

Equality Impact Assessment

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

Public bodies are required in it to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- foster good relations between people who share a protected characteristic and people who do not share it.

The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new equality duty replaces the three previous public sector equality duties, for race, disability and gender. The new equality duty covers the following protected characteristics:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation.

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having due regard means consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they

design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to advance equality of opportunity involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the equality duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore take account of disabled people's impairments when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they considered the aims of the Equality Duty. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect

on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Execs	Lead officer responsible for EIA	Chief Communities Officer
Name of the policy or function to be assessed:	Community Trigger Policy		
Names of the officers undertaking the assessment:	Chief Communities Officer		
Is this a new or an existing policy or function?	Updated		
<p>1. What are the aims and objectives of the policy or function?</p> <p>The Policy has been updated following the retirement of the Head of Public protection to bring it up to date.</p> <p>The Policy sets out the Borough Councils approach to the internal management for the delivery the duty to allow an individual, business or community group who is the victim of ASB to request a case review (Community Trigger panel meeting) as set out in the Anti-Social Behaviour, Crime and Policing Act 2014.</p>			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>To provide a framework within which Community Trigger applications are assessed and managed within the resources available.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Officers delivering the duty and residents who are victims of ASB and who have reported the ASB 3 times in the last 6 months without action being taken by any agency.</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Broxtowe Borough Council Police Residents who are ASB Victims</p>			
<p>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</p> <p>Data relating to the number of Community Trigger applications received annually. Data relating to the number of Community Trigger panel meetings held which resulted in action plans.</p>			

Directorate:	Chief Execs	Lead officer responsible for EIA	Chief Communities Officer
Data relating to the number of Community Trigger applications received which did not meet the criteria. Data relating to the number of applications which met the criteria but which did not result in action plans.			
6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?			
None			

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?
No consultation has been carried out as the Policy relates to the internal management of the application process which is driven by the statutory duty and resources available.
8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways? In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:
<input type="checkbox"/> Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?
No specific equality groups are excluded though the policy, it affects all residents equally.
<input type="checkbox"/> Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?
The policy applies equally to all groups however some groups with protected factors may not report ASB to the same levels as other groups and some may be able to be less tolerant of acceptable levels of living noise or activity due to their condition. Those with mental health conditions are far more likely to be both victims and perpetrators of ASB. During the trigger process due regard is paid to the diagnosed mental health conditions of both victim and perpetrator.
<input type="checkbox"/> Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?
Access is the same as across all our services, the only barrier to

accessing the service is the requirement to have reported the ASB to either the Police or Local Authority.

- Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

Only to better relations between individuals due to action plans being put in place to resolve ASB.

- What further evidence is needed to understand the impact on equality?**

Statistical evidence on reported incidents of ASB broken down by equality strand however this data is not collected.

9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?

Age:

None

Disability:

None

Gender:

None

Gender Reassignment:

None

Marriage and Civil Partnership:

None

Pregnancy and Maternity:

None

Race:

None

Religion and Belief:

None

Sexual Orientation:

None

Chief Executive Director: Ruth Hyde

Signature:

This strategy recognises that women and girls are disproportionately affected by Domestic Abuse and Violence Against Women and Girls and that men, boys and non-binary people are also affected by issues which encompasses Domestic Abuse and Violence Against Women and Girls.

It is important to ensure that appropriate service responses are in place for support and that age, gender, culture, race, religion, disability, sexual orientation and mental health may be an additional barrier to reporting or seeking help