p><b>Evidence:</b></p> <p style="text-align: right;"><i>*Expand box as required</i></p>							
<p><b>Sources used:</b></p> <p style="text-align: right;"><i>*Expand box as required</i></p>							

<b>Protected Characteristic - Disability:</b> Consider the full range of disabilities; including physical mental, sensory and progressive conditions	
<i>Please tick (✓) the relevant box:</i>	
<b>Positive</b>	<input type="checkbox"/>
<b>Neutral</b>	<input type="checkbox"/>
<b>Negative</b>	<input type="checkbox"/>
<b>Overall impact:</b>	
<i>*Expand box as required</i>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

<b>Protected Characteristic - Sex/gender:</b> Consider both men and women	
<i>Please tick (✓) the relevant box:</i>	
<b>Positive</b>	<input type="checkbox"/>
<b>Neutral</b>	<input type="checkbox"/>
<b>Negative</b>	<input type="checkbox"/>
<b>Overall impact:</b>	
<i>*Expand box as required</i>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

<b>Protected Characteristic - Ethnicity/race:</b> Consider the impact on different ethnic groups and nationalities	
<i>Please tick (✓) the relevant box:</i>	
<b>Positive</b>	<input type="checkbox"/>
<b>Neutral</b>	<input type="checkbox"/>
<b>Negative</b>	<input type="checkbox"/>
<b>Overall impact:</b>	
<i>*Expand box as required</i>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

<b>Protected Characteristic - Religion/faith:</b> Consider people from different religions or beliefs including those with no religion or belief	
<i>Please tick (✓) the relevant box:</i>	
<b>Positive</b>	<input type="checkbox"/>
<b>Neutral</b>	<input type="checkbox"/>
<b>Negative</b>	<input type="checkbox"/>
<b>Overall impact:</b>	
<i>*Expand box as required</i>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

<b>Protected Characteristic - Sexual orientation:</b> Consider people who are heterosexual, lesbian, gay or bisexual	
<b>Overall impact:</b>	
<i>Please tick (✓) the relevant box:</i>	
<b>Positive</b>	<input type="checkbox"/>
<b>Neutral</b>	<input type="checkbox"/>
<b>Negative</b>	<input type="checkbox"/>
<i>*Expand box as required</i>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

<b>Protected Characteristic - Gender reassignment:</b> Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth	
<b>Overall impact:</b>	
<i>Please tick (✓) the relevant box:</i>	
<b>Positive</b>	<input type="checkbox"/>
<b>Neutral</b>	<input type="checkbox"/>
<b>Negative</b>	<input type="checkbox"/>
<i>*Expand box as required</i>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	



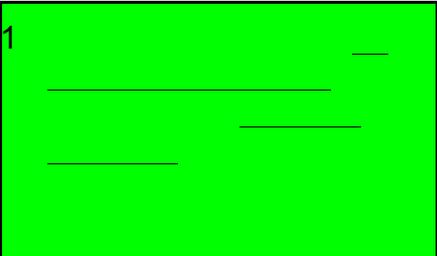
<b>Socio-economic status:</b> Consider those who are from low income or financially excluded backgrounds	
<i>Please tick (✓) the relevant box:</i>	<b>Overall impact:</b>
<b>Positive</b>	<i>*Expand box as required</i>
<b>Neutral</b>	
<b>Negative</b>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

<b>Health &amp; Wellbeing Impact:</b> Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.	
<i>Please tick (✓) all the relevant boxes that apply:</i>	<b>Overall impact:</b>
<b>Positive</b>	<i>*Expand box as required</i>
<b>Neutral</b>	<b>Do you consider that a more in-depth HIA is required as a result of this brief assessment?</b> Please tick (✓) the relevant box <b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/>
<b>Negative</b>	
<b>Evidence:</b>	
<i>*Expand box as required</i>	
<b>Sources used:</b>	
<i>*Expand box as required</i>	

### 3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

1		→	<b>Proceed with implementation of your activity</b>
2.	The EqHIA identified some <u>negative impact</u> which still needs to be <u>addressed</u>	→	<b>COMPLETE SECTION 4:</b> <b>Complete action plan</b> and finalise the EqHIA
3.	The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	→	<b>Stop and remove</b> the activity or <b>revise</b> the activity <b>thoroughly</b> . <b>Complete an EqHIA on the revised proposal.</b>

## 4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer

**Add further rows as necessary**

\* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

\*\* Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

## 5. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

**Review:**

**Scheduled date of review:**

**Lead Officer conducting the review:**

*\*Expand box as required*

## Appendix 2 Health & Wellbeing Impact Tool

Will the activity/service/policy/procedure affect any of the following characteristics? Please tick/check the boxes below

The following are a range of considerations that might help you to complete the assessment.

