



Haringey Council

Agenda item:

[No.]

Cabinet

15 July 2008

Report Title: Equalities Impact assessment: End-Year 2007/08

Forward Plan reference number (if applicable): N/A

Report of: Assistant Chief Executive, Policy, Performance, Partnership and Communication (PPP&C)

Wards(s) affected: All

Report for: Key Decision

1. Purpose (That is, the decision required)

1.1 To agree the criteria for selecting areas for equalities impact assessment and to endorse the equalities impact assessment programme for 2008/09

2. Introduction by Cabinet Member (if necessary)

2.1 In a borough as diverse as Haringey ensuring that we provide genuine equality of opportunity in employment and delivery of services can be challenging. I am sure that none of our services would deliberately make access difficult but there can be unintentional consequences to policies and procedures and it is here that Equality Impact Assessments are an invaluable tool.

2.2 The subjects for the 2008-9 programme have all been put forward by directorates and I would urge all my Cabinet colleagues to familiarise themselves with these areas and take note of the findings when available.

3. Recommendations

3.1 That the Cabinet:

- i. Note the schedule of impact assessments carried out in 2007/8;
- ii. Agree areas identified for impact assessment in 2008/9;

Report Authorised by: ACE, Policy, Performance, Partnership and Communication

Contact Officer: **Inno Amadi, Senior Equalities & Diversity Officer, Ext 2580**

4. Chief Financial Officer Comments

4.1 The Chief Financial Officer has been consulted on this report and highlights the fact that EIA should be embedded as part of the budget and business planning process through the Pre Business Plan Review's. Therefore, where there are significant investment or savings proposals being put forward by a business unit an EIA should be carried out by that business unit as part of their contribution to the overall business planning process.

5. Head of Legal Services Comments

5.1 The Head of Legal Services has been consulted on the content of this report. As paragraph 7.1 of the report makes clear there is a statutory duty on the Council to conduct and publish impact assessments of this nature in relation to its race, gender and disability equality duties.

6. Local Government (Access to Information) Act 1985

6.1 Equality Public Duties Scheme (LB Haringey 2006-10)

6.2 Equal Opportunities Policy (LB Haringey 2008)

7. Strategic Implications

7.1 Equalities Impact Assessment is a public duty on all public bodies. It derives from a number of legal frameworks to promote equal opportunity and prohibit unlawful discrimination. The key legal frameworks are the Disability Discrimination Act, the Race Relations Amendment Act 2000 and the Sex Discrimination Act 2006. The Council is bound by this duty.

7.2 The Council is working to achieving Level 4 of the Equality Standard for Local Government (ESLG), which is a national framework for assessing the performance of local authorities on equalities. External audit and inspection regimes including the Audit Commission use the Standard's criteria when assessing local authorities on equalities. In order to achieve Level 4 to which the Council is aspiring, we will need to demonstrate compliance with the equalities public duties of which equalities impact assessment is a key component.

8. Financial Implications

8.1 It is not expected that there will be additional financial implications for the Equalities and Diversity Team as support for this work will be provided with existing resources.

9. Legal Implications

9.1 The legal implications have been provided in paragraph 5.1 by the Head of Legal Services.

10. Equalities Implications

10.1 This report is about promoting equality of opportunity by assuring that the Council is able to identify and address potential adverse effects of its proposals on any sections of the community before they are agreed for implementation.

11. Consultation

11.1 Equalities Impact Assessment Framework and the schedules detailed in appendices 1 and 2 have been the subject of discussions at Directorate Equalities Fora. They will continue to be standing agenda items during the course of the year as the impact assessment programme is implemented and its progress monitored and reported on to DMTS and CEMB.

12. Background

Equalities impact assessment is carried out for a number of reasons:

12a. It is a legal requirement

12a.1 Equalities Impact Assessment is a public duty on public bodies and derives from a number of legal frameworks to promote equality and prohibit unlawful discrimination. Key among these are the Disability Discrimination Act, the Race Relations (Amendment) Act 2000, and the Sex Discrimination Act 2006.

12a.2 In each of these three Acts, there is a requirement to have a related equality scheme, which should have amongst other features, the public body's arrangements for assessing what effects its current or proposed policies, strategies and practices are having or are likely to have on the specific groups that they cover. For example, on minority racial/ethnic groups (Race Relations Amendment Act 2000); on people with disability (Disability Discrimination Act) and on men/women (Sex Discrimination Act).

12a.3 In Haringey, we have adopted a generic scheme which embraces this duty and applies it to other diversity strands that have since been brought within the protection of equalities laws through Regulations. This means that in Haringey all our equalities activities including equalities impact assessment now cover all the six diversity strands, i.e. age, disability, gender, race, religion and sexuality.

12b It is a Council policy commitment

The Council's equalities policy and the generic equality scheme both commit the Council to carrying out equalities impact assessment as a means of ensuring that the Council meets its statutory duties under the various equalities statutes and regulations and also as a matter of good practice, to be able to identify where inequality could be occurring and acting to prevent or mitigate its effects..

12c It is good practice in policy and strategy development

We believe it is good practice when developing a policy or strategy or new initiatives to anticipate the likely effects it may have and take steps to prevent or minimise any likely negative effects. This ensures that disadvantaged groups are not further disadvantaged by the policies and strategies we adopt and Members are advised of the potential effects of proposals before they take decisions that will inevitably affect people's lives.

12d It is required for attaining Level 4 of the equality standards

12d.1 The Equality Standard for Local Government has become an established benchmark on which a public authority is assessed on its equalities performance. External audit and inspection regimes including the Audit Commission use the Standard's criteria in their assessments of local authorities on equalities.

12d.2 A key element of the Standard's criteria is compliance with equalities public duties of which equalities impact assessment is one.

12e Responsibilities and choosing what to impact assess

12e.1 The responsibility for carrying equalities impact assessments is placed on originators and authors of proposals, with equality officers there to advise and support if called upon. There is a guide and a standard template (available on Harinet). There is also a separate template which Personnel have developed in conjunction with the Equalities Team for use in respect of restructuring proposals.

12e.2 We recognise that not everything can or should be equalities impact assessed. We should consider doing an equalities impact assessment if the proposals we are taking forward to decision wholly or partly:-

- i. Have direct service delivery implications;

- ii. Relate to employment within the Council (on grounds that employment is designated high priority by virtue of equalities public duties especially in regards to race, gender and disability equality);
- iii. Relate to employment and pupils' attainments in schools (on grounds that these are part of Specific Duties in Education);
- iv. Identified as a key priority and is in the Forward Plan;
- v. Relate to a strategic project that has direct service implications;
- vi. Relate to an issue where, in the opinion of the Director, impact assessment is necessary;

12e.3 For 2008/09, the areas for impact assessment have been identified through the Directorates' Equalities Fora, using the Pre- Business Plans as the basis. The Equalities Impact Assessment schedules presented in appendix 2 of this report have been finalised and agreed by the respective Directorate Equalities Fora and DMTs and now require endorsement by the Cabinet.

13. Conclusion

13.1 Quite apart from complying with a public duty, equalities impact assessment is good practice when introducing change, whether in terms of strategy, policy, new initiatives or procedure. Haringey has a diverse population and workforce. It is essential to ensure that we are fully aware of the potential effects of any proposed change on the various sections of the community or workforce and identify action to remedy any potential adverse effects before the proposal is finalised for decision.

14. Use of Appendices

Two appendices