

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)

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|---|--------------------------|-----------------------------------|-------------------|
| Directorate: | Chief Executive's | Lead officer responsible for EIA | David Gell |
| Name of the policy or function to be assessed: | | Safeguarding Adults Policy | |
| Names of the officers undertaking the assessment: | | David Gell | |
| Is this a new or an existing policy or function? | | Existing | |
| <p>1. What are the aims and objectives of the policy or function? Broxtowe Borough Council's (the Council's) Vision for Broxtowe is <i>"a great place where people enjoy living, working and spending leisure time."</i> The Council's corporate objective for Community Safety is <i>"Broxtowe will be a place where people feel safe and secure in their communities."</i></p> <p>This policy sets out the Council's commitment to safeguarding adults who are at risk and how it will meet its moral and statutory obligations through decision making, service delivery, and other appropriate actions and developments.</p> | | | |
| <p>2. What outcomes do you want to achieve from the policy or function?</p> <ul style="list-style-type: none"> • Implement and maintain systems of working practice to safeguard at risk adults during council activities. • To fully assist Nottinghamshire County Council and other relevant agencies in the safeguarding and promotion of the welfare of adults with care and support needs who are experiencing, or at risk of, abuse or neglect. • To develop and implement appropriate procedures to ensure the well-being of adults in need of safeguarding to protect them from harm. • To provide employees, Councillors and volunteers (working on behalf of Broxtowe BC) with training, guidance and support to assist them in recognising and responding to indicators of possible abuse or neglect . • To ensure that all employees working with adults with care and support needs can identify the signs and symptoms of the types of neglect and abuse. • To ensure that all employees understand and follow the relevant procedures when they have concerns about adult abuse or neglect. • To ensure that any appropriate Disclosure and Barring Service (DBS) checks are completed, as determined by Broxtowe Borough Council's Recruitment and Selection Policy, for employees that work with, or have significant access to, adults at risk of abuse or neglect. | | | |

- To facilitate the Complex Case Panel in Broxtowe. This is a multi-agency forum which meets to share intelligence on known adults at risk and other adults who may be considered to have complex needs, to ensure all appropriate help and support can be provided.

3. Who is intended to benefit from the policy or function?

Adults in the borough who may be considered at risk of abuse or neglect; employees and councillors who will become aware of the proper action to take.

4. Who are the main stakeholders in relation to the policy or function?

Adult residents of the borough; Broxtowe Borough Council staff and councillors, Nottinghamshire Safeguarding Adults Board; Nottinghamshire County Council; relevant partner agencies, charities and organisations; Nottinghamshire Multi Agency Safeguarding Hub (MASH).

5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?

In 2016/17, there were 364, 605 concerns of adult abuse raised in England. Of these, 151,160 resulted in formal safeguarding enquiries.

Nottinghamshire Safeguarding Adults s.42 Enquiries 2016/17

| Age | 18-64 | 65-74 | 75-84 | 85+ |
|--|-------|-------|-------|------|
| Number of s.42 referrals* per 100,000 adults | 180 | 251 | 1000 | 3353 |

| Sex | Female | Male | Not stated |
|------------------------------|--------|------|------------|
| Actual no. of S.42 referrals | 1335 | 945 | 25 |

| Ethnicity | Asian | Black | Mixed | No Data | Other | White |
|------------------------------|-------|-------|-------|---------|-------|-------|
| Actual no. of S.42 referrals | 35 | 25 | 20 | 55 | 5 | 2165 |

*The Care Act 2014 (Section 42) requires that each local authority must make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom.

In percentage terms, the referrals, when broken down by gender, age and ethnicity, were similar to previous years with women being significantly more likely to be the subject of a referral. The over 85's represented the biggest number of referrals per 100,000 of the Nottinghamshire population based on age group.

The number of referrals meeting the threshold for an enquiry went up nationally by 6% from 2015/16.

The type of abuse which leads to the largest numbers of enquiries is neglect and acts of omission, followed by physical abuse, and financial abuse.

(Information taken from NHS Safeguarding Adults Collection, Annual Report, England 2016-17)

6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?

None available

7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?

Not undertaken.

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:

The policy does not adversely affect any particular group.

- **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?**

Some of the issues highlighted in the policy are particular to certain ethnic groups. Specifically, this relates to the issue of forced marriage. The targeting of this is wholly justified on the basis that it is now illegal.

- **Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

Yes

- **Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

No

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

It is anticipated that positively addressing the issue of safeguarding adults across all groups, will only be seen as beneficial.

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

None

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: No further action required

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|---|
| Disability: No further action required |
| Gender: No further action required |
| Gender Reassignment: No further action required |
| Marriage and Civil Partnership: No further action required |
| Pregnancy and Maternity: No further action required |
| Race: No further action required |
| Religion and Belief: No further action required |
| Sexual Orientation: No further action required |

Head of Service:
I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

Signature of Head of Service: D Gell