Lifestyle YES <input type="checkbox"/> NO <input type="checkbox"/>	Personal circumstances YES <input type="checkbox"/> NO <input type="checkbox"/>	Access to services/facilities/amenities YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Diet <input type="checkbox"/> Exercise and physical activity <input type="checkbox"/> Smoking <input type="checkbox"/> Exposure to passive smoking <input type="checkbox"/> Alcohol intake <input type="checkbox"/> Dependency on prescription drugs <input type="checkbox"/> Illicit drug and substance use <input type="checkbox"/> Risky Sexual behaviour <input type="checkbox"/> Other health-related behaviours, such as tooth-brushing, bathing, and wound care	<input type="checkbox"/> Structure and cohesion of family unit <input type="checkbox"/> Parenting <input type="checkbox"/> Childhood development <input type="checkbox"/> Life skills <input type="checkbox"/> Personal safety <input type="checkbox"/> Employment status <input type="checkbox"/> Working conditions <input type="checkbox"/> Level of income, including benefits <input type="checkbox"/> Level of disposable income <input type="checkbox"/> Housing tenure <input type="checkbox"/> Housing conditions <input type="checkbox"/> Educational attainment <input type="checkbox"/> Skills levels including literacy and numeracy	<input type="checkbox"/> to Employment opportunities <input type="checkbox"/> to Workplaces <input type="checkbox"/> to Housing <input type="checkbox"/> to Shops (to supply basic needs) <input type="checkbox"/> to Community facilities <input type="checkbox"/> to Public transport <input type="checkbox"/> to Education <input type="checkbox"/> to Training and skills development <input type="checkbox"/> to Healthcare <input type="checkbox"/> to Social services <input type="checkbox"/> to Childcare <input type="checkbox"/> to Respite care <input type="checkbox"/> to Leisure and recreation services and facilities
Social Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	Economic Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	Environmental Factors YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Social contact <input type="checkbox"/> Social support <input type="checkbox"/> Neighbourliness <input type="checkbox"/> Participation in the community <input type="checkbox"/> Membership of community groups <input type="checkbox"/> Reputation of community/area <input type="checkbox"/> Participation in public affairs <input type="checkbox"/> Level of crime and disorder <input type="checkbox"/> Fear of crime and disorder <input type="checkbox"/> Level of antisocial behaviour <input type="checkbox"/> Fear of antisocial behaviour <input type="checkbox"/> Discrimination <input type="checkbox"/> Fear of discrimination <input type="checkbox"/> Public safety measures <input type="checkbox"/> Road safety measures	<input type="checkbox"/> Creation of wealth <input type="checkbox"/> Distribution of wealth <input type="checkbox"/> Retention of wealth in local area/economy <input type="checkbox"/> Distribution of income <input type="checkbox"/> Business activity <input type="checkbox"/> Job creation <input type="checkbox"/> Availability of employment opportunities <input type="checkbox"/> Quality of employment opportunities <input type="checkbox"/> Availability of education opportunities <input type="checkbox"/> Quality of education opportunities <input type="checkbox"/> Availability of training and skills development opportunities <input type="checkbox"/> Quality of training and skills development opportunities <input type="checkbox"/> Technological development <input type="checkbox"/> Amount of traffic congestion	<input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Soil quality/Level of contamination/Odour <input type="checkbox"/> Noise levels <input type="checkbox"/> Vibration <input type="checkbox"/> Hazards <input type="checkbox"/> Land use <input type="checkbox"/> Natural habitats <input type="checkbox"/> Biodiversity <input type="checkbox"/> Landscape, including green and open spaces <input type="checkbox"/> Townscape, including civic areas and public realm <input type="checkbox"/> Use/consumption of natural resources <input type="checkbox"/> Energy use: CO2/other greenhouse gas emissions <input type="checkbox"/> Solid waste management <input type="checkbox"/> Public transport infrastructure

## Appendix 3

### EQUALITY STANDARDS WORKING GROUP – Terms of Reference

#### **PURPOSE**

The Equality Standard Working Group is responsible for the monitoring of progress and the assessment of the attainment of the various outcomes of the equality framework. It is also responsible for ensuring that the council adheres to its statutory obligations under the Equality Act 2010.. The group will consist of representatives from each service plus a lead officer from the Corporate Management Team.

#### **OBJECTIVES**

- The group will meet bi-monthly.
- The group will be responsible for reviewing, evaluating, developing and monitoring the Councils Comprehensive Equality Policy, Corporate Equality Action Plan and all other equality schemes as introduced
- The group will be responsible for providing a clear focus to drive the equalities agenda within the council forward, encouraging collaboration, communications and cooperation between departments and their service areas in promoting equality of opportunity using the Local Government Equality Framework as a guide
- The group will be responsible for driving the agenda within the council forward, encouraging collaboration, communication and cooperation between departments and their service areas
- The group will identify improvements which need to be made to current procedures and practices in order to meet the various levels of the Equality Framework
- The group will consult and work with other public, private and voluntary sector partners, outside agencies and relevant interest groups to ensure the council's approach accurately reflects the diverse nature of the community we serve
- The group will identify through service impact needs/requirement assessments what should be addressed, who should be consulted and by whom action should be taken and this will be reflected through the council's Corporate Equality Action Plan
- The group will develop an information, support and training programme for staff and members that will improve understanding and raise awareness of equality issues The group will advise on the levels of resources needed to ensure the promotion of equalities in order to achieve the council's objectives and that through individual departments service plans equality issues are recognised and addressed
- The group will provide a forum for discussion and exploration of equalities issues at a strategic level as they affect employees, councillors and service users
- The group will be responsible for collecting and reviewing the evidence against each objective of the Equality Framework before advising the Corporate Equality Action Plan
- Corporate Management Team, the council's Equalities Member Portfolio Lead and the Scrutiny Committee that each outcome has, in its opinion, been achieved.