

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.

The general equality duty applies to all of the decisions made in the course of exercising public functions, not just to policy development and high-level decision-making. The functions of a public authority include all of its powers and duties. Examples of this include: policy decisions, strategies, individual decision-making, budgetary decisions, public appointments, service provision, statutory discretion, employment of staff and procurement of goods and services.

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:	Executive Director	Lead officer responsible for EIA	Head of Environment
Name of the policy or function to be assessed:	Climate Change and Green Futures Strategy		
Names of the officers undertaking the assessment:	Waste and Climate Change Manager		
Is this a new or an existing policy or function?	Existing Strategy which has been refreshed.		
<p>1. What are the aims and objectives of the policy or function?</p> <p>The strategic aims for the Climate Change Strategy are:</p> <ul style="list-style-type: none"> • To become carbon neutral by 2027 for the Council's own operations. • To establish a baseline for all carbon scopes and then to propose a date for net zero using science based targets for the Council's own operations. • To align to the UK's net zero Commitment of 2050 for the Borough and establish the actions and potential budget required to achieve this (working to an earlier date if possible). 			
<p>2. What outcomes do you want to achieve from the policy or function?</p> <p>To become carbon neutral by 2027 for the Council's own operations.</p>			
<p>3. Who is intended to benefit from the policy or function?</p> <p>Everyone who lives or works in the Borough of Broxtowe.</p>			
<p>4. Who are the main stakeholders in relation to the policy or function?</p> <p>Members General Management Team (GMT) Employees in the Council Residents</p>			

Businesses
Community Groups

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

Baseline data calculated by The Carbon Trust to establish the Councils carbon emissions in 2009 as well as the data collated annually to monitor and assess progress to achieving carbon neutrality.

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

Qualitative data and assessments obtained from an external Peer Review. The findings from the Peer Review Team were that the Council were trend setters with regards addressing climate change. Qualitative data obtained from the attendance at Green Festivals in 2021/22 and 2022/23. Qualitative data from stakeholder presentations.

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

Consultation on the draft revised strategy will be undertaken in June 2023 as an outcome from an action contained within the new strategy. Results will then inform and contribute to future revisions of the strategy for 2024.

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:

- 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

- 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?

Communication regarding the consultation will primarily be digital based but this will be addressed by ensuring that a paper based consultation questionnaire and a copy of the draft strategy are available at multiple sites across the Borough.

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

The strategy encourages the collaboration and cooperation between different stakeholder groups in order to share a sense of responsibility for addressing climate change together. This allows a transition to a more sustainable future.

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

The results of the consultation being undertaken in June 2023 may provide additional evidence.

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: Assess engagement across age groups to ensure all are able to access and engage in climate change activities. This can be monitored at stakeholder engagement events. Consideration of the media channels used in the consultations, production of the strategy and actions within the carbon management plan to ensure these are accessible to all and any gaps are addressed.

Disability: NA

Gender: NA

Gender Reassignment: NA

Marriage and Civil Partnership: NA

Pregnancy and Maternity: NA

Race: Investigate how hard to reach groups can be encouraged to engage in the climate change activities. This can be monitored at stakeholder engagement events. Consideration of the media channels used in the consultations, production of the strategy and actions within the carbon management plan to ensure these are accessible to all and any gaps are addressed. Ensuring information is available in different languages.

Religion and Belief: Investigate how hard to reach groups can be encouraged to engage in the climate change activities. This can be monitored at stakeholder engagement events. Consideration of the media channels used in the consultations, production of the strategy and actions within the carbon management plan to ensure these are accessible to all and any gaps are

addressed. Ensuring information is available in different languages.

Sexual Orientation: NA

Executive Director:

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: Executive Director