

**APPENDIX 2****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:	Planning and Economic Development	Lead officer responsible for EIA	Ryan Dawson
Name of the policy or function to be assessed:		Greater Nottingham Strategic Plan: Preferred Approach (consultation)	
Names of the officers undertaking the assessment:		Mark Thompson	
Is this a new or an existing policy or function?		The Aligned Core Strategy forms part of the adopted Council's Local Development Plan. This is now being reviewed. The Greater Nottingham Strategic Plan will contain updated and new policies to replace the Aligned Core Strategy.	
<p><b>1. What are the aims and objectives of the policy or function?</b></p> <p>The Strategic Plan covers Greater Nottingham (Broxtowe Borough, Gedling Borough, Nottingham City and Rushcliffe Borough) and is being jointly produced by Broxtowe Borough, Gedling Borough, Nottingham City and Rushcliffe Borough Councils.</p> <p>This Preferred Approach consultation focuses specifically on strategic distribution and logistics, identifying preferred sites which will contribute to meeting the identified need.</p>			
<p><b>2. What outcomes do you want to achieve from the policy or function?</b></p> <p>To undertake a consultation on the Preferred Approach which will inform the publication version of the Strategic Plan. This will enable various groups and stakeholders to comment on the plan.</p>			

The Strategic Plan needs to demonstrate how the identified employment needs have been met.

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

The whole existing and future community and wider regional economy.

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

The whole existing and future community and wider regional economy. A comprehensive consultation will be undertaken.

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

The Preferred Approach has been informed by a detailed evidence base which includes an Employment Land Study which considers employment needs of different groups. Equality impact assessments have also been previously undertaken for the Aligned Core Strategy and Part 2 Local Plan.

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

The Preferred Approach has been informed by a detailed evidence base and consultation responses to previous consultations.

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

The Preferred Approach has been informed by consultation comments received as part of previous consultations. Further consultation will be carried out and any comments relating to equality will be considered and incorporated into the Strategic Plan.

**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 - It does not target or exclude a specific group or community. A range of consultation methods will be used to encourage a wide range of people to respond to the consultation.

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

Yes - A range of consultation methods will be used to encourage a wide range of people to respond to the consultation. A detailed evidence base is also being produced to ensure that the Strategic Plan meets wider needs, including groups who may not respond to the consultation.

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

A range of consultation methods will be used to encourage a wide range of people to respond to the consultation.

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

The allocation and provision of land for employment will benefit all members of the community. Race, age and disability inequalities have potential to be addressed through the improvement to access to employment opportunities. The provision of employment sites in accessible locations, particularly close to areas of deprivation, will benefit members of the community who do not have access to a private car.

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

Analysis of the consultation responses to identify underrepresented groups.

- 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:** The Strategic Plan is relevant to all who live, work and visit Greater Nottingham. It is not intended to benefit any one particular group above others. The allocation and delivery of land for housing and employment will have a positive impact on both existing and future residents. The consultation methods aim to be fully inclusive for all ages.

**Disability:** The Strategic Plan is relevant to everyone who will live, work and visit Greater Nottingham. It is not intended to benefit any one particular group above others. It will provide increased opportunities for disabled people to access suitable housing. Delivery of land for employment in particular will provide opportunities to address disability inequalities. Access to transport, housing, jobs, services and facilities (20-minute neighbourhood), and open space will help disabled people. Availability of information online may help reduce barriers to participation in the local plan process for those with physical disabilities.

**Gender:** The Strategic Plan is inclusive of all gender groups. Equality of opportunity for all is an overall aim of the Strategic Plan. The Strategic Plan includes themes which are relevant to gender such as access to transport, housing, jobs, services and facilities (20-minute neighbourhood), and open space.

**Gender Reassignment:** The Strategic Plan is inclusive of all gender groups. Equality of opportunity for all is an overall aim of the Strategic Plan.

**Marriage and Civil Partnership:** No equality impacts have been identified that are specific to these groups.

**Pregnancy and Maternity:** The Strategic Plan is relevant to everyone who will live, work and visit Greater Nottingham. It is not intended to benefit any one particular group above others.

**Race:** The Strategic Plan is inclusive. Equality of opportunity for all is an overall aim of the Strategic Plan. The allocation and delivery of land for employment will have a positive impact on both existing and future residents.

**Religion and Belief:** The Strategic Plan is intended to promote the needs of all regardless of religions/beliefs. A variety of religious groups are included on the consultation database and consultation methods are designed to reach all groups including 'hard to reach' groups

**Sexual Orientation:** Equality of opportunity for all is an overall aim of the Strategic Plan.

**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:**

